## 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>>

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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.

### 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.
- 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**
<table>
<thead>
<tr>
<th>DATA NEEDS</th>
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</thead>
<tbody>
<tr>
<td>Compliance - TBD (resource allocation)</td>
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<tr>
<td>● Abuse point of contact information</td>
</tr>
<tr>
<td>Contact relevant ccTLDs and look at CENTR data (market place/market studies) - Model for methodology, comparision gTLDs vs ccTLDs</td>
</tr>
<tr>
<td>ICANN DNS Abuse Study</td>
</tr>
<tr>
<td>Processes around PICs</td>
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**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