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Voluntary PICs chapter

Background of Public Interest Commitments

One safeguard mechanism unique to the new gTLD program was the incorporation of mandatory and voluntary Public Interest Commitments (PICs) into registry applications and, ultimately, registry agreements. The advent of these binding and enforceable contractual obligations stemmed from GAC concerns about how commitments contained in new gTLD applications would be enforced by ICANN. Consequently, the GAC advised that all commitments and objectives set forth in new gTLD applications (or amendments thereto) should be "transformed into binding contract obligation subject to compliance oversight by ICANN." In its Toronto Communique, the GAC also signaled that it had a variety of public policy concerns about the new gTLD applications, including issues involving: consumer protection, strings related to regulated market sectors such as financial, health and charities, intellectual property issues, and the relationship between new gTLDs and applicable legislation.[1]

On February 5, 2013, ICANN released a revised draft registry agreement that incorporated PICs for new gTLD applicants.[2] The draft ~~is~~ set ~~some~~ forth proposed some mandatory requirements but also allowed for the adoption of voluntary commitments by applicant~~ion~~s. The timing of the announcement effectively gave applicants less than 30 days to decide whether to include voluntary PICs in their applications.

Later in 2013, the GAC followed up in Beijing by issuing safeguard advice with mandatory proposals specific to all new gTLDs, regulated gTLDs, and highly regulated gTLDs.[3] Other stakeholders such as the Business Constituency and At Large Advisory Committee also weighed in on the proposals.[4] Thereafter, ICANN modified the GAC safeguard advice and elected to implement the modified safeguards in the PICs of the base registry agreement for new gTLDs.[5]

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[1] https://gacweb.icann.org/download/attachments/27132070/FINAL_Toronto_Communique_20121017.pdf?version=1& modificationDate=1354149148000&api=v2

[2] https://www.icann.org/resources/pages/base-agreement-2013-02-05-en

[3] https://gacweb.icann.org/download/attachments/28278854/Beijing%20Communique%20april2013_Final.pdf?version=1&modificationDate=1367607354000&api=v2

[4] For a brief summary of BC and ALAC correspondence See *http://atlarge.icann.org/correspondence/correspondence-16oct14-en.htm; http://www.bizconst.org/assets/docs/positions-statements/bc-comment-on-safeguards-for-category-1-gtlds.pdf*

[5] https://www.icann.org/en/system/files/correspondence/crocker-to-dryden-3-29oct13-en.pdf

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In February 5, 2014, the New gTLD Program Committee adopted GAC Category 1 Safeguard Advice, mandating that new registry operators include four mandatory PICs in their registry agreement and additional mandatory PICs for regulated and highly regulated gTLD operators.[6]

INSERT HISTORY OF SPECIFICATION 12 COMMUNITY REGISTRATION POLICIES?

Adoption Rate of Voluntary PICs

Out of 1,930 new gTLD applications ~~As of November 2016~~, 513 included voluntary PICs. ~~new gTLD applicants had incorporated voluntary PICs into their applications~~.[7] Seventeen ~~None~~ of the 29 highly regulated gTLD applications included voluntary PICs, which were ultimately included in their registry agreements.[8] Seventy ~~Five~~ of the 116 registry agreements[9] for regulated gTLDs

[6] Specifically, **all** new gTLDs had to incorporate four specific safeguards involving: WHOIS verification and documentation and checks and of same; Mitigating abusive activity; Security checks; and Making and Handling Complaints. *See* https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-i-agenda-2b-25jun13-en.pdf. In addition, **regulated** new gTLDs had to also incorporate three safeguards regarding Compliance with applicable laws and reasonable/appropriate security measures for collection of sensitive financial/health information. *See* https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-2-05feb14-en.pdf Furthermore, **highly regulated** had to also incorporate five safeguards regarding a. Establishing relationship with relevant regulatory/industry bodies to mitigate risks of illegal activity; b. Requiring Registrants to have a single point of contact for complaint reporting and contact info for relevant regulatory bodies; c. Verification and validation of credentials. *See* https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-2-05feb14-en.pdf

