Community Comment 2			
Public Comment Review Tool			

1.1 (Registry Service Provider) Accreditation Programs

#	Comment	Contributor	WG Response
1	**[Voluntary and can use own RSP]** As currently envisioned by the WG, such a program would be on a voluntary basis and would not preclude the approval of a Registry Operator's acting as its own RSP or the approval of additional new RSPs.	Nominet	
2	**[Efficiency and security through accreditation program and testing]** Efficiency, security, and stability are principles that must be guaranteed, therefore we strongly believe in the (a) accreditation processes for the Registry Service Providers (RSPs), (b) periodic evaluations for the RSPs in order to see if they meet the requirements of the program, and (c) the importance of creating a process through which to continually and consistently reassess the approved RSPs on a periodic basis.	NCSG	
	1.1.1 - Benefits and risks have been identified by the WG as provided above in the Context section. What additional benefits or risks do you see in implementing such a program? Are there other considerations that need to be considered?		
1	**[Notes additionally that discount should apply if applications using same RSP]** As the goal of such an "accreditation of RSPs" mechanism seems to be to lower costs for applicants and to decrease the administrative burden of applying for a new gTLD, as well as to grant applicants a certainty that their application will pass the evaluation, I recommend simply to allow for applicants to request that their applications (in case they have more than one) be evaluated in one work stream (if all are with same RSPs). ICANN should grant a significant discount in application fees in such cases. In the application guidebook (or similar guidance in the next application phase) ICANN could link to a list of current RSP providers. Then the applicant would of course still risk that an RSP currently operating a new gTLD would not qualify in the next round, however the risk of a "race to the bottom" or the risk of any ICANN liability issues related to "accrediting" RSPs would be avoided. Also, the entry barriers to new RSPs – who may otherwise be perceived as "too expensive to choose" would also be reduced, although still of course in a less favorable position. De Facto RSPs not currently operating a new gTLD/Legacy TLD/ccTLD would still face the same challenge (and such a list of current RSPs is not that difficult to find)	Jannik Skou	
2	**[Current EBERO maybe not be needed RSP accreditation]** We would suggest approved RSPs have their own version of "EBERO" in their pre-validation process/accreditation and remove that as part of the Registry Agreement altogether if a "known"/prevalidated registry service provider is used, thus removing another redundancy double-checking per-application, if not removing the COI, EBERO, Data Escrow entirely as per answer 2.3.1. The reason to single out EBERO under the RSP model is they are generally acting as RSP for multiple registry operators and if the technical registry backend were to fail there is no call for having multiple separate agreements with each registry operator as that would only make things more difficult.	Demys	
3	**[Increase competition, reduce prices]** The establishment of a Registry Certification program, through which a potential registry services provider (RSP) could pre-qualify as meeting the programs technical requirements, has the potential to significantly improve the participation in any subsequent new gTLD process and we strongly support it. Such an approach would increase competition amongst RSPs thereby encouraging efficiency, stimulating innovation, disciplining prices and providing much needed transparency and clarity to potential applicants on what registry costs will be. This would free applicants to focus on their own business plans and market innovation. This would be of particular benefit to groups who might have less experience in the industry, allowing them to put proposals together without the need to have often expensive technical advice. This could be of particular benefit to applicants from underserved regions. This will also reduce overall program costs for ICANN and applicants, as it will obviate the need for RSPs to be certified multiple times. Most important is the notion that an RSP should need only complete a certification process once regardless of the number of strings they may ultimately support. We have provided some additional commentary in response to selected specific questions below.	CIRA	

4	**[Could improve efficiency in processes, conditional support if it streamlines process]** Having experienced first-hand the multiple repetitive testing required for identical or very similar processes during round 1, we agree with the observation that this introduced unnecessary delay, cost and operational bottlenecks. Whilst we appreciate that these processes were designed in good faith in order to maintain technical and operational stability in the DNS, we believe that they also created risk by extending the timeframe of the whole program and introducing many complications. Contrary to ICANN's mission, the barriers to entry created by these lengthy and complicated processes in fact reduced choice and competition, particularly in the secondary market for registry services provision and for subsequent rounds. It should be possible to make this much better in future. We therefore see the benefits of having a lighter touch regulatory regime for established providers with an exemplary track record, for example a waiver from pre-delegation testing (PDT) or material subcontracting changes where the provider's exact same processes have already been thoroughly checked and audited by ICANN within the past 12 months. Having followed the discussions of the PDP WG we do however understand the concerns voiced that an accreditation or certification scheme would in practice add additional layers of bureaucracy, reduce any incentive to raise standards and in fact act as an unintended further barrier to competition or operational excellence. So, our support for any such scheme would be conditional on the outcomes of such a scheme actually reducing red tape and streamlining the current processes. In addition, we agree with the WG comment that accreditation should be optional, not mandatory, and applicants should have the option to use a non-accredited provider following the existing procedures for PDT etc.	Nominet	
5	**[Some RSPs having trouble meeting SLAs, other ways to gain efficiencies]** As I have mentioned in WG calls, I do not believe there should be an accreditation or pre-approval program. It has recently come to light that existing registry operators and their RSPs for the 2012 round continue to have challenges meeting the existing SLAs in the Registry Agreement. This results in ICANN having to intervene, but not trigger EBERO, to provide consultations on how to come into compliance. It proves that even once a RSP is "approved" or accredited by ICANN, issues do arise and that necessitates ongoing testing by ICANN to ensure RSPs are performing at adequate levels. See this presentation from ICANN that outlines the problems they are seeing from their monitoring. https://www.icann.org/en/system/files/files/presentation-slam-13may17-en.pdf Now this does not preclude the need to find efficiencies in the program, such as eliminating the repeated testing of identical registry set ups (identical meaning same deployment with exact Schedule A of registry services) or finding a way to ease the switching of back end providers. But that is completely different than a precertification or pre-approval program. For applicants looking for a "level of comfort" in their choice of RSPs, that is not something ICANN should be in the business of providing. For ICANN to provide a Good Housekeeping-like seal of approval is beyond their mission. Differentiation in the marketplace happens in many forms, including previous experience in running a registry.	Jim Prendergast	
6	**[Supports, as it would improve efficiency. Must maintain security and stability]** The BRG supports the concept of a RSP program which can remove unnecessary duplication, improve predictability, streamline the process and reduce the time through post-application to delegation. However, the criteria must be set at the appropriate levels (which may differ across the different registry models) and administered in a manner which does not introduce risks to security and stability or create a barrier to new entrants or competition. For example, any RSP that has exceeded the emergency thresholds and the EBERO was initiated should be disqualified from any RSP program and be required to undergo full evaluation. There would also be benefits beyond the application process, whereby a RSP program could streamline the process for assignment changes.	BRG	

7	**[Not ready to establish a minimum level of service, given various business models]** Afilias agrees that there are process efficiencies to be gained in the technical component of the application process and agrees that this could provide additional options to an applicant. However, this is vastly different than providing an accreditation program. The primary benefits of process efficiencies would be reducing the duplication of work on the part of a registry service provider and the application review time perceived by the applicant. Neither of these align with the primary benefit of an accreditation program: establishing an appropriately high, minimum level of service. The risk inherent in a "minimum level of service" is the assumption that all registries, or TLDs, are the same, even at some baseline level. One goal of the new gTLD program was to promote innovation, new models and programs for domain names. Afilias does not believe that this first new, expanded round is sufficient to establish a foundation for a minimum level of service that should automatically apply to all new, subsequent TLDs. The vast variety of business models and proposals for new gTLDs makes this self-evident.	Afilias	
8	**[RSP Program would promote efficiency and not result in race to the bottom]** **Identify opportunities to streamline repeat processes for applicants for multiple gTLDs and Registry Service Providers.** We believe that many of the topics raised with respect to technical evaluation are not matters of policy and would be better addressed through a parallel implementation review track led by ICANN staff with community consultation. However, in response to the questions posed by the Working Group we agree that there were overall inefficiencies in evaluation and testing procedures, as well as in application systems that created undue work and financial burden for multiple-TLD applicants and Registry Service Providers ("RSPs"). There is little benefit to having evaluators review multiple sets of identical technical documentation as part of Initial Evaluation, nor to carry out a pre-delegation test for each TLD an applicant launches, where there are no differences in the TLDs' proposed registry operations that could have implications for the test. Further, testing these TLDs individually is not a meaningful way to measure scalability of a registry. A better approach is to identify service level expectations related to scalability, and have a mechanism for notifying the registry and, potentially, initiating additional tests once the platform reaches identified thresholds. We are generally supportive of the proposal to create an RSP Accreditation Program to improve efficiency for RSPs and applicants alike, and disagree with the notion that such a program would create a "race to the bottom." Beyond operational efficiency we believe that an RSP Accreditation Program could help bring competition to the market for providing registry services by providing a well-defined path into the business for potential RSPs and at the same time providing greater certainty for registry operators that a given RSP will be accepted by ICANN. Just as the introduction of a streamlined accreditation program dramatically increased competition in the provision of registrar services beginning in 1999, the PDP should resist calls for unnecessary or overly burdensome restrictions on RSPs, or for ICANN endorsements based on incumbency in the space.	Google	

9	[Existing RSPs should qualify. Need to avoid race to the bottom] We support the notion, for the purposes of providing process efficiencies for applicants and ICANN in future new gTLD rounds, that there is value in establishing a pre-approval process for Registry Service Providers (RSPs) independent of the next new gTLD application process. We do not believe that standards for providing registry services should change as part of this pre-approval process; RSPs that have been through technical evaluation and monitoring as part of the 2012 application process should be considered to meet the minimum qualification under any RSP program provided that such RSPs have not undergone an emergency transition of the registry, and continue to perform in accordance with the service levels set in the Registry Agreement. Future applicants could engage any RSP from the existing pool and would not be required to undertake any evaluation or testing by ICANN to substantiate their credentials as an RSP. We are sensitive to the use of the term RSP Program and consider RSP Pre-Approval Process to be more appropriate. For the purposes of the remainder of our responses, RSP Program is read as Pre-Approval Process. A key risk to deal with, or mitigate, is the potential "race to the bottom" identified in the Context. This is particularly so when the use of terms such as "program", "accreditation" or "certification" are used since such terms imply a form of guaranteed or certified performance or reliability when in fact, what is being tested, is a minimum acceptable performance. Testing identifies a minimum performance level at which satisfactory operation may occur. More strongly institutionalizing a minimum performance level in the form of an accreditation or certification could set too low a benchmark when security, stability and registry performance are best served by the market exceeding the minimum performance level. Being able to operate at a minimum level is a useful test to subject service providers to but it does not certify or guarantee that an operator will be able to continue to operate effectively regardless of domains under management or other changes in circumstance or environment. Therefore, the focus of any such pre-approval process should be for ICANN to ensure that a minimum standard for operation is set, consistent with that set for the 2012 new gTLD round, but that should not necessarily be construed or communicated in any way to be a certification or accreditation by ICANN. Rather it is a minimum satisfactory performance to operate. That way, there is neither a barrier to competition by new entrants nor an artificially low standard benchmark of operation for the registry service providers. ICANN is not in the business of certifying operators in the entire value chain. If it were, then consideration would have to extend to certification of registrar resellers, DNS providers and others. ICANN could readily improve efficiency by improving operations and not repeat testing registry service providers for exactly the same function across multiple registry operators. Such an approach likely would be far more fruitful than introducing a new form of contracted party via certification or accreditation.	RySG	
10	The At-Large Community is generally dubious of the value of ongoing expansion in gTLDs, given that the benefit from the previous round is yet to be proven. Documentation provided to the CCT-RT suggests that gTLD expansion actually exerts a negative effect on Internet users (that is, suppliers of Internet-based services and the end-users who partake of these services). As such, the internal relationships between contracted parties and their service providers is of relatively little import to Internet users.	ALAC	

Benefits:

a. The primary purpose and benefit of an RSP Program would be to increase efficiency in the TLD application, evaluation, and PDT processes by limiting the need for multiple submissions and evaluations of the same technical answers, and multiple PDTs for the same RSP.

b. It would speed up the overall process time for an application by moving evaluation and PDT testing to before the application window opens, and by likely reducing the number of Clarifying Questions issued.

c. By eliminating multiple evaluations and PDTs of the same RSP it would, by definition, remove inconsistency among results for the same RSP (as was experienced in the 2012 round).

d. It would increase predictability for both applicants and RSPs: it would allow applicants to know prior to the submission of their TLD application that their chosen RSP would meet ICANN's technical criteria; RSPs would be able to offer the same assurance to potential clients when seeking their business.

e. By increasing efficiency of evaluations it should naturally lead to lower application costs (assuming a cost-recovery pricing model). In 2012 approximately $60,000 of each application fee covered evaluations, of which a substantial amount was allocated to technical evaluations. If only one of these evaluations is performed per RSP – rather than one per TLD – the total application fee per TLD should decrease.

f. A properly designed approval process could also remedy flaws in the evaluation process by testing the ability of RSPs to scale.

Challenges:

a. Some have argued that having a pre-approval process will lead to a "race to the bottom" in technical standards as RSPs will only shoot to meet the minimum requirements and not innovate. Moreover, this race to the bottom will cause their services to be commoditized and ultimately threaten the security and stability of the Internet. However, it is not clear why setting minimum standards would stifle innovation or threaten security and stability. It ignores the fact that minimum technical standards have been in place for the 2012-round TLDs with no evidence of a lack of innovation or of threats to the security and stability of the DNS. In fact, these are the same arguments that AT&T made in the 1990s and early 2000s to against cell phone portability. Yet in that case the evidence has shown that services have greatly improved for consumers, prices have dropped substantially, and competition amongst new providers (Sprint, Verizon, Leap/Cricket) has greatly increased.

b. The argument that setting a minimum set of technical standards will lead to an overall degradation of standards is built on the misconception that the RSP Program is somehow looking to change the current (2012-round) technical standards; it is not. The RSP Program is simply about process and making it more efficient. Any pre-approval of RSPs would need to meet with whatever technical standards are agreed by the ICANN community as being required for ROs (whether that be the current standard or some other agreed standard).

c. Another argument that has been made charges that an RSP Program would create a contractual relationship between ICANN and RSPs, thus creating a new set of contracted parties within ICANN. To be clear, it does not follow that an RSP Program would require a new contractual relationship between ICANN and RSPs, and we do not agree that one should be created (see 1.1.5).

Other Considerations:

Our view is that in addition to the selection and evaluation process of RSPs for subsequent application windows, such an accreditation, certification or pre-approval program for Registry Service Providers (RSPs) would provide equal benefit if applied retroactively to current Registry Operators in transitioning from one RSP to another.

Background:

a. Section 7.5 of the Registry Agreement (RA) states that a change of a Material Subcontracting arrangement, which includes the change of any subcontractor providing one or more Critical Functions for the registry, must obtain ICANN's consent.

b. ICANN has created a bureaucratic process through an "Application for Assignment Form" where Registry Operators seek consent from ICANN to change RSPs.

c. There is a lack of transparency with ICANN's evaluation process both in terms of timing and requirements.

d. Anecdotally, irrespective of who the gaining RSP is, the evaluation has been lengthy and incurs fees, estimated by ICANN to be $5,000 for a technical evaluation, even when moving to an existing RSP that operates other TLDs.

e. Once approval for the change is received, there is also a requirement for the equivalent of pre-delegation testing of the RSP, again irrespective of who the gaining RSP is and how many TLDs it already operates.

Benefits:

a. All of the above makes the exercise of changing RSPs time consuming, costly and inconvenient. Reducing the time and financial costs when switching RSPs by means of some form of pre-approval process would be expected to assist in increasing competition between existing back-end RSPs.

