



EN

AL/ALAC/ST/0313/1
ORIGINAL: English
DATE: 7 Mar 2013
STATUS: Final

AT-LARGE ADVISORY COMMITTEE

ALAC Statement on "Closed Generic" gTLD Applications

Introduction

By the Staff of ICANN

This Statement was originally composed by the following individuals after discussion of the topic both within At-Large meetings and on the mailing lists:

- Evan Leibovitch, At-Large member from the North American Regional At-Large Organization (NARALO), ALAC Executive Committee Vice-Chair, and ALAC Liaison to the NCSG;
- Alan Greenberg, At-Large member from the NARALO and ALAC Liaison to the GNSO; and
- Rinalia Abdul Rahim; At-Large member from the Asian, Australasian and Pacific Islands Regional At-Large Organization (APRALO) and ALAC Executive Committee member.

On 22 February 2013, an initial drafting of this Statement was posted on the [At-Large "Closed Generic" gTLD Applications Workspace](#) and input was requested from the At-Large community.

On 28 February 2013, a second draft of the Statement was posted on the aforementioned workspace. On that same day, Olivier Crépin-Leblond, Chair of the ALAC, requested At-Large Staff to send a Call for Comments on the draft Statement to all At-Large members via the [ALAC-Announce Mailing List](#).

On 1 March 2013, the final draft of this Statement incorporating the comments received was posted on the workspace. On that same day, the Chair of the ALAC requested that Staff open a five-day ALAC ratification vote on the Statement.

On 7 March 2013, At-Large Staff confirmed that the online vote resulted in the ALAC endorsing the Statement with 13 votes in favor, 0 votes against, and 1 abstention. You may review the result independently under: <https://www.bigpulse.com/pollresults?code=2935RvfeT6RYpM9PF3VRMLB5>

[End of Introduction]

The original version of this document is the English text available at <http://www.atlarge.icann.org/correspondence>. Where a difference of interpretation exists or is perceived to exist between a non-English edition of this document and the original text, the original shall prevail.

ALAC Statement on "Closed Generic" gTLD Applications

On the whole, the ALAC does not believe that unrestricted closed generics provide public benefit and would prefer that TLDs -- especially for strings representing categories -- were not allocated in a way that would lock out broad access to sub-domains. Some members of At-Large believe, on principle, that all closed generics are harmful to the public good. Others believe that, while not necessarily being beneficial to end users, closed gTLDs should be allowed as simply being consistent with existing practise for lower-level domains.

However, in developing this response to the Board's request, the ALAC found the issue to be far more nuanced than the above hard positions would suggest. There may be innovative business models that might allow a closed TLD to be in the public interest. An example might be a registry that makes 2nd level names available at no cost to anyone, but retains legal control over them. This is similar to the model used by Facebook and many blog hosting sites. Allowance should be made for applicants interested in widespread sub-domain distribution that do not require domain-name sales as a source of revenue, or for other forms of sub-domain allocation.

Whether a generic-word string is used with its generic meaning or in some other context may also be relevant. The fictitious but famous computer manufacturer, Orange Computers Inc. using the TLD ".orange" might be acceptable, while the same string used as a closed TLD by a California Orange Growers Cooperative (and not allowing access to orange producers from Florida or Mediterranean and South American countries) might well be considered unacceptable.

Allowing this nuanced approach would likely involve a case by case review of how a TLD will be used and how its sub-domains will be allocated. Moreover, it would require a contractual commitment to not change that model once the TLD is delegated.

In summary, the ALAC believes that completely uncontrolled use of generic words as TLDs is not something that ICANN should be supporting. However, some instances of generic word TLDs could be both reasonable and have very strong benefits of just the sort that ICANN was seeking when the TLD space was opened. Such uses should not be excluded as long as it can be established that they serve the public interest.