

IMPACT OF PICs & OTHER SAFEGUARDS

List specific safeguards and PICs, including trademark protections

- Impact/Reduces harm?
 - Contract safeguards
 - Applicant guidebook (AGB) safeguards Voluntary PICs (binding vs. discretionary - weak to strong)
 - Regulated vs. non-regulated gTLDs
 - Cost-benefit analysis

<<ACTION ITEM Get a list of safeguards>>

Compliance

- Complaints
- Enforcement

<<ACTION ITEM: Information needed from Compliance Team>>

For reference (Trademark Issues)

Relative costs of defensive registrations

- Pricing models
 - How has the absence of price restrictions affected consumer trust?
 - What are the consequences of the policy? (i.e. increased or decreased trust in the perceived value of domain names? coercive pricing?)

Brands protection (i.e. brand dilution, infringement)

Risk of confusion for a brand

Sunrise pricing

- Creates trust for existing rights holders or harms trust about fairness for new marketplace entrants?

Rights protection mechanisms

- Effectiveness

Level of cybersquatting in new gTLDs

Level of take up in the TMCH

CONSUMER/END-USER BEHAVIOR

Consumer literacy

- Public awareness of New gTLDs?
- Can consumers distinguish a legacy gTLD domain name from a similarly-named new gTLD domain name?
- How the new gTLD string itself may impact user expectations. For instance consumers will look to the TLD as an indication of its content. There is a wide range of TLDs some of which have safeguards / are regulated at the one end of the spectrum to others that do not. Consumers will not necessarily know which they can trust or what they can expect.
- Do consumers know where to go to report problems? Are consumers aware of the additional safeguards present in the New gTLDs

Comment [1]: Nielsen Global registrant survey

- They measure the trust level of gTLDs , what is found to be lower than Legacy. They also link it to level of purchase restrictions. We are already collecting this data, I am just not sure if we explicitly add this points here.

DNS abuse (TBD)

- Is DNS abuse more or less prevalent in New gTLDs than legacy gTLDs?
- What enforcement mechanisms do New gTLDs use to curb DNS abuse?
- What do DNS Abuse policies look like for New gTLD registries and registrars?
- Are there greater or fewer numbers of ICANN compliance issues with New gTLDs than with legacy gTLDs?

Consumer/end user behavior

- Navigate
 - Does not resolve
- Use
 - Are end-users more or less likely to be victims of malware, phishing, botnet command and control from New gTLDs or legacy gTLDs?
- IDNs (homographic attacks)

[PLACEHOLDER CONSUMER ABILITY TO FIND PRIVACY POLICY](#)

Registry privacy policy

- Are there privacy policies?
 - Are they easy to find?
- What type of personal information is collected?
- How long is personal information retained?
- How is personal information protected?
- When is personal information shared?

DEVELOPING COUNTRIES

Awareness of process

- Level of outreach (type of outreach, financial and other)
- Funding for outreach
 - Eligibility
 - Are the rules too restrictive?
- Implementation of outreach (timing)
 - Data (obtain figures that compare how much was spent on outreach compared to other activities)
- Adequate access to assistance (applicant support program)
 - Ensuring genuine nature of applicant
- Rules - as stated and as applied
- Confidence that the new gTLD application process is fair? (Trust in the process)

<<ACTION ITEM: Developing countries - Resources devoted to outreach>>

PROCEDURAL ISSUES

ICANN's role

- Enforcement of safeguards and public interest commitments

[PLACEHOLDER CARLTON](#)

Dispute resolution processes

Sufficient data - is there enough data to make conclusions about the fairness of procedures, etc.

Comment [2]: 5. SSAC 77

<https://www.icann.org/en/system/files/files/sac-077-en.pdf>

5.1 Data collection ideas: Total number of abuse complaints involving malicious or abusive registrations (data will likely need to be normalized to account for repetitive and/or invalid complaints);*Total number of unique domains that had complaints filed against them;*Total number of domains suspended for abuse;*Total number of domains suspended for fraudulent payment;*Total number of domains suspended by registry due to inaction by registrars (domain suspension requests sent by registries to registrars);*Total number of complaints against resellers; and*Total number suspensions of reseller credentials

Comment [3]: 3. gTLD Marketplace Health Index Proposal: Call for Comments and Volunteers <https://www.icann.org/en/system/files/files/report-comments-gtd-marketplace-health-05feb16-en.pdf>

3.1 ICANN could also look at malicious registrations identified in a particular gTLD or sponsored by a particular registrar.

- Public Interest Commitment Dispute Resolution
- Post Delegation Procedure Policy
- Uniform Rapid Suspension

OTHER

What else do we need?

Divide into new gTLDs vs legacy (compliance)

of complaints to registries, registrars

Compare level of abuse among legacy, new gTLDs (Drew to define methodology)

- Select gTLDs to compare (legacy and new)
- Gather lists of all current registrations in those TLDs (zone files)
- Compare the lists of registrations to domain names associated with known DNS abuse (as determined by a reliable authority such as APWG, Spamhaus, etc.)
- Determine whether there is any correlation between findings new/legacy gTLDs, registry/registrar DNS abuse policies, 2013 RAA compliance, literacy about gTLDs from Nielsen study, etc.

Highly regulated sector domains

DATA NEEDS

Compliance - TBD (resource allocation)