

**INPUT FROM GAC MEMBERS/OBSERVERS TO SUBSEQUENT PROCEDURES PDP WORK TRACK 5  
8 June 2018**

1. CURRENT GAC CONSENSUS POSITION (for information)<sup>1</sup>

[GAC Principles and Guidelines for the Delegation and Administration of Country Code Top Level Domains \(2005\)](#), paragraphs 4.1.1., 4.1.2. and 8.3

- These are stated to be non-binding

[GAC Principles Regarding New gTLDs \(2007\)](#), sections 1.2, 2.1 ,2.2, 2.3, 2.4, 2.7 and 2.8, in particular:

- New gTLDs should respect...The sensitivities regarding terms with national, cultural, geographic and religious significance.
- ICANN should avoid country, territory or place names, and country, territory or regional language or people descriptions, unless in agreement with the relevant government or public authorities.

[GAC Nairobi Communiqué \(2010\)](#): Application of 2007 Principles.

[GAC Durban Communiqué \(2013\)](#): Future application of 2007 Principles.

[GAC Helsinki Communiqué \(2016\)](#): 3-letter codes.

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<sup>1</sup> See relevant documentation listed below and annexed to this document, including the [GAC Johannesburg Communiqué \(2017\)](#) and a [resource document](#) prepared by GAC Secretariat

## 2. TIMELINE FOR WORK TRACK 5 REPORT

PROPOSED TIMELINE	Do you have any comment on the proposed timeline, either with regard to geographic names or the broader question of timing of further release of new gTLDs?
<p>June 2018: Prepare draft Initial Report.</p> <p>July 2018: Publish Initial Report for public comment.</p> <p>December 2018: Include recommendations in Final Report of New gTLDs Subsequent Procedures PDP.</p>	<p><b>Argentina:</b> There should be more time for dialogue and exchange of the different views about this important issue. Considering the conflicts of the first round, which some of them still are unsolved, allowing enough time to develop a new policy is essential for having rules that bring a clear and predictable process for all the parties involved.</p> <p><b>Brazil:</b> Considers that:</p> <ul style="list-style-type: none"> <li>• The proposed timeline for WT5 is too ambitious.</li> <li>• Ample and sufficient time must be allotted for consideration of public comments on the preliminary draft report, and that any subsequent report modified accordingly must be subject to public consultation and the necessary changes before being considered final.</li> <li>• The proposed timeline is likely to hinder public authorities' ability to provide timely input to WT5 on the pertinent public policy issues involved at the policy development stage.</li> <li>• Too hasty a process to release further gTLDs (and its negative impact on public authorities' ability to provide timely input to PDPs) might lead to outcomes that public authorities would challenge and oppose through the traditional means at their disposal, within and outside ICANN, in the exercise of their rights and responsibility for international internet-related public policy.</li> </ul> <p><b>Georgia:</b> The proposed timeline is ambitious; better to extend the deadlines both with regard to Geo names, as well as the further release of new gTLDs.</p> <p><b>India:</b> The timeline appears to be too ambitious, as far as the work track 5 is concerned.</p> <p>In case of divergence, the WG should not directly go for a final report without a new public consultation</p> <p><b>Portugal:</b> The timeline is too short to have an adequate analysis and reach a common position among GAC members on geographic names.</p>

We should be cautious not to rush on the release of new gTLDs without the adequate framework to safeguard geographic names.

**Spain:** The proposed timeline is too ambitious.

**Switzerland:** We feel that the timeline might be too ambitious, especially in what concerns the work track 5, given the dates at which we are already.

The Initial report should clearly state the options that are being proposed for the public comment period. If divergence is identified after the public comment period, the WG should not directly go for a final report without a new public consultation.

As a default, the WG should maintain the 2012 AGB rules if divergence would still persist after a new public comment period.

**United States:** No position.

### 3. POLICIES & PROCEDURES

Type of Geographic Name	Treatment in current 2012 Applicant Guidebook (AGB) <sup>2</sup>	Reason <sup>3</sup>	<b>GAC member comments: including practical experience with current rules, future policy options etc.</b> Please be as specific as possible in your comment, noting that the WT5 Leadership is seeking answers to the following questions <sup>4</sup> : <ol style="list-style-type: none"> <li>1. Is each type of geographic name still relevant?</li> <li>2. What has been the impact of current policy/treatment in the AGB 2012 for each type of names?</li> <li>3. What should be the future treatment/policy for each type of names? (retain/remove/change policy)</li> </ol>
<b>A: COUNTRY &amp; TERRITORY NAMES</b>			
2-character ASCII strings, for example "au"	Not permitted as gTLDs	To avoid conflicting with current & future country codes.	<p><b>Argentina:</b> Should not be permitted as gTLDs.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it encompasses a relevant category of geographic TLDs, which either falls under the ccNSO authority (2-letter) or could conflict or be confused with ccTLDs.</li> <li>2. Excluding it from delegation as gTLDs was logical and necessary, in view of the existing separation between the policy areas of the GNSO and the ccNSO, and has also helped to avoid confusion with existing ccTLDs, and respected countries' sensitivities, rights and public policy responsibilities over TLD names associated with them.</li> <li>3. 2-character codes shall not be permitted as gTLDs.</li> </ol> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Yes, it is still relevant; 2-character country codes should not be permitted as gTLDs.</p> <p><b>Hong Kong:</b> I would like to reiterate the same standpoint as two-character country code about Hong Kong ("hk") that the 3-char country code ("hkg") and CTN ("hongkong") which have strong geographic</p>

<sup>2</sup> Refer to section 2.2.1.4 of the [2012 New gTLD Applicant Guidebook](#)

<sup>3</sup> Please note that other stakeholders may have different perspectives than those presented in this document, which intend to reflect GAC views as understood by the GAC Secretariat

<sup>4</sup> See actual questions and input from other stakeholders at: <https://docs.google.com/spreadsheets/d/1FuPEq0y-cdSUQ1nvhWKhVnG8PLaC2RYXsCpQu91FDqo/edit#gid=358523414>

connotations of Hong Kong should be protected and NOT for release at the top level. In this regard, the status quo protection for the 3-char and CTN at the top level in the current round of new gTLD programme should be maintained in order to avoid confusion to the Internet community about Hong Kong if the registrations of such domains are made without any conditions or controls.

