

gTLD Review Group Members

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Garth Bruen	GB	NARALO
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Community Objection Grounds for .health

Community

The objector must prove that the community expressing opposition can be regarded as a clearly delineated community. A panel could balance a number of factors to determine this, including but not limited to:

Criteria for community	Notes
<p>The level of public recognition of the group as a community at a local and/or global level</p>	<p>JC - From its website I can see that the International Medical Informatics Association has a very significant membership of societies, corporates and academic organisation throughout the world. This grants sufficient inference of global recognition. Plus GAC early warnings by governments of France and Mali; and concerns raised by WHO.</p> <p>FS - France, Mali, EUC, WHO and many NGOs</p> <p>ED - The International Medical Informatics Association web site membership section at: http://www.imia-medinfo.org/new2/node/13 is an indicator of thee level of public recognition of the group as a community</p> <p>DK - IMIA plays a major global role in the application of information science and technology in the fields of healthcare and research in medical, health and bio-informatics. The basic goals and objectives of the association are to:</p> <ul style="list-style-type: none"> - promote informatics in health care and research in health, bio and medical informatics. - advance and nurture international cooperation. - to stimulate research, development and routine application. - move informatics from theory into practice in a full range of health delivery settings, from physician's office to acute and long term care. - further the dissemination and exchange of knowledge, information and technology. - promote education and responsible behaviour. - represent the medical and health informatics field with the World Health Organization and other international professional and governmental organizations. <p>CS - The association has its origin in 1967 and has global membership in all regions, including LAC. The WHO has also joined with concerns.</p>
<p>The level of formal boundaries around the community and what persons or entities are considered to form the community</p>	<p>JC - International Medical Informatics Association membership criteria and entry protocols offer sufficient formal boundaries in my opinion.</p> <p>ED - The International Medical Informatics Association web site membership section at: http://www.imia-medinfo.org/new2/node/13 is an indicator of formal boundaries around the community.</p>

	CS – See above
The length of time the community has been in existence	<p>JC - Per website http://www.imia-medinfo.org/new2/node/1 “The International Medical Informatics Association is an independent organization established under Swiss law in 1989. IMIA was originally established in 1967 as Technical Committee 4 of the International Federation for Information Processing (IFIP -www.ifip.org).”</p> <p>ED - The International Medical Informatics Association web site about section at: http://www.imia-medinfo.org/new2/node/1 indicates that the organization was established by law in 1989.</p> <p>CS – See above</p>
The global distribution of the community (this may not apply if the community is territorial)	<p>JC - Significant if you view even a sampling of their membership from their website</p> <p>ED - The International Medical Informatics Association web site membership section at: http://www.imia-medinfo.org/new2/node/13 is an indicator of its global distribution.</p> <p>CS – See above</p>
The number of people or entities that make up the community.	<p>JC - Significant if you view even a sampling of their membership from their website</p> <p>ED - From the International Medical Informatics Association web site membership section at: http://www.imia-medinfo.org/new2/node/13 we can infer the number of people that make up the community.</p> <p>CS – See above</p>

If opposition by a number of people/entities is found, but the group represented by the objector is not determined to be a clearly delineated community, the objection will fail.

Community Objection Grounds for .health

Substantial Opposition

The objector must prove substantial opposition within the community it has identified itself as representing. A panel could balance a number of factors to determine whether there is substantial opposition, including but not limited to:

Criteria for substantial opposition	Notes
Number of expressions of opposition relative to the composition of the community;	<p>JC - The International Medical Informatics Association represents a broad base of societies, corporates and academic organisations throughout the world. Plus GAC early warnings by governments of France and Mali; and concerns raised by WHO.</p> <p>AD - Note public comments also</p> <p>ED - The vast number of people/entities are implied in The International Medical Informatics Association and GAC Earlier Warning are enough to support this.</p> <p>CS - International Medical Informatics Association is an association of associations with membership across the globe, including LAC, Africa, Europe and Asia/Pacific.</p>
The representative nature of entities expressing opposition;	<p>JC - The International Medical Informatics Association is an international organisation representing a broad base of societies, corporates and academic organisations throughout the world; and then you have the governments of France and Mali and WHO.</p> <p>ED - The International Medical Informatics Association and GAC Earlier Warning are enough to support this.</p>
Level of recognized stature or weight among sources of opposition;	<p>JC - The International Medical Informatics Association is an international organisations; and then you have the governments of France and Mali and WHO.</p> <p>ED - The International Medical Informatics Association and GAC Earlier Warning are enough to support this.</p>
Distribution or diversity among sources of expressions of opposition, including: Regional, Subsectors of community, Leadership of community, Membership of community	<p>JC - The International Medical Informatics Association which represents a broad base of societies, corporates and academic organisations throughout the world. Plus governments of France and Mali; and WHO.</p> <p>ED - The International Medical Informatics Association and GAC Earlier Warning are enough to support this.</p>
Historical defense of the community in other contexts; and	<p>JC – Unknown</p> <p>AD - To be documented</p>

