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# Chapter 6: Applicant Support

## 6.1 Applicant Support Program

### 6.1.1 Introduction

The Applicant Support Program was a community-driven initiative developed to promote access to the New gTLD Program. It assisted potential new gTLD applicants seeking both financial and non-financial support via the following mechanisms:

- Financial assistance in the form of new gTLD evaluation fee reduction
- Pro bono services
- Establishment of a funding mechanism for the program

This section of the Program Implementation Review report discusses these aspects of the Applicant Support Program.

### 6.1.2 Relevant Guidance

The following guidance is relevant to the topic of Applicant Support and will be discussed in further detail in Sections 6.1.3 and 6.1.4 of this report:

- GNSO Implementation Guideline N: “ICANN may put in place a fee reduction scheme for gTLD applicants from economies classified by the UN as least developed.”<sup>327</sup>
- Applicant Guidebook, Section 1.2.10: Resources for Applicant Assistance<sup>328</sup>
- New gTLD Financial Assistance Handbook<sup>329</sup>
- ICANN Board Resolution 2010.03.12.47 (12 March 2010): Support for Applicants Requesting New gTLD Applicants<sup>330</sup>
- ICANN Board Resolution 2011.06.20.01 (20 January 2011): Approval of New gTLD Program, including a program to ensure support for applicants from developing countries<sup>331</sup>
- ICANN Board Resolutions 2011.12.08-2011.12.08.03 (8 December 2011): Approval for ICANN staff to finalize the implementation plan for the Applicant Support Program and for the new

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<sup>327</sup> ICANN. (8 August 2007) ICANN Generic Names Supporting Organization Final Report Introduction of New Generic Top-Level Domains, Part A. Retrieved from <http://gns0.icann.org/en/issues/new-gtlds/pdp-dec05-fr-parta-08aug07.htm>

<sup>328</sup> ICANN. (4 June 2012) gTLD Applicant Guidebook Version 2012-06-04. Retrieved from <http://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf>

<sup>329</sup> ICANN. New gTLD Financial Assistance Handbook, Version 2012-01-11. Retrieved from <http://newgtlds.icann.org/en/applicants/candidate-support/financial-assistance-handbook-11jan12-en.pdf>

<sup>330</sup> ICANN. (12 March 2010) Adopted Board Resolutions | Nairobi, 20. Support for Applicants Requesting New gTLD Applicants. Retrieved from <https://www.icann.org/resources/board-material/resolutions-2010-03-12-en#20>

<sup>331</sup> ICANN. (20 June 2011) Approved Board Resolutions | Singapore. Retrieved from <https://www.icann.org/resources/board-material/resolutions-2011-06-20-en#1>

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gTLD evaluation fee reduction to \$47,000 USD for candidates who meet the criteria under the Applicant Support Program<sup>332</sup>

### 6.1.3 Background

On 6 September 2007, the GNSO Council approved the “Final Report of the ICANN Generic Names Supporting Organization on the Introduction of New Generic Top-Level Domains,”<sup>333,334</sup> which included seven principles, 20 recommendations, and 18 implementation guidelines for the introduction of New gTLDs. Implementation Guideline N of the GNSO Report stated: “ICANN may put in place a fee reduction scheme for gTLD applicants from economies classified by the UN as least developed.”

As the early versions of the Applicant Guidebook (AGB) were being drafted in 2009 and 2010, there were community conversations regarding inclusion of applicants from developing countries and the application fee being prohibitive to applicants from developing countries. In particular, the Government Advisory Committee (GAC) submitted comments on versions 1, 2, and 3 of the draft AGB, concerning the proposed single fee structure. The comments suggested a variable cost structure that might allow for greater inclusion of stakeholders from developing regions.<sup>335,336,337</sup>

In line with the GNSO’s Implementation Guidance and with consideration to the comments submitted by ICANN stakeholders, on 12 March 2010, the ICANN Board resolved that: “[. . .] the Board recognize[d] the importance of an inclusive New gTLD Program” and “request[ed] stakeholders to work through their [Supporting Organizations (SOs)] and [Advisory Committees (ACs)], and form a Working Group to develop a sustainable approach to providing support to applicants requiring assistance in applying for and operating new gTLDs.”<sup>338</sup> In accordance with this resolution, in late April 2010, the GNSO and ALAC organized the Joint SO/AC New gTLD Applicant Support Working Group (JAS WG), which was made up of members from the GNSO and the ALAC.<sup>339</sup>

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<sup>332</sup> ICANN. (8 December 2011) Approved Board Resolutions | Special Meeting of the ICANN Board, 1.1 Applicant Support. Retrieved from <https://www.icann.org/resources/board-material/resolutions-2011-12-08-en#1.1>