1.1.2 - If an RSP program is established for new gTLDs, do you have any suggestions for some of the details or requirements of the program? For instance, how would the scalability of the RSP be measured across a variable numbers of registries?			
1	The process in Round One did not consider scalability as part of the evaluation process. In our own experience, this has not proven to be an issue. We would support keeping the evaluation criteria as close as possible to the original testing requirements to ensure a level playing field for potential players which would suggest not adding additional elements for scalability. It is understood however that each Registry Operator is obligated to meet specific performance targets that clearly will ultimately fall under the purview of the RSP. ICANN, through its contracted monitoring requirements are able to monitor and assess performance and may take remedial action when and where required per the Registry Agreement (RA). One specific suggestion is to allow divorcing the application process from the requirement to have a specific RSP identified in your application. Instead, applicants would have the option to select a certified RSP only in the event their application is approved. This reduces the workload on potential RSPs not needing to be involved with applications which may never be awarded and allows applicants to have a more certain business case to present to potential RSP providers when seeking their services. Freeing applicants from the need to identify a specific RSP at the time of their application would allow them to concentrate their energy and resources on developing innovative business models, and potentially reduce the overall cost of participating in the process, thereby encouraging more applicants.	CIRA	
2	Any RSP program should pre-certify the service provider's capacity to handle a certain number (or tiers) of new gTLDs, with a ceiling to the number of domains under management. This assessment would be based on the RSP's infrastructure, management track record, financial stability and resources. An existing RSP should be trusted to be a competent provider to new gTLDs without further testing within this certification, with re-certification required on a periodic basis or when any ceiling/ tier is reached. As above this should not be a mandatory scheme, but should be an optional process for established providers to achieve a waiver from the majority of the duplicative technical checks required as part of the applicant evaluation process.	Nominet	
3	The BC suggests creating a certification program for entities that would like to participate in the new gTLD program as a Registry Service Provider. This would require that the certification be audited on a regular basis and should include auditable information on security measures and scalability capacity of the RSP.	BC	
4	ICANN should leverage the qualifying criteria and pre-delegation testing used in 2012 round, combined with the output of any subsequent reviews undertaken and lessons learnt. An understanding and appreciation of different models should also be considered to determine different thresholds that can be applied. For instance, new models that do not depend on selling or distributing domains to third parties may have lower thresholds applied, particularly where the domains are controlled by the registry operator and their affiliates. As a single RSP grows in terms of the number of registries it supports and/or the result of significant growth within those registries, these aggregate changes should also trigger a re-assessment, as this may create additional risks, particularly as a single point of failure.	BRG	
5	An RSP program - not a pre-accreditation program - that focused on requirements to improve process efficiencies could be appropriate. For example, rather than repeating a technical test the detailed results could be passed forward from one application review to the next application review. The review team could then evaluate whether or not the current application had essential differences that needed additional technical testing rather than blindly assuming it was required. There are details about when to "renew" a test that would need broad discussion, but the fundamental requirement of eliminating the duplication of work would be met. With respect to measuring scalability, there is no single test for measuring the scalability of an RSP. On the one hand, all RSPs could be scaled since they are limited only by the amount of investment they make (or are willing to make) in actual infrastructure and experience they have in operating a large infrastructure. On the other hand, this past round of applications has empirically shown that not all registries require the same infrastructures to succeed. An application review team should consider the scalability needs of each application on its own merits, and apply testing accordingly. Similarly, the operational experience of existing RSPs through the mandatory reporting already provided to ICANN could be summarized and more conveniently made available to the Internet community, especially registry operators, to assist in the evaluation of potential registry service providers.	Afilias	

6	Proposed RSP program. While the RrSG welcomes innovation and we have seen multiple new business models come out of the current nTLD program, the RrSG encourages ICANN to concurrently consider the importance of standardisation for the domain industry. The RrSG recommends that Standards in the future should be required of RSPs in aspects such as Extensible Provisioning Protocol (EPP) extensions, file formats, billing transactions and Domain Transaction Type Name. This will ultimately reduce operational costs and consequently reduce end user fees.	RrSG
7	We reiterate our comments from 1.1.1 above regarding the term RSP Program. It would be beneficial to review the process used by ICANN to test or establish the technical capability of applicants in the 2012 round of new gTLDs. For example, were the technical 1 questions and the answers a good indicator of the technical capabilities of the applicant? Was the pre-delegation testing (PDT) undertaken valuable in testing/examining the actual technical capability of the applicant? If not, what improvements or enhancements could be made to either the technical questions or the PDT to more accurately assess technical competency to run a registry? Given that, to our knowledge, no applicant, and by extension no RSP was deemed to fail the evaluation of the technical aspect of the application including PDT; and that since the delegation of more than 1000 TLDs has not seen an emergency transition, it is reasonable to conclude that the design of the technical component of the application is adequate and as such is a good starting point for an RSP Pre-Approval Process. The ability of an RSP to scale across a number of TLDs or domains under management is difficult to assess in any Pre-Approval Process. We note that this not currently done for the RSPs supporting the 2012 round of new gTLDs and nor is there any data or evidence, after a number of years of operation, to suggest that the ability of an RSP to scale is problematic. The RySG is actively engaged in discussions with GDD staff on this issue and we recommend that the PDP WG defer to the work of this group.	RySG
8	While At-Large does not see any benefits from the further expansion of new gTLDs into the domain system, benefits could be achieved by the proposed programme to develop and enhance the technical and knowledge capacity of RSPs, especially for underdeveloped economies. In order to achieve the objectives of the GNSO recommendation there is a dire need for high level technical capacity building as well as ensuring that applicants have the appropriate operational management knowledge, skills and understanding required to run a successful registry operation. Training and preparedness even for the preapproval and the Pre-Delegation Testing must be a prerequisite level of entry for entrants as RSPs from underdeveloped economies considering such a venture. There would be value in ICANN providing such capacity development support covering all the appropriate criteria requirements for a RSP. Having an external regulatory body would also ensure that RSPs in developing regions especially, met the minimum standards for redundancy, capacity, monitoring, reaction time to threats, reporting and statistical process controls. In developing regions, monitoring and support to ensure that these standards are maintained by a regional regulatory body, perhaps under the auspices of ICANN, to regulate the performance of new RSPs and ensuring consistently high level of technical and governance processes.	ALAC
9	From a process point of view, at the time of seeking pre-approval, an RSP could state that its system can scale for up to XX number of TLDs (which could be based on estimated demand). They could then be evaluated, tested, and pre-approved based on this number. If they subsequently wish to scale for a higher number of TLDs then this would warrant an additional test by ICANN.	Valideus
1.1.3 - Who should be responsible for evaluating whether an RSP meets the requirements of the program?	
1	The model in Round One worked well from an overall evaluation perspective. The selection of the testing provider was completed by a competitive process and the resulting platform worked well. We are not aware of any issues that resulted from this approach. Given that it is already well understood by the registry community, it would help to streamline the subsequent process were it to remain unchanged. Overall, we see no reason for that element of the program to change.	CIRA
2	We don't see any option other than that ICANN should be responsible for such evaluations.	Nominet
3	ICANN should be responsible.	BC
4	ICANN should use the same provider for performing both the technical evaluation of a gTLD application and determining if aa RSP meets the program requirements.	BRG

5	Afilias is satisfied with the current program using contracted third parties to conduct the technical reviews. Additional guidance in support of process efficiencies would be necessary. The ICANN Compliance team should also be involved to confirm that all existing RSPs are meeting existing contractual requirements.	Afilias	
6	ICANN used independent evaluators during the 2012 round to assess the answers provided to the technical questions and engaged an independent contractor to conduct the PDT. There is nothing to suggest that this needs to change.	RySG	
7	See response to 1.1.1	ALAC	
8	In the 2012 round ICANN outsourced the evaluation and PDT to third parties. We see no reason why this should change, with the proviso that quality and consistency of both the evaluations and PDT is maintained.	Valideus	
1.1.4 - Should there be any continuing obligations for approved RSPs, such as high-level requirements for accreditation? Should the requirements be variable based on the types of TLDs the RSP intends to serve or other factors? Please explain.			
1	There should not be any continuing obligations as such, other than as above periodic (annual?) audit for re-certification and tier changes should an RSP take on more TLDs or experience an significant increase in the total number of domains administered. Existing contractual SLAs and reporting for registry operators would presumably continue to be required with the Registry Operator as the primary party responsibility for compliance. However breaches of these where the RSP is at fault would be taken into account and potentially trigger a periodic audit being brought forward. Clearly the security and stability requirements for closed .BRAND new gTLDs will be of a lesser degree than open new gTLDs where the failure of a TLD (for whatever reason) will impact individual/ business registrants. Arguably a closed .BRAND new gTLD should not be subject to technical performance SLAs.	Nominet	
2	There should be a minimum set of requirements that an RSP must comply with, but ICANN should encourage RSPs to exceed minimum requirements in order to compete in meeting the needs of their customers.	BC	
3	As above (1.1.2) an understanding and appreciation of different models should also be considered to determine different thresholds to be applied. New models that do not depend on selling or distributing high volumes of second-level domains to third parties will have less impact on capacity requirements and lower thresholds could be applied, particularly where the domains are controlled by the registry operator and their affiliates. Consideration of scalability should be included on an ongoing basis, whereby the aggregate of the RSP operations may introduce risks that will not be identified against an individual registry operation the RSP supported. Reviews may also be prompted at the time of any significant change, such as the switching of significant or multiple registry operations to a specific RSP.	BRG	
4	Afilias does not support an accreditation program. We do support improved process efficiencies including allowing an application review team to consider whether or not a registry operator's selected registry service provider needs additional testing if the RSP has already been recently tested. In particular, variable testing requirements based on the specific needs of a registry operator's application would be appropriate, provided this meets a threshold that considers minimum security and scalability capabilities.	Afilias	
5	Meeting rigorous SLAs are a continuing obligation of all RSPs. We do not agree with making the technical security and stability requirements variable based on the types of TLDs. For more, see our response to 1.1.2.	RySG	
6	The onus of compliance with the RAA is on the registry. AtLarge is of no opinion on the benefits or drawbacks of separate regulation of service providers.	ALAC	
7	Continuing technical obligations should be placed upon the Registry Operator (RO) through their Registry Agreements, and by consequence, through the RO's commercial contract with their RSP. In other words, the status quo from the 2012 round should be maintained.	Valideus	
1.1.5 - Should there be an Agreement between an RSP and ICANN? If so, what enforcement mechanisms should be made available to ICANN in the event that such an Agreement is breached?			

1	We see no need or benefit from there being a contractual agreement between ICANN and the RSP. We are not aware of any issues that could arise, which could not be resolved using the existing compliance mechanisms and agreements. The RSP has a contractual relationship with the Registry Operator which should be sufficient. The Registry Operator will ensure that all terms of the RA as related to the RSP (particularly as related to performance service levels) would be included in any such agreement, either explicitly or by reference and if necessary, ICANN could make such an inclusion an explicit requirement with the Registry Operator. ICANN has enforcement mechanisms built in to the RA with respect to registry performance targets; these should be the necessary and sufficient elements to ensure the ongoing technical performance of the registry.	CIRA	
2	In a pre-accreditation scenario there would presumably need to be a contract between the RSP and ICANN for the accreditation, or perhaps in practice simply a standard application form subject to T&Cs. Ultimately ICANN's enforcement mechanism would be to remove accreditation, requiring the Registry Operator to move to a new RSP and/or go through the PDT processes. However we consider that any process leading to removal of accreditation should mirror the existing registry SLA and escalations and reporting mechanisms, under which ultimately a registry would be moved to an EBERO provider.	Nominet	
3	Yes, there should be an agreement between ICANN and the certified RSP. David Conrad's team would be a likely candidate for managing breaches of this certification.	BC	
4	There should not a contract between RSPs and ICANN. The registry operator is the party who signs the Registry Agreement. Some can provide their own registry services. Some cannot. Those who cannot outsource that function. Those providers should not be forced to contract directly with ICANN for that service. They are responsible to their client, which in these cases is the Registry Operator, not ICANN.	Jim Prendergast	
5	The agreement should remain only between the Registry Operator and ICANN. However, the Registry Operator may authorise the RSP to engage with ICANN directly for certain technical issues. There may need to be a separate, limited agreement between the RSP and ICANN if the RSP wants to avail itself of this program, which would cover the ongoing eligibility requirements.	BRG	
6	Yes. Loss of Accreditation of RSP.	John Poole	
7	Afilias concurs with the opinions of the RySG and defers to that response.	Afilias	
8	An agreement suggests a legal relationship between ICANN and the RSPs, which we believe has the potential to create another 'contracted party' category in the ICANN construct that may result in some unintended consequences. The existing RSPs have a contractual relationship with the registry operator and are responsible to the respective registry operators for meeting certain SLAs contained in the Registry Agreement. We acknowledge that this creates some challenges associated with enabling direct communication between ICANN and the RSP on technical matters. We believe that the RSPs as contracted service providers to the registry operator (RO) (the ICANN contracted party) and the RO itself should determine how and when the RSP may communicate with ICANN. For example, one mechanism could be for the RO to supply a standard form written permission for ICANN to have direct contact with the RSP for certain specified matters that could be limited on a per-TLD basis, and to be included on all ICANN-RSP communications. This approach would provide for a formalization of the relationship between ICANN and the RSP without undermining the primary contractual relationship between ICANN and the registry operator. We also note that by virtue of the 2012 new gTLD program, ICANN has the ability to activate an Emergency Back-End Registry Operator (EBERO) in the event that ICANN considers a registry operator is at risk of failing to sustain any of the five critical registry functions, namely: ● DNS resolution for registered domain names ● Operation of Shared Registration System ● Operation of Registration Data Directory Services (e.g., Whois) ● Registry data escrow deposits ● Maintenance of a properly signed zone in accordance with DNSSEC requirements ICANN is yet to activate EBERO, but we note that it does serve as a viable and readily available option available to ICANN in the event that a registry operator is at risk of failure.	RySG	
9	No. The onus of RAA compliance – and contact with ICANN – should remain with the Registry.	ALAC	

10	No. ICANN already has a contract with the RO through which it enforces technical SLAs, and in turn the RO has a contract with its RSP through which it enforces the same (or higher) technical SLAs. Creating an additional contractual relationship between two of these three parties would complicate the authorisation and enforcement lines, i.e. with both ICANN and the RO having contractual enforcement power over the RSP for technical SLAs. It may become less clear who is primarily responsible for enforcing technical SLAs on the RSP, and the communication chain would also become blurred. Instead of an agreement between the RSP and ICANN, measures should be sought to improve the ability of ICANN to communicate with the RSPs (see for example the suggestion raised by the RySG in their comment). We also note that for 2012-round registries, ICANN already has the power to engage the EBERO and migrate a TLD to a different RSP if SLAs are breached.	Valideus	
**1.1.6 - What, if any, are the potential impacts (both positive and negative) of an RSP Program on ICANN Accredited Registrars? If there are any negative impacts, what are ways in which those impacts can be mitigated?**		
1	Correctly implemented, there should not be any impact on ICANN Accredited Registrars.	Nominet	
2	The introduction of an RSP should not affect ICANN-Accredited Registrars in any way.	BRG	
3	Afilias does not foresee any negative impact to registrars with this program. There is the positive impact of the registrar onboarding process being reviewed for possible improvements, specifically providing for a more efficient onboarding of registrars to new TLDs.	Afilias	
4	The RySG is unaware of any documented potential impacts of a Pre-Approval Process on ICANN Accredited Registrars.	RySG	
5	See response to 1.1.1	ALAC	
6	We are not aware of any notable impacts upon ICANN Accredited Registrars (either positive or negative) as the result of an RSP Program.	Valideus	
**1.1.7 - Should there be a process to reassess RSPs on a periodic basis? If so, how often should an assessment be conducted and what would the process be for a re-approval?**		
1	There is no need to reassess RSPs on a periodic basis given that ICANN requires the Registry Operator to meet specific performance objectives on a continual basis. ICANN may consider aggregating registry operator provided data by RSP in order to have a better vision of an RSP's overall performance. But this information would be used only in the context of informing and dealing with the registry operator who may be in danger of breaching their performance obligations as a result of an RSP's inability to meet those service levels.	CIRA	
2	Yes. An annual audit would be reasonable. However where there have been no SLA breaches or other cause for concern this does not need to be a repeat of the initial approval process, but only a proportionate check by exception and perhaps even a straightforward desktop exercise. (As per the existing mechanisms for ICANN Accredited Registrars).	Nominet	
3	An annual technical and security audit.	BC	
4	Yes. This is particularly important for Registry Operators that will rely on the ongoing capabilities of an RSP that supports their registry but does not have the perspective that ICANN has when assessing the overall technical and scalable capabilities of an RSP supporting multiple registries. Consideration should also be given towards communicating the result of periodic reviews to all the Registry Operators that utilise the RSP, both in terms of assurance that the requirements continue to be met but particularly if any failings are identified that could impact the Registry Operators obligations towards ICANN.	BRG	
5	In general, ongoing reviews are and should remain under the purview of the ICANN Compliance team. As needed, consensus policies are developed by registries and this process should be employed to create any new or additional parameters for this program. Such a consensus policy should define both the term for a periodic review and the process in which ICANN Compliance identifies breaches and how those are treated in terms of this program.	Afilias	
6	See our response to 1.1.2.	RySG	
7	See response to 1.1.1	ALAC	