[7] https://gtldresult.icann.org/application-result/applicationstatus/viewstatus

[8] Donuts (.surgery, .dentist, .creditcard, .attorney, .lawyer, .doctor, .ltd, .sarl, .gmbh, .bingo, .university, .casino), Minds+Machines (.dds, .abogado), CUNA Performance Resources,LLC (.creditunion), Excellent First Limited (慈善 (xn--30rr7y) – Chinese for "charity"), mySRL GmbH (.srl).

[9] Based on data provided by ICANN staff on October 21, 2016. These included Donuts (.games, .clinic, .dental, .healthcare, .claims, .finance, .fund, .investments, .loans, .credit, .insure, .tax, .mortgage, .movie, .software, .video, .accountants, .gratis, .legal, .school , .schule , .toys, .care, .fitness, .capital, .cash, .exchange, .financial, .lease, .market, .money, .degree, .mba, .band, .digital, .associates, .fan, .discount, .sale, .media, .news, .pictures, .show, .theater, .tours, .vet, .engineering, .limited, .capital, .town, .city, .reisen), Big Room, Inc. (.eco), Afilias (.organic), DotHealth (.health), DotHIV gemeinnuetziger e.V. (.hiv), Stable Tone Limited (健康 (xn--nyqy26a) – Chinese for "healthy"), Medistry LLC (.med), Celebrate Broadway, Inc. (.broadway),

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Commented [2]: Suggest replacing this with "out of the 1,930 applications for new gTLDs..." since the # of PICs with applications is fixed/not being updated

Commented [3]: 17 out of 29 highly regulated gtlds included voluntary PICs in their application which were ultimately also incorporated into their RAs.

Commented [4]: What is the source for this? 5 out of 116 regulated gTLDs? Please note that Staff did not collect PICs data from the applications of regulated gTLDs only from the applications of highly regulated gTLDs. However, we did collect PICs data from the RAs of regulated gTLDs and 70 out of 116 had PICs in their RA.

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included voluntary PICs ~~in their applications~~.[10][11] ~~Only one operator, representing six of the top 30 new gTLDs that ultimately incorporated voluntary PICs into their registry agreements, proposed voluntary PICs in their applications.~~[12]

~~Ultimately, however, 70sSeventy of the 116 regulated gTLDs~~[13] ~~and 17 out of 29 highly regulated gTLDs~~[14] ~~adopted some form of voluntary public interest commitments in their registry agreements.~~[15]

Eleven of the regulated new gTLD registry operators, representing 69 regulated registries, incorporated voluntary PICs related to abuse or acceptable use into their registry agreements.[16]

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Famous Four Media (.download, .loan, .accountant), Rightside (.gives, .engineer, .rip, .rehab), Minds+Machines (.law, .fit, .fashion), Foggy Way, LLC (.reise). The National Association of Real Estate Investment Trusts, Inc. (.reit) and European Broadcasting Union (EBU) (.radio) adopted Specification 12 Community Registration Policies.

[10] National Association of Boards of Pharmacy (.Pharmacy) adopted Specification 12 Community Registration Policies

[11] ~~Big Room, Inc. (.eco), Famous Four Media (.download, .loan, .accountant), Foggy Way, LLC (.reise)~~

[12] ~~Famous Four Media for .win, .loan (regulated), .date, .racing, .download (regulated), .accountant (regulated)~~