**India:**

1. This type of geographic name is still relevant.
2. Exclusion helped to avoid confusion with ccTLDs and protected legitimate rights of countries over their names.
3. 2-character country codes must continue to be excluded from gTLD strings.

**Portugal:**

1. Yes.
2. It has enabled to avoid user confusion and conflicts with ccTLD, as well as any abuse and unfair competition. It has safeguarded the country digital identity and sovereignty.
3. 2-character country codes (ISO 3166-1 – alpha 2) should continue to be excluded from the gTLD programme. ISO norms are good practices of regulation under international law that should be respected by ICANN.

**Spain:**

1. Still relevant.
2. It has avoided confusion with country-code Top Level Domains and respected national, cultural and geographical sensitivities.
3. Retain policy.

**Switzerland:**

1. The type is still relevant.
2. The exclusion in 2012 AGB helped to avoid confusion with ccTLDs and to respect countries' sensitivities, rights and policies over their identification.
3. 2-character codes identifying countries should continue to be excluded from a treatment as gTLDs, as in the 2012 AGB.

**United States:** For all of Category A: The United States generally disagrees with how these terms were handled in the 2012 AGB, although we understand and appreciate the sensitivity to 2-character ASCII strings.

			<p>The United States is not aware of an international consensus that recognizes inherent governmental rights in geographic terms. To the extent the gTLD is used in a deceptive manner creating a false association or connection to the government, the U.S. is mindful of a governmental interest in addressing such deception. The U.S. notes the importance of keeping in mind, however, that a term can be used in various contexts, including uses unrelated to a use associated with a geographic name or term, e.g., such as a brand name or generic use. A gTLD that corresponds to a geographic name or term, but is intended to be used for purposes unrelated to the geographic name or term, should not be considered a "geographic name."</p>
<p>3-character ASCII strings listed in the ISO 3166-1 standard, for example "ken" (Kenya)</p>	<p>Not permitted as gTLDs</p>	<p>Consistency with GAC Principles &amp; input to AGB.</p>	<p><b>Argentina:</b> Should not be permitted as gTLDs.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs. It is no coincidence that RFC 1032 considered that "[r]equests made by countries to use the three-letter form of country code specified in the ISO-3166 standard" could even be granted as ccTLDs, "to prevent possible conflicts and confusion", given their even clearer association with the countries they refer to than some two-letter codes in some circumstances.</li> <li>2. Excluding it from delegation as generic TLDs was a logical and necessary step, which has prevented confusion with country codes and identifiers, and respected countries' sensitivities, rights and public policy responsibilities over TLD names associated with them.</li> <li>3. 3-character codes associated with country names should be treated as ccTLDs under the policy authority of the relevant national communities and respective political authorities, and thereby should not be available for delegation as gTLDs.</li> </ol> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>Hong Kong:</b> I would like to reiterate the same standpoint as two-character country code about Hong Kong ("hk") that the 3-char country code ("hkg") and CTN ("hongkong") which have strong geographic connotations of Hong Kong should be protected and NOT for release at the top level. In this regard, the status quo protection for the 3-char and</p>

CTN at the top level in the current round of new gTLD programme should be maintained in order to avoid confusion to the Internet community about Hong Kong if the registrations of such domains are made without any conditions or controls.

**India:**

1. This type of geographic name is still relevant since there is a direct link between 3 character strings and country names/identification.
2. Exclusion helped to avoid confusion with ccTLDs and country identifiers and protected legitimate rights of countries over their names.
3. The policy authority over 3-character codes identifying countries to be delegated as TLDs should be with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.

**Portugal:**

1. Yes.
2. It has enabled to avoid user confusion and conflicts with ccTLD, as well as any abuses and unfair competition. It has safeguarded the country digital identity and sovereignty.
3. 3-character country codes (ISO 3166-1- alpha 3) should continue to be excluded from the gTLD programme. ISO norms are good practices of regulation under international law that should be respected by ICANN.

**Spain:**

1. Still relevant.
2. It has avoided confusion with country-code Top Level Domains and respected national, cultural and geographical sensitivities.
3. Retain policy.

**Switzerland:**

1. The type is still relevant as there is a strong connection between such strings and country names/identifications.
2. The exclusion in 2012 AGB worked to avoid confusion with ccTLDs and country identifiers and to respect countries' sensitivities, rights and policies over their identification.

			<p>3. 3-character codes identifying countries to be delegated as TLDs should be treated analogously to ccTLDs, in the sense that policy authority should stay, according to the subsidiarity principle, with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</p>
<p>Long-form country &amp; territory names listed on ISO 3166, in any language, for example "The Republic of Chile"</p>	<p>Not permitted as gTLDs</p>	<p>Consistency with GAC Principles &amp; input to AGB.</p>	<p><b>Argentina:</b> Should not be permitted as gTLDs</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with country names.</li> <li>2. Excluding it from delegation as generic TLDs was logical and necessary, and has also prevented confusion with country codes and identifiers, and respected countries' sensitivities, rights and public policy responsibilities over TLD names associated with them.</li> <li>3. TLD names associated with countries and territories, either in long or short form, shall not be delegated as gTLDs. They should remain under the policy authority of the relevant national communities acting through their respective public authorities or designee(s).</li> </ol> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>Hong Kong:</b> I would like to reiterate the same standpoint as two-character country code about Hong Kong ("hk") that the 3-char country code ("hkg") and CTN ("hongkong") which have strong geographic connotations of Hong Kong should be protected and NOT for release at the top level. In this regard, the status quo protection for the 3-char and CTN at the top level in the current round of new gTLD programme should be maintained in order to avoid confusion to the Internet community about Hong Kong if the registrations of such domains are made without any conditions or controls.</p> <p><b>India:</b></p> <ol style="list-style-type: none"> <li>1. This type of geographic name is still relevant as there is a connection between such strings and country names/identifications.</li> </ol>



