New gTLD Subsequent Procedures PDP WG - Draft Findings and Recommendations

Initial findings after preliminary deliberations of the PDP WG. Subject to change if and when additional information comes to light, particularly that coming from outreach efforts to the various community bodies.

Subject	Initial Findings/Conclusions	Anticipated Outcome(s)
Additional new gTLDs in the future	- Existing New gTLD policy states the new gTLD application process should be an ongoing mechanism to accept applications for new gTLDs. - The WG has not agreed upon a set of arguments or data points that would suggest that the existing policy should be overwritten to cease the provision of new gTLDs in the future. - There is at a minimum, anecdotal evidence of demand for additional new gTLDs, although data-driven evidence is being sought and may be provided by the CCT-RT. - The WG welcomes analysis on the effects of the New gTLD Program on competition, diversity, innovation, trust, etc. which may provided by the CCT-RT.	- Preliminarily, the WG has agreed that there should be additional new gTLDs in the future - No changes anticipated to existing policy *The PDP WG expects to consider findings from the CCT-RT, especially as it relates to cost-benefit analyses.*
Categorization or differentiation of gTLDs	- Categories were considered in the original policy development process, but were deemed to be too challenging to identify, differentiate, and implement with only hypothetical scenarios to consider. - No existing policy recommendations exist in regards to categories of gTLDs. - The 2012 round of the New gTLD Program provides real world examples of possible categories.	- Preliminarily, the WG has agreed at a high level that there are likely benefits to establishing categories of TLDs. - However, the WG has not agreed on: - The specific categories - The related changes to the application process that would likely be necessary and perhaps unique to certain categories

	● Specification 13 provides evidence that different requirements may be necessary based on the usage and purpose of TLDs. ● Categorization or differentiation of gTLDs is anticipated to have effects on other mechanisms within the New gTLD Program (e.g., application requirements, evaluation, base agreement, post-delegation activities, etc.) ○ Categories should not be established just for the sake of creating them - there should be a tangible difference in the application process, Registry Agreement, or other factor that creates a need to carve out a category. ● Different categories of TLDs may have differing levels of complexity, some of which could be taken into account for determining if certain categories could be carved out for a discrete application window.	○ Any enforcement mechanisms that may be needed as a result of establishing different paths to obtaining a new gTLD. ● With so many downstream effects, the substantive work on developing the parameters for categories will be pushed further out in the schedule.
Future new gTLDs assessed in "rounds"	● Rounds are the gTLD allocation method identified in the GNSO's 2007 Final Report (recommendation 13). ● Evaluation, objections, string contention, and other New gTLD Program mechanisms were designed for the concept of rounds and if another mechanism were determined, these mechanisms would need to be reevaluated. ● Rounds may have an impact on demand and market behavior. ● Rounds are a somewhat unique mechanism in the ICANN environment for the allocation of contracts and resources, though gTLD strings are a unique and scarce resource as opposed to say, a RAA. ● A round does not necessarily have to mean an application acceptance window followed by a review	● Undetermined at this time

	cycle; It could mean for instance, an ongoing steady state cycle of annual "windows" (e.g., three months of application acceptance, remaining 9 months to complete evaluation, repeat each year).	
Predictability should be maintained or enhanced without sacrificing flexibility.	- Predictability is an important factor of the New gTLD Program, as captured in the Principles of the GNSO's 2007 Final Report. - The WG acknowledges that there are a number of elements that have since been established that will firstly, help promote predictability and secondly, mitigate disruption from issues that were unaccounted for and must be resolved. These include: - Liaisons between the GNSO and other groups and efforts to encourage early engagement - New GNSO mechanisms that allow it to provide guidance or initiate an expedited policy development process, even after Final Report adoption by the ICANN Board. - Mechanisms to promote predictability should not be such that they stifle innovation and flexibility. - There is broad support for predictability in the New gTLD Program and perhaps it is important to identify the parameters of predictability.	- Preliminarily, the WG has determined that a framework for predictability may be beneficial, and could be the basis for policy development, though substantive work remains if the WG continues to favor this approach. - Some elements of the framework could include determining what factors should be predictable (e.g., outcomes, timeframes, input from the community, etc.), expectations for what could cause change and the scope of an acceptable level of change, how fundamental changes are dealt with, etc.
Community engagement in new gTLD application processes	- Community engagement is one factor that has an impact on the predictability of the New gTLD Program. - There are new community engagement mechanisms in place that were not in existence or as well formed during the development of the GNSO's 2007 Final Report, such as liaisons between community organizations, required outreach points as part of the PDP, PDPs being open to any interested participants, Implementation Review Teams, etc.	Preliminarily, the WG has determined that it may be beneficial to establish a change control framework that can help mitigate the destabilizing effect from unforeseen issues encountered after policy implementation.

	● No matter how robust and inclusive the PDP and policy implementation processes may be, it's likely impossible to account for every possible scenario. ● Reliable and predictable mechanisms need to be in place to highlight unforeseen issues, determine the scope of the issue, designate mechanisms to mitigate the issue, implement the solution(s), perhaps among other factors.	
Limiting applications in total and/or per entity during an application window	● There are no policy recommendations from the GNSO's 2007 Final Report that establishes limits on the number of applications a single applicant can submit. ● The scope of the application limits was expanded to consider a limit on the total number of applications during the application window, which could be total accepted, total strings allowed, total delegations, etc. ● Limiting the number of applications that an entity can submit may be considered anti-competitive. ● However, limiting the number of applications that an entity can submit, could allow for a more even playing field, possibly spreading the allocation of a scarce resource over a wider pool of applicants. ● Applying an application limit for an entity was determined to be extremely difficult to implement and enforce. ● Applying any sort of limit may have unforeseen consequences,	● Preliminarily, the WG has agreed that the establishing application limits are seemingly anti-competitive and possibly contrary to the original principles of competition. ● In addition, enforcing any sort of limit is seen as unrealistic to implement. ● Therefore, no policy recommendations are envisioned.