	<p>ED - And excerpt from the abstract of the IMIA Yearbook of Medical Informatics is an indicator of a historical defense of the community in other contexts: “t is designed to present an overview of the most original, excellent stateof-the-art research in the area of health and biomedical informatics of the past year; to provide surveys about recent developments, and comprehensive reviews on relevant topics in this field; and to provide information about IMIA.” Reference link: http://www.imia-medinfo.org/new2/node/34</p>
<p>Costs incurred by objector in expressing opposition, including other channels the objector may have used to convey opposition.</p>	<p>JC – Unknown</p> <p>ED - Costs are unknown for this channel as well as for the GAC Early Warning channel, However incurred costs (in-kind, real or otherwise) can be inferred by the fact that an objection was thought, written, edited and received.</p> <p>DK – Not applicable</p>

If some opposition within the community is determined, but it does not meet the standard of substantial opposition, the objection will fail.

Community Objection Grounds for .health

Targeting

The objector must prove a strong association between the applied-for gTLD string and the community represented by the objector. Factors that could be balanced by a panel to determine this include but are not limited to:

Criteria for targeting	Notes
Statements contained in application;	<p>JC - Per its website “The International Medical Informatics Association plays a major global role in the application of information science and technology in the fields of healthcare and research in medical, health and bio-informatics.” On the contrary, I don't find statements by the any of the 5 applicants to be extremely compelling:-</p> <ol style="list-style-type: none"> 1. DotHealth LLC was “was founded to pursue the launch and commercialization of the .Health new generic top-level domain” - <u>doesn't represent the health community</u> 2. Goose Fest, LLC / Donut Inc “intends to increase competition and consumer choice at the top level.” - <u>doesn't represent the health community</u> 3. dot Health Limited’s “mission and purpose is to create an environment where individuals and companies can interact and express themselves in ways never before seen on the Internet, in a more targeted, secure and stable environment. Its aim is to become the premier online destination for such creators and their wide range of users.” - <u>doesn't represent the health community</u>. 4. Afilias Limited proposes to use .health to “target registrants who wish to create a web presence to promote a business or educational entity, share information on any health-related field, as well as providing nutrition and exercise focused content”- <u>doesn't represent the health community</u> 5. Stable Tone Limited “The .健康 TLD is intended to benefit Chinese-speaking internet users by providing a designated and focused namespace for individuals and entities interested in issues related to healthy lifestyles, products and services.”- <u>doesn't represent the health community</u> <p>AD - Some applications identify as target the “global health stakeholders” or “sector community”, thus creating a potential overlap and conflict over the target community.</p> <p>ED - The string applied for is .HEALTH which has a strong association with the community objecting it as inferred in The International Medical Informatics Association web site about section at: http://www.imia-medinfo.org/new2/node/1.</p> <p>CS - Not sure how this applies since no specific claim is made to the effect that a community supports the application.</p>
Other public statements by the applicant;	<p>JC – Unknown AD – Not aware of</p> <p>ED - One example is the following excerpt from the dothealth web site: “DotHealth, LLC is the only registry applicant for</p>

	<p>the .health TLD that requires registrant adherence to the NABP-approved standard for online pharmacies.” (NABP=National Association of Boards of Pharmacy) - Reference link: http://www.dohealthgtld.com/</p> <p>DK - unknown</p>
<p>Associations by the public.</p>	<p>JC - The International Medical Informatics Association represents a broad base of societies, corporates and academic organisations in the area of health throughout the world. I would say it would clearly draw a stronger association by the public to the .health string than any of the Applicants.</p> <p>ED - One of the applicant Commercial web site contains the word health, i.e. www.dohealth.com and health is what The International Medical Informatics Association is all about.</p>

If opposition by a community is determined, but there is no strong association between the community and the applied-for gTLD string, the objection will fail.