[13] ~~Based on data provided by ICANN staff on October 21, 2016. These included Donuts (.games, .clinic, .dental, .healthcare, .claims, .finance, .fund, .investments, .loans, .credit, .insure, .tax, .mortgage, .movie, .software, .video, .accountants, .gratis, .legal, .school , .schule , .toys, .care, .fitness, .capital, .cash, .exchange, .financial, .lease, .market, .money, .degree, .mba, .band, .digital, .associates, .fan, .discount, .sale, .media, .news, .pictures, .show, .theater, .tours, .vet, .engineering, .limited, .capital, .town, .city, .reisen), Big Room, Inc. (.eco), Afilias (.organic), DotHealth (.health), DotHIV gemeinnuetziger e.V. (.hiv), Stable Tone Limited (健康 (xn--nyqy26a) – Chinese for "healthy"), Medistry LLC (.med), Celebrate Broadway, Inc. (.broadway), Famous Four Media (.download, .loan, .accountant), Rightside (.gives, .engineer, .rip, .rehab), Minds+Machines (.law, .fit, .fashion), Foggy Way, LLC (.reise). The National Association of Real Estate Investment Trusts, Inc. (.reit) and European Broadcasting Union (EBU) (.radio) adopted Specification 12 Community Registration Policies.~~

[14] ~~Donuts (.surgery, .dentist, .creditcard, .attorney, .lawyer, .doctor, .ltd, .sarl, .gmbh, .bingo, .university, .casino), Minds+Machines (.dds, .abogado), CUNA Performance Resources,LLC (.creditunion), Excellent First Limited (慈善 (xn--30rr7y) – Chinese for "charity"), mySRL GmbH (.srl).~~

[15] ~~National Association of Boards of Pharmacy (.Pharmacy) adopted Specification 12 Community Registration Policies~~

[16] Based on data provided by ICANN staff on October 21, 2016. These included Donuts (.games, .clinic, .dental, .healthcare, .claims, .finance, .fund, .investments, .loans, .credit, .insure, .tax,

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Five of the highly regulated new gTLD registry operators, representing 17 highly regulated registries, incorporated voluntary PICs related to abuse into their registry agreements.[17] Each of the top 30 new gTLDs registries that committed to voluntary PICs incorporated anti-abuse provisions.[18]

Implementation of PICs

New gTLD applicants were permitted to incorporate voluntary PICs into Specification 11, Section 2 and Section 3 of their applications.[19] Commitments made in Section 2 were incorporated into Specification 11, Section 2 of the registry agreements, whereas those commitments made in Section 3 became part of Section 4 of the registry agreements. Other voluntary commitments took the form of Specification 12 Community Registration Policies, which predated the advent of voluntary PICs.

.mortgage, .movie, .software, .video, .accountants, .gratis, .legal, .school , .schule , .toys, .care, .fitness, .capital, .cash, .exchange, .financial, .lease, .market, .money, .degree, .mba, .band, .digital, .associates, .fan, .discount, .sale, .media, .news, .pictures, .show, .theater, .tours, .vet, .engineering, .limited, .capital, .town, .city, .reisen), Big Room, Inc. (.eco), Afilias (.organic), DotHealth (.health), Stable Tone Limited (健康 (xn--nyqy26a) – Chinese for "healthy"), Medistry LLC (.med), Celebrate Broadway, Inc. (.broadway), Famous Four Media (.download, .loan, .accountant), Rightside (.gives, .engineer, .rip, .rehab), Minds+Machines (.law, .fit, .fashion), Foggy Way, LLC (.reise). The National Association of Real Estate Investment Trusts, Inc. (.reit) and European Broadcasting Union (EBU) (.radio) adopted Specification 12 Community Registration Policies.

[17] Donuts (.surgery, .dentist, .creditcard, .attorney, .lawyer, .doctor, .ltd, .sarl, .gmbh, .bingo, .university, .casino), Minds+Machines (.dds, .abogado), CUNA Performance Resources,LLC (.creditunion), Excellent First Limited (慈善 (xn--30rr7y) – Chinese for "charity"), mySRL GmbH (.srl).

