Cross-Community Session
Geographic Names at the Top-Level

ICANN59

27 June 2017

Welcome

Avri Doria + **Jeff Neuman**

New gTLD
Subsequent Procedures
PDP WG **Co-Chairs**

David Fairman (moderator)
+ **Julia Golomb**

Consensus Building Institute

Agenda

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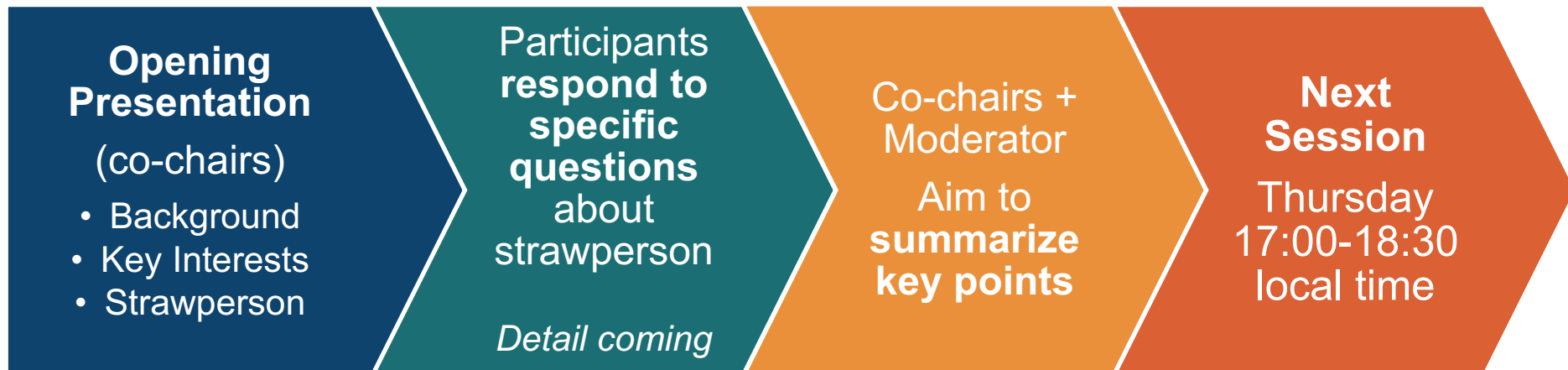
5 Summary of Key Points

6 Next Steps

Ground Rules

➢ **Sole focus**: Geographic names at the **top-level**

➢ Moderator seeking **comments from constituencies across the community**, to promote robust + balanced discussion

Process

Opening Presentation (co-chairs) • Background • Key Interests • Strawperson	Participants **respond to specific questions** about strawperson *Detail coming*	Co-chairs + Moderator Aim to **summarize key points**	**Next Session** Thursday 17:00-18:30 local time

Session Background

Agenda Item 2

Brief History

➢ **2007:** GNSO recommended that geographic names be protected via objection mechanisms - and therefore not reserved

Sole exception: all two letters were reserved for ccTLDs

➢ Because of community concerns, the Board decided on different measures in Applicant Guidebook (AGB):

- **Country** + **territory names** prevented from registration
- **Geographic names** (as defined in AGB) require support/non-objection

➢ In application process, confusion and disputes arose over strings considered by some to be geographic, though not referenced in the AGB; and there was no agreed way to resolve these disputes.

Current

➤ **Parallel efforts** within community working on geo names, with different focus + scope; CCWG recently concluded without reaching agreement.

➤ Recognizing the parallel efforts + divergent views in the community, New gTLD Subsequent Procedures PDP WG co-chairs are **seeking to consolidate work + collaborate with the community to reach a consensus solution**.

- Topic in PDP WG **charter** -- no work done to date independently
- Organized two **webinars** as pre-cursor to these cross-community sessions.
- Will **ensure that all voices are heard** as policy recommendations are developed for geographic names.

➤ PDP WG driven by the **goal of creating a fair, predictable process** for allocating strings that match geographically significant terms

➤ **Without consensus** for change, **high risk of continued confusion and disputes, with unpredictable results**

Key Criteria to Consider in the PDP

Stakeholder Interests + Concerns

Governments

- Protect **national identity** + important **subnational** places
- **Avoid confusion** between government/national TLDs and gTLDs
- Maintain **consent/non-objection authority** on important strings

ccTLDs

- **Avoid confusion** with ccTLDs
- Maintain **market for ccTLDs**

geo gTLDs (current and potential)

- Expand range of **potentially available geo names** to support geographically identified groups + uses
- Maintain **positive relationships with governments**
- Ensure a **clear, fair, predictable + timely decision-making process**

Stakeholder Interests + Concerns (cont.)

gTLDs

- Expand **range of potentially available strings** that could be valuable for non-geographic commercial + non-commercial users
- Ensure a **clear, fair, predictable + timely decision making process**

Brand TLDs

- **Enable, protect and use strings** that support brand identity, including those that coincidentally match geographically significant terms
- Ensure a **clear, fair, predictable and timely decision making process**

Goals for Session

**Develop
elements of a
broadly-supported
solution**
for geographic names
in subsequent New
gTLD procedures

**Clarify
the process post-
Johannesburg**
for addressing + resolving
outstanding issues

Co-Chairs' Strawperson Introduction

Agenda Item 3

Introduction

- From past conversations in the community on geographic names + as evidenced by the webinar, there are **divergent views within the community** on how geographic names at the top-level should be addressed.