8	There already is a continual process to assess the technical capability of RSPs, namely through ICANN Compliance's SLA monitoring. ICANN's SLA monitoring system provides round the clock monitoring of a TLD's SLAs and alerts ICANN when SLAs for a given TLD are approaching breach level and when they hit breach level. At this point, ICANN have the ability to invoke the EBERO and migrate a TLD to a different RSP. Therefore, it is not clear that any arbitrary periodic "assessment" of an RSP would add anything which is not already being covered by ICANN Compliance's SLA monitoring.	Valideus	
1.1.8 - If there is an RSP Program, how far in advance should such a Program be launched prior to the opening of the next application window?			
1	Any RSP certification program must be launched well in advance of the next application window to allow any potential RSP to obtain certification in time to be able to pursue potential registry operators as customers. An early decision on the RSP certification program should be taken and then immediately announced, ideally as early as by the end of calendar 2017. The earlier registry service providers can become certified, the earlier potential gTLD applicants can engage with them meaningfully to determine registry features and costs, thereby allowing the development and refinement of new gTLD business models.	CIRA	
2	This sort of detail will depend very much on the application process decided upon for subsequent rounds. However, as implied by the question, clearly if existing RSP providers were not to be automatically pre-approved (on the basis that ICANN has already in effect reviewed their technical operations and there are no material SLA breaches) there would need to be an additional 3-6 months for RSPs to obtain accreditation ahead of the opening of the next application window. Ideally this would be in parallel with other activities (outreach, case studies, beta testing of the application system) in order that the next application window is not delayed.	Nominet	
3	6 months	BC	
4	As soon as is practical, so that new applicants can be prepared at the earliest stage and incorporate into their business plans.	BRG	
5	12 months unless ICANN needs longer.	John Poole	
6	The launch of a Program is largely dependent on the completion of an Applicant Guidebook with all terms, process improvements and procedures finalized, not on any arbitrary range of dates. Insofar as drafts of an Applicant Guidebook have been shared and the community and relevant parties have an opportunity to opine, the Program would effectively begin on publication of the final Applicant Guidebook and run into perpetuity.	Afilias	
7	As much time as possible; however, we do not consider it appropriate to specify an arbitrary period of time that could become a constraint to opening any future application windows. For clarity, under no circumstances should this be a pre-requisite to the opening the next application window.	RySG	
8	See response to 1.1.1	ALAC	
9	As soon as possible in order to provide RSPs with enough time to seek pre-approval (if they so desire) before the application window opens. However, not having preapproval should not be an impediment to a TLD applicant selecting a particular RSP. Therefore, the 2012-round method of submitting technical answers at the time of application and going through evaluation on a TLD basis should also be an option (this would only apply for applicants who have selected a non pre-approved RSP).	Valideus	
1.1.9 - Should there be an RSP application "cut-off" date to allow sufficient time for an RSP seeking approval to receive approval in order for their application to be approved before the opening of an application window?			
1	We would suggest that RSP certification not have a cut-off date. Instead, a deadline would be established that would ensure certification was possible prior to the opening of the application window but the certification process would remain open, perhaps indefinitely on the assumption the required infrastructure for testing could be easily set-up and torn-down (as may be possible if deployed in the cloud). It is not clear yet that the "next round" will indeed be a "round" or will represent an opening of an ongoing process. In the latter case, the potential for an RSP to certify will also need to be ongoing. Further, if an applicant is allowed to submit an application without a specific commitment to any one particular RSP (as mentioned previously yin our responses to 1.1.1 and 1.1.8), then again the certification process will need to remain available.	CIRA	
2	We don't think that RSP Program should be mandatory, in which case the urgency and importance of a cut off diminishes. Arguably the RSP Program could run concurrently with the application window but these sorts of logistics points we think are more operational in nature and should follow from the policy principles.	Nominet	

3	Yes, but could also envision this as a rolling application window. If an RSP was not ready at the beginning of an application period they could still request certification within the open application period. This would encourage participation by RSP's who were late in becoming aware of the program.	BC	
4	No, an RSP application cut-off date is not necessary. However, the administrator of a RSP Program may wish to provide indications of timeframes to inform RSP candidates who may wish to target operational dates imposed by future application windows.	BRG	
5	Yes.	John Poole	
6	As noted in the response to 1.1.8, the Program is largely about process improvements and will hinge on finalizing the Applicant Guidebook. As an RSP proceeds through testing, any duplicate testing is eliminated until a test must be renewed. Thus it is an ordinary part of the application process and there is no begin or end date except as may be present in the next "application window" unless the Program simply runs into perpetuity. For the purposes of a registry operator that wants to seek an experienced RSP, as suggested in the response to question 1.1.2, ICANN could seek to summarize and make more conveniently available the mandatory reporting already provided by registry service providers. ICANN's Open Data Initiative is a candidate solution to this suggestion and it would inform the decision to be made by a registry operator.	Afilias	
7	The RySG does not believe that a "cut-off" is warranted.	RySG	
8	See response to 1.1.1	ALAC	
9	For practical purposes it may be advisable to have a cut-off date in advance of the application window opening, in order to prevent a situation where an RSP fails to achieve pre-approval by the start of the application window, leaving them and the TLD applicant a relatively short period of time to compile answers to the technical section of the TLD application (being the only other approval method available).	Valideus	
1.1.10 - If there is a list of pre-approved RSPs in any RSP Program, should there be a provision granted to organizations that act as an RSP to an existing delegated TLD? If yes, how would such a provision work? If not, could ICANN use an RSP's existing performance to satisfy any of the technical requirements and/or tests used in the approval process?			
1	Yes, absolutely. Existing RSPs who have already conducted Pre-Delegation testing (some have done so numerous times), have also demonstrated their capability to run a registry by virtue of being in production for a number of years. Under the scrutiny of ICANN RA performance requirements, these RSPs have fully demonstrated what would otherwise be tested in any kind of certification process (unless the criteria are expanded in a critical way as a result of the review process). Simply put, existing RSPs that are providing service to one or more registry operators, have previously conducted the PDT testing and are meeting the performance targets stipulated under the ICANN RA should be offered RSP Certification without the need for further testing.	CIRA	
2	There should be a presumption that existing RSPs with a strong track record and competencies should be given a waiver from most if not all technical requirements checks.	Nominet	
3	All RSP's should be required to request certification and adhere to the requirements of the program.	BC	
4	Yes. As per response to 1.1.7, this is important for existing Registry Operators that will rely on the ongoing capabilities of an RSP that supports their registry but does not have the perspective that ICANN has when assessing the overall technical and scalable capabilities of an RSP supporting multiple registries. Consideration should also be given towards communicating the result of periodic reviews to all the Registry Operators that utilise the RSP, both in terms of assurance that the requirements continue to be met but particularly if any failings are identified that could impact the Registry Operators obligations towards ICANN. RSPs that have exceeded the emergency thresholds for existing 'new gTLDs' and initiated EBERO should be excluded from the program.	BRG	
5	That's up to ICANN technical.	John Poole	

6	Afilias does not support a pre-approved list. As an administrative task, ICANN could maintain detailed testing results and pass them along to review teams, whether reviewing new applications or registries to be transferred. This should be done as a part of managing this Program and in conjunction with the scope of ICANN Compliance staff. Afilias does believe that an RSP's existing performance as documented in the mandated reports already provided to ICANN could be used to satisfy some of the technical requirements of an application review, but more discussion among registry services provider would be necessary to ensure that all potential issues are properly considered. Further, reports can not be looked at in isolation, but require context by ICANN Compliance staff.	Afilias
7	See our response to 1.1.1.	RySG
8	See response to 1.1.4	ALAC
1.1.11 - If an RSP program is established, how should it be funded? For instance, should registries pay into the program which will reduce related ICANN evaluation fees (and associated application fees)?		
1	All these questions just illustrate in my view, why such a program (Accreditation of RSPs) create more complexity and problems than it solves. Thus again, the recommendation is that ICANN simply offers bundled application fees at lower costs and help applicants find an RSP (new RSPs could also be added to such a list). Then the free competition amongst "current" and new RSPs would determine pricing for RSP services. Generally, ICANN is expected and recommended to reduce application fees, as they must have learned from the 2012 rounds, and thus must be expected to carry out evaluation at lower costs without impacting quality of the evaluation panels.	Jannik Skou
1	On the assumption that ICANN does in fact reduce application and ongoing operational fees, it would be reasonable to expect an RSP (not the registry) to pay a fee (perhaps annual) to maintain their certified status. Re-certification on an annual basis could be based on an RSPs ability to demonstrate the ongoing meeting of the performance targets (in the aggregate) of strings for which they already provide registry services. Such fee should not be dependent on the number of strings for which an RSP provided service but may be scaled based on the total number of domains under management of the RSP platform. Presumably, any such certification fee will likely be passed along to the registry operator and ultimately the consumer and so it would be a reasonable target to keep this fee to a minimum. An alternate option would be to follow the current model for registrar fees that includes a fixed and variable component that is derived from the actual budget required to support the program. Preferably, the variable component would be based on the number of domains under management by the RSP to not overly burden RSPs serving a smaller market (i.e. brands and geos). As mentioned earlier, the intent is not to establish an RSP as a contracted party to ICANN but rather create a framework through which an RSP can acquire certification. Registry Operators, as a contracted party, would be obligated under contract to operate their registry ONLY with a certified RSP.	CIRA
2	ICANN should conduct RSP program checks at zero/ minimal cost to RSPs where the exercise is minimal based on RSPs proven experience of meeting SLAs for round 1 registry operators. Where a new technical provider wishes to go through the RSP Program, and due to lack of track record more extensive evaluation is required, it seems fair to charge the applicant a reasonable fee which reimburses ICANN's costs of conducting the evaluation.	Nominet
3	Fund the RSP program with application fees for the certification, which should be paid by the RSPs.	BC
4	The RSP can be charged a fee. RSP's that operate high volumes of registries will benefit from scale, ICANN will benefit from lower impact on resources, applicants should benefit from lower application costs.	BRG
5	Application and renewal fee charged to apply and renew RSP accreditation. [For instance, should registries pay into the program which will reduce related ICANN evaluation fees (and associated application fees)?] No.	John Poole
6	Afilias does believe that process improvements could result in reduced evaluation fees. This should be monitored and result in reduced application fees over time, only if deemed appropriate after all 2012 costs are identified. Yet, this does not dictate the fee structure should be greatly reduced as the responsibility of managing a TLD should not have too low a threshold for entry.	Afilias
7	An option is that prospective RSPs could be charged a fee for to be evaluated under the program.	RySG
8	See response to 1.1.4	ALAC

9	Pre-approval fees should be charged directly to RSPs, who then have the option of recouping the fees through their pricing models to their clients (ROs). It would not be practical to charge TLD applicants since prior to the application window there would be no certainty of the number of applicants (and thus what the charge should be per applicant).	Valideus	

Community Comment 2			
Public Comment Review Tool			

1.2 Applicant Support			
#	**Comment**	**Contributor**	**WG Response**
1	Please see GAC submission to Public Comment process for the CCT-RT Draft Report.	GAC	
2	Regarding the application process, granting support for applicants from developing countries, whether it is financial or not, is key given the fact that it increases global diversity and reduces the disadvantages that may keep applicants from these regions from participating in the New gTLD Program. We believe that either a better advertisement of the existence of the Applicant Support Program to these countries or the implementation of an exclusive round for applicants from developing countries would raise awareness and eventually result in increasing of the number of new gTLDs applications.	NCSG	
1.2.1 - Some have suggested it could be beneficial to expand the scope of the Applicant Support (AS) program by: 1. Broadening support to IDNs or other criteria 2. Allowing the Applicant Support program to include the "middle applicant", defined as struggling regions that are further along in their development compared to underserved or underdeveloped regions. The "middle applicant" is intended to be an expansion and NOT intended to be at the exclusion from applicants in underserved or underdeveloped regions. The "middle applicant" provides a balance between opportunities while considering the economic and developmental realities and priorities for potential applicants. Do you believe there is value in the above suggestions? Do you feel there are other areas in which the Applicant Support program could be extended to benefit other regions?			
1	Am against a Middle Man solution (if understood correctly). Instead, ICANN should allocate funds from the profits from the 2012 round. Then "industry experts" and RSPs etc. should be able to assist applicants from such regions to apply for funding for application writing, application fees, SLA fees and Operational costs (RSPs, WHOIS Escrow, Anti Abuse Monitoring Software etc.)	Jannik Skou	
2	Bringing down the application costs and simplifying the application process (and timeframes!) will be the most effective way of levelling the playing field in terms of supporting, in general terms, ALL applicants.	Nominet	
3	There is a good argument to be made around the need for additional support for IDNs, but this would need to be wrapped together with two broader areas that are needed: more community technical resources to help applicants get started (IDNs might just need more assistance) and more overall visibility in the marketplace for the program itself. In many ways, truly underserved regions may not yet have the appropriate market conditions for participation – they may lack the infrastructure (sales or technical) to provide for sustainable new applicants and may not have the demand. "Middle Applicant" areas could make sense, but we would need to identify which areas to target and which services to offer.	BC	
4	No, do not expand, if anything eliminate "applicant support." Registrants don't want or need "needy" unqualified applicants. We have too many of those already and too many unwanted, unneeded new gTLDs. [1. Broadening support to IDNs or other criteria] No. [2. Allowing the Applicant Support program to include the "middle applicant", defined as struggling regions that are further along in their development compared to underserved or underdeveloped regions.] No. [Do you feel there are other areas in which the Applicant Support program could be extended to benefit other regions?] No.	John Poole	
5	For each of the responses in 1.2, we offer the following general guidance: Efforts to help underserved or underdeveloped regions will be better served at providing support in other parts of the ecosystem - the RO or registrar programs - rather than create conflicting technical or operational requirements. While these are commendable goals, any Program must prioritize rigorous technical standards that ensure trust through the Internet. The RSP Program must be focused on technical and operational bona fides to ensure security, stability, access, and reachability. If ICANN wishes to expand the Applicant Support program, it must find suitable partners with the relevant global reach to deliver the message to the appropriate audience, e.g., Internet Society chapters, global university networks who have numerous international campuses and programs, or aid organizations that specialize in technology and communications in underserved markets.	Afilias	

