



Track 1

Sara Bockey & Christa Taylor | July 25, 2017

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CC2 Review – Application Submission Period

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?

More data needed prior to any Rounds or FCFS to determine benefit or harm caused to internet by further gTLD expansion (ALAC)

CONCERNS:

Continuous would be treated as FCFS & disadvantage some (GAC)
Need to take impact on ICANN staff into consideration, time to evaluate apps (BC)

Rounds followed by evaluation periods instead of continuous. Application period for 3 mos, w/adequate notice (8 months), presuming ABG2 is settled. Occur regularly on defined basis to be predictable.

Continuous app system, w/publication & holding period to allow rivals to apply. Perhaps a hybrid – window then rolling to ease demand

CC2 Review – Application Submission Period

Excerpts:

Support for rounds with sufficient advance notice:

Sample excerpts:

“4 (four) months is sufficient, provided ICANN announces the opening of the application window at least 8 (eight) months in advance” – Jannik Skou

“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.” – Nominet

“Yes, 3 months is a reasