

4.2.12 Application Queuing

- 4.2.12.1 *Explanation of Subject*

Implementation Guideline D states that:

A first come first served processing schedule within the application round will be implemented and will continue for an ongoing process, if necessary.

Applications will be time and date stamped on receipt.

The AGB had a different implementation than the 2007 Final Report recommended. The AGB anticipated that for Initial Evaluation at least, all applications would be completed and published in a timeframe of five months, unless the number of applications exceeded 500, in which case the AGB called for a secondary time stamp mechanism in order to establish batches for evaluation and subsequent application processing steps.

In the 2012 New gTLD round, 1930 complete applications were received, greatly exceeding 500 applications, and thus requiring the establishment of batches as dictated in the AGB. The initial secondary time stamp mechanism was digital archery, which was suspended due to applicants' reports of inaccuracies and inconsistencies within the system¹. The use of a random selection mechanism was considered by the community but was decided against as there was the possibility of violating California lottery laws. ICANN ultimately ended up utilizing a prioritization draw to establish the application processing order². The method was selected after consultation with the community and was intended to support the principles of reliability and equitability. The order would affect evaluation, release of results, and other subsequent steps of the process.

It should also be noted that in the 2012 round of the New gTLD Program, IDN strings were batched first.

- 4.2.12.2 *Questions and Concerns Related to Subject*

The DG Members noted that the secondary time-stamp process, as described in the AGB, was not developed or operationalized prior to the launch of the program. They were particularly concerned with the digital archery method, which was later cancelled after the community discovered inaccuracies and errors. The prioritization draw did not elicit specific comment, but members had comments regarding how processing took place after the order was established. Some members observed that applications with lower priority numbers seemed to be processed ahead of those with higher numbers, though these observations appeared anecdotal.

¹ Announcement cancelling digital archery: <https://www.icann.org/news/announcement-2012-06-23-en>

² Announcement regarding prioritization draw: <https://www.icann.org/news/announcement-2-2012-10-10-en>

Establishing an order for processing allowed for applicants and the rest of the community to have certainty and predictability in the evaluation process. However, having the order established through a random measure introduces operational inefficiencies, as evaluators are less able to build in economies of scale when for instance, a number of applications might be using the same back-end provider, or a single applicant has submitted numerous, essentially identical applications. The prioritization draw as such, emphasizes fairness, by way of randomness, over efficiency.

As noted above, the AGB implementation, and the subsequent operationalization, did not follow the guidance in the 2007 Final Report that recommended first come first served processing scheduling. There were a number of reasons for implementing a different processing methodology, as first come first served introduces a number of potential issues, including:

- Applicants rushing to complete applications, possibly forsaking quality
- Favoring applicants most familiar with the process and requirements
- Favoring applicants who are located closer to ICANN's servers
- Creating the possibility of a self-inflicted distributed denial of service attack as applicants rush to click the submit button first

A potential PDP-WG on New gTLD Subsequent Procedures may want to deliberate on a different application processing methodology, although care should be taken in considering the impact on other areas of the program. For instance if first come first served was strictly observed, would this have an impact on the need for string contention resolution? Changes as a result of deliberations regarding section 4.2.7 on Application Rounds should also be taken into consideration and the questions/concerns posed in this section may be relevant to that discussion.

- *4.2.12.3 Relevant Guidance*
 - Implementation Guideline D
 - "Use of a Drawing for Prioritizing New gTLD Applications" plan - <https://www.icann.org/news/announcement-2-2012-10-10-en>
- *4.2.12.4 Rationale for Policy Development*

The aspect of the 2007 Final Report that provided guidance was Implementation Guideline D, though after community consultation, this guidance was not followed in implementation or operationalization. As such, a potential PDP-WG on New gTLD Subsequent Procedures may want to consider modifying the existing language to codify the actual implementation, if the PDP-WG were to agree with the implementation. Else, if a new methodology were recommended, it may require new policy development or implementation guidance.