

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
- Safeguards
 - Have the safeguards promoted consumer protection?
 - Have the safeguards promoted consumer trust?
- PICs
 - Have the PICs promoted consumer protection?
 - Have the PICs promoted consumer trust?
- Regulated gTLDs
 - Do regulated gTLDs screen registrants?
 - For those who do screen, what has been the impact of such screening?
- Compliance
 - What does data show re:
 - Most common complaint
 - Resolved/unresolved (outcome)
 - Legacy vs. new gTLDs

<<ACTION ITEM: Get a list of safeguards>> COMPLETE

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

ACTION ITEM: Research whether articles/studies about awareness of New gTLDs are available. ICANN staff to follow up.

PLACEHOLDER Trademark and right protection issues.

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?

ACTION ITEM - Refine order and content

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.

- 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)

- Abuse point of contact information

Contact relevant ccTLDs and look at CENTR data (market place/market studies) - Model for methodology, comparison gTLDs vs ccTLDs

ICANN DNS Abuse Study

Processes around PICs

ACTION ITEM: Volunteers to dive into ICANN compliance website and read through materials

ACTION ITEM: Brian to circulate "land rush" doc

ACTION ITEM: Carlton to share ALAC study