

Subject: Additional Information Requested: Vertical Integration

Date: Thursday 22 February 2018 at 15 h 34 min 55 s Central European Standard Time

From: Steve Chan

To: Trang Nguyen, ICANN Compliance

CC: Michael Flemming, Sophia Feng, Jeff Neuman, Cheryl Langdon-Orr, Julie Hedlund, Emily Barabas

Dear Trang / Contractual Compliance,

On behalf of the GNSO's New gTLD Subsequent Procedures Work Track 2 Co-leads, please find the information request below. Note that we have attempted to provide our assessment of who we believe would be the holder of the information (e.g., GDD or Contractual Compliance), but welcome response from whomever is appropriate. Also, I believe the first question has already been answered, with the response available on this Wiki page: <https://community.icann.org/x/RT2AAw>.

Best,
Steve

Dear ICANN Org,

Thank you for providing data per our request on 19 May 2017 in regards to Vertical Integration. The data we received allowed for an initial analysis by the New gTLD Subsequent Procedures PDP Work Track 2. We have several follow up questions that will assist us in further analysis and deliberations on this topic. Please note the following questions as raised by the participants of Work Track 2.

1. *[GDD] How many registry operators are vertically integrated with a registrar?*
2. *[GDD] Of that number, how many operate multiple TLDs and then, how many TLDs do they in turn operate? Ideally, this breakdown would include instances where a single Registry Operator or a family of Registry Operators, that are nevertheless functionally owned by the same organization, operate multiple TLDs. For illustrative purposes, we could envision the data being constructed similar to below, though this example is not intended to be overly prescriptive:*
 - a. *Registry Operator/Registry Operator Family 1: 23 TLDs; Registry Operator/Registry Operator Family 2: 13 TLDs; Registry Operator/Registry Operator Family 3: 10 TLDs; Registry Operator/Registry Operator Family 4: 1 TLD, etc.*
2. *[Contractual Compliance] In order for us to understand the ratio of complaints that deal with vertical integration, please inform us of the number of complaints against registry operators on the whole since delegation of the first TLD out of the 2012 New gTLD program.*
3. *[Contractual Compliance] Of the complaints referenced in the 1.b answer (here: <https://community.icann.org/download/attachments/58735941/New%20gTLD%20Subsequent%20Procedures%20Request%20for%20Data.docx?version=2&modificationDate=1518698389000&api=v2>), how many Registry Operators were those 10 complaints against? Does this include complaints dealing with 2.9 of the Registry Agreement?*
4. *[Contractual Compliance / GDD] Of the above number, how many of those Registry Operators operated more than one TLD?*
5. *[Contractual Compliance] How many of those registry operators were required to perform some kind of remediation regardless if they were found to be in breach or not?*

Thank you for your cooperation.

Kindest regards,

*New gTLD Subsequent Procedures PDP WT2 Co-Leads
Michael Flemming
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