[18] Based on data available to ICANN staff on September 12, 2016, these included: Famous Four (.win, .loan, .date, .racing, .download, .accountant), Minds+Machines (.vip, .bayern, .work), Donuts (.news, .rocks, .guru, .email, .solutions, .photography, .company, .tips, .center, .city, .world, .expert, .media, .today, .live, .life), Rightside (.pub, .ninja), Dot London Domains Limited (.london), Infibeam Incorporation Limited (.ooo), and Over Corner, LLC/Donuts (.ltd). Of these gTLDs, .accountant , .city, .download, .loan, .news, and .media are gTLDs designated as GAC Category 1 strings (Regulated Sectors/Open Entry Requirements in Multiple jurisdictions. One gTLD, .ltd is designated as a Highly Regulated sector/Closed Entry Requirements in Mulitple Jurisdictions.

[19] https://newgtlds.icann.org/en/applicants/agb/base-agreement-spec-11-pic-19feb13-en.pdf

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~~Voluntary PICs were incorporated into applications thereby falling to~~ **~~AKWARD~~** ~~Specification 11, Section 2 of registry agreements, or directly into Specification 11, Section 4 of registry agreements, or both.~~ Commitments made in voluntary PICs ranged from the use of language resembling other obligations[20], such as those in the applicant guidebook or elsewhere in the registry agreement, to unique methods for enforcing acceptable use, avoiding ambiguity[21], protecting intellectual property rights, or proactively preventing DNS abuse.

Commented [8]: This is confusing. Perhaps add a paragraph that describes structure of Specification 11 first. Then you can discuss the movement of the voluntary commitments from the applications into Spec. 11. Perhaps also mention that Spec. 12 b/c some of the highly regulated gTLDs elected to impose certain restrictions by pursuing community applications. Also need to clarify concept that certain commitment labeled by the applicants as "voluntary" commitments actually duplicated other mandatory obligations, and hence were not "voluntary" or additional at all.

For example, six registry applications, of the ~~top~~ 30 most popular new gTLDs that ultimately adopted voluntary PICs in their registry agreements, included provisions related to preexisting obligations: Abuse Prevention and Mitigation plan, Additional Mechanism for Protection of Capital City Names, Additional Mechanisms to Protect and Reserve IGO Names, Acceptable Abuse Policy, Rights Protection Mechanisms, and WHOIS Accuracy.[22] The only wholly new voluntary commitment made in these applications was for the creation of an Abuse Prevention and Mitigation Seal, which requires registrants to incorporate an APM Seal onto their web pages for one-click access by visitors to geographically tailored abuse reporting resources.[23] These voluntary PICs were ultimately incorporated into Specification 11, Section 4 of the respective registration agreements.[24]

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[20] This may have been due to the fact that the Registry Agreement was not yet finalized when voluntary PICs were submitted and therefore applicants may not have been aware of preexisting obligations.

[21] Voluntary PICs were incorporated into the .ooo Registry Agreement to protect against confusion with Australia's Triple Zero Emergency Call Service, including the reservation of domain names related to police, fire, and emergency, in order to prohibit domain name registrations that might lead to confusion with these services. See Specification 11, Section 4a-c .ooo Registry Agreement (https://www.icann.org/sites/default/files/tlds/ooo/ooo-agmt-html-09jan14-en.htm)

[22] Famous Four Media for .win, .loan (regulated), .date, .racing, .download (regulated), .accountant (regulated)

[23] See Registry Agreement, Public Interest Commitments, and Application for .LOAN (https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1205), .WIN (https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1201), .DATE (https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1175), .RACING (https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1227), .DOWNLOAD (https://gtldresult.icann.org/applicationstatus/applicationdetails/1217), .ACCOUNTANT (https://gtldresult.icann.org/applicationstatus/applicationdetails/1187)

[24] See Specification 11, Section 4 of the Registry Agreement for .LOAN (https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1205),