6	On numerous occasions, Registries have identified a limited set of issues likely to require a policy change and should be critical enough to be considered perquisites for future applications. The approach would promote the timely introduction of new gTLDs, while supporting critical process improvements that benefit applicants and the community alike. Support for applications from underserved regions was one of the three issues identified. Registries support continuation of the Applicant Support Program (ASP) in the next round of gTLDs to the benefit of applicants and the community. Unfortunately, use of the ASP in the 2012 round was very limited. Based upon the findings of the discussion group it seems that primary hurdles to use of the ASP were awareness, timing, and education. Further, it was particularly burdensome for applicants from underserved and middle-served regions to provide required financial documents for a continuing operations instrument (COI). Reconsidering ASP requirements to account for this may be beneficial. Registries support improved outreach and publication of the ASP and the resources it provides. Registries feel that an ASP with well-defined criteria, clear engagement processes, and increased awareness has the potential to serve the full community of potential applicants. Registries believe that the focus on support for underserved underdeveloped regions is a priority. Registries would support the eligibility of IDNs if those applicants also meet the other criteria for the ASP and do not believe IDNs would require a specific or special category of support. While, the proposal of a "middle applicant" category could afford greater access to the ASP, it could also increase costs of the program. Registries would be curious as to how this expanded category would be defined, the specifics of the proposal's implications such as overall cost and anticipated number of potential recipients. Registries feel that an ASP with well-defined criteria and increased awareness has the potential to serve the full community of potential applicants.	RySG	
7	The origins of the AS program were always intended to include IDN support. This is not readily evident to be a problem that needs fixing. Considering that there were zero successful applicants from under-served or under-developed economies, attention should be focused to learning from that and making criteria less stringent for applicants from these areas. This involves potential expansion of the traditional definition of community applications, as well as the enabling of for-profit entities in under-served and underdeveloped economies to participate in the program. This could include major technical training (for example, to increase the number of registrars in these regions) as well as knowledge and capacity building and access to appropriate resource personnel who could assist under-served and underdeveloped economies to better understand appropriate business models that would help them to successfully implement new gTLDs based on lessons learned from previous new gTLD experiences. Proactive consultation with key personnel from these economies to ascertain what their needs are in order to create a more successful development of new gTLDs for this targeted group would be helpful. Expanding a too-restrictive program to operate in richer economies will not, we believe, result in benefits consistent with the original aims of the program. Rather than expanded to other regions, the AS program must be modified so it can be more-readily exploited in the regions it was originally intended to serve. Expansion to richer economies should not proceed until the AS is evidenced to be functional in the originally targeted regions.	ALAC	
8	Our view is that further information and a better understanding is required. Suggested next steps include research and studies into understanding needs of any program and current weaknesses. Potential areas for expansion include (1) Broaden support to IDNs or other criteria.	Valideus	
1.2.2 - The Applicant Support Program for the 2012 round was mainly focused on financial support and application submission. Should funding be extended to other areas of the process or for ongoing operational costs? Are there other support mechanisms that should be explored?			
1	Shorter and simpler 'plain English' documentation and publicity / education should both be looked at. There are other areas such as hardware, software, IT skills and Internet accessibility, but suggest these are outside ICANN's scope in terms of the new gTLD programs.	Nominet	

2	Generally, the BC does not agree with subsidizing registry businesses, especially with the behavior we experienced in the last round. However, there may be sound reasons for helping a registry under the right circumstances.
	For example, the new gTLD Program could support applicants that are targeting registrants in underserved/underdeveloped regions, particularly for proposed TLDs using the language and script of that region.
	In the last round, ICANN set aside $2 million for applicants who needed financial support, yet the criteria was so high that no applicants were accepted into the Applicant Support Program (ASP). Further, applicants that did not receive funding also lost their initial fees. Before we add more funding to the ASP, we should re-assess objectives and criteria for the program.
	There are lessons to be learned from the Joint Applicant Support (JAS) program in the last round. The JAS team included just one consistent business representative (Andrew Mack).
	  -- It needed to tackle more directly the idea of creating a "business model" for potential applicants in order to know which kind of support to provide.
	  -- The assumption was that we could/should focus on pricing, but in the end this likely was only one of a number of issues.
	  -- Other factors impairing the previous applicant support effort include lack of awareness of the JAS program, the limited information available in most markets about the new gTLD program generally, and the lack of connection to technical information and support.
	  -- Underserved/disadvantaged communities need much more technical support in deciding whether and how to go forward as well as some targeted financial support.
	Future support mechanisms for applicants serving qualifying regions should not just be limited to the application process, but should also address the TLD operator's needs in areas such as escrow backup and ICANN annual fee relief—at least for a time period sufficient for market development and adoption.
		BC	

3	Eliminate all support — see answers above.	John Poole	
4	This focus was sufficient and appropriate.	Afilias	
5	Applicant support should focus on the application process and assisting those who want to apply to submit and see their applications through the process. Continuing operational costs are outside the application period and outside the bounds of the ASP. ICANN could, however, facilitate introductions and engagement with RSPs that are willing to support discounted services for ASP participants.	RySG	
6	The primary focus of any changes to the Applicant Support program should be in the eligibility criteria or in supporting potential applicants to be able to meet appropriate eligibility standards as in 1.2.1. But also, there is a strong need for mentorship and continued support to be built into the support programme so that potential builders of new gTLD operations are not just left to their own meagre resources after training to fend for themselves, as is usually the case with a lot of development programmes. Addressing the benefits in other areas is premature unless the rate of successful applications to rejections is dramatically improved.	ALAC	
1.2.3 - Do you have any suggestions for improving publicity and outreach to potential applicants who would benefit from the Applicant Support program? Do you have any suggestions on how to improve the process to apply for support?		
1	Engage with ccNSO/GAC Members/ALAC on how to create awareness /education in such regions. Allocate funds from profit from 2012 round. Create an ICANN department/team who can (phone) answer (in multiple languages) questions related to applying for/operating new gTLDs.	Jannik Skou	
2	The regional IGF networks could be effective here?	Nominet	
3	Simplify the process, and add these improvements: 1. If our community is serious about supporting applicants, we need a major effort to help potential applicants learn about the process and understand – early – what kinds of support might be available. Too little was offered too late. 4 2. Provide support not just to committed applicants, but also to groups considering/evaluating whether to apply. Provide the tools to help them evaluate their idea and its potential before looking at applying for support. 3. Be present in potential markets. Showing up once or twice won't get it done. This is still a new field in many countries and it takes time/presence to build awareness.	BC	

4	Eliminate all support — see answers above.	John Poole
5	As noted in 1.2.1, it is incumbent on ICANN to identify appropriate partners to assist in this effort.	Afilias
6	As noted in the report, in the 2012 round the ASP was rushed and not well publicized so those that may have benefited from the ASP may have been unable to take part due to time constraints or a lack of knowledge about ICANN and gTLDs in general. As noted above Registries support improved outreach and publication of the Applicant Support program to overcome the lack of awareness about the program and the resources it can provide. Registries would encourage ICANN to build relationships and share information about future new gTLD releases in a timely manner with business associations, such as national and regional Chambers of Commerce, in order that they can disseminate this to their members to raise awareness.	RySG
7	The Applicant Support program was barely mentioned in the original ICANN promotion of the 2012 gTLD round, so any new communications will be an improvement and is critical to any successful outcomes for potential applicants in under-served or under-developed economies. Referring to 1.2.1, and expanding training and awareness opportunities to be more inclusive of their needs in this area, primarily in facilitating and enabling these opportunities which requires funding and other resources to make them effective enablers for new gTLD development in their regions. Inclusion of the Applicant Support program in all promotional activities related to new TLD applications would be sensible.	ALAC

1.2.4 - The WG has noted that even if the Applicant Support program is well-funded, well-communicated and comprehensively implemented, potential applicants may still choose not to apply for a gTLD. What other metrics could be used to evaluate the success of Applicant Support initiatives beyond the volume of applications? A study conducted by AMGlobal Consulting, 'New gTLDs and the Global South' determined that there was limited awareness of the New gTLD Program and the benefits in applying amongst potential applicants; Would additional metrics on future Applicant Support program(s) and its ability to raise awareness be helpful? Do you have any other metrics that would be helpful measuring the success of the program?

1	Identify Number of domain names registered in "regional" new gTLDs compared with the number of internet users in such regions and then compare with same numbers in regions like Europe and North America.	Jannik Skou
2	There was an informal support ecosystem established by ICANN as part of the process – where firms could offer to support potential applicants and applicants could ask for support – but nobody knew it existed. This was a miss. Agree that there may not be a business case for applying, so I think we should work on that directly by having workshops – regionally, in language, at limited cost – to help potential applicants evaluate their ideas and there see if they might qualify for support. The number of such workshops offered, the number of attendees with ideas, the number of follow-on communications – all of these could be meaningful metrics.	BC
3	Eliminate all support — see answers above. [Would additional metrics on future Applicant Support program(s) and its ability to raise awareness be helpful?] NO [Do you have any other metrics that would be helpful measuring the success of the program?] NO the program was wasteful and unneeded, see my answers above.	John Poole
4	As noted in 1.2.1, it is incumbent on ICANN to identify appropriate partners to assist in this effort.	Afilias
5	In addition to the number of applications, the number of successful applications (delegation) that come through the ASP could indicate that the support provided was robust enough for the applicant to prepare and provide what is needed as a gTLD Registry.	RySG

6	ICANN must be sensitive of the dire lack of resources related to Internet connectivity in least-developed economies. Where basic infrastructure and reliable access continues to be a challenge, ICANN must accept that existing availability of TLDs (ccTLDs and existing gTLDs) may be sufficient in regions where resources may be more effectively applied to critical local Internet infrastructure. ICANN would display poor global citizenship - and weaken public trust - if it promotes the investment of rare resources to new gTLDs in preference to core infrastructure. Although the CCWG on Auction Proceeds is only just starting its discussions on how these funds might be used in the future, some consideration could be given to assisting LDCs to address and improve core needs with regards to gTLDs and how they can help their countries and regions. One objective could be the development of outreach by registries and registrars into the underserved and underdeveloped sectors - implementing appropriate training programmes for developing locally situated registries/registrars that will address and support the needs of potential business, educational and social entrepreneurial LDC end-users. Meeting relevant on-going training needs, would also create a sustainable pool of trained personnel from within the region to manage and operate the use of new gTLDs as well as help to consolidate work with their own ccTLDs within their region. This would therefore help to build more capacity and confidence among a wider field of potential applicants. At the same time, training and infrastructure is not sustainable if mentoring and support from knowledgeable technical and management personnel is not continued as follow-up for local developers, to help them to successfully use their domains to expand their economic and social outreach into global networks, until such time as they are able to fly on their own. In relation to the proposal in 1.2.1, metrics could be associated with the number of people within LDCs who opt for and are successfully trained as registrars.	ALAC	
1.2.5 - Do you have any other general recommendations for improving the Applicant Support program?			
1	ICANN to produce a video explaining Benefits, How to Apply, (Including planning/funding phases), How to Operate new gTLDs.	Jannik Skou	
2	Simplify, promote, get out there early and more than once. Possibly work with local/regional experts who could provide support for applications. Consider streamlining the application process – for all regions, but especially for the global south – based on the experience of the recent round.	BC	
3	Yes, eliminate the program in its entirety. This is ridiculous — if an applicant does not have suffcent capabilities they should not be applying in the first place. Registrants do not need unqualified, "needy" registry operators. There are plenty of qualified registry operators already.	John Poole	
4	As noted in 1.2.1, it is incumbent on ICANN to identify appropriate partners to assist in this effort.	Afilias	
5	Not a general recommendation for improving the ASP, but a general comment about setting expectations. The applicant must be able to demonstrate that there is a business case for the TLD, and if the intent is to raise revenue that there is an actual market that the TLD will serve and that the infrastructure and people with the knowledge and the skills to operate the TLD in perpetuity are accessible.	RySG	
6	See response to 1.2.2. Improvement which starts at changing and supporting opportunities for people in under-served and underdeveloped economies to improve their chances to meet the eligibility criteria, will enable more potential applicants, in relevant regions, to succeed. Specifically, the rule that prevented a failed 2012 Applicant Support effort from re-submitting as a conventional gTLD (without support) must be eliminated. This rule was believed to be a significant barrier to entry for many would be applicants.	ALAC	

Community Comment 2		
Public Comment Review Tool		

1.3 Clarity of Application Process			
#	Comment	Contributor	WG Response
	1.3.1 - The WG noted that there were a number of changes to the gTLD program after the release of the Applicant Guidebook, including the processes for change requests, customer support, application prioritization, Registry Agreement, etc. Many applicants have stated that the changes impacted their TLD applications throughout the application process both before submission and after the applications were submitted resulting in confusion, additional work and overall dissatisfaction. For instance, the final version of the Applicant Guidebook was released in June of 2012, which was nearly half a year after the application submission period started. Another example would be the difficulty in reaching a common understanding on the requirements for procuring a Continuing Operations Instrument (COI). How should changes to the Applicant Guidebook and/or the new gTLD Program be handled in subsequent application windows?		
1	Consistent with Recommendation 1 in the 2007 Final Report, INTA urges that improvements to the Applicant Guidebook (AGB) be made to ensure that "all applicants for a new gTLD registry…be evaluated against transparent and predictable criteria, fully available to the applicants prior to the initiation of the process" [emphasis added]. As applicants found in Round 1, changes to the gTLD program after the application submission period resulted in a lack of transparent and predictable criteria, raising claims of unfairness and gamesmanship. In order to ensure fairness, transparency and non-discrimination, INTA urges the Working Group to consider the following: 1. The AGB is the proper vehicle for implementation of the GNSO New gTLD policy recommendations; and 2. The AGB must be clear and unambiguous, not subject to change at Community whim.	INTA	
2	The GAC supports any reasonable measures that streamline application procedures (thereby reducing compliance costs) but that also enable due consideration of public policy issues raised by the GAC. As noted in the GAC's response to the first round of community consultation questions from the PDP WG, with regard to predictability: *Many gTLD policy issues require resolution at the global rather than the national level. For many purposes, in practice this means resolution within ICANN processes to ensure consistency, as application of national laws country-by-country may not be sufficient. The GAC – and others – need a degree of flexibility to respond to emerging issues in this global space which is operated by ICANN and the community according to contractual arrangements and communitydeveloped policies and procedures. The need for such flexibility continues after the conclusion of a GNSO PDP.*	GAC	
3	Our experience of round 1 confirms that the 'moving of the goal posts' during the application period was unhelpful and we agree with the WG statements noted above. Clearly with the benefit of all of the experiences of round 1 we hope (expect?) that the guidebook and all associated processes and policies are firmed up well ahead of the application period opening, and that no changes at all would be made after that point. To that end we strongly suggest that as few changes as possible are made to the current wording, even though much of it could no doubt be simplified and improved. Even as an industry insider and with a very substantial balance sheet we found it challenging both to interpret and implement the COI requirements. The cost and expense in policy terms was very hard to justify to prospective applicants.	Nominet	
4	As this PDP working group is discovering, there was much to learn about the application process –from the perspectives of both the applicant and ICANN staff. For the next round we should expect the applicant Guidebook to be finalized before the application period opens.	BC	

5	If changes are made to the guidebook after applications are submitted there needs to be some sort of mechanism that allows impacted applicants the chance to either receive a full refund, or be tracked into a parallel process that deals with their issues directly without impacting the rest of the program. In the last round, there were no prohibitions against so called "closed generics" in the applicant guidebook. Several entities applied in good faith and ICANN accepted their $185,000 in application fees. It wasn't until months (if not more than a year later) that a provision was added to the registry agreement by ICANN that prohibits closed generics. The appropriate response in my opinion. But those who did apply, should have been offered full refunds as there were no prohibitions at the time of application. The rules of the game changed after they applied and they should not be penalized as a result. Another example involves the applications for .MAIL, .CORP and .HOME. ICANN was first made aware of the issue of name collisions via SAC045 which was developed by the SSAC on November 15, 2010, https://www.icann.org/en/system/files/files/sac-045-en.pdf. ICANN's failure to address the issue prior to opening the application window has caused many issues, including sending these applications into a permanent state of limbo. ICANN collected millions in application fees from these parties yet has stated it does not intend to offer them a full refund. If ICANN had addressed this issue prior to the opening of the window, these applicants would have never been able to apply, saving them the time and resources spent developing these applications.	Jim Prendergast	
6	The 2012 round was the first of its kind and presented many challenges both prior to and after the application window was opened. There was a higher than anticipated demand for new gTLD applications, which included different models of registries (dotBrands, highly-restricted, closed-generics, etc). The impact of this was significant in terms of following the application process, due to areas of the Applicant Guidebook having insufficient detail resulting in many challenges that were not predicted or had not been resolved prior to the launch of the new gTLD program. It is important that ICANN and the community uses the experiences and the output of the many different reviews undertaken to adjust and refine the policies, application processes and, in turn, the Applicant Guidebook. This should help to remove or minimise any ambiguities, enhance predictability of the application process, and apply only relevant and reasoned restrictions and obligations on applicants. The Applicant Guidebook and associated policies should also be adapted to encourage new applicants and different operating models that were introduced in the 2012 round, to encourage innovation and user safeguards. Following this through will ensure that each future application window or process will face fewer exceptions and challenges.	BRG	
7	How should changes to the Applicant Guidebook and/or the new gTLD Program be handled in subsequent application windows? 1) Ideally there would be no more application windows since the last one was such a disaster. 2) If there is another "window" the Applicant Guidebook should be "trashed" — ICANN needs to start over and do it right this time.	John Poole	
8	It is imperative that ICANN finalize the Applicant Guidebook prior to starting this Program. With ample experience introducing over 1,000 new TLDs, and the help of the community, this document must be finalized to ensure fairness and predictability.	Afilias	