			<ol style="list-style-type: none"><li>2. Exclusion helped to avoid confusion with ccTLDs and country identifiers and protected legitimate rights of countries over their identification.</li><li>3. The policy authority over strings that are country names or variations thereof to be delegated as TLDs should be with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</li></ol> <p><b>Portugal:</b></p> <ol style="list-style-type: none"><li>1. Yes.</li><li>2. It has enabled to avoid user confusion on the origin of the products/services operated under the long-form country &amp; territory names listed on ISO 3166, as well as any abuse and unfair competition. It has safeguarded the country digital identity and sovereignty.</li><li>3. Long-form country &amp; territory names listed on ISO 3166 should be excluded from the gTLD programme; ISO norms are good practices of regulation under international law that should be respected by ICANN</li></ol> <p><b>Spain:</b></p> <ol style="list-style-type: none"><li>1. Still relevant.</li><li>2. It has avoided confusion with country-code Top Level Domains and respected national, cultural and geographical sensitivities.</li><li>3. Retain policy.</li></ol> <p><b>Switzerland:</b></p> <ol style="list-style-type: none"><li>1. The type is still relevant as there is a strong connection between such strings and country names/identifications.</li><li>2. The exclusion in 2012 AGB worked to avoid confusion with ccTLDs and country identifiers and to respect countries' sensitivities, rights and policies over their identification.</li><li>3. Strings that are country names or variations thereof to be delegated as TLDs should be treated analogously to ccTLDs, in the sense that policy authority should stay, according to the subsidiarity principle, with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot</li></ol>
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			provide for such a framework the exclusion of the 2012 AGB should remain in place.
Short-form country & territory names listed on ISO 3166, in any language, for example “Chile”	Not permitted as gTLDs	Consistency with GAC Principles & input to AGB.	<p><b>Argentina:</b> Should not be permitted as gTLDs</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with country names.</li> <li>2. Excluding it from delegation as generic TLDs was logical and necessary, and has also prevented confusion with country codes and identifiers, and respected countries' sensitivities, rights and public policy responsibilities over TLD names associated with them.</li> <li>3. TLD names associated with countries and territories, either in long or short form, shall not be delegated as gTLDs. They should remain under the policy authority of the relevant national communities acting through their respective public authorities or designee(s).</li> </ol> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>India:</b></p> <ol style="list-style-type: none"> <li>1. This type of geographic name is still relevant as there is a connection between such strings and country names/identifications.</li> <li>2. Exclusion helped to avoid confusion with ccTLDs and country identifiers and protected legitimate rights of countries over their identification.</li> <li>3. The policy authority over strings that are country names or variations thereof to be delegated as TLDs should be with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</li> </ol> <p><b>Spain:</b></p> <ol style="list-style-type: none"> <li>1. Still relevant.</li> <li>2. It has avoided confusion with country-code Top Level Domains and respected national, cultural and geographical sensitivities.</li> <li>3. Retain policy.</li> </ol> <p><b>Switzerland:</b></p>

			<ol style="list-style-type: none"> <li>1. The type is still relevant as there is a strong connection between such strings and country names/identifications.</li> <li>2. The exclusion in 2012 AGB worked to avoid confusion with ccTLDs and country identifiers and to respect countries' sensitivities, rights and policies over their identification.</li> <li>3. Strings that are country names or variations thereof to be delegated as TLDs should be treated analogously to ccTLDs, in the sense that policy authority should stay, according to the subsidiarity principle, with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</li> </ol>
<p>Short- or long form name association with a code that has been designated as "exceptionally reserved" by the ISO 3166 Maintenance Agency, for example "DG" (Diego Garcia – reserved at request of ITU)</p>	<p>Not permitted as gTLDs</p>	<p>Consistency with GAC Principles &amp; input to AGB.</p>	<p><b>Argentina:</b> Should not be permitted as gTLDs.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with country names and identifiers.</li> <li>2. Excluding it from delegation as generic TLDs was logical and necessary, and has also prevented confusion with country codes and identifiers, and respected countries' sensitivities, rights and public policy responsibilities over TLD names associated with them.</li> <li>3. TLD names associated with countries and territories, either in long or short form, shall not be delegated as gTLDs. They should remain under the policy authority of the relevant national communities acting through their respective public authorities or designee(s).</li> </ol> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>India:</b></p> <ol style="list-style-type: none"> <li>1. This type of geographic name is still relevant as there is a connection between such strings and country names/identifications.</li> <li>2. Exclusion helped to avoid confusion with ccTLDs and country identifiers and protected legitimate rights of countries over their identification.</li> <li>3. The policy authority over strings that are country names or variations thereof to be delegated as TLDs should be with the relevant local community (in the case of country names and their variations, with</li> </ol>

			<p>the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</p> <p><b>Spain:</b></p> <ol style="list-style-type: none"> <li>1. Still relevant.</li> <li>2. It has avoided confusion with country-code Top Level Domains and respected national, cultural and geographical sensitivities.</li> <li>3. Retain policy.</li> </ol> <p><b>Switzerland:</b></p> <ol style="list-style-type: none"> <li>1. The type is still relevant as there is a strong connection between such strings and country names/identifications.</li> <li>2. The exclusion in 2012 AGB worked to avoid confusion with ccTLDs and country identifiers and to respect countries' sensitivities, rights and policies over their identification.</li> <li>3. Strings that are country names or variations thereof to be delegated as TLDs should be treated analogously to ccTLDs, in the sense that policy authority should stay, according to the subsidiarity principle, with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</li> </ol>
<p>Separable component of a country name designated on the "Separable Country Name List" or is a translation of a name appearing on the list, in any language, according to annex in AGB. For example, "Cayman Islands" + "Grand Cayman"</p>	<p>Not permitted as gTLDs</p>	<p>Consistency with GAC Principles &amp; input to AGB.</p>	<p><b>Argentina:</b> Should not be permitted as gTLDs.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with country names and identifiers.</li> <li>2. Excluding it from delegation as generic TLDs was logical and necessary, and has also prevented confusion with country codes and identifiers, and respected countries' sensitivities, rights and public policy responsibilities over TLD names associated with them.</li> <li>3. TLD names associated with countries and territories shall not be delegated as gTLDs. They should remain under the policy authority of the relevant national communities acting through their respective public authorities or designee(s).</li> </ol> <p><b>Finland:</b> retain the policy, it is still relevant.</p>

