CCT-RT Recommendations

New gTLD Subsequent Procedures Working Group | 28 March 2017

Macro Questions/Suggestions

Is it expected that the PDP WG would accept the recommendations in a strict sense?

Can alternative mechanisms/policies be recommended that would seem to meet the spirit of the CCT-RT recommendations?

Or is the obligation more limited, in that the PDP WG MUST consider the recommendation but could end up with a conflicting outcome?

Depending on these expectations, the usage of words like "should", "must", "may", etc. may need more precision in their usage.

Where there are recommendations aimed at multiple parties, in the case that parts of the recommendation are only aimed at a subset of those parties, it should be made more precise (e.g., a data collection directive aimed at ICANN org).

Recommendation 10

To: New gTLD Subsequent Procedures PDP WG and/or Rights Protection Mechanisms PDP WG

Recommendation: The ICANN community should consider whether the costs related to defensive registration for the small number of brands registering a large number of domains can be reduced.

Prerequisite or Priority Level: Prerequisite

Subpro PDP WG:
While debate remains as to which PDP (i.e., RPMs or SubPro) should consider, the recommendation is otherwise understood.

Recommendation 14

To: New gTLD Subsequent Procedures PDP WG

Recommendation: Create incentives to encourage gTLD registries to meet user expectations regarding (1) the relationship of content of a gTLD to its name; (2) restrictions as to who can register a domain name in certain gTLDs based upon implied messages of trust conveyed by the name of its gTLDs (particularly in sensitive or regulated industries); and (3) the safety and security of users' personal and sensitive information (including health and financial information).

Prerequisite or Priority Level: Prerequisite (incentives could be implemented as part of the application process)

Subpro PDP WG:
- Can "user expectations" be defined?
- More context about the rationale for encouraging "content" (e.g., the meaning of the string) to match the TLD's understood purpose would be helpful.

Recommendation 33

To: ICANN organization, PDP WG, and future CCT Review Teams

Recommendation: Collect data comparing subjective and objective trustworthiness of new gTLDs with restrictions on registration, to new gTLDs with few or no restrictions.

Prerequisite or Priority Level: High

Subpro PDP WG:
- The assumption is that the data collection directive is aimed at ICANN org. If that's the case, having the data collection completed and made available to the SubPro PDP before the WG concludes its work seems to not line up from a timing perspective.
- While this seems to be challenging data to collect, it's otherwise understood.

Recommendation 34

To: ICANN organization, PDP WG, and future CCT Review Teams

Recommendation: Repeat and refine DNS Abuse Study to determine whether the presence of additional registration restrictions correlate to a decrease in abuse in new gTLDs, and as compared to new gTLDs that lack registration restrictions, and as compared to legacy TLDs.

Prerequisite or Priority Level: High

Subpro PDP WG :
- The assumption is that the data collection directive is aimed at ICANN org. If that's the case, having the data collection completed and made available to the SubPro PDP before the WG concludes its work seems to not line up from a timing perspective.
- While this seems to be challenging data to collect, it's otherwise understood.
Is it expected that the PDP WG would accept the recommendations in a strict sense? Can alternative mechanisms/policies be recommended that would seem to meet the spirit of the CCT-RT recommendations? Or is the obligation more limited, in that the PDP WG MUST consider the recommendation but could end up with a conflicting outcome?

Recommendation 35

To: ICANN organization, PDP WG, and future CCT Review Teams

Recommendation: Collect data on costs and benefits of implementing various registration restrictions, including the impact on compliance costs and costs for registries, registrars and registrants. One source of this data might be existing gTLDs (for example, for verification and validation restrictions, we could look to those new gTLDs that have voluntarily included verification and validation requirements to get a sense of the costs involved).

Prerequisite or Priority Level: High

Subpro PDP WG :
- The assumption is that the data collection directive is aimed at ICANN org. If that's the case, having the data collection completed and made available to the SubPro PDP before the WG concludes its work seems to not line up from a timing perspective.
- While this seems to be challenging data to collect, it's otherwise understood.
Is it expected that the PDP WG would accept the recommendations in a strict sense? Can alternative mechanisms/policies be recommended that would seem to meet the spirit of the CCT-RT recommendations? Or is the obligation more limited, in that the PDP WG MUST consider the recommendation but could end up with a conflicting outcome?