9	The Applicant Guidebook did not adequately anticipate many implementation challenges that arose during the 2012 round, which resulted in ICANN staff needing to develop processes and procedures after the Guidebook was published. This often resulted in processes that were different than what was anticipated in the Guidebook and, in nearly every instance, created delays to the timelines of each phase that followed the application submission period. The regular stream of new procedures and the delays they caused made it impossible for applicants to have any predictability about the process to eventually delegate their gTLDs and created the need to constantly monitor ICANN's activities for new developments that would materially impact their operations. For future gTLD application procedures, any implementation processes that will be carried over from the 2012 round should be consolidated, documented, and made available to applicants, either through an Applicant Guidebook-type mechanism or another medium that is easily accessible for applicants. This medium should be easily searchable in its digital format and easily printed. Where process and procedural changes are further required after the new Applicant Guidebook or its replacement is published, those changes should be clearly documented in a medium that is easily accessed by all applicants, and ICANN should make every effort to communicate these changes directly to applicants. Where possible, ICANN should note which portion of the Applicant Guidebook (or its replacement) is being altered, how, and on what basis (e.g. recommendation from the community, staff addressing procedural issues, etc.). Where necessary, ICANN should also make very clear the timeline on which the changes will take place, and if the changes will impact the time it takes for applications to proceed through evaluation to delegation. Additionally, an appeal process should be instituted that will allow an applicant to appeal a process or procedure decision made by ICANN that would adversely impact the viability of the applicant's application.	RySG	
10	See response to 1.1.1. Such operational issues are of little concern to the general public.	ALAC	
11	The need for major changes to the AGB/application processes once a given application window has opened should be minimised or ideally eradicated, since it causes severe disruption to business planning and budgeting. However, if there are exceptional circumstances in which the AGB/application processes need to be changed, prompt and clear communication to the applicant community is key. The transparency and credibility of application timelines should also be enhanced in future rounds. ICANN should ensure that no future new gTLD round begins without a detailed, realistic, publicly available review of expected timelines for application processes. Since applicants do not have the luxury of missing deadlines and extending timelines then neither should ICANN save in the most exceptional of circumstances. Where timelines are missed during future rounds, ICANN should ensure prompt reporting to the community of (1) why the timeline was missed and (2) what measures have been taken to avoid a repeat occurrence.	Valideus	

Community Comment 2		
Public Comment Review Tool		

1.4 Application Fees

#	Comment	Contributor	WG Response
\multicolumn{3}{l}{1.4.1 - The application fee of $185,000 USD for the 2012 round of the New gTLD Program was established on the principle of breaking even whereby the program's total revenues are equal to all related expenses. In addition, the fee should ensure the program is fully funded and not subsidized by any other sources of revenue. Should another mechanism be considered? For example, cost plus reasonable return, fixed plus variable, volume discounts, or other?}		
1	We suggest a TLD-type approach is considered, where an open-generic, closed-generic, brand, community are all priced at their reasonable fee. There are significant differences in the evaluation of these different types of TLDs and therefore the costs incurred by ICANN are also significantly different.	Demys	
2	We agree that the program should be self-funding. However, clearly given the existence of significant surplus, we expect that ICANN will be able to substantially reduce this fee in future processes. The program has numerous areas where the components of the application fee can be made smaller. For example; - there is no need to require a technical evaluation of all applicants in the event an RSP Certification program exists. - the need for a legal contingency set-aside we believe has been and should be greatly reduced We would also add that applicants need the certainty of a fixed cost so that they can develop their business plans with a certain level of confidence. We would be opposed to any fees or components of fees that might be based on future variable costs or profitability of the applicant. Such an approach would bring about needless and unnecessary complexity and additional compliance costs, to both the applicants and ICANN, by obligating ICANN to require the provision of financial information from applicants on an ongoing basis, and then likely requiring ICANN to audit the validity of this information. There will likely be some applicants that do not expect to generate a profit on a stand-alone basis, but rather may seek their own gTLD for overall corporate and/or geographical branding purposes. Moreover, having such a variable component of the fee goes against the principle of cost recovery – if ICANN has fixed costs, all applicants, both successful and unsuccessful, should be responsible for these. Otherwise, one would have the undesirable outcome of successful businesses subsidizing the unsuccessful ones. Notwithstanding the need to be self-funding, ICANN still needs to be held responsible to a budget performance target that is well articulated for the program in advance. The high-watermark of $185K clearly was an over estimate of the costs and has resulted in a significant surplus. This should not happen again. ICANN is in a much better position to fully articulate the true costs of administering the program and so application fees should be better reflective of these known costs.	CIRA	
3	No, subject to our comments below on an alternative to COI, stick with cost neutrality.	Nominet	
4	The principle of cost recovery remains appropriate.	BRG	
5	[Should another mechanism be considered?] Yes, each applicant must post a deposit of $1,000,000 in order to qualify to bid to operate a new gTLD — bidding for each new gTLD per the recommendations of the U.S. Department of Justice Antitrust Division. [For example, cost plus reasonable return, fixed plus variable, volume discounts, or other?] See my previous Answer above.	John Poole	
6	A flat application fee is the safest way for ICANN to recover costs. Further, a variable fee model could be easily gamed by applicants if it is only looking at the initial projections of the TLD. Given the evaluation process is the same across RSP's, there is no reason to have a scale-based fee. Also, a variable model is already in place with the ongoing domain-based fee structure; adding that here would, in effect, be double taxation.	Afilias	
7	The same break even and cost neutral principle should be applied to any subsequent new gTLD process, i.e. the process to expand further the domain name system should not be driven by the aim of generating additional revenues for the ICANN community.	GAC UK	
8	The principle of cost recovery was a reasonable approach for the 2012 round and we don't see a need to change the mechanism in the future. With that said, some members of the RySG hold the position that the $185,000 fee shouldn't change and that the question of recurring fees in excess of a cost recovery principle should be considered holistically and should follow further cost analysis, including accounting for fees during the 2012 round and whether the fees charged achieved the goal of cost recovery.	RySG	

#	Comment	Source	
9	See response to 1.1.1. Such operational issues are of little concern to the general public.	ALAC	
10	In our view a "break even" fee is appropriate. In the first new gTLD round, the application fee of $185,000 was set to "recover costs associated with the new gTLD program" – including all evaluation costs – to ensure that the program is "fully funded and revenue neutral". The new gTLD application fee should be reviewed ahead of the next round to align with the actual costs and revenues generated from this first application round in order to be informed to set the fee at the "break even" point.	Valideus	

1.4.2 - Although the 2012 round is not complete, there is currently a surplus of fees collected relative to costs incurred. As such, do you believe that the principle of breaking even was implemented effectively? Do you believe $185,000 was a reasonable fee? Is it still a reasonable fee? Should the basic structure of the application fee (e.g., approximately one third of the fee was allocated for (i) the cost recovery of historical development costs, (ii) operations and (iii) legal and other contingencies) be reassessed or restructured? Is it too early to make this assessment? With the experience gained from the 2012 round, do you think that a break-even model can be more accurately implemented for future applications? Do you have suggestions on how to minimize any surpluses or shortfalls?

#	Comment	Source	
1	Break Even is the natural goal (as ICANN is non-for profit). Budget conservatively (set application fees a bit higher than what is expected to be needed) and let the WG, currently making recommendations for allocation of surplus of 2012 round, decide, how surplus of the next round would be allocated. Application fees should be reduced (ICANN must have learned from 2012 round – across all Q1-Q50 questions) but no lower than 100k USD to avoid for a new gTLD becoming a commodity and "no risk" type of investment. COI is not needed at all. It causes unreasonable burdens for non-US applicants and solves only very small issues. Instead a fraction of the application fees can pay for the EBERO program.	Jannik Skou	
2	Considering a TLD-type model as suggested, and based on our own experience with a brand TLD, there was far too much overhead with the application that did not apply to a brand, all of which, if removed, would reduce the cost of a brand application substantially. In the case of using a pre-approved RSP the checks and tests required are also removed therefore removing another resource cost from ICANN, further justifying the reduction of application fees.	Demys	
3	There is no question the original $185,000USD fee was too high. It was a barrier to entry to many smaller applicants (we are aware of a number of municipalities that considered applying in round one but abandoned the possibility when confirmed with the application fee). The principal of breaking even was implemented effectively BUT the forecasting of the actual costs that would be incurred was totally incorrect. Yes, a better break-even model should be possible given much of the development costs have already been spent, the evaluation process (outside of RSP certification) are well understood and can be contracted for more effectively, legal considerations were largely not a requirement and the need to evaluate every application on technical merit will no longer be a requirement under a program that includes RSP certification. It would be easy to justify an application fee well under the $100USD level on the following basis: - Using a certified RSP model eliminates the need to evaluate each RSP with each application. This would seem to have been the single largest evaluation component including PDT testing which under an RSP certification program can be taken out of the application process. Estimated fee reduction: $20-30K - ICANN set aside a portion of the application fee in anticipation of a need for legal fees which simply did not appear to the extent expected. Estimated fee reduction: $20-30K. - At the most recently quarterly update, ICANN had a surplus of $128M in new gTLD funds reflecting $65,979 per original application. Clearly the estimated cost to run the new gTLD application program was overestimated. In addition, ICANN should be better aware how to administer the program more efficiently and so the real costs should be reduced even further. Estimated fee reduction: $40-50K These three areas would allow for a total fee reduction of $80-110K suggesting a realistic fee in the next opportunity to apply could (and should) be below $100K.	CIRA	

4	The cost neutrality of round 1 was necessarily predicated on fairly conservative estimates as to the number of applications ICANN's costs (a significant amount of which were fixed regardless of the number of applications) would need to be shared between. ICANN's costs in round 1 also included historical development costs which won't be the case in future. In the event, with many more applications than forecast, ICANN's revenues from the whole program were much higher than forecast. Since we do not believe that ICANN should seek to make a margin on new gTLD applications in subsequent rounds, and that the costs of application can be significantly reduced based on a more realistic view both on costs and likely number of applications. In addition, forecasts need not be as conservative second time round given the buffer of surplus from round 1. We imagine an application of fee should be in the region of $50,000 to $80,000.	Nominet	
5	In the current application round, ICANN anticipated litigation expenses and set the application fees accordingly. Since we have not seen any litigation there is an argument for refunding some 5 of the original application fee to the registry. Another idea may be to allocate part of the application fee to compliance.	BC	
6	Costs estimated for the 2012 round were based on limited experience. In view of the high volume of applicants in 2012, the subsequent implementation of processes and systems, this experience should inform ICANN and provide a more accurate basis for estimating costs in the future. Given the current surplus in application fees, ICANN must justify any application fee above $185k.	BRG	
7	[As such, do you believe that the principle of breaking even was implemented effectively?] Who cares? The 2012 round was a disaster. [Do you believe $185,000 was a reasonable fee?] No, require a $1,000,000 deposit — see my answer above. [Is it still a reasonable fee?] Who cares? See answers above. [Should the basic structure of the application fee (e.g., approximately one third of the fee was allocated for (i) the cost recovery of historical development costs, (ii) operations and (iii) legal and other contingencies) be reassessed or restructured?] Yes see my answer above. [Is it too early to make this assessment?] Yes because there should not be another round until sometime after 2020, based on the horrible results from the 2012 round. [With the experience gained from the 2012 round, do you think that a break-even model can be more accurately implemented for future applications?] Who cares at this point? Who's in the big hurry to have another round with all the failing new gTLDs in the marketplace? This is insane! [Do you have suggestions on how to minimize any surpluses or shortfalls?] No.	John Poole	
8	Streamlining could nominally reduce the cost of the application, but there must be a substantive minimum fee appropriate to take an applicant seriously and for the applicant to understand the perpetual commitment to this TLD.	Afilias	
9	There was no clearly understood or predictable market expectation of the volume of take up for the current round with the result that the volume of fees received far exceeded the basis used for determining the US$185k fee level. This level was considered appropriate for recovering the historical costs of preparing for the round and secondly setting a bar to deter frivolous and wholly inadequately prepared and under-resourced applications. For a future process, the historical costs will be lower in view of the experience and established and fully developed mechanisms from the first fully open round. The fee can as a consequence be considerably lower - perhaps by 50% while still maintaining a bar sufficient to ensure that all applications received are coherent and worth dedicating resources fro evaluation and processing.	GAC UK	
10	No. It was not implemented effectively. There is approximately $100M in excess application fees that were collected to implement the program, yet ICANN collected another $6M in fees from applicants to establish the TMCH. To date, ICANN has refused to return any of the money to applicants; to use it to support the program; or to credit new registries in ongoing ICANN fees. In the future, the treatment of any excess application fees should be clearly articulated in the terms and conditions of any subsequent procedures. It is difficult to identify whether the $185K fee was reasonable absent cost analysis of whether fees collected during the 2012 round were consistent with the goal of cost recovery. We believe that these questions should be considered holistically, including accounting for whether a return of fees to 2012 applicants is warranted. . While cost recovery is an appropriate model, there are other factors that may be considered as well in determining a fee, including concepts of fairness and competition.	RySG	
11	Hindsight is always 20-20. ICANN made its calculations based on what it believed would be break-even, with absolutely no precedent. Obviously a new calculation needs to be derived that may be able to, for instance, eliminate the historical-cost component if that has been fully recovered by the last round.	ALAC	