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Many voluntary PICs emphasized prohibited uses of domain names, including some already forbade by existing obligations, while others created new anti-abuse provisions. For example, some of the voluntary PICs incorporated into registry agreements included attempts to prevent the ability of DNS abusers to rely on privacy and proxy services. One operator focused on registrants by committing to "[l]imit the use of proxy and privacy registration services in cases of malfeasance~~.~~"[25] W~~W~~hereas~~,~~ another targeted service providers by promising to "allow domain name proxy or privacy services to be offered only by select registrars and resellers who have demonstrated a commitment to enforcing the accuracy of registrant data and their willingness to cooperate with members of law enforcement to identify users who are engaging

.WIN (https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1201), .DATE (https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1175), .RACING (https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1227), .DOWNLOAD (https://gtldresult.icann.org/applicationstatus/applicationdetails/1217), .ACCOUNTANT (https://gtldresult.icann.org/applicationstatus/applicationdetails/1187)

[25] Specification 11, 4(iii) in the Registry Agreements for .life (https://www.icann.org/sites/default/files/tlds/life/life-agmt-html-06feb14-en.htm), .live (https://www.icann.org/sites/default/files/tlds/live/live-agmt-html-04dec14-en.htm), .today (https://www.icann.org/sites/default/files/tlds/today/today-agmt-html-20sep13-en.htm), .ltd (https://www.icann.org/sites/default/files/tlds/ltd/ltd-agmt-html-25sep14-en.htm), .news (https://www.icann.org/sites/default/files/tlds/news/news-agmt-html-18dec14-en.htm), .rocks (https://www.icann.org/sites/default/files/tlds/rocks/rocks-agmt-html-14nov13-en.htm), .guru (https://www.icann.org/sites/default/files/tlds/guru/guru-agmt-html-27aug13-en.htm), .email (https://www.icann.org/sites/default/files/tlds/email/email-agmt-html-31oct13-en.htm), .solutions (https://www.icann.org/sites/default/files/tlds/solutions/solutions-agmt-html-07nov13-en.htm), .photography (https://www.icann.org/sites/default/files/tlds/photography/photography-agmt-html-20sep13-en.htm), .company (https://www.icann.org/sites/default/files/tlds/company/company-agmt-html-07nov13-en.htm), .tips (https://www.icann.org/sites/default/files/tlds/tips/tips-agmt-html-20sep13-en.htm), .center (https://www.icann.org/sites/default/files/tlds/center/center-agmt-html-07nov13-en.htm), .city (https://www.icann.org/sites/default/files/tlds/city/city-agmt-html-29may14-en.htm), .world (https://www.icann.org/sites/default/files/tlds/world/world-agmt-html-12jun14-en.htm), .expert (https://www.icann.org/sites/default/files/tlds/expert/expert-agmt-html-21nov13-en.htm), .media (https://www.icann.org/sites/default/files/tlds/media/media-agmt-html-06mar14-en.htm)

in improper or illegal activity."[26] One operator of two highly regulated domain names included provisions aimed at preventing repeat abuse by voluntarily committing to "[b]lock registrants of abusive domain names from further registrations" and "[s]uspend or delete all names associated with a registrant."[27]

Many voluntary PICs included proactive and reactive methods for protecting intellectual property rights claims. Even for generic and open gTLDs, several registry agreements included voluntary PICs to undertake "commercially reasonable efforts" to consult with specific brand owners regarding the use of domain names in relevant commercial applications and to "reserve certain names that likely would interfere with the rights of that entity."[28] The same operator also committed to creating a Domains Protected Marks List that "allows rights holders to reserve registration of exact match trademark terms and terms that contain their trademarks across all gTLDs administered by Registry Operator under certain terms and conditions."[29]

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[26] Id. at Specification 11 4c(v)

[27] Minds+Machines (.dds, .abogado)