			<p><b>India:</b></p> <ol style="list-style-type: none"> <li>1. This type of geographic name is still relevant as there is a connection between such strings and country names/identifications.</li> <li>2. Exclusion helped to avoid confusion with ccTLDs and country identifiers and protected legitimate rights of countries over their identification.</li> <li>3. The policy authority over strings that are country names or variations thereof to be delegated as TLDs should be with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</li> </ol> <p><b>Spain:</b></p> <ol style="list-style-type: none"> <li>1. Still relevant.</li> <li>2. It has avoided confusion with country-code Top Level Domains and respected national, cultural and geographical sensitivities.</li> <li>3. Retain policy.</li> </ol> <p><b>Switzerland:</b></p> <ol style="list-style-type: none"> <li>1. The type is still relevant as there is a strong connection between such strings and country names/identifications.</li> <li>2. The exclusion in 2012 AGB worked to avoid confusion with ccTLDs and country identifiers and to respect countries' sensitivities, rights and policies over their identification.</li> <li>3. Strings that are country names or variations thereof to be delegated as TLDs should be treated analogously to ccTLDs, in the sense that policy authority should stay, according to the subsidiarity principle, with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</li> </ol>
<p>Permutation or transposition of any of the names included above. Permutations include removal of spaces, insertion of punctuation, and addition or removal of grammatical articles like "the". A transposition is considered a change in</p>	<p>Not permitted as gTLDs</p>	<p>Consistency with GAC Principles &amp; input to AGB.</p>	<p><b>Argentina:</b> Should not be permitted as gTLDs</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with country names and identifiers.</li> <li>2. Excluding it from delegation as generic TLDs was logical and necessary, and has also prevented confusion with country codes and</li> </ol>

<p>the sequence of the long or short-form name, for example, "RepublicCzech" or "IslandsCayman."</p>			<p>identifiers, and respected countries' sensitivities, rights and public policy responsibilities over TLD names associated with them.</p> <p>3. TLD names associated with countries and territories shall not be delegated as gTLDs. They should remain under the policy authority of the relevant national communities acting through their respective public authorities or designee(s).</p> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>India:</b></p> <ol style="list-style-type: none"> <li>1. This type of geographic name is still relevant as there is a connection between such strings and country names/identifications.</li> <li>2. Exclusion helped to avoid confusion with ccTLDs and country identifiers and protected legitimate rights of countries over their identification.</li> <li>3. The policy authority over strings that are country names or variations thereof to be delegated as TLDs should be with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</li> </ol> <p><b>Spain:</b></p> <ol style="list-style-type: none"> <li>1. Still relevant.</li> <li>2. It has avoided confusion with country-code Top Level Domains and respected national, cultural and geographical sensitivities.</li> <li>3. Retain policy.</li> </ol> <p><b>Switzerland:</b></p> <ol style="list-style-type: none"> <li>1. The type is still relevant as there is a strong connection between such strings and country names/identifications.</li> <li>2. The exclusion in 2012 AGB worked to avoid confusion with ccTLDs and country identifiers and to respect countries' sensitivities, rights and policies over their identification.</li> <li>3. Strings that are country names or variations thereof to be delegated as TLDs should be treated analogously to ccTLDs, in the sense that policy authority should stay, according to the subsidiarity principle, with the relevant local community (in the case of country names and their variations, with the relevant Government and community,</li> </ol>
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			including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.
A name by which a country is commonly known, as demonstrated by evidence that the country is recognized by that name by an intergovernmental or treaty organization	Not permitted as gTLDs	Consistency with GAC Principles & input to AGB.	<p><b>Argentina:</b> Should not be permitted as gTLDs.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with country names and identifiers.</li> <li>2. Excluding it from delegation as generic TLDs was logical and necessary, and has also prevented confusion with country codes and identifiers, and respected countries' sensitivities, rights and public policy responsibilities over TLD names associated with them.</li> <li>3. TLD names associated with countries and territories shall not be delegated as gTLDs. They should remain under the policy authority of the relevant national communities acting through their respective public authorities or designee(s).</li> </ol> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>India:</b></p> <ol style="list-style-type: none"> <li>1. This type of geographic name is still relevant as there is a connection between such strings and country names/identifications.</li> <li>2. Exclusion helped to avoid confusion with ccTLDs and country identifiers and protected legitimate rights of countries over their identification.</li> <li>3. The policy authority over strings that are country names or variations thereof to be delegated as TLDs should be with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</li> </ol> <p><b>Spain:</b></p> <ol style="list-style-type: none"> <li>1. Still relevant.</li> <li>2. It has avoided confusion with country-code Top Level Domains and respected national, cultural and geographical sensitivities.</li> <li>3. Retain policy.</li> </ol>