1.4.3 - Should the concept of break-even be strictly adhered to or should other aspects be considered? Some WG members have noted concerns about the responsibility required to run a registry which could be negatively impacted by a fee that is "too low." Others have noted that the fee is potentially too high and could create barriers to entry in some underserved regions. As such, should there be a cost floor (minimum) or cost ceiling (maximum) threshold that the application fee should not go below/above despite costs estimates? If so, do you have suggestions in how the cost floor and ceiling amounts should be set?			
1	100k USD	Jannik Skou	
2	Break-even is a reasonable target but not at the expense of small applicants that would be deterred by a higher fee. We have been advocating across Canada with local municipalities and communities about the value a dedicated top level domain can bring to the community in terms of brand, security and trust online. Without exception, the opportunity is understood. And, without exception, with a need to be sensitive to spending public funds, the financial model currently in place is definitely a barrier to entry (both in terms of application fee and ongoing transaction fee minimums). Our response to the previous question provides a rationale for the development of a lower application fee.	CIRA	
3	If as we suggest the fee should be in the region of $50-80,000, then that will still be a significant investment especially when considering the additional resource costs of making the application and contracting / building the RSP elements and ongoing ICANN fees. We don't see that a fee set at this sort of level will be 'too low' and we do have some concerns about the principle of artificially increasing the application fee in order to discourage applications. Barriers to entry for underserved regions is a massive issue for which it is hard to see an easy solution, but at least with a much reduced fee it should be less of a problem than with round 1.	Nominet	
4	The application fee should at the very least cover all the costs incurred by ICANN to allocate a new extension.	BC	
5	The principle of cost recovery remains appropriate. As improvements and efficiencies are made, or additional processes/burdens are introduced, this should be reflected in the fees paid by applicants (i.e. costs could go up as well as down), although adjustments to fees should be reviewed periodically (e.g. every two years).	BRG	
6	[Should the concept of break-even be strictly adhered to or should other aspects be considered?] Require a $1 million deposit to participate in the bidding -- see my previous answer above. [Some WG members have noted concerns about the responsibility required to run a registry which could be negatively impacted by a fee that is "too low."] True. [Others have noted that the fee is potentially too high and could create barriers to entry in some underserved regions.] They are underserved because there is NO DEMAND there for new gTLDs. These are poor areas that need help with affordable internet connectivity etc. Establishing a new gTLD is an endeavor doomed to failure —instead, support the existing ccTLDs serving such areas. [As such, should there be a cost floor (minimum) or cost ceiling (maximum) threshold that the application fee should not go below/above despite costs estimates?] No floor, no subsidies, no assitance or support —require a one million cash deposit to bid per my answer above. [If so, do you have suggestions in how the cost floor and ceiling amounts should be set?] I just told you.	John Poole	
7	The application fee should be substantial enough to reflect the applicant's ongoing commitment and responsibility of having a TLD and to discourage speculation. Also, it is necessary to provide ICANN funding to successfully manage and promote the Program through the future. A 'ceiling' concept introduces risk in forecasting future costs, contingencies and unexpected costs.	Afilias	
8	There was no clearly understood or predictable market expectation of the volume of take up for the current round with the result that the volume of fees received far exceeded the basis used for determining the US$185k fee level. This level was considered appropriate for recovering the historical costs of preparing for the round and secondly setting a bar to deter frivolous and wholly inadequately prepared and under-resourced applications. For a future process, the historical costs will be lower in view of the experience and established and fully developed mechanisms from the first fully open round. The fee can as a consequence be considerably lower - perhaps by 50% while still maintaining a bar sufficient to ensure that all applications received are coherent and worth dedicating resources fro evaluation and processing.	GAC UK	
9	While cost recovery is an appropriate model, there are other factors that may be considered as well in determining a fee, including concepts of fairness, competition, and security and stability. Fees that are too low could be detrimental to security and stability and competition between rounds and fees that are too high may be unfair barriers to entry.	RySG	

10	ICANN's responsibility is to price the program based on cost recovery. Any other philosophical approach indicates needless bias towards either established players or wouldbe entrants - any such stance would be seen as political and a potential source of public mistrust.	ALAC	
1.4.4 - If there is a price floor, how should the excess funds resulting from floor costs less the actual costs be justified? Conversely, how would shortages be recovered if the ceiling costs are below actual costs?			
1	with 100k USD there will not costs to be covered – rather, surplus for next round outreach and compliance activities will be generated. There will always be a risk of loss and surplus. That is also the case with USD 185000. Should ICANN get unforeseen costs beyond the 100k USD per application, ICANN should be allowed to increase the SLA fees for all Legacy/round 2012/subsequent round TLDs to recover.	Jannik Skou	
2	ICANN should endeavour to plan the financial aspect of the program more accurately and be held accountable to that plan both in terms of excesses and shortages. Applicants require certainty for the purposes of business planning and should not be held accountable if somehow ICANN has budgeted poorly. The discrete costs in running the program are well known at this stage (or should be after processing 1930 applications) and so ICANN should be able to transparently propose a financial model and all of its components based on actual data. If ICANN operates the program with a shortfall then the program simply runs at a deficit and will need to be funded from contingency. If ICANN operates with a surplus, then the financial plan should include a "degree of discrepancy" that is acceptable after which excesses must be returned to the community in some fashion to be determined. The real key in this whole discussion is to create an environment for applicants that reduces the barrier to entry as much as possible and achieves transparency and trust in the programs costing model.	CIRA	
3	It would be very hard to justify deliberately setting the application fee at a level which would result in excess funds. In the unlikely event of a shortfall, luckily ICANN is sitting on a considerable surplus from round 1.	Nominet	
4	Excess fees should be used to support general outreach and the ICANN Compliance team and ensure the current variable and fixed pricing of Registry and Registrar fees do not rise.	Afilias	
5	There should not be a ceiling if ICANN expects the cost to exceed application fees. A floor may be appropriate, as long as the use of any excess amounts should be clearly articulated in the terms and conditions of any subsequent procedures. Excess funds could be used to support the program; used to credit ongoing ICANN fees for applicable registries in phases; or returned to applicants in phases. ICANN should not wait to the end of the entire program to use the excess fees. They can be used responsibly over time.	RySG	
1.4.5 - Should the WG seek to establish more clarity in how the excess or deficiency of funds are utilized/recovered? If so, do you have any suggestions for establishing that clarity?			
1	Within a certain limit then any excess/ shortfall should be absorbed into ICANN's general operating budgets. If there is a very significant excess then perhaps a rebate to applicants or charitable donation should be considered. It seems highly unlikely that a deficiency which could not be absorbed into ICANN business as usual operating budgets will occur; ICANN would appear to have sufficient reserves to manage this risk.	Nominet	
2	It is not clear why this would be a matter for the WG, rather than something that ICANN should provide as a matter of course, as part of their financial reporting to the applicants and the wider ICANN community. ICANN should use the experience of the last round to improve their estimation of application costs. In terms of the excess fees from the 2012 round, ICANN should provide to the applicants the details of the excess amount collected from the application fees and a proposal for reimbursement or utilisation of those funds.	BRG	
3	[If so, do you have any suggestions for establishing that clarity?] Yes, do NOT waste more time on this subject, go with bidding per the US Department of Justice Antitrust Division (see above).	John Poole	
4	On the surface, distributing excess funds is a laudable goal, but the design and execution of a plan could take years to ensure all parties impacted feel their interests are fairly met with the distribution of funds. Excess funds should be used by ICANN to ensure all other fees and costs do not increase.	Afilias	

5	The use of any excess amounts should be clearly articulated in the terms and conditions of any subsequent procedures. Excess funds could be used to support the program; used to credit ongoing ICANN fees for applicable registries in phases; or returned to applicants in phases. ICANN should not wait to the end of the entire program to use the excess fees. They can be used responsibly over time.	RySG	

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1.5 Variable Fees

#	Comment	Contributor	WG Response
1	As noted in the GAC's response to the first round of community consultation questions from the PDP WG, with regard to different categories of new gTLDs, the following advice from the GAC Nairobi Communique remains relevant: Finally, the GAC reiterates the importance of fully exploring the potential benefits of further categories (or track differentiation) that could simplify rather than add complexity to the management of the new TLD program and in that way help to accelerate the new gTLD program. In particular, the GAC believes that: *i. This could create greater flexibility in the application procedures to address the needs of a diversity of categories or types of string - including common nouns (e.g., "music"), cultural/linguistic communities, brand names and geographical strings - would likely make application processes more predictable and create greater efficiencies for ICANN, both in ASCII and IDN spaces;* *ii. Taking into account that applicants and users of new TLDs of a high public interest for a specific community, such as city TLDs or country-region and other geographical TLDs, may expect the legal framework of the territory in which the community is located to be applicable to the TLD, ICANN should allow for ways to respect the specific legal framework under which the respective community is operating in the TLD regime. This will also help ICANN, the applicants and national or local public authorities to avoid the risk of large scale legal challenges.* *iii. Instead of the currently proposed singlefee requirement, a cost-based structure of fees appropriate to each category of TLD would a) prevent cross subsidisation and b) better reflect the project scale, logistical requirements and financial position of local community and developing country*	GAC	
	1.5.1 - Should the New gTLD application fee vary depending on the type of application? For instance, open versus closed registries, multiple identical applications or other factors? The 2012 round had "one fee fits all," and there seems to be support within the WG for continuing that approach provided that the variance between the different types of applications is not significantly different - do you agree? If not, how much of a variance would be required in order to change your support for a one fee for any type of application approach?		
1	Volume discount (10-20%) should be offered to applicants with multiple applications (easier to evaluate Q23-Q44). Finance Q45-50 – should be evaluated on the basis that all applications pass. This can be complicated, so no discount offered here. Any entity listed on a stock exchange (regardless of country), should not go through criminal background check, nor provide private address information from directors/ board members. Such entities are already being screened by local authorities. If the application is for a spec 13 gTLD (.BRAND) the should be a reduced application fee, as evaluation of Q45-50 is irrelevant, since there is no public interest risk should a spec 13 gTLD go bankrupt and terminate its Registry Agreement. NOTE, Spec 13 gTLD should then be blocked from changing registration policy (from opening the TLD) to avoid "gaming" the system.	Jannik Skou	
2	Yes, the fee should depend on the expected workload to process that application. Community evaluations or contention set resolutions require more resource from ICANN than a non-contested dot brand application. If our other suggestions in 2.3.1, 1.1.1, 4.3.2.4 are also considered, then a dot brand application would amount to a small fraction of work required to validate a comparable generic application. Applying the RSP model and removing the need for PDT and technical evaluation further justifies reducing the fee. We suggest using a continuously open application system, where the cost is defined per-application-type and a separate fee payable on top if the TLD becomes contested during the application hold term. This will allow lowering fees for uncontested strings and cover the costs of contention resolution in cases where a contention is, but avoid over-charging and making a surplus from applications where it is not justified. For example; a TLD is applied for by party 1, this TLD is then placed on hold for 3/6 months. If during this term another application is received from party 2 the TLD becomes contested, requiring all involved parties to pay an additional fee to resolve the contention set or allow any parties to cancel their application. Conversely, where no contention is found the TLD can simply proceed through the normal delegation process.	Demys	

3	We do not believe there need be variation in the "application" fee since the costs associated with the application review should be the same regardless of application type. Variation in costing should occur at a performance level (i.e. quarterly transaction fees, both fixed and variable) and be modelled specifically based on domains under management.	CIRA	
4	In general we would urge simplicity where possible, and a continuation of the flat fee approach used in round 1 does make sense. In the event that closed .BRAND new gTLDs have a streamlined application route and simpler/ lower ongoing compliance requirements and obligations it may be fair however that their fee is set at a lower value based on reasonable estimates of the actual costs to ICANN.	Nominet	
5	The BC supports "one fee fits all" considering that there may be other programs to support applicants with demonstrated needs.	BC	
6	The application fee should be the same for all applicants unless there is a significant variance of cost to process different types of applicants. This can only be determined if ICANN provides analysis of the costs per applicant (or average per type), including any fees set aside for potential legal fees. A variance of up to 10% ($18.5k) between costs of different types of applicant is tolerable but anything higher should trigger further discussion to explore tiered fees tied to applicant type. However, any subsequent change to the operating model should incur a fee to cover the difference where the model would have attracted a higher cost originally. The cost analysis should also take into account the refund schedule and whether this accurately mapped to the costs incurred at the specified Program phases.	BRG	
7	No. No. No.	John Poole	
8	No. Application fees should be the same for all applications, regardless of "type" of TLD, projected volume or country of use or origin.	Afilias	
9	No. The application fee should not vary by type of application. While ICANN should consider an applicant support program, it should not be determined based on type of application, but rather on the merits of the applicant seeking support.	RySG	
10	"One fee fits all" is a reasonable standard, else applicants will work to game the system to achieve best advantage. There may be cause to reduce the fees for eligible community applications, and the Applicant Support program addresses those potentially unable to pay for identifiable reasons.	ALAC	
11	We support a primary approach of setting the application fee to "break even". And we do not view this approach as being in conflict with the application fee reflecting any material variance in the costs of different types of applications. We would support further analysis into this area, looking at, e.g., does a Specification 13 TLD, intended for the use of a single registrant, carry the same risk and therefore require the same scope of application and corresponding evaluation as an open TLD?	Valideus	
1.5.2 - The WG believes costing information on the different types of applications should be attained and evaluated once the different types of applications are defined. What are the implications of having different costs by type of application and how could they impact future budgeting efforts? How could they impact competition and choice?			
1	We see no negative implications to differentiating application types. Throughout the previous round they were informally categorized or defined on-the-fly during the application process. Formalizing this categorization would provide the much needed clarity that plagued the previous round. Additionally, beneficial effects would be gained, namely reduced evaluation complexity, costs and time.	Demys	
2	Offering a varied costing model will promote gaming among applicants seeking to minimize initial costs. If a varied costing model were to be employed, ICANN would need to then implement a compliance adherence process that would ensure a registry maintained the operating model of their original application. This will incur ongoing additional costs at ICANN that could not possibly be recovered as part of an applicant fee. The real difference in any one string will be reflected by utility served by domains under management. If a brand chooses to use only 100 strings in the support of their online presence and a municipality also only uses 100 strings to deliver services to constituents, then both should be treated with the same costing model despite having very different types of applications.	CIRA	
3	Other than the basic difference between new gTLDs which are closed and for the exclusive use of the applicant (e.g. the .BRAND scenario) and new gTLDs which are to be marketed on a retail basis and will therefore need a higher level of scrutiny and failsafe mechanisms such as escrow and EBERO, we don't see any reason for differential costing.	Nominet	

4	As per response to 1.5.1, analysis of the costs is needed before developing any proposals for fee differentiation. The fact that a substantial number of applicants are defined as dotBrands under Specification 13, it should be possible to extract the costing information for this model, rather than wait for other types to be defined. Fee differentiation would be a fair approach where substantial variations between types is identified but could encourage some applicants to apply for a type of registry that attracts the lowest fee only to change that model at a future date. However, as stated in 1.5.1, such changes should then incur fees to cover the difference and additional administrative fees to cover ICANN costs.	BRG	
5	See response to 1.5.1.	Afilias	
6	We do not agree that this is a fair characterization of the WG's belief. We do not support different application fees based on type of application regardless of how such types of applications are defined.	RySG	
7	See response to 1.5.1. We do not believe that there should be differential pricing, except perhaps for community applications for which evaluation criteria already exists (and maybe worthy of revisiting).	ALAC	
1.5.3 - Should the application fee be variable based on the volume of applications received from a single applicant? If so, how should the fee be adjusted and what are the potential impacts from doing so?			
1	See comment above AND if categories are defined – I suggest these five categories. 1. Geo TLD operated and sponsored by State/Region/Province/Municipality (Lower costs as Q45-50 is irrelevant) 2. Not for Profit TLDs (substituting the "community TLDs") Annual reports to be sent to ICANN for audit – OR national authorities to approve the annual report (and sent to ICANN) to allow for continued operation of TLDs. NOTE Not for Profits should pay reduced SLA fees to ICANN AND be able to apply for financial support from surplus (like "less represented" region applicants") to promote diversity in the new gTLD space. 3. Geo TLD operated by private entity "for profit" (Still based on letter of support/non-objection). 4. Spec 13 .BRANDs TLDs (with TMs in TMCH prior to publication of next "Applicant Guidebook" and timeline for application window (at least 8 Months before the opening of the next window). Exemption of Code of Conduct TLDs (primarily, .brands with no TM in TMCH) are also in Category 4. 5. For profit TLDs("equivalent to standard application in 2012) "For profit TLDs" can be open, nexus-based or "restricted/verification TLDs" In case of contention: the lowest number of category is granted the TLD. If two applicants apply for identical string in the same category, same contention set resolution process (eventually ICANN Auction) as in round 2012 should apply. NOTE applicants/operators are NOT allowed to change registration policy, once delegated. (Or maybe after a public comment period, but should be difficult to avoid "gaming" the categories to gain an advantage.	Jannik Skou	
2	No, each application should stand alone both in the context of evaluation as well as costing. Otherwise, it could encourage the use of single entities to 'front' for the individual applicants. ICANN cannot prevent any change in ownership of gTLDs after the application has been approved.	CIRA	
3	On balance, we would not favour discounts based on volume applications. Each applied for string will still need to undergo the same initial evaluation procedures and to the extent that there was a lot of duplication in the technical evaluation in round 1 for applicants with identical technical solutions, we would hope that a solution around pre-approval/ accreditation of RSPs would address this.	Nominet	
4	We do not support a fee variable based on the volume of applications, as this would disadvantage smaller businesses seeking to compete with larger business applicants.	BC	
5	No. Each application will need to be assessed on an individual basis and whilst some efficiencies in the process could be realised in such a situation, there are other risks that this may introduce on an aggregate basis, particularly for the financial assessment, that ICANN will need to assess.	BRG	
6	No. No. No.	John Poole	
7	No, the application fee must be consistent across TLDs, not across applicants.	Afilias	
8	No -- there should not be volume discounts. To do so would hinder competition by adversely affecting single (or small) portfolio applicants.	RySG	