<sup>333</sup> ICANN. (9 August 2007) GNSO Council Teleconference Minutes. Retrieved from <http://gnso.icann.org/en/council/resolutions#200709>

<sup>334</sup> ICANN. (8 August 2007) ICANN Generic Names Supporting Organization Final Report, Introduction of New Generic Top-Level Domains, Part A. Retrieved from <http://gnso.icann.org/en/issues/new-gtlds/pdp-dec05-fr-parta-08aug07.htm>

<sup>335</sup> J. Karklins. (10 March 2009) Personal communication to ICANN Board Chair. Retrieved from <https://www.icann.org/en/system/files/files/karklins-to-dengate-thrush-10mar09-en.pdf>

<sup>336</sup> J. Karklins. (18 August 2009) Personal communication to ICANN Board Chair. Retrieved from <https://www.icann.org/en/system/files/files/karklins-to-dengate-thrush-18aug09-en.pdf>

<sup>337</sup> J. Karklins. (10 March 2014) Personal communication to ICANN Board Chair. Retrieved from <https://www.icann.org/en/system/files/files/karklins-to-dengate-thrush-10mar10-en.pdf>

<sup>338</sup> ICANN. (12 March 2010) Adopted Board Resolutions | Nairobi, 20: Support for Applicants Requesting New gTLD Applicants. Retrieved from <https://www.icann.org/resources/board-material/resolutions-2010-03-12-en#20>

<sup>339</sup> ICANN. Final Report of the Joint SO/AC New gTLD Applicant Support Working Group, Appendix 3. Retrieved from [https://community.icann.org/download/attachments/22970578/Final\\_Report\\_JASWG+%28Sept+2011%29\\_Seth+created+Submitted.pdf](https://community.icann.org/download/attachments/22970578/Final_Report_JASWG+%28Sept+2011%29_Seth+created+Submitted.pdf)

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On 20 June 2011, the ICANN Board approved the launch of the New gTLD Program, which included a requirement for “a program to ensure support for applicants from developing countries.” The resolution further stated that this program’s

*[. . .] form, structure and processes [are] to be determined by the Board in consultation with stakeholders including: (a) consideration of the GAC recommendation for a fee waiver corresponding to 76 percent of the \$185,000 USD evaluation fee, (b) consideration of recommendations of the ALAC and GNSO as chartering organizations of the Joint Applicant Support (JAS) Working Group, (c) designation of a budget of up to \$2 million USD for seed funding, and creating opportunities for other parties to provide matching funds, and (d) the review of additional community feedback, advice from ALAC, and recommendations from the GNSO following their receipt of a Final Report from the JAS Working Group (requested in time to allow staff to develop an implementation plan for the Board’s consideration at its October 2011 meeting in Dakar, Senegal), with the goal of having a sustainable applicant support system in place before the opening of the application window.<sup>340</sup>*

On 13 September 2011, less than four months before the opening of the application window for New gTLDs, the JAS WG published its “Final Report of the Joint SO/AC New gTLD Applicant Support Working Group.”<sup>341</sup> This Final Report provided the JAS WG’s recommendations for the Applicant Support Program, including recommendations for financial assistance, access to pro bono services, and donations to the Applicant Support Fund. This Final Report drove the work that the community, the ICANN Board, and ICANN staff undertook to finalize the Applicant Support Program.

## 6.1.4 Assessment

### 6.1.4.1 FINANCIAL ASSISTANCE

As mentioned in Section 6.1.3 of this report, the JAS WG published its Final Report on 13 September 2011. The ICANN Board considered the JAS WG’s Final Report and formed a working group to develop an implementation model that took into account the JAS WG Final Report and the timely implementation of the program. On 8 December 2011, the ICANN Board directed staff to finalize the implementation plan in accordance with the proposed criteria and process, for the launch of the Applicant Support Program in January 2012. Additionally, the Board approved the fee reduction to USD 47,000 for Applicant Support candidates that qualified under the Applicant Support Program.<sup>342</sup>

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<sup>340</sup> ICANN. (30 June 2011) Approved Board Resolutions | Singapore. Retrieved from

<https://www.icann.org/resources/board-material/resolutions-2011-06-20-en#1>

<sup>341</sup> ICANN. (13 September 2011) Final Report of the Joint SO/AC New gTLD Applicant Support Working Group. Retrieved from

[https://community.icann.org/download/attachments/22970578/Final\\_Report\\_JASWG+%28Sept+2011%29\\_Seth+created\\_Submitted.pdf](https://community.icann.org/download/attachments/22970578/Final_Report_JASWG+%28Sept+2011%29_Seth+created_Submitted.pdf)

