## 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)

<table>
<thead>
<tr>
<th>Relative costs of defensive registrations</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>- Pricing models</td>
<td></td>
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<tr>
<td>- How has the absence of price restrictions affected consumer trust?</td>
<td></td>
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<tr>
<td>- What are the consequences of the policy? (i.e. increased or decreased trust in the perceived value of domain names? coercive pricing?)</td>
<td></td>
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</table>

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

<table>
<thead>
<tr>
<th>Consumer literacy</th>
<th></th>
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<tbody>
<tr>
<td>- Public awareness of New gTLDs?</td>
<td></td>
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<tr>
<td>- Can consumers distinguish a legacy gTLD domain name from a similarly-named new gTLD domain name?</td>
<td></td>
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<tr>
<td>- 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.</td>
<td></td>
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<tr>
<td>- Do consumers know where to go to report problems? Are consumers aware of the additional safeguards present in the New gTLDs</td>
<td></td>
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</table>

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)

### 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>>

### ICANN’s role
- Enforcement of safeguards and public interest commitments

### PROCEDURAL ISSUES
**ICANN’s role**
- Enforcement of safeguards and public interest commitments

**Dispute resolution processes**
- Sufficient data - is there enough data to make conclusions about the fairness of procedures, etc.
**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)