			<p><b>Switzerland:</b></p> <ol style="list-style-type: none"> <li>1. The type is still relevant as there is a strong connection between such strings and country names/identifications.</li> <li>2. The exclusion in 2012 AGB worked to avoid confusion with ccTLDs and country identifiers and to respect countries' sensitivities, rights and policies over their identification.</li> <li>3. Strings that are country names or variations thereof to be delegated as TLDs should be treated analogously to ccTLDs, in the sense that policy authority should stay, according to the subsidiarity principle, with the relevant local community (in the case of country names and their variations, with the relevant Government and community, including the corresponding ccTLD). If the GNSO PDP WG cannot provide for such a framework the exclusion of the 2012 AGB should remain in place.</li> </ol>
<b>B: OTHER GEOGRAPHIC NAMES</b>			
A representation, in any language, of a capital city name of any country or territory in ISO 3166-1	Require support/non-objection from relevant governments or public authorities	Consistency with GAC Principles & input to AGB.	<p><b>Argentina:</b> Should require support/non-objection from relevant governments or public authorities.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with communities politically organised as cities.</li> <li>2. Requiring letters of support from the relevant public authorities for the delegation of TLD names associated with politically organised communities has helped to avoid the monopolisation (particularly by businesses unrelated and bringing no benefit to the local populations and their lives) of TLD names inextricably associated with these communities without consulting them and their public representatives. The requirement also ensures that the relevant communities and their public representatives are timely made aware of developments affecting their rights and interests in the ICANN environment. All the concerned parties – applicants and the relevant public authorities – may as a result come to a mutually acceptable solution allowing the delegation of the TLDs in question, while at the same time respecting the relevant countries' sensitivities, rights and public policy responsibilities.</li> <li>3. The delegation of TLD names associated with communities politically organised as cities should continue to require a letter of support/non-objection from the relevant public authorities representing these communities.</li> </ol>



			<p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>India:</b></p> <ol style="list-style-type: none"><li>1. This type of geographic name is still relevant.</li><li>2. We believe that the requirement of non-objection letter from relevant government was an effective method for applicants and effected public authorities to arrive at mutually acceptable solutions for the delegation of such strings.</li><li>3. Status quo must be maintained.</li></ol> <p><b>Portugal:</b></p> <ol style="list-style-type: none"><li>1. Yes.</li><li>2. It has enabled to avoid user confusion on the origin of the produts/services operated under the capital city name as well as any abuse and unfair competiton. It has safeguarded the city digital identity and the country sovereignty. The obligation of having a support/non objection letter from the relevant government or public authority enabled to safeguard that the capital city name is used in good faith for the benefit of the local community.</li><li>3. The requirement of support/non objection from the relevant governments/public authorities should be maintained.</li></ol> <p><b>Spain:</b></p> <ol style="list-style-type: none"><li>1. Still relevant.</li><li>2. Non-objection processes have worked well. The established mechanism makes sure that a positive statement from governments is obtained.</li><li>3. Retain policy.</li></ol> <p><b>Switzerland:</b></p> <ol style="list-style-type: none"><li>1. The type is still relevant.</li><li>2. The requirement of non-objection letters worked well as it created a good mix of incentives for applicants and affected relevant public authorities to come to mutually accepted solutions for the delegation of the strings. The non-objection letter was and is in our view a good way to get the more specific interests backing one application to a table with those who represent the corresponding city (and its public policy interests and rights and responsibilities under national law), in</li></ol>
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			<p>order to try to arrive at a mutually acceptable solution. It fairly puts the burden on the applicant who has the more specific interest, avoiding that public authorities for each capital city, city, region etc. worldwide have to actively monitor application processes within ICANN. The non-objection letter allows for different solutions, depending on the different legal, policy, cultural and economic frameworks of each capital city, city, region etc., the corresponding community and the relevant applicant(s).</p> <p>3. The letter of "non-objection" framework should be maintained.</p> <p><b>United States:</b> For Category B, the U.S. input is the following (with additional input concerning city names used for other purposes): While acknowledging these types of names required documentation of support or non-objection in the 2012 AGB, the United States believes discussion should continue whether such treatment should remain for any future rounds of gTLDs. The United States is not aware of an international consensus that recognizes inherent governmental rights in geographic terms. To the extent the gTLD is used in a deceptive manner creating a false association or connection to the government, the U.S. is mindful of a governmental interest in addressing such deception. The U.S. notes the importance of keeping in mind, however, that a term can be used in various contexts, including uses unrelated to a use associated with a geographic name or term, e.g., such as a brand name or generic use. A gTLD that corresponds to a geographic name or term, but is intended to be used for purposes unrelated to the geographic name or term, should not be considered a "geographic name."</p>
City name, used for purposes associated with the city name	Require support/non-objection from relevant governments or public authorities.	Consistency with GAC Principles & input to AGB.	<p><b>Argentina:</b> Should require support/non-objection from relevant governments or public authorities.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with communities politically organised as cities.</li> <li>2. Requiring letters of support from the relevant public authorities for the delegation of TLD names associated with politically organised communities has helped to avoid the monopolisation (particularly by businesses unrelated and bringing no benefit to the local populations and their lives) of TLD names inextricably associated with these communities without consulting them and their public representatives. The requirement also ensures that the relevant communities and their public representatives are timely made aware</li> </ol>