<sup>342</sup> ICANN. (8 December 2011) Approved Board Resolutions | Special Meeting of the ICANN Board, 1.1. Applicant Support. Retrieved from

<https://www.icann.org/resources/board-material/resolutions-2011-12-08-en#1.1>

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As directed by the 8 December 2011 resolution, ICANN published the draft Financial Assistance Handbook for public comment on 20 December 2011,<sup>343</sup> which defined the criteria and process for financial assistance. Sixteen comments were submitted and updates were made to the Handbook, primarily to allow a refund of USD 42,000 of the USD 47,000 application fee if the applicant did not meet the criteria threshold, and to change the eligibility rules to allow communities and non-governmental organizations that are trademark holders to apply under the Applicant Support Program. The final Handbook was published on 11 January 2012, one day prior to the opening of the application window (see Section 1.1: Application Submission of this report).

The financial assistance component of the Applicant Support Program allowed applicants that can meet the established criteria threshold to pay a reduced evaluation fee of USD 47,000 instead of the full evaluation fee of USD 185,000. In order to qualify for the fee reduction, applicants were required to demonstrate financial need, provide a public interest benefit, and possess the necessary management and financial capabilities.

The JAS WG Final Report recommended that a “Support Application Review Panel (SARP) should be established to review applications.” It further recommended that the SARP “should be composed of volunteers (from the ICANN community and outside experts).” Consistent with this recommendation, on 3 February 2012, ICANN issued a request for expressions of interest to serve on the SARP.<sup>344</sup> Criteria for selecting SARP panelists included:

- Knowledge about the new gTLD process, potential gaming patterns and the general needs and capabilities of likely Support Program applicants
- Geographic diversity
- Expertise in:
  - Running a small business
  - Operating in developing economies
  - Serving in the public interest
  - Awarding grants
  - Financial experience or expertise in analyzing business plans, particularly those submitted from developing economies
  - Knowledge of domain names (or the domain name industry)
- Experience managing a domain name registry service

Eighty individuals from around the world encompassing a broad range of expertise submitted expressions of interest. Based on the volume of financial assistance applications submitted, ICANN selected five individuals to form the SARP. Collectively, the individuals selected for the SARP had experience in the domain name industry, managing small businesses, awarding grants, and assisting others on financial matters in developing countries.<sup>345</sup>

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<sup>343</sup> ICANN. New gTLD Applicant Support Program: Financial Assistance. Retrieved from <https://www.icann.org/resources/pages/new-gtld-applicant-support-handbook-2011-12-20-en>.

<sup>344</sup> ICANN. (3 February 2012) Announcement: ICANN Seeks Evaluators for the Support Applicant Review Panel. Retrieved from <https://www.icann.org/news/announcement-3-2012-02-03-en>

<sup>345</sup> ICANN. Support Application Review Panel (SARP) Member Biographies. Retrieved from <http://newgtlds.icann.org/en/applicants/candidate-support/sarp-bios-28may13-en.pdf>

To assist the SARP, ICANN provided administrative support in the form of coordinating face-to-face meetings, arranging conference calls, and providing on-line workspaces for the SARP to do its work. As the SARP was an independent panel, it defined its own procedures, methodology, timelines, and final reports. On 12 March 2013, the SARP published its report for the three applications received under the Applicant Support Program.<sup>346</sup> The results of the SARP's evaluations were that one of the three applications met the criteria under the Applicant Support Program, and two did not.

The JAS WG recommended that “[w]hen the SARP rejects a Support Candidate, the SARP should explain its reasons.” The SARP's results reports reported its ultimate conclusion, but did not provide rationale for its determinations.<sup>347</sup> Feedback from applicants indicated that the amount of detail provided in the SARP's final report was insufficient and lacked rationale. ICANN provided the feedback to the SARP and on 20 March 2013, the SARP published an updated report that provided an additional level of detail, which was the determination for each criterion for each application.<sup>348</sup> ICANN also received feedback on the updated report, suggesting that further detail in the reports would support transparency in the process.<sup>349,350</sup>

The subject of Applicant Support was identified by the ICANN Board as a topic that may be appropriate for discussion by the GNSO.<sup>351</sup>

#### 6.1.4.2 PRO BONO SERVICES

In addition to financial assistance, the JAS WG's recommendations for the Applicant Support Program also called for the availability of non-financial support. Consistent with the recommendations of the JAS WG's Final Report, on 11 January 2012, ICANN launched a directory web page<sup>352</sup> on the New gTLD microsite to allow parties interested in providing pro bono assistance and parties interested in receiving pro bono services to have their names and contact information listed. As of 31 July 2015, 45 candidates sought support,<sup>353</sup> and 21 organization offered pro bono services.<sup>354</sup> ICANN would appreciate any feedback from those who offered or received pro bono

