# 2.5 Geographic Names Evaluation

## 2.5.1 Introduction

The Geographic Names evaluation was an aspect of the New gTLD Program intended to ensure that appropriate consideration was given to the interests of governments and authorities in regards to strings representing geographic areas.

## 2.5.2 Relevant Guidance

The following guidance is relevant to the topic of the Geographic Names evaluation and will be discussed in further detail in Sections 2.5.3 and 2.5.4 of this report:

- GNSO Recommendation 1:

  *ICANN must implement a process that allows the introduction of new top-level domains. The evaluation and selection procedure for new gTLD registries should respect the principles of fairness, transparency and non-discrimination.*
  *All applicants for a new gTLD registry should therefore be evaluated against transparent and predictable criteria, fully available to the applicants prior to the initiation of the process. Normally, therefore, no subsequent additional selection criteria should be used in the selection process.*

- GNSO Recommendation 9: "There must be a clear and pre-published application process using objective and measurable criteria."
- Applicant Guidebook, Section 2.2.1.4: Geographic Names Review[106]
- Applicant Guidebook, Section 2.4: Parties Involved in Evaluation
- Applicant Guidebook, Attachment to Module 2: Evaluation Questions and Criteria

## 2.5.3 Background

The AGB anticipated that Initial Evaluation (IE) (see Section 2.1: Initial and Extended Evaluation of this report) would take five months to complete, all IE results would be published at the conclusion of IE, and the Contracting process would commence at the end of IE. This would allow applicants that passed IE to move expeditiously toward signing an RA if there were no other issues that the application must resolve (i.e., contention resolution, dispute resolution).

The Geographic Names criteria in the AGB criteria were developed based on advice from the GAC.[107] The GAC Principles Regarding New gTLDs stated, "ICANN should avoid country, territory or place

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[106] 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

names, and country, territory or regional language or people descriptions, in agreement with the relevant governments or public authorities."[108]

Question 21 of the application provided applicants with the opportunity to identify whether their application was intended to be for a geographic name. The Geographic Names evaluation was performed by InterConnect Communications (partnered with the University College London) and the Economist Intelligence Unit. For more information, see Section 3.2: Service Provider Coordination of this report.

The Geographic Names panel took note of the applicant's self-designation. However, the panel evaluated all strings and applications and made its own determination based on the criteria in the AGB. Per Section 2.2.1.4 of the AGB:

- Applications for strings that were country or territory names were not approved.
- Strings representing geographic names required documentation of support or non-objection from the relevant governments or public authorities. Geographic names were:
  - Capital city names
  - City names, where the applicant intended to use the gTLD for purposes associated with the city
  - Strings that were exact matches of sub-national places (e.g., counties, provinces, states)
  - Strings for regions (as defined by internationally recognized lists)

In cases where the panel determined that an application met the criteria for a geographic name requiring government support, the Panel confirmed that the letters of support or non-objection met the defined criteria, and validated that they were sent by the appropriate authority. The Geographic Names evaluation was part of Initial Evaluation (IE) and eligible for Extended Evaluation (EE).

Of the 1,930 submitted applications:

- 66 applicants designated their applications as geographic names.
- The panel determined that six of the applications that had been self-designated geographic names did not meet the criteria for geographic names requiring government support, so no letters of support or non-objection were required.
- The panel determined that three applications that were not designated by the applicants as geographic names met the criteria of geographic name requiring government support.

The results for the Geographic Names evaluation were published on a weekly basis by priority number with IE and EE reports.

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[107] ICANN. (22 October 2008) New gTLD Program Explanatory Memorandum: Proposed Process for Geographic Name Applications. Retrieved from https://archive.icann.org/en/topics/new-gtlds/geographic-names-22oct08-en.pdf
[108] ICANN Governmental Advisory Committee. (28 March 2007) GAC Principles regarding New gTLDs. Retrieved from https://archive.icann.org/en/topics/new-gtlds/gac-principles-regarding-new-gtlds-28mar07-en.pdf

The geographic names designation (whether designated by the applicant or the panel) did not have any contractual obligations associated with it.

## 2.5.4 Assessment

The Geographic Names panel performed its evaluation in accordance with the AGB and the processes defined by the panel.[109]

To support predictability and transparency, much of the Geographic Names criteria were based on established international classification lists (e.g., the ISO 3166-1 standard was used to identify names for countries and territories; the UNESCO region list[110] identified regions). The only exceptions to this were for applications for non-capital city names.

Applications for non-capital city names were required to provide documentation of government support in cases "where the applicant declare[d] that it intend[ed] to use the gTLD for purposes associated with the city name."[111]  Evaluation against this criterion required review of the proposed TLD's intended purpose and a determination of whether this purpose related to the city.

The Geographic Names panel issued its Clarifying Questions in February 2013. Applicants were advised that the responses were due by the end of IE, which was projected to be 30 August 2013.

The AGB described the Geographic Names review as occurring within the timeframe of IE (five months, more if batching was required), plus an additional 90-day (or longer) period to obtain required documentation if necessary.[112] Of the 1,820 applications that completed IE, all but seven provided the required documentation to pass Geographic Names evaluation. The seven applications that did not provide the required documentation in IE were evaluated during EE.

The applicant's designation of a string did not have an effect on the panel's review of the application, as the panel reviewed all applications. Further, the geographic names designation did not have any contractual obligations associated with it. (However, it should be noted that a geographic names TLD might have had a contract in place with the relevant government, and that some geographic names applications were also community applications. Geographic names TLDs that were also community TLDs had contractual obligations included through Specification 12 to the Base Registry Agreement.)[113]

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[109] InterConnect Communications. (7 June 2013) New gTLD Program Evaluation Panels: Geographic Names - Decision Tree/Process Flow for Geographic Names Evaluation. Retrieved from
http://newgtlds.icann.org/en/program-status/evaluation-panels/geo-names-process-07jun13-en.pdf
[110] The United Nations Educational, Scientific and Cultural Organization. Regions and Countries. Retrieved from
http://www.unesco.org/new/en/unesco/worldwide/regions-and-countries/
[111] AGB Section 2.2.1.4.2: Geographic Names Requiring Government Support
[112] AGB Section 2.2.1.4.4: Review Procedure for Geographic Names
[113] ICANN. (9 January 2014) Registry Agreement. Retrieved from
http://newgtlds.icann.org/en/applicants/agb/agreement-approved-09jan14-en.pdf

## 2.5.5 Conclusion

The Geographic Names evaluation was performed in accordance with the AGB. The use of established international classification lists and clear criteria supported a fair evaluation and predictable process. However, there are some questions around the intended purpose of the geographic name designation that may benefit from further community discussion. The geographic names designation was a self-designation. This designation did not have an effect on the panel's review of the application, as the panel reviewed all applications. Further, the geographic name designation did not have any contractual obligations associated with it. Consideration should be given as to the purpose of the self-designation, and whether it should be limited to evaluation or if there should be other implications.

In summary:

>**2.5.a** Consider the purpose and the implications of the Geographic Names evaluation, particularly in terms of whether its purpose is limited to evaluation or if there are other implications to the geographic names designation

>**2.5.b** Consider ongoing work by various members of the community around geographic names in defining future procedures