			<p>of developments affecting their rights and interests in the ICANN environment. All the concerned parties – applicants and the relevant public authorities – may as a result come to a mutually acceptable solution allowing the delegation of the TLDs in question, while at the same time respecting the relevant countries' sensitivities, rights and public policy responsibilities.</p> <p>3. The delegation of TLD names associated with communities politically organised as cities should continue to require a letter of support/non objection from the relevant public authorities representing these communities. The criteria of "intended geographical use of the TLD" as a prerequisite for the requirement of a letter of support/non-objection should be reconsidered and reworked, at least insofar as the regime for delegated TLDs – regardless of their use – deprives the relevant communities of the benefits of using a unique TLD name inextricably associated with their identity. . Another problem with the "intended use" criteria is that it requires monitoring or may be circumvented subsequently to a delegation arrived at without consultation of the relevant communities and public authorities.</p> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>India:</b></p> <ol style="list-style-type: none"> <li>1. This type of geographic name is still relevant.</li> <li>2. We believe that the requirement of non-objection letter from relevant government was an effective method for applicants and effected public authorities to arrive at mutually acceptable solutions for the delegation of such strings.</li> <li>3. Status quo must be maintained.</li> </ol> <p><b>Portugal:</b></p> <ol style="list-style-type: none"> <li>1. Yes.</li> <li>2. It has enabled to avoid user confusion on the origin of the produts/services operated under the city name as well as any abuse and unfair competition. It has safeguarded the city digital identity and the country sovereignty.</li> <li>3. City names should remain under the relevant authority. The requirement of support/non objection from the relevant governments/public authorities should be maintained.</li> </ol>
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			<p><b>Spain:</b></p> <ol style="list-style-type: none"> <li>1. Still relevant.</li> <li>2. Non-objection processes have worked well. The established mechanism makes sure that a positive statement from governments is obtained.</li> <li>3. Retain policy.</li> </ol> <p><b>Switzerland:</b></p> <ol style="list-style-type: none"> <li>1. The type is still relevant.</li> <li>2. The requirement of non-objection letters worked well as it created a good mix of incentives for applicants and affected relevant public authorities to come to mutually accepted solutions for the delegation of the strings. The non-objection letter was and is in our view a good way to get the more specific interests backing one application to a table with those who represent the corresponding city (and its public policy interests and rights and responsibilities under national law), in order to try to arrive at a mutually acceptable solution. It fairly puts the burden on the applicant who has the more specific interest, avoiding that public authorities for each capital city, city, region etc. worldwide have to actively monitor application processes within ICANN. The non-objection letter allows for different solutions, depending on the different legal, policy, cultural and economic frameworks of each capital city, city, region etc., the corresponding community and the relevant applicant(s).</li> <li>3. The letter of “non-objection” framework should be maintained.</li> </ol> <p>Potential specific issues backed by factual information with the implementation of this framework may be addressed by fine-tuning of the system, e.g. by devoting more support for identifying the relevant public authorities, etc.</p> <p>Analysis may be warranted as to whether there were instances of “gaming the system” as the non-objection was only applicable to the geographic use</p>
City names used for other purposes	No requirements.	To be clarified.	<p><b>Argentina:</b> Should require support/non-objection from relevant governments or public authorities.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Regardless of the purposes for which they will be used, TLD names associated with communities politically organised, for example, as cities, are relevant geographic TLDs.</li> </ol>

			<p>2. Not having a requirement to obtain letters of support/non-objection from the relevant public authorities (representing the relevant communities) may have led to (and will lead to) situations where private business wholly unrelated to (and unconcerned with) communities TLD names refer to will be able to appropriate and use and sell these TLD names, without consulting the relevant communities and their public authorities. In the case of delegations arrived at without a mutually agreed framework for the registration and use of the TLDs in question, the regime for delegated TLDs – regardless of their use – deprives the relevant communities of the benefits of using a unique TLD name inextricably associated with their identity. Another problem with the “intended use” criteria is that it requires monitoring or may be circumvented subsequently to a delegation arrived at without consultation of the relevant communities and public authorities.</p> <p>3. The delegation of TLD names associated with communities politically organised, for example, as cities should require a letter of support/non objection from the relevant public authorities representing these communities, regardless of what is their intended use.</p> <p><b>Finland:</b> Require support/non-objection from relevant governments or public authorities.</p> <p><b>Georgia:</b> To require support/non-objection of relevant government/ public authority.</p> <p><b>India:</b> Regardless of the purpose, use of city names as a string must require a non-objection letter from relevant government.</p> <p><b>Portugal:</b></p> <ol style="list-style-type: none"><li>1. City names are a relevant geographical terms.</li><li>2. City names are words that can not have a exclusive used under a gtLD.</li><li>3. City names should remain under the relevant authority. The framework should require a support/non objection from the relevant governments/public authorities.</li></ol> <p><b>Spain:</b> It should require a non-objection statement from relevant governments.</p>
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			<p><b>Switzerland:</b> TLDs are unique. If a string composed by one "city name" as such is delegated others with an interest on that name, such as the public authorities responsible for that city name (and the communities they represent), will be prevented from using that name. No distinction based on "intended use" should be made and the non-objection letter requirement should be applied to all applications. „Intended use" limitations also imply impractical enforcement challenges that would be posed by any circumventing on intended use by third parties, such as registrants. Analysis may be warranted as to whether there were instances or potential of "gaming the system" as the non-objection was only applicable to the geographic use of "city names".</p> <p><b>United States:</b> The U.S. notes that a city name used for other purposes, i.e., purposes not associated with the city name, should not be considered a "geographic name." As noted in the Applicant Guidebook, 2.2.1.4.2: "City names present challenges because city names may also be generic terms or brand names, and in many cases city names are not unique." The U.S. also is mindful of GAC Principles Regarding New gTLDs (2007), Section 2.3: "The process for introducing new gTLDs must make proper allowance for prior third party rights, in particular trademark rights as well as rights in the names and acronyms of inter-governmental organizations (IGOs)."</p>
<p>Exact match of a sub-national place name, such as a county, province, or state listed in ISO 3166-2</p>	<p>Require support/non-objection from relevant governments or public authorities.</p>	<p>Consistency with GAC Principles &amp; input to AGB.</p>	<p><b>Argentina:</b> Should require support/non-objection from relevant governments or public authorities.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with communities politically organised as a sovereign State's subdivision.</li> <li>2. Requiring letters of support from the relevant public authorities for the delegation of TLD names associated with politically organised communities has helped to avoid the monopolisation (particularly by businesses unrelated and bringing no benefit to the local populations and their lives) of TLD names inextricably associated with these communities without consulting them and their public representatives. The requirement also ensures that the relevant communities and their public representatives are timely made aware of developments affecting their rights and interests in the ICANN</li> </ol>

