Chapter 4: Contention Resolution

Contention sets were groups of two or more applications that have been deemed confusingly similar to one another. The Applicant Guidebook (AGB) specified two methods for placing applications into contention sets. The first was based on the review conducted by the String Similarity panel during Initial Evaluation. The String Similarity panel created contention sets of applications that had applied for the same string, had applied for a potential IDN variant of another applied-for string, or had identified two or more strings as confusingly similar to one another. The panel identified two non-exact match contentions sets, two IDN Variant Sets, and 230 exact match contention sets--for a total of 234 contention sets composed of 754 applications. The second way an application could be placed into contention with another application was through the String Confusion Objection process, whereby an applicant could object to another application on the grounds that the two strings were confusingly similar to one another. After the String Confusion Objection process, there were 233 contention sets composed of 771 applications (some contention sets were combined).

In cases where an application had been placed into a contention set, the AGB encouraged applicants to resolve contention among themselves.[220] In the absence of resolution by the contending applicants, string contention cases were resolved either through Community Priority Evaluation (CPE) (if a self-designated community applicant had elected it[221]) or through an auction.

Table 4.i provides a breakdown of total contention sets as well as a breakdown of how sets were resolved (i.e., CPE, Auction, or Self-Resolution) as of 31 July 2015. The first column ("Contention Sets Identified by the String Similarity Panel") refers to the entire population of contention sets resulting from the String Similarity review. As mentioned, each applicant was eligible to file a String Confusion Objection to contest an absence of contention where expected. The second column refers to the new population of contention sets after the conclusion of String Confusion Objections (i.e., two sets were combined to reduce the number of contention sets from 234 to 233). Of the 19 sets that used CPE as a contention resolution mechanism, five applications prevailed.[222]

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[220] ICANN. (4 June 2012) gTLD Applicant Guidebook Version 2012-06-04, Section 1.1.2.10: String Contention. Retrieved from http://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf

[221] An application could only be considered for Community Priority Evaluation (CPE) if the applicant designated the application as a community application at the time of application submission. Upon becoming eligible for CPE, discussed in the paper below, a self-designated community was also given the choice to elect to proceed through CPE.

[222] As of 31 July 2015, because of ICANN Accountability Mechanisms, explained later in this paper, only one set has been resolved via CPE (.OSAKA). Other applications have prevailed in CPE, but the sets are not yet resolved.

Table 4.i: New gTLD Contention Sets

Contention Sets Identified from String Similarity Evaluation	Contention Sets after Completion of String Confusion Dispute Resolution	Total Sets Resolved	Sets which Utilized CPE	Applications Prevailed in CPE	Sets Resolved via Auction
234	233	205	19	5	13

Figures 4.i, 4.ii and 4.iii help illustrate the breakdown of sets and applications further:
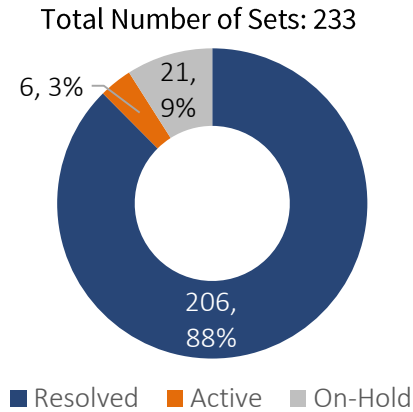
Figure 4.i: Contention Set Status

Total Number of Sets: 233
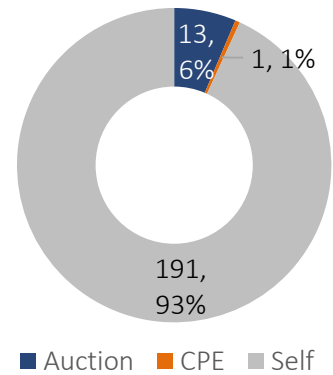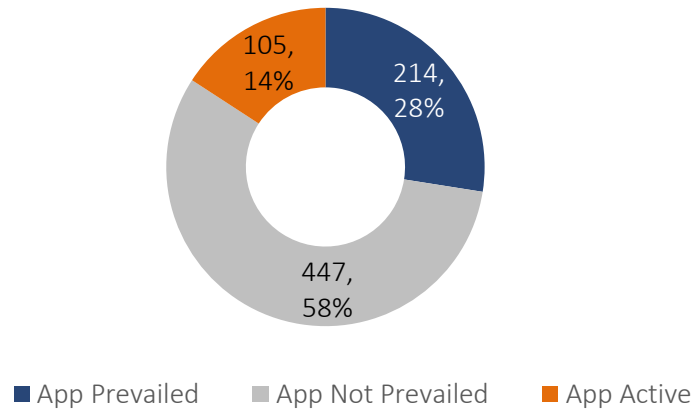

6, 3%
21, 9%
206, 88%

■ Resolved ■ Active ■ On-Hold

Figure 4.ii: Resolution Method

13, 6%
1, 1%
191, 93%

■ Auction ■ CPE ■ Self

Figure 4.iii: Applications in Contention
Total Applications in Contention = 766

105, 14%
214, 28%
447, 58%

■ App Prevailed ■ App Not Prevailed ■ App Active

The string contention resolution mechanisms CPE and Auction are discussed in further detail in Section 4.1: Community Priority Evaluation and Section 4.2: Auction of this report.