[28] Specification 11, 4 in the .life (https://www.icann.org/sites/default/files/tlds/life/life-agmt-html-06feb14-en.htm), .live (https://www.icann.org/sites/default/files/tlds/live/live-agmt-html-04dec14-en.htm), and .today (https://www.icann.org/sites/default/files/tlds/today/today-agmt-html-20sep13-en.htm) Registry Agreements

[29] Specification 11, 4(iii) in the Registry Agreements for .life (https://www.icann.org/sites/default/files/tlds/life/life-agmt-html-06feb14-en.htm), .live (https://www.icann.org/sites/default/files/tlds/live/live-agmt-html-04dec14-en.htm), .today (https://www.icann.org/sites/default/files/tlds/today/today-agmt-html-20sep13-en.htm), .ltd (https://www.icann.org/sites/default/files/tlds/ltd/ltd-agmt-html-25sep14-en.htm), .news (https://www.icann.org/sites/default/files/tlds/news/news-agmt-html-18dec14-en.htm), .rocks (https://www.icann.org/sites/default/files/tlds/rocks/rocks-agmt-html-14nov13-en.htm), .guru (https://www.icann.org/sites/default/files/tlds/guru/guru-agmt-html-27aug13-en.htm), .email (https://www.icann.org/sites/default/files/tlds/email/email-agmt-html-31oct13-en.htm), .solutions (https://www.icann.org/sites/default/files/tlds/solutions/solutions-agmt-html-07nov13-en.htm), .photography (https://www.icann.org/sites/default/files/tlds/photography/photography-agmt-html-20sep13-en.htm), .company (https://www.icann.org/sites/default/files/tlds/company/company-agmt-html-07nov13-en.htm), .tips (https://www.icann.org/sites/default/files/tlds/tips/tips-agmt-html-20sep13-en.htm), .center (https://www.icann.org/sites/default/files/tlds/center/center-agmt-html-07nov13-en.htm), .city (https://www.icann.org/sites/default/files/tlds/city/city-agmt-html-29may14-en.htm), .world (https://www.icann.org/sites/default/files/tlds/world/world-agmt-html-12jun14-en.htm), .expert (https://www.icann.org/sites/default/files/tlds/expert/expert-agmt-html-21nov13-

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Moreover, the operator committed to establishing a "Claims Plus service," which would be used to alert new registrants if they attempted to register a domain name that matched a trademark.[30]

Registrant validation methods also appeared in some voluntary PICs. For example, ~~T~~the operator of a highly regulated new gTLD included in ~~thei~~itsr voluntary PICs a requirement that registrants hold a valid trademark corresponding to the domain name for which they are registering.[31] Another operator added a commitment to include corporate designation status in the Whois records for a highly regulated domain,[32] committing to "provide appropriate jurisdictional authorities with the capability at their option and at no cost to make designations in the Whois record relevant to the registrant's organizational status in the registrant's jurisdiction."[33] This means that a Whois record would indicate whether or not the registrant organization's corporate status had been validated by the relevant jurisdiction's governing authority.

Ultimately, applicants had little time to decide whichat PICs to ~~voluntarily~~ adopt voluntarily and did not know what the enforcement mechanism would be for the PICs. The combination of a short timeframe, less than 30 days,[34] and uncertainty about the specifics of enforcement may have deterred certain applicants from submitting PICs or impacted whichat PICs they elected to submit.

[Input from communities affected by voluntary PICs will be forthcoming]
[Input from DNS Abuse Study on correlation between PICs and abuse will be forthcoming]

Enforcement of PICs

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en.htm), .media (https://www.icann.org/sites/default/files/tlds/media/media-agmt-html-06mar14-en.htm)

[30] Id. at Specification 11, 4(iv)

[31] fTLD Registry Services (.insurance)

[32] https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-2-05feb14-en.pdf

[33] Specification 11, 4(e) in .ltd Registry Agreement (https://www.icann.org/sites/default/files/tlds/ltd/ltd-agmt-html-25sep14-en.htm)