			<p>environment. All the concerned parties – applicants and the relevant public authorities – may as a result come to a mutually acceptable solution allowing the delegation of the TLDs in question, while at the same time respecting the relevant countries' sensitivities, rights and public policy responsibilities.</p> <p>3. The delegation of TLD names associated with communities politically organised as a sovereign State's subdivision should continue to require a letter of support/non objection from the relevant public authorities representing these communities.</p> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>India:</b></p> <ol style="list-style-type: none"><li>1. This type of geographic name is still relevant.</li><li>2. We believe that the requirement of non-objection letter from relevant government was an effective method for applicants and effected public authorities to arrive at mutually acceptable solutions for the delegation of such strings.</li><li>3. Status quo must be maintained.</li></ol> <p><b>Portugal:</b></p> <ol style="list-style-type: none"><li>1. Yes.</li><li>2. It has enabled to avoid user confusion on the origin of the produts/services operated under the sub-national place name, as well as any abuse and unfair competition. It has safeguarded the sub-national place digital identity and the country sovereignty.</li><li>3. Sub-national place name remain under the relevant authority. The requirement of support/non objection from the relevant governments/public authorities should be maintained.</li></ol> <p><b>Spain:</b></p> <ol style="list-style-type: none"><li>1. Still relevant.</li><li>2. Non-objection processes have worked well. The established mechanism makes sure that a positive statement from governments is obtained.</li><li>3. Retain policy.</li></ol> <p><b>Switzerland:</b></p> <ol style="list-style-type: none"><li>1. The type is still relevant.</li></ol>
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			<ol style="list-style-type: none"> <li>2. The requirement of non-objection letters worked well as it created a good mix of incentives for applicants and affected relevant public authorities to come to mutually accepted solutions for the delegation of the strings. The non-objection letter was and is in our view a good way to get the more specific interests backing one application to a table with those who represent the corresponding city (and its public policy interests and rights and responsibilities under national law), in order to try to arrive at a mutually acceptable solution. It fairly puts the burden on the applicant who has the more specific interest, avoiding that public authorities for each capital city, city, region etc. worldwide have to actively monitor application processes within ICANN. The non-objection letter allows for different solutions, depending on the different legal, policy, cultural and economic frameworks of each capital city, city, region etc., the corresponding community and the relevant applicant(s).</li> <li>3. The letter of "non-objection" framework should be maintained. Potential specific issues backed by factual information with the implementation of this framework may be addressed by fine-tuning of the system, e.g. by devoting more support for identifying the relevant public authorities, etc.</li> </ol>
<p>String listed as a UNESCO region or appearing on the [UN] "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list.</p>	<p>Require support/non-objection from at least 60% of the respective national governments in the region and no more than 1 written statement of objection.</p>	<p>Consistency with GAC Principles &amp; input to AGB.</p>	<p><b>Argentina:</b> Should require support/non-objection from relevant governments or public authorities.</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. Yes, it is a relevant category of geographic TLDs inextricably associated with communities belonging to identifiable places as major geographic regions and economic and other groupings.</li> <li>2. Requiring letters of support from the relevant public authorities for the delegation of TLD names associated with communities belonging to identifiable places has helped to avoid the monopolisation (particularly by businesses unrelated and bringing no benefit to the local populations and their lives) of TLD names inextricably associated with these communities without consulting them and their public representatives. The requirement also ensures that the relevant communities and their public representatives are timely made aware of developments affecting their rights and interests in the ICANN environment. All the concerned parties – applicants and the relevant public authorities – may as a result come to a mutually acceptable solution allowing the delegation of the TLDs in question, while at the</li> </ol>



			<p>same time respecting the relevant countries' sensitivities, rights and public policy responsibilities.</p> <p>3. The delegation of TLD names associated with communities belonging to identifiable places should continue to require support/non objection from significant parts of these communities as represented by their respective public authorities.</p> <p><b>Finland:</b> retain the policy, it is still relevant.</p> <p><b>Georgia:</b> Still relevant; to retain the policy.</p> <p><b>India:</b></p> <p>4. This type of geographic name is still relevant.</p> <p>5. We believe that the requirement of non-objection letter from relevant government was an effective method for applicants and effected public authorities to arrive at mutually acceptable solutions for the delegation of such strings.</p> <p>6. Status quo must be maintained.</p> <p><b>Portugal:</b></p> <p>1 Yes.</p> <p>2 It has enabled to avoid user confusion on the origin of the produts/services operated under the string listed as a UNESCO other UN list, as well as any abuse and unfair competition. It has safeguarded the sub-national place digital identity and the country sovereignty.</p> <p>3 The requirement of support/non objection from the relevant governments/public authorities should be maintained.</p> <p><b>Spain:</b></p> <p>1. Still relevant.</p> <p>2. Non-objection processes have worked well. The established mechanism makes sure that a positive statement from governments is obtained.</p> <p>3. Retain policy.</p> <p><b>Switzerland:</b></p> <p>1. The type is still relevant.</p> <p>2. The requirement of non-objection letters worked well as it created a good mix of incentives for applicants and affected relevant public authorities to come to mutually accepted solutions for the delegation</p>
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			<p>of the strings. The non-objection letter was and is in our view a good way to get the more specific interests backing one application to a table with those who represent the corresponding city (and its public policy interests and rights and responsibilities under national law), in order to try to arrive at a mutually acceptable solution. It fairly puts the burden on the applicant who has the more specific interest, avoiding that public authorities for each capital city, city, region etc. worldwide have to actively monitor application processes within ICANN. The non-objection letter allows for different solutions, depending on the different legal, policy, cultural and economic frameworks of each capital city, city, region etc., the corresponding community and the relevant applicant(s).</p> <p>3. The letter of "non-objection" framework should be maintained. Potential specific issues backed by factual information with the implementation of this framework may be addressed by fine-tuning of the system, e.g. by devoting more support for identifying the relevant public authorities, etc.</p>
<p><b>C: NAMES NOT COVERED IN CURRENT APPLICANT GUIDEBOOK</b></p>			
<p>Other names not listed above that could be considered "geographic names" by some, for example "Amazon", "Patagonia." Lack of inclusion has created some problems.</p>	<p>Not covered.</p>	<p>Such names were not identified as part of an objective list or procedure but may fall under standing GAC Advice (in particular that "ICANN should avoid country, territory or place names, and country, territory or regional language or people descriptions, unless in agreement with the relevant government or public authorities.")</p>	<p><b>Argentina:</b> Several ideas has been proposed, like the use of a repository of names, among tothers, where the applicant could counsult about these other geographic names.</p> <p>If the string to be applied for is in the list or repository, there should be an early contact between applicant and the relevant government/ community / interest group in oder to find a way to use the new gTLD which satisfies all parties involved.</p> <p>If there is a national / reginal or state / city or municipality government involved, thre shold be a support/non-objection letter from relevant governments or public authorities</p> <p><b>Brazil:</b></p> <ol style="list-style-type: none"> <li>1. TLD names with geographical and cultural significance raising political sensitivities as identified by GAC consensus advice shall not be delegated as gTLDs without the consent of the relevant public authorities.</li> <li>2. In the absence of a permissive rule under international law allowing ICANN to delegate these TLD names with geographical and cultural</li> </ol>