Recommendation 36

To: ICANN organization, PDP WG, and future CCT Review Teams

Recommendation: Gather public comments on the impact of new gTLD registration restrictions on competition to include whether restrictions have created undue preferences.

Prerequisite or Priority Level: High

Subpro PDP WG:
More clarity around what "undue" preferences means. More clarity around how those "undue" preferences impact competition.

Recommendation 38

To: ICANN organization and New gTLD Subsequent Procedures PDP WG

Recommendation: Future gTLD applicants should state the goals of each of their voluntary PICs. The intended purpose is not discernible for many voluntary PICs, making it difficult to evaluate effectiveness.

Prerequisite or Priority Level: Prerequisite

Subpro PDP WG:
Understood

Recommendation 39

To: New gTLD Subsequent Procedures PDP WG

Recommendation: All voluntary PICs should be submitted during the application process such that there is sufficient opportunity for Governmental Advisory Committee (GAC) review and time to meet the deadlines for community and limited public interest objections.

Prerequisite or Priority Level: Prerequisite

Subpro PDP WG:
Would this prevent the inclusion of voluntary PICs after application submission?

Recommendation 43

To: New gTLD Subsequent Procedures PDP WG

Recommendation: Set objectives for applications from the Global South. The Subsequent Procedures Working Group needs to establish clear measurable goals for the Global South in terms of number of applications and even number of delegated strings. This effort should include a definition of the "Global South."

Prerequisite or Priority Level: Prerequisite – objectives must be set.

Subpro PDP WG:
Could goals for the Global South extend beyond just numbers of applicants and delegated strings?

Recommendation 46

To: New gTLD Subsequent Procedures PDP WG

Recommendation: Revisit the Applicant Financial Support Program. The total cost of applying for a new gTLD string far exceeds the $185K application fee. Beyond efforts to reduce the application fee for all applicants, efforts should be made to further reduce the overall cost of application, including additional subsidies and dedicated support for underserved communities.

Prerequisite or Priority Level: Prerequisite

Subpro PDP WG:
- There appears to be inconsistent terminology. Are "underserved communities" the same as the "Global South"?
- Would this recommendation pertain to operating costs or just the costs of applying?

Recommendation 47

To: New gTLD Subsequent Procedures PDP WG, GAC, ICANN organization

Recommendation: As required by the October 2016 Bylaws, GAC consensus advice to the Board regarding gTLDs should also be clearly enunciated, actionable, and accompanied by a rationale, permitting the Board to determine how to apply that advice. ICANN should provide a template to the GAC for advice related to specific TLDs, in order to provide a structure that includes all of these elements. In addition to providing a template, the Applicant Guidebook (AGB) should clarify the process and timelines by which GAC advice is expected for specific TLDs.

Prerequisite or Priority Level: Prerequisite

Subpro PDP WG:
Which part of this recommendation is directed at the SubPro WG?

To: New gTLD Subsequent Procedures PDP WG

Recommendation: A thorough review of the procedures and objectives for community-based applications should be carried out and improvements made to address and correct the concerns raised before a new gTLD application process is launched. Revisions or adjustments should be clearly reflected in an updated version of the 2012 AGB.

Prerequisite or Priority Level: Prerequisite

Subpro PDP WG:
Already being considered - no questions at this time.

Recommendation 49

To: New gTLD Subsequent Procedures PDP WG

Recommendation: The Subsequent Procedures PDP should consider adopting new policies to avoid the potential for inconsistent results in string confusion objections. In particular, the PDP should consider the following possibilities:

1) Determining through the initial string similarity review process that singular and plural versions of the same gTLD string should not be delegated
2) Avoiding disparities in similar disputes by ensuring that all similar cases of plural versus singular strings are examined by the same expert panelist
3) Introducing a post dispute resolution panel review mechanism

Prerequisite or Priority Level: Prerequisite

Subpro PDP WG:
Already being considered - no questions at this time.

Recommendation 50

To: New gTLD Subsequent Procedures PDP WG

Recommendation: A thorough review of the results of dispute resolutions on all objections should be carried out prior to the next CCT review.

Prerequisite or Priority Level: Low

Subpro PDP WG:
Given priority level of this recommendation (e.g., SubPro WG might have completed its work), this recommendation may need to be directed at a different party.