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<sup>346</sup> ICANN. (12 March 2013) Applicant Support Program Update. Retrieved from <http://newgtlds.icann.org/en/applicants/candidate-support/sarp-results-12mar13-en.pdf>

<sup>347</sup> ICANN. (12 March 2013) Applicant Support Program Update. Retrieved from <http://newgtlds.icann.org/en/applicants/candidate-support/sarp-results-12mar13-en.pdf>

<sup>348</sup> ICANN. (20 March 2013) Applicant Support Program Update. Retrieved from <http://newgtlds.icann.org/en/applicants/candidate-support/sarp-results-20mar13-en.pdf>

<sup>349</sup> SARP Briefing Session. (8 May 2013) Retrieved from [https://community.icann.org/download/attachments/41883861/20130508\\_SARP\\_Briefing\\_English%20copy.pdf?version=1&modificationDate=1368784368000&api=v2](https://community.icann.org/download/attachments/41883861/20130508_SARP_Briefing_English%20copy.pdf?version=1&modificationDate=1368784368000&api=v2)

<sup>350</sup> ICANN. (18 July 2013) ICANN Durban Public Forum. Retrieved from <http://durban47.icann.org/meetings/durban2013/transcript-public-forum-18jul13-en.pdf>

<sup>351</sup> ICANN. (17 November 2014) Annex A to Resolutions 1014.11.17.10 – 2014.11.17.12. Retrieved from <https://www.icann.org/en/system/files/files/resolutions-annex-a-17nov14-en.pdf>

<sup>352</sup> ICANN. Applicant Support Directory, Pro Bono Services for gTLD Startup Registries. Retrieved from <http://newgtlds.icann.org/en/applicants/candidate-support/non-financial-support>

<sup>353</sup> ICANN. Applicant Support Directory, New gTLD Candidates Seeking Support. Retrieved from <http://newgtlds.icann.org/en/applicants/candidate-support/non-financial-support#candidates-seeking-support>

<sup>354</sup> ICANN. Applicant Support Directory, Organizations Offering Support. Retrieved from <http://newgtlds.icann.org/en/applicants/candidate-support/non-financial-support#organizations-offering-support>

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services as to the effectiveness of this resource. Feedback may be submitted to the Customer Service Center at [customerservice@icann.org](mailto:customerservice@icann.org).

#### 6.1.4.3 FUNDING FOR APPLICANT SUPPORT PROGRAM

In addition to the USD 2 million seed fund, the JAS WG Final Report recommended the “creation of a foundation to collect and distribute the financial support to Support Recipients.”<sup>355</sup> As the USD 2 million seed funding was not exhausted, additional donations to fund the program were not solicited.

### 6.1.5 Conclusion

The Applicant Support Program was a community-developed initiative intended to promote access to the New gTLD Program in developing regions, by providing new gTLD applicants with access to financial and non-financial support. Three applicants applied for financial support, and one met the criteria of the Applicant Support Program to receive a reduced application fee. The ICANN Board reserved USD 2 million to provide financial assistance to qualified applicants, but these funds were not exhausted. Given the low number of applications submitted, consideration should be given to exploring how the Program can be improved to serve its intended purpose.

To the extent that such a program exists in future application rounds, there are valuable lessons learned that should be considered in the development of a financial assistance program. In regards to the development of criteria and processes, the community may wish to research globally recognized procedures that could be adapted for the implementation of a financial assistance program (e.g., World Bank programs). Additional studies may also be undertaken to better understand the needs of the target market and their obstacles to becoming registry operators (e.g., infrastructure, training). This information would help to design a program to better meet the needs of the target market.

Regarding execution of the program, in this round, the SARP was an independent panel that defined its own processes, procedures, and final reports. The SARP’s work was performed earlier than the other New gTLD Program evaluation panels, and based on lessons learned from the implementation of other panels, ICANN should consider whether additional guidance should be provided to the SARP regarding publication of their processes, final report format, and documentation of rationale.

In summary:

**6.1.a** Consider leveraging the same procedural practices used for other panels, including the publication of process documents and documentation of rationale

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<sup>355</sup> ICANN. (13 September 2011) Final Report of the Joint SO/AC New gTLD Applicant Support Working Group. Retrieved from [https://community.icann.org/download/attachments/22970578/Final\\_Report\\_JASWG+%28Sept+2011%29\\_Seth+created\\_Submitted.pdf](https://community.icann.org/download/attachments/22970578/Final_Report_JASWG+%28Sept+2011%29_Seth+created_Submitted.pdf)

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**6.1.b** Consider researching globally recognized procedures that could be adapted for the implementation of the Applicant Support Program