			<p>significance, which would necessarily produce effects within the jurisdiction of the countries these names refer to and therefore may collide with the sovereign authority of these countries to regulate the use of their names within their borders, the interested applicant should obtain the consent of the relevant public authorities in order to be entitled to register and use the TLD in question.</p> <p>3. A clearly articulated requirement of obtaining the consent of the relevant public authorities for these TLD names, prior to the applicant's applying for the TLD in question, would most likely have avoided the problems that the 2012 round gave rise. In this respect, it would be useful to consider drafting an illustrative list of TLD names with geographical and cultural significance that are likely to raise sensitivities among States and their communities, as expressed by their respective public authorities, and which may be subject to GAC consensus advice. The objection procedure based on GAC advice should be maintained.</p> <p><b>Finland:</b> retain the policy, it is still relevant. Require support/non-objection from at least 60% of the respective national governments in the region and no more than 1 written statement of objection.</p> <p><b>Georgia:</b> Still relevant to retain the policy. We consider, it's necessary to require support/non-objection of the majority (3/4 for e.x.) of the respective national governments in the region.</p> <p><b>India:</b></p> <p>1. Sole reliance on ISO-3166 list for "geographic names" has created issues in the past (.Amazon being a case in point). It is important to understand that overreliance on ISO-3166-2 list may be detrimental to national interests. For instance, "Amazon" basin that encompasses eight South American countries does not feature on the ISO 3166-2 list and consequently fails to qualify as a "geographic name". Similarly, "Himalayas", "Ganga/Ganges" is not mentioned in the 3166-2 list but its relevance as a term with geographic significance cannot be ignored.</p> <p>2. We therefore suggest, for the time being, that we include in this <i>definition discussion</i>, the notion that there were names with geographic meaning not covered by the 2012 AGB definitions and rules. Further, such geographic names must be identified and treated as "geographic names" for the next round of applications.</p>
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3. According to us, all such terms that are hitherto not identified as "geographic names" but are in fact terms with geographic significance for relevant public authorities must be subject to non-objection letter requirement for future round of applications.

**Portugal:** Geographic names are words that can not have a exclusive used under a gtLD. Geographic names should include toponyms such as mountains, rivers, that by their notoriety and relevance are common known, as well as geographical indications.

Therefore these names should remain under the relevant authority with the requirement of support/non objection from the relevant governments/public authorities.

**Spain:** It should require a non-objection statement from relevant governments.

**Switzerland:** In general the definitions contained in the 2012 AGB have worked well according to the data we are aware of (for instance the data circulated prior to the webinar organized in April last year by the GNSO).

However, problems in the application of the AGB 2012 related to geonames as Top Level Domains have arisen in relation to those names with a geographic meaning/significance that were not covered under the 2012 AGB rules (we all know some examples that still are lingering today). We therefore suggest, for the time being, that we include in this *definition discussion*, the notion that there were names with geographic meaning not covered by the 2012 AGB definitions and rules, which according to a factual analysis have given rise to problems, and that therefore a debate would be warranted, in order to include them under the definitions in a manner to be agreed upon, establishing a framework for mutually agreed outcomes amongst all interested parties in such applications.

In our opinion such names with geographic significance should be subject to a non-objection letter requirement. As mentioned before, according to the available data (for instance the data circulated prior to the webinar organized in April 2017) the 2012 AGB requirement of a "non-objection letter" by the relevant public authorities worked well, as it

			<p>created a good mix of incentives for applicants and relevant authorities to arrive at mutually accepted solutions for the delegation of the strings.</p> <p>The question regarding the level of granularity of names to be covered under this category is something that would need to be decided on.</p> <p>This by no means implies to take such names out of the pool of potential TLD. It just contributes to creating a framework for getting the right people at the table before the application is submitted and preempts many potential ex-post conflicts.</p> <p><b>United States:</b> The U.S. notes the importance of keeping in mind, however, that a term can be used in various contexts, including uses unrelated to a use associated with a geographic name or term, e.g., such as a brand name or generic use. A gTLD that corresponds to a geographic name or term, but is intended to be used for purposes unrelated to the geographic name or term, should not be considered a "geographic name."</p> <p>The United States is not aware of an international consensus that recognizes inherent governmental rights in geographic terms. To the extent the gTLD is used in a deceptive manner creating a false association or connection to the government, the U.S. is mindful of a governmental interest in addressing such deception.</p> <p>The U.S. also is mindful of GAC Principles Regarding New gTLDs (2007), Section 2.3: "The process for introducing new gTLDs must make proper allowance for prior third party rights, in particular trademark rights as well as rights in the names and acronyms of inter-governmental organizations (IGOs)."</p>
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