9	No. The fee should not be changed based on the volume. There should be a level playing field for all. There should especially be no consideration for applicants for whom projections are not matched by market realities.	ALAC	

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1.6 Application Submission Period			
#	**Comment**	**Contributor**	**WG Response**
1	Also, regarding the period of application and posterior evaluation, it would be clearer if there were rounds of applications followed by evaluation periods, instead of a single continuous process. Another suggestion would be to announce either via a webinar or an open call for an application tutoring process prior to the submission dates.	NCSG	
1.6.1 - One of the overarching questions in Community Comment 1 focused on whether applications should be accepted during defined windows of time (also known as "rounds"). If the WG determines that a system of rounds is the right approach, is three (3) months an appropriate length of time to accept applications? What considerations should be taken into account when determining the length of the application window?			
1	4 (four) months is sufficient, provided ICANN announces the opening of the application window at least 8 (eight) months in advance AND, if ICANN promises to launch a new round with current rules (or new rules if implemented) every two years! Two years gives time to resolve contention sets etc. And a two year period is not so far out in the horizon that applicants will apply out of a fear of missing out and having to wait another 7-10 years before being able to apply again.	Jannik Skou	
2	We suggest a continuously available application system, eliminating the need for rounds entirely. A way to avoid potentially malicious attempts is to publish the applied-for TLDs immediately at their application and keep them on hold for 3 (or so) months (length as per 'rounds' windows suggestions) during which time a rival applicant may apply.	Demys	
3	We believe that the concept of an application window worked well in the previous round. We would agree that a three month window would be reasonable PROVIDED that the AGB2 is settled well beforehand and the window timing is publicised least 6-12 months before opening. If the process and AGB2 is only settled just before the window opens (seems likely given all previous experiences!) then perhaps a longer window will be needed.	Nominet	
4	With enough advance notice, a 3-month application period should be sufficient. We should avoid duplicating the "now or never" situation that occurred with the last round, and schedule rounds closer together. But we also need to balance the impact on ICANN staff in evaluating applications. We have learned much from the latest round and hopefully won't run into as many situations that may cause delay.	BC	
5	Yes, 3 months is a reasonable application window, as long as ICANN provides reasonable notice (at least 2 months) before the application window opens. However, this would need to be on a regular and defined basis to provide predictability and assurance to potential applicants that wish to apply at a future date.	BRG	
6	While we do not agree with the concept of "rounds", if ICANN were to use this model, 3 months should be an adequate time to accept applications.	Afilias	
7	The principal problem that would arise from a continuous process is that all applications would be treated on a first come first serve basis that would put some applicants for the same strong at a serious disadvantage in comparison with wholly commercialised applicants with ready access to finance and human resources to develop a proposal quickly to gain first advantage. The process for resolving string contention by comparative evaluation and application prioritisation eligibility for example in the case of community-based applications, would not be practicable with an ongoing process, unlike in the case of a defined window for an application round. The three months window provided for the current round with adequate notice appears to have worked well.	GAC UK	
8	Allowing for subsequent procedures that contemplate a "rolling" first-come, first-served open period allows all applicants—now and future—the opportunity to apply when they want to. A continuous process will prevent bottlenecks in application processing and allow applicants to apply for a gTLD when it is right for their business, rather than when a short window allows. While we support a "rolling period," we understand that there has to be a way to deal with contention for the same string if there is pent-up demand since the 2012 round. A hybrid approach might be considered by the Working Group (e.g. a short window followed by an immediate rolling period).	RySG	

9	See response to 1.1.1. Regardless if done in rounds or in "first come first served" continual application processes, At-Large is skeptical of the public benefit of ongoing gTLD proliferation. More information, such as the data being collected by the CCT-RT, needs to be collected in order to make an informed judgment regarding the benefit or harm caused to Internet user by further gTLD expansion.	ALAC	
1.6.2 - If we have a few next 'rounds' followed by a continuous application process, how should the application submission period be handled in the lead-up rounds?			
1	Applicants in the next round (regardless whether delegated or not) have priority over additional/subsequent round applicants.	Jannik Skou	
2	The sort of electronic submission process used for round 1 was quite complex but seemed to work. Once the window has closed then applications should be published and processed in line with the agreed AGB2. For rounds 3 and beyond ahead of a potential continuous application process then timing and any refinement of rules and processes necessarily needs to wait until round 2 has been processed, but we would suggest a target date of less than two years between subsequent rounds going forwards.	Nominet	
3	To provide predictability and help applicants plan more effectively, a timeline should be agreed. For example, an application window could be set to run annually (or more frequently) and the post-application-to-delegation steps can continue in parallel with any subsequent application window. This can continue until such a time if/when a continuous application process is adopted.	BRG	
4	Any "lead-up" rounds should reflect the end-goal of the continuous application process as closely as possible. This will allow these rounds to be a means of refining the continuous application process.	Afilias	
5	The strategic goal for future applications should be the implementation of a continuous process on a first-come, first-served basis. However, the RySG appreciates that there may be one or two further 'application rounds' imposed before this goal can be realistically achieved. In this respect, the RySG recommends that a clear commitment is given to a schedule of further application rounds, with shorter timespans between each round, in line with the original target of one year (AGB section 1.1.6).	RySG	
6	See response to 1.6.1. The choice of hard rounds or a continuous application process is less relevant to Internet users than the general concerns regarding potential harm to Internet users caused by gTLD proliferation.	ALAC	
1.6.3 - Do you think the length of the submission period will impact Applicant Support and what factors do you think should be considered in determining an appropriate length of time?			
1	Yes four months is sufficient if an 8 months prior announcement is made. AS LONG AS A NEW ROUND IS GUARANTEED at the latest two years later. The proposed five categories with less burdens on COI Financing/Q45-50 for .brands and "Geos by Public Authorities" will enable applicants to submit application documents within 4 months. An educational video by ICANN would also enable other applicants to submit applications within four months. Maybe showcase good applications (anonymized) from the 2012 round?	Jannik Skou	
2	Please see GAC submission to Public Comment process for the CCT-RT Draft Report.	GAC	
3	Subject to clear AGB2 being published well in advance, and the whole process being less changeable and more predictable than round 1, there should be limited impact on Applicant Support.	Nominet	
4	The length of the submission period is unlikely to impact Applicant Support. What is more important is to raise the level of awareness and implement clear guidelines for any interested parties to follow, as far in advance of an application window opening.	BRG	
5	Forget about application rounds — have a 12 month period of accepting from any source "nominations" for new gTLD "strings". Have a CCWG evaluate the nominated strings and make a recommendation to the ICANN Board of Directors of those "strings" selected to be opened for "bids." Potential operators would then bid for the right to operate the new gTLD by submitting as their bid the maximum fee schedule to be charged(wholesale price per domain name) for each year of the 10 year period they would operate the new gTLD registry. Lowest qualified bidder wins. At the end of the 10 year period, the gTLD woud be put up for bid again. Wash, rinse, repeat. No more of this nonsense about private casino-like auctions like in the 2012 round — that just drives up costs which the operators have to recover by charging higher wholesale fees which registrants then have to bear. That auction system used in the 2012 round was corrupt and contrary to the advice given by the US DOJ Antitrust Division in 2008 cited above!	John Poole	
6	Applicant Support programs should be addressed separately and prior to any "rounds."	Afilias	
7	We do not believe the submission period will impact Applicant Support as long a sufficient time is given prior to the application period for education and awareness (noted by the WG as significant issues to uptake).	RySG	
8	See response to 1.2.1. The choice of hard rounds of continuous applications should not affect the Applicant Support program provided that the program (and specifically its evaluation criteria) is appropriately updated.	ALAC	

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1.7 Application Queuing

#	Comment	Contributor	WG Response
1	INTA recognizes that additional policy work is undecided on topics that would impact development on application queuing (e.g., whether applications will be evaluated on an ongoing basis, whether applications will be reviewed in one large round similar to the First Round, or if there will be a rolling number of rounds – every 3 months, for example). As consensus on this seems a ways away, INTA urges the WG to conduct additional policy work and ultimately adopt principles of priority to avoid the inconsistencies in evaluating priority of Applications in Round 1.	INTA	

1.7.1 – The WG believes that the process for establishing the evaluation processing order for applications should be similar to the prioritization draw from the 2012 round. This is, in fact contrary to the first submitted first processed/evaluated guidance provided in the 2007 Final Report. Do you agree that a process similar to the prioritization draw should be used in the future? If rounds are not used, would this method still be appropriate? Would a prioritization draw, or similar method, work for a continuous application period or would it be better to base processing/evaluation on order of receipt?

#	Comment	Contributor	WG Response
1	During a continuously available application system brands and communities should still be prioritized if applied for within the application window as of the first received application for that TLD.	Demys	
2	Whilst the industry standard is first-come-first-served for registration of domain names at the second level, when it comes to TLD applications the principle does not sit so well. We would concur that the prioritization draw used in round 1 was appropriate. It is hard to see how that could be implemented outside of a 'rounds' concept though. IF the application process is a lot faster and more streamlined in future then priority for evaluation should not be such a problem. Do not consider digital archery again! Any selection mechanism should be simple, straightforward, easy to use AND decided and communicated to applicants prior to the application window opening. It is not acceptable to move the goal posts half way through the process.	Nominet	
3	[The WG believes that the process for establishing the evaluation processing order for applications should be similar to the prioritization draw from the 2012 round.] THIS IS A MISTAKE. THE WG IS WRONG. This is, in fact contrary to the first submitted first processed/evaluated guidance provided in the 2007 Final Report. [Do you agree that a process similar to the prioritization draw should be used in the future?] NO! [If rounds are not used, would this method still be appropriate?] NO! [Would a prioritization draw, or similar method, work for a continuous application period or would it be better to base processing/evaluation on order of receipt?] No, no, no. See my answers above re: US DOJ Antitrust Division recommendations.	John Poole	
4	The prioritisation draw of the current round appeared to work well. If a round mechanism is not adopted next time, it should nonetheless be possible to inaugurate the next process with a prioritisation draw or similar mechanism. With more effective communication of the opportunity and building on current experience of successful IDNs, prioritisation of IDNs should help to increase the number of IDNs to a level of take-up exceeding the disappointing low percentage level of the current round. This should be a key public policy objective of the next process to expand the global domain name system on a more equitable and geographically diverse basis.	GAC UK	

5	The 2012 gTLD application round saw an unexpectedly high number of applications, requiring identification of new methods to order application processing after most of the policies for the application process has been finalized. Along with other untimely issues, this led to delays in the ability for applicants to launch their TLDs. We expect that as part of an initial application process, pent up demand for operating a gTLD may similarly create a need for a queuing or prioritization mechanism. To avoid the issues encountered during the 2012 round the 2 prioritization mechanism should be established in advance of accepting applications and described in the applicant guidebook. We recommend the simplest approach: retaining the lottery-style prioritization mechanism that was ultimately used in the 2012 round. While prioritization did not yield such significant advantages or disadvantages as anticipated, given varying applicant timelines for bringing TLDs to market and other delays in decontention processes, the lottery was lightweight and effective, and does not require change. One minor modification to consider would be to allow applicants to choose which of their applications to prioritize within the queuing process. For example, an applicant with five applications in a particular launch window would get five lottery numbers, but could choose which of its TLDs to associate with each launch slot it was awarded within the lottery.	RySG	
6	No preference	ALAC	

1.7.2 - Should certain subgroups of applicants/application types be prioritized over others? For instance, from the 2012 prioritization draw, IDNs were moved to the front of the queue for application processing. If you think IDNs or some other category of applications (e.g., Brands, communities, etc.) should be prioritized, do you have suggestions on how to determine the prioritization?

1	Prioritization Draw is fair and works. Priority should be given to Category 1 and 2 applications; "GEOs by public authority TLDs" and "non-for profit TLDs" Priority should not be granted to IDNs as those can be from Europe/North America (or .Brands) And not to specific Regions (this can easily be gamed by setting up a local company).	Jannik Skou	
2	We would be happy for the same process as last time to be followed - IDNs should be prioritised and encouraged as the process did not generate much language diversity last time. Arguably other categories where contention and controversy issues will be low such as geo/ community names and .BRANDs should also be prioritised behind IDNs but before general applications.	Nominet	
3	Consider grouping applications by common characteristics while establishing priority numbers, in order to increase processing efficiency. If there are more efficient processes that could be introduced by segregating type, we could see the application-to-delegation timeframe reduce, where absent of contention sets. By way of example, consider the following aspects of the application process for a batch of dotBrand applications: Financial Capability Evaluation - A dotBrand is not reliant on revenue from selling domains to maintain its core business, instead, it is budgeted item in support of its core business. The financial assessments were introduced to provide assurance that the business model used would be viable to support the registry in the short to medium term, and minimise the likelihood of failure that would have an adverse impact on its registrants. However, a dotBrand does not sell domains to third parties, rather, it is itself the registrant or registrations are limited to its own affiliates and TM licensees, so the risk of any adverse impact is minimal or non-existent, thus this protection is not necessary. Removing, or at least reducing the requirements for the financial review would reduce the time and resources needed for this type of applicant. Continued Operations Instrument (COI) - A further example could be the COI. For a dotBrand which is itself the registrant or registrations are limited to its own affiliates and TM licensees, the risk of any adverse impact is minimal or non-existent. Therefore the purpose of the COI, as a protection for registrants is not required. Omitting this requirement for dotBrand applications reduces the processing time, as well as any ongoing administration of COIs at ICANN. Background Screening – the background check procedures and criteria could also be improved for certain dotBrands that are publicly-listed companies, where it should be sufficient to list the same amount of detail for company directors as appears on corporate websites and company registration offices. A default of the registered office address or that of the Company Secretary should be provided for all directors. This would also contribute to a streamlined process for a batch of dotBrand applicants, without introducing any undue risks.	BRG	

4	[Should certain subgroups of applicants/application types be prioritized over others?] No. [For instance, from the 2012 prioritization draw, IDNs were moved to the front of the queue for application processing. If you think IDNs or some other category of applications (e.g., Brands, communities, etc.) should be prioritized, do you have suggestions on how to determine the prioritization?] There should be no brand gTLDs as the concept is violative of RFC 1591. Corporations (and similar organizations) and trademarks ("brands") are established only by the laws of sovereign governmental authorities, as is cancellation of the "marks" or "brands" and statutory and judicial dissolution of the corporate legal entity. Recognition of trademarks ("brands") is also governed by laws and treaties between governments. Any corporate (or similar) entity that wants its "brand" to be a new TLD should be required to apply as a ccTLD of the nation where it is jurisdictionally domiciled. ICANN exceeded its authority in establishing "brand" gTLDs in the 2012 round and those that were granted should not be renewed. They can reapply in accordance with the procedures for new ccTLDs in the nation where they are jurisdictionally headquartered or domiciled. TLDs are NOT private property. However, ICANN has been remiss in not providing a means and method for globally recognized marks to file a "block" and prevent their "brand" from being used as a TLD. ICANN should not be allowed to engage in extortionate issuance of "defensive" new gTLDs. That does not serve the global public interest though it may enrich certain "contracted parties" and other "special interests" within ICANN and the GNSO. *RFC 1591:* *2) These designated authorities [TLD registry operators] are trustees for the delegated domain, and have a duty to serve the community. The designated manager [TLD registry operator] is the trustee of the top-level domain for both the nation, in the case of a country code, and the global Internet community. Concerns about "rights" and "ownership" of domains are inappropriate. It is appropriate to be concerned about"responsibilities" and "service" to the community.* *3) The designated manager must be equitable to all groups in the domain that request domain names. This means that the same rules are applied to all requests, all requests must be processed in a non-discriminatory fashion, and academic and commercial (and other) users are treated on an equal basis. No bias shall be shown regarding requests that may come from customers of some other business related to the manager -- e.g., no preferential service for customers of a particular data network provider.* IDNs should be encouraged as ccTLDs where possible, particularly where the language is predominately used only within one nation. This is consistent with the intent expressed in RFC 1591. The inept 2012 round for new gTLDs should not be used as a guide for future rounds. See my CCT-RT comment. Likewise,intranational geographic indicators (e.g., .LONDON and.PARIS) should always be ccTLDs.	John Poole	
5	The implementation of a continuous period obviates the need for queuing. Else, randomization with no prioritization of categories is clear and fair.	Afilias	
6	The prioritisation draw of the current round appeared to work well. If a round mechanism is not adopted next time, it should nonetheless be possible to inaugurate the next process with a prioritisation draw or similar mechanism. With more effective communication of the opportunity and building on current experience of successful IDNs, prioritisation of IDNs should help to increase the number of IDNs to a level of take-up exceeding the disappointing low percentage level of the current round. This should be a key public policy objective of the next process to expand the global domain name system on a more equitable and geographically diverse basis.	GAC UK	
7	There is no consensus within the RySG about whether prioritization should occur and which applicant categories should be prioritized. We believe that the default position, in the event that consensus cannot be reached, should be to avoid prioritization of particular categories over others.	RySG	
8	Applicants asking for Applicant Support and community evaluation be given priority.	ALAC	