Community Objection Grounds for .health

Detriment

The objector must prove that the application creates a likelihood of material detriment to the rights or legitimate interests of a significant portion of the community to which the string may be explicitly or implicitly targeted. An allegation of detriment that consists only of the applicant being delegated the string instead of the objector will not be sufficient for a finding of material detriment. Factors that could be used by a panel in making this determination include but are not limited to:

Criteria for Detriment	Notes
Nature and extent of damage to the reputation of the community represented by the objector that would result from the applicant’s operation of the applied-for gTLD string;	<p>JC - I find the points in the second last paragraph of Antoine's comment/objection are all valid, and on the basis that none of the 5 Applicants represent the health community at large, I would say detriment is likely.</p> <p>AD - Concerns over consumer trust</p> <p>ED - Nature and extend of damage can be deducted from the following GAC Early Warning excerpt: “A TLD for health that does not have adequate quality assurance mechanisms in place is likely to damage trust in the online health marketplace. This can harm legitimate online services and thereby limit competition and innovation.” Reference link: https://gacweb.icann.org/download/attachments/22938690/Health-ML-3236.pdf</p> <p>CS - Appropriation of the string to the applicant and exclusive exploitation may devalue goodwill accrued to International Medical Informatics Association members over the years and transfer value without compensation.</p>
Evidence that the applicant is not acting or does not intend to act in accordance with the interests of the community or of users more widely, including evidence that the applicant has not proposed or does not intend to institute effective security protection for user interests;	<p>JC - Although there is no evidence of this per se, on the basis that I agree that .health is a sensitive string and the fact that none of the 5 Applicants represent the health community at large, I am inclined to infer that detriment is likely.</p> <p>AD - Evidence is more prominent in case of Donuts applicant – for the rest more analysis and argumentation is needed to sustain the objection in this respect.</p> <p>ED - Evidence that the applicant does not intend to act to act in accordance with the interests of the community can be deducted from the following GAC Early Warning excerpt: “A TLD for health that does not have adequate quality assurance mechanisms in place is likely to damage trust in the online health marketplace. This can harm legitimate online services and thereby limit competition and innovation.” Refrence link: https://gacweb.icann.org/download/attachments/22938690/Health-ML-3236.pdf</p>
Interference with the core activities of the community that would result from the applicant’s operation of the applied-for gTLD string;	<p>JC - I am adequately persuaded by Antoine's point “The “.health” TLD without the adequate quality assurance and consumer protection mechanisms in place will undermine credibility and harm the growth of the health online market place. An open and unrestricted TLD will help to bypass regulatory controls creating new risks for the whole industry sector.”</p> <p>AD - Here the link is rather obvious since the target communities may</p>

	<p>overlap</p> <p>ED - Interference with the core activities of the community can be deducted from the following GAC Early Warning excerpt: “A TLD for health that does not have adequate quality assurance mechanisms in place is likely to damage trust in the online health marketplace. This can harm legitimate online services and thereby limit competition and innovation.”</p> <p>Reference link: https://gacweb.icann.org/download/attachments/22938690/Health-ML-3236.pdf</p>
<p>Dependence of the community represented by the objector on the DNS for its core activities;</p>	<p>JC - I am similarly adequately persuaded by Antoine's point “There is no guarantee that the new “.health” TLD will be operated in the interest of global public health and consumer protection.”</p> <p>AD -Direct connection with core activity is rather obvious since the target communities may overlap</p> <p>ED - Dependence of the community can be deducted from the following GAC Early Warning excerpt: “A TLD for health that does not have adequate quality assurance mechanisms in place is likely to damage trust in the online health marketplace. This can harm legitimate online services and thereby limit competition and innovation.”</p> <p>Reference link: https://gacweb.icann.org/download/attachments/22938690/Health-ML-3236.pdf</p>
<p>Nature and extent of concrete or economic damage to the community represented by the objector that would result from the applicant’s operation of the applied-for gTLD string; and</p>	<p>JC - Although there is no elaboration at this point, I am persuaded by Antoine's point “There is no guarantee that the new “.health” TLD will be operated in the interest of global public health and consumer protection.” evidence of this per se, on the basis that I agree that .health is a sensitive string and the fact that none of the 5 Applicants represent the health community at large, I am inclined to infer that detriment is likely.</p> <p>AD - quality assurance and consumer protection</p> <p>SR - It is relatively certain that the community will suffer future economic and non-economic damage from not being able to reflect itself in the TLD name space and/or due to another's exclusive right to do so.</p>
<p>Level of certainty that alleged detrimental outcomes would occur.</p>	<p>JC - Although there is no evidence of this per se, on the basis that I agree that .health is a sensitive string and the fact that none of the 5 Applicants represent the health community at large, I am inclined to infer that detriment is likely.</p> <p>AD - The level is rather high since the target communities may overlap</p> <p>SR – Unclear but see previous comment re: Nature and Extent</p>

<p>ED - Level of certainty that alleged detrimental outcomes would occur. can be deducted from the following GAC Early Warning excerpt: “A TLD for health that does not have adequate quality assurance mechanisms in place is likely to damage trust in the online health marketplace. This can harm legitimate online services and thereby limit competition and innovation.” Reference link: https://gacweb.icann.org/download/attachments/22938690/Health-ML-3236.pdf</p>

If opposition by a community is determined, but there is no likelihood of material detriment to the targeted community resulting from the applicant’s operation of the applied-for gTLD, the objection will fail.