[34] What is schedule for the Public Interest Commitments (PIC) Specification Proposal? https://newgtlds.icann.org/en/applicants/agb/base-agreement-specs-pic-faqs Revised New gTLD Registry Agreement Including Additional Public Interest Commitments Specification: Section I: Description, Explanation, and Purpose https://www.icann.org/resources/pages/base-agreement-2013-02-05-en POSTING OF PUBLIC INTEREST COMMITMENTS (PIC) SPECIFICATIONS COMPLETED https://newgtlds.icann.org/en/announcements-and-media/announcement-06mar13-en

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Mandatory and voluntary PICs are enforced by both ICANN Compliance via its usual complaint procedures and via the Public Interest Commitment Dispute Resolution Process (PICDRP) established on December 19, 2013.[35] The GAC has expressed concerns that the PICDRP is "complex, lengthy, and ambiguous, raising questions as to its effectiveness in addressing serious threats."[36] To date, no complaints~~X NUMBER OF COMPLAINTS~~ have been submitted alleging breach of a voluntary PIC.

The first use of the PICDRP complaint process is currently underway.[37]

Recommendations

1) Recommendation: ICANN staff should improve the accessibility of voluntary public interest commitments by maintaining a publicly accessible database of these commitments, as extracted from the registry agreements.
   Rationale/Related findings: The current process of analyzing individual voluntary PICs, comparing PICs amongst TLDs, and understanding their impact is currently cumbersome for end users and the community. Unlike many other aspects of registry agreements, voluntary PICs vary greatly from one TLD to another. Therefore, a publicly accessible database of these commitments would enhance visibility and accountability.
   To: ICANN organization
   Must be completed prior to subsequent rounds: Yes, this should apply to current and new voluntary PICs.
   Consensus within team:

2) Recommendation: Future gTLD applicants should state the goals of each of their voluntary PICs.
   Rationale/Related findings: The intended purpose is not discernable for many voluntary PICs, making it difficult to evaluate effectiveness.
   To: ICANN organization/Subsequent Procedures PDP WG
   Must be completed prior to subsequent rounds: Yes, this should apply to future gTLD applicants.
   Consensus within team:

Commented [10]: Laureen's comment: I thought there had been at least one complaint filed -- .feedback]

Commented [11]: No - that was not based on a voluntary PIC.

Best,
Jamie

Commented [12]: Laureen's comment: I thought there had been at least one complaint filed -- .feedback]

Commented [13]: No - that was not based on a voluntary PIC.

Best,
Jamie

[35] *See* link at: https://www.icann.org/resources/pages/picdrp-2013-10-31-en; and https://www.icann.org/resources/pages/gtld-2012-02-25-en and 2015 Singapore Communique (re: role of ICANN Compliance)
[36] *See e.g.,* 2014 London Communique and 2015 Singapore Communique
[37] http://domainincite.com/docs/FEEDBACK-PICDRP-Complaint.pdf

Please edit/comment using the google doc: https://docs.google.com/document/d/1qWlUU5mAP-iKmgKjrJz2Fea8C5pY-MjJf5FSe2iJFJ0/edit?usp=sharing

3) Recommendation: PDP WG should explore whether to create a mechanism to vet voluntary public interest commitments to ensure that they do not run counter to the public interest.
   Rationale/Related findings: At present, there is no mechanism in place to ensure that voluntary public interest commitments do not negatively impact the public interest prior to going into effect. Therefore, the PDP WG should explore whether this safeguard should exist at the application stage to ensure that voluntary PICs are vetted against at least some criteria.
   To: Subsequent Procedures PDP WG/Future CCT RT
   Must be completed prior to subsequent rounds: Yes
   Consensus within team:

Commented [14]: Won't this create a disincentive to offer voluntary PICs? Why would an applicant bother to offer something voluntarily when that thing will be scrutinized? If it goes against public interest, it seems likely it won't be enforced.