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1.8 Systems			
#	**Comment**	**Contributor**	**WG Response**
1.8.1 - The WG considers this subject to be mainly implementation focused, but nevertheless, has identified areas for improvement. For instance, security and stability should be improved, more robust user testing (e.g., potential applicants) should be incorporated, systems should be better integrated, adequate time for system development should be afforded, etc. Do you have suggestions on additional areas for improvement?			
1	We strongly support the recommendation for increased security of the systems as this was a very concerning area last time. We also suggest that it should be possible to upload application documents and associated information rather than having to cut and paste it into a form.	Nominet	
2	The failures of the last application system are well noted. The new system should undergo a sustained period of testing before being put into use.	Jim Prendergast	
3	Agree, this is implementation focused and there should be a continual improvement program in place, based on the reviews and feedback from applicants.	BRG	
4	In addition to improvements noted within the question, the System could benefit from the following improvements: -Tracking capabilities to allow users to confirm any edits or information are accepted and in-place; -Stronger communications; -Grouping of applications to create fewer messages; -Standard return email addresses, and; -Secondary points of contact to also receive communications.	Afilias	
5	In addition to these previously noted implementation improvements which we support, the RySG believes that consideration should be given to policy or implementation regulations requiring transparency to the user (within the security confines of permitted access) of the data that has been entered with regard the user's application and/or registry. The purpose of which would be to allow the user to verify that any selections that have been made were properly recorded in a timely manner so as not to negatively impact the application or registry. Further, to ease the burden on a time- and resource-intensive process that has only a limited availability window, ICANN could consider live support for use during applications (perhaps even 24/7 for the duration of a limited window) to address problems and cures. ICANN could, and should, reasonably adhere to service level agreements for response time. Also, it would be particularly helpful to make available a test environment as soon as feasible, prior to the opening of the system for live use.	RySG	
6	While the ALAC cannot comment specifically on systems, particularly in relation to security and stability we can however refer to the recommendations made in the tables attached to the SSAC Report #94, responding to questions in this CC2 questionnaire. With particular attention to their responses to 3.4.2 (String similarity) where they recommend that the Board should request a review of the Extended Process Similarity Review Panel (EPSRP) to determine why its proposed guidelines do not respect the principles of conservatism, inclusion and stability. There is some contention between the SSAC view and that of the ccNSO over this issue which has been discussed by the ALAC and we believe it needs to be resolved.	ALAC	
1.8.2 - The WG also noted that ICANN should expand its system capabilities to include the ability to send invoices to organizations who require documentation in order to process payments for any fees related to their application. Do you agree that this would be beneficial?			
1	Yes, of course.	Jannik Skou	
2	Yes, it is a standard business process to have a purchase order and invoice before processing payment. ICANN requires this themselves so ICANN should be able to facilitate this.	Nominet	
3	YES – this was an issue for many .brand applicants and should be easy to fix.	Jim Prendergast	
4	Agree, enhanced system capabilities, including issuance of invoices for fees, will help to ease the burdens of the application process.	BRG	

5	Yes. No new gTLDs should be delegated that have any "Universal Acceptance" (UA) or "collision" issues unless ICANN and the registry operator agree to post (and require all accredited registrars to post) notices and warnings to consumers (registrants) about the known UA and collision issues. This is called "consumer (registrant) protection" — a novel concept within ICANN and its GNSO.	John Poole	
6	Yes, this will be beneficial.	Afilias	
7	Yes, the RySG believes that such enhanced system capabilities will help to ease the burdens of the application process.	RySG	
8	In the next round, ICANN should provide applicants with the option to receive an invoice for the purposes of application fee payment. Without the provision of invoices, it can be a painstaking process for many organisations – large and small – to gain the internal approvals for the submission of large sums of money to an unrelated entity. Indeed, the larger the company the more difficult it tends to be to obtain an exception to the required financial accounting procedures put in place to safeguard against fraud. This process could be automated through ICANN's application system.	Valideus	

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1.9 Communications			
#	Comment	Contributor	WG Response
1	Please see GAC submission to Public Comment process for the CCT-RT Draft Report.	GAC	
2	The expansion in the number of national and regional multi-stakeholder Internet Governance Fora (IGFs) provide valuable outreach opportunities and close-to-market hub modalities for promoting the next new gTLD application process or round to stakeholder communities worldwide including least developed economies and small island developing states for whom the global digital economy increasingly provides unprecedented opportunity for economic and social growth. ICANN has an increased opportunity to contribute to sustainable development goals through expansion of the domain names system.	GAC UK	
1.9.1 - The WG considers this subject to be mainly implementation focused, but nevertheless, has identified areas for improvement. For instance, the knowledge base could be made more timely and searchable, applicant advisories could be better communicated (e.g., create some sort of subscription service), program information could be consolidated into a single site, ICANN's Global Stakeholder Engagement team could be leveraged to promote global awareness, etc. Do you have suggestions on additional areas for improvement?			
1	Make a video explaining what it takes and which data to provide – inform about degree of detail needed – and explain responsibility, challenges and benefits. Needless to say in as many languages as possible.	Jannik Skou	
2	The 2012 round should provide relevant learning points in relation to communication, in relation to the purpose of the communications and the appropriate channels to cascade and exchange information. Due to the unexpected number of applications and the introduction of many new players that were unfamiliar with ICANN and its processes, this was challenging. The experience gained and the feedback provided by applicants should enable further improvements, including those covered in the question. Due to the different types of registries that applied in 2012, consideration towards tailored information and processes could be adopted for distinct models, like dotBrands.	BRG	
3	Afilias concurs with the opinions of the RySG and defers to that response.	Afilias	

4	The suggestions outlined in this question are all potential improvements to the past communication processes. ICANN should provide applicants with an option to be notified of developments related to the New gTLD Program and related processes and procedures, as well as information that is germane to their own applications. This communication could be delivered via email to the application Primary Contact or another designated contact. If an applicant opts in, it should receive an email or text alert whenever ICANN issues a communication. The ICANN portals (first the CSC portal and later the GDD portal) provide a workable mechanism to submit questions to ICANN for specific applications confidentially. If a similar mechanism is employed in the future, ICANN should set a specific, timely deadline for responding to questions. If it cannot meet that deadline, ICANN should follow up with the applicant to inform them of when a response will be available. In addition to the portals, ICANN should also create a more general "help line" (such as a dedicated email address) for the submission of more general questions about all applications or categories of applications. ICANN should consolidate these questions and answers into a published, searchable FAQ-type page on its website that applicants and other parties can review. It should update this page on a recurring basis to ensure the timely dissemination of information. In the event that ICANN chooses to use webinars or sessions at ICANN meetings to communicate timely information to applicants, it should publish detailed minutes of these interactions, complete with questions asked and the responses provided, along with any slides and the recordings transcripts of these interactions. While the slides and recordings are helpful, it can be very tedious to go through a recording and transcript to glean pertinent informational points. Minutes of the relevant takeaways would be much more useful for applicants and interested parties who are unable to attend these webinars and sessions in person. Finally, ICANN should develop an easily accessible and searchable knowledge base for any new information that is released that goes beyond what is captured in the Applicant Guidebook (or its replacement) and any other informational documents published prior to the opening of subsequent application procedures. This knowledge base should be divided into topics that map onto the sections of the Applicant Guidebook (or its replacement) and any other informational documents published prior to the opening of subsequent application procedures. It should be routinely updated with any new information that is communicated through email updates to applicants, questions answered from the general ""help line"" and published in the FAQs, and information disseminated through webinars and sessions at ICANN meetings."	RySG	
5	ICANN's Global Stakeholder Engagement team is responsible for promoting global awareness. At-Large does not have much authority to undertake any real communication activity without funding and other support from GSE and AtLarge Support staff. However, communication to the masses is an important feature of getting the right messages out about ICANN, the DNS, etc, and the RSP and Applicant Support programmes, and the GSE team is not being totally successful in getting these out to under-served countries. However RALOs are disadvantaged when outreach opportunities funded by ICANN are limited to 5 CROP slots. This is a joke when you have RALOs like APRALO which deals with over 70 individual countries and with the fastest growth of end-users of all the regions. Such is the extent of this problem, regional teams need to be organised within underserved regions to more effectively Introduce, educate and inform people who may be qualified but without the right contacts to learn about the RSP and Applicant Support programmes.	ALAC	
1.9.2 - Metrics to understand the level of success for communications were not established - do you have suggestions on what success looks like?			
1	Prior to the opening of the 2012 round communication (education and awareness) of the New gTLD program beyond ICANN was extremely limited. Even today, despite the public visibility attained in the lead up to the IANA Transition, the New gTLD program has had limited exposure. This is, however, difficult to measure without extensive and repeated surveys across the globe. However, mainstream media could be a source to provide metrics, in terms of any articles referencing ICANN + New gTLDs, in different languages, across different countries. This could be in addition to any focused campaigns to raise global awareness. In relation to the communication within the New gTLD Program, standard metrics should include response times.	BRG	
2	Revamp the whole program per my answers above.	John Poole	
3	Afilias concurs with the opinions of the RySG and defers to that response.	Afilias	

4	The RySG understands this question to refer specifically to the success of ICANN's communication plan that sought to increase global awareness of the New gTLD Program and the changes it would bring about to the global domain name system. If there is widespread agreement that ICANN should engage in similar communications plans and awareness-building activities in the future, then the RySG believes that the ICANN organization (its staff and Board of Directors) is very ill-equipped to undertake such an effort on its own. If budget is set aside for this type of activity, ICANN should use those funds to hire an experienced communications firm with a proven track record of success in conducting global awareness-building campaigns. The engagement with such a firm should include established metrics for success against which the performance of the firm is evaluated.	RySG	
5	Success could be measured in the number of people who apply for the training programmes and successfully achieve its outcomes, those who eventually get to set up their own RSP (or who gather together in a team to do so within a region). Success could also relate to the number of outreach opportunities within each of the region that results in getting people to apply, and talking to them about the programme.	ALAC	

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1.10 Applicant Guidebook			
#	**Comment**	**Contributor**	**WG Response**
1	Also, the effort of having a more extensively publicized Applicant Guidebook directed to developing countries and also translating it to as many languages as possible would help in outreaching to as many prospective applicants as possible, acknowledging that Applicant Guidebook was translated to the UN languages.	NCSG	
1.10.1 - The Applicant Guidebook served as the roadmap for applicants, but also all other participants to the program. As such, there is a mixture of historical and practical information, some of which is relevant to only certain parties. Do you think it makes sense to partition the Applicant Guidebook into different audience-driven sections or by type of application?			
1	Both suggestions make perfect sense. See suggestion for categories of TLDs above.	Jannik Skou	
2	INTA recognizes that additional policy work is undecided on topics that would impact development on AGB partitions (e.g., whether there will be separate application types or a separate Registry Agreement (RA) for each TLD type). Partitioning the AGB to cater to these specific audiences or TLD types may aid in making that material accessible for those audiences (e.g., .BRAND applicants). However, INTA recommends a careful approach, as the AGB is the roadmap for the applicant process, and having different types of AGBs or partitions of the same may lead inconsistencies in differing interpretations of guidelines or applicants may receive incomplete information. INTA would be supportive of partitioning the AGB into different audience-driven sections. By seeking to address both potential applicants and third parties, the AGB in its current format is long, sometimes confusing, and difficult to navigate. It would strongly benefit from being drafted in different parts, dependent on the audience. These could include a part addressed to applicants, containing just the practical information necessary to them in order to complete their application. A separate part could contain information necessary to objection processes. Where there is historical information or other explanation of relevance to either of these parts, this could be contained in further distinct section, with clear links. The AGB would also benefit from a glossary of defined terms and acronyms.	INTA	
3	The GAC suggests that there be a critical assessment of whether the Applicant Guidebook should be used as a central document in future, or whether simpler and clearer information for applicants can be provided through a single place on the ICANN website. If the Guidebook is to be retained, the suggested partitioning appears to have merit.	GAC	
4	No – this would increase the risk of confusion for applicants and also creates uncertainty for applications that do not fit neatly into a certain category.	Nominet	
5	Yes.	BC	
6	This seems like an implementation issue, not policy.	Jim Prendergast	
7	Yes. The Applicant Guidebook suffers from a fundamental problem. It was written for two separate audiences. The first audience was an internal one of ICANN's policy-development body the Generic Names Supporting Organisation (GNSO). The guidebook attempted to explain how GNSO policy was being implemented. As a result it included history and background. The second audience was an external one, the domain name applicant who was interested only in the process of how to apply. As a result of trying to speak to two audiences, it failed both. From the applicants perspective, the guidebook is: overly long, confusing, duplicative, and poorly indexed. Our recommendations would be to (1) write a new Applicant Guidebook to remove duplication and unnecessary background information, and create a step by step guide for applicants. Number and index the guidebook consistently; (2) improve the customisation of documentation to differentiate between the registry operator, and third-party providers of registry, back-end technical and financial services; (3) define acronyms on first use and where appropriate frequently provide links to a glossary; and (4) partition sections to a specific type of applicant where relevant to that distinct type.	BRG	

8	The Guidebook needs to be rewritten per my answers above.	John Poole	
9	The Applicant Guidebook must be a single, consistent set of procedures and rules applied uniformly across all applications. Creating multiple documents or repetitive sections will only introduce communications risk, specifically, keeping content identical across multiple sections, or how to address an application that changes from a community to a generic, etc. to name just a few. ICANN's goal should be a uniform process clearly articulated in a single document.	Afilias	
10	Future new gTLD applicants will require a guiding document that instructs them on how to prepare their applications to submit to ICANN, and how to manage their applications through the various procedures in between submitting those applications and delegating their gTLDs. This document, whether it takes the form of an Applicant Guidebook or an alternative medium, should be confined to only information that is relevant to the preparation of applications and the movement of those applications through subsequent evaluation, string contention, objection, testing, and other procedures en route to delegation. Information regarding the rationale behind certain policies or the historical context for how decisions were reached should be captured in a separate, policy-oriented document that interested parties can review as desired. However, the Applicant Guidebook (or its replacement) will be most useful if geared specifically toward applicants. Information pertinent to other kinds of participants, such as those who may wish to file objections to applications, should also be consolidated into separate, targeted documents. Readers and users of these documents will undoubtedly find shorter, more targeted materials easier to read through and make use of. If the policy for subsequent new gTLD procedures determines that there should be separate application types, then the sections of the Applicant Guidebook (or its replacement) should make specific note when variation exists among application types, such as different requirements for answering an application question or providing materials to ICANN. The Guidebook (or its replacement) should make clear to readers that if no variation is noted, then all applications must follow the same process or standards outlined in that section.	RySG	
11	We see no need to fragment the Guidebook, as it may create confusion (especially when versions written for different audiences are perceived to conflict)	ALAC	