- The PDP WG Co-Chairs wanted to see **what a compromise solution, that reflects in large part the proposals + observations from the geo names webinars**, <u>could</u> look like.

- This is <u>not</u> the PDP WG Co-Chairs' proposal; it is a **strawperson intended to promote conversation** + hopefully pave the way to a compromise solution.

Strawperson

Unchanged Elements from 2012 AGB

⊙ **2-char ASCII** not allowed

⊙ **Country and territory names (on ISO lists)** not allowed

⊙ **Capital city names of countries or territories** require support or non-objection

⊙ **City names used in geographic capacity** require support or non-objection

⊙ **UNESCO regions** require support or non-objection from at least 60% of respective national governments

Strawperson (cont.)

<u>These elements of the 2012 AGB would change:</u>

- ⊙ Applications for all **three character strings** (including those that match ISO 3166-1 alpha-3 codes) would be allowed

  - *Unless* the applicant desires to use the three character string that matches one contained in the ISO 3166-1 alpha-3 code in its geographic capacity.

  - *If* the string is contained within the **Repository of Geographic Names ("RGN" described subsequently)**, then provisions related to the RGN apply.

- ⊙ Applications for strings that exactly match a **sub-national place name on the ISO 3166-2 list** (county, province, state) would be allowed

  - *Unless* the applicant desires to use the string in its geographic capacity; in which case, the process set forth in Section 2.2.1.4.2 of the Applicant Guidebook would apply.

  - *If* the string is contained within the RGN (described subsequently), then provisions related to the RGN apply.

Strawperson (cont.)

Repository of Geographical Names (RGN)

- Any government can add term as long as there is **basis to protect** under government's existing law.

- **Applicants would consult RGN prior to applying.**

- **If there is an exact match + Applicants intend to:**
    - *Use geographically* - <u>Must</u> get letter of consent/non-objection
    - <u>*Not*</u> *use geographically* - Get letter of consent/non-objection <u>***or***</u> submit a **Geo-PIC** (states that Applicant will not use TLD in a manner that falsely suggests to the public that connection exists with geo term. Geo-PIC included in Registry Agreement and enforceable by Contractual Compliance and via post-delegation DRP).

Strawperson (cont.)

Repository of Geographical Names (RGN)

If government believes Geo-PIC is inadequate:

1. **Formal mediation** *(involving ICANN as observer)* to seek additional or different measures, which could result in amendments to application.

2. **If agreement cannot be reached**, hearing from a geographic names panel of experts to:

   - Determine if proposed use may mislead public to assume connection between TLD and geo term

   - Recommend any additional measures to address concerns

   - *Absent extraordinary circumstances, additional measures shall not include blocking the TLD's delegation*

Facilitated Discussion With Audience

Agenda Item 4

Discussion Ground Rules

We hope we will all be:

Curious about where the conversation will go

As eager to listen as to speak

Open to hearing things we doubt or disagree with, without immediately reacting

Motivated to suggest possibilities that might work for ourselves and for others

Able to suspend the need to be right

Discussion Ground Rules

Process:

- Moderator will ask questions about the strawperson; please respond to the questions.

- General statements about the geo names issue may be entered in the on-line chat for this session

- Moderator may intervene to clarify whether the intervention is focused on the question at hand.

- Please do not repeat responses made by others except to endorse very briefly. Moderator may intervene on repetitive responses.

- At the end of the session, co-chairs and moderator will aim to summarize key points

Discussion Questions

We will have time for approximately 15 minutes, or 8-10 interventions, on each of the following questions.

Again, we ask that you respond directly to the question, and not make general or repetitive statements.

Questions:

1. **What are the primary strengths of the strawperson?**

2. **What elements of the strawperson seem unclear or problematic?**

3. **In light of responses to the first two questions, what could be done to make the strawperson more responsive to the full range of interests and concerns that have been expressed?**

4. **How can the PDP process on these issues be managed to maximize the chances for community consensus?**

Q1: What are the primary strengths of the Strawperson?

- ⊙ Insert input here

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⊙ Insert input here

Q2: What elements seem unclear or problematic?

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- ⊙ Insert input here

Q3: In light of first 2 Qs, what could be done to make the strawperson the more responsive to the full range of interests + concerns expressed?

- ⊙ Insert input here

Q3: In light of first 2 Qs, what could be done to make the strawperson the more responsive to the full range of interests + concerns expressed?

⊙ Insert input here

Q4: How can the PDP process on these issues be managed to maximize the chances for community consensus?

- ⊙ Insert input here

Summary of Key Points

Agenda Item 5

Summary of Key Points

⊙ Insert key points here

Next Steps

Agenda Item 6

Opportunities for further input

Tomorrow: "open comment hours"
- Please come to **Boardroom 4** to give further input
  - 0900 - 1200 and 1400 - 1700

Thursday: second Cross Community session
- Please come to Ballroom 1
  - 1515 – 1830

Email: opportunity to comment at geo-names-session@icann.org

After ICANN59
- PDP co-chairs will propose a way forward, with a specific mechanism for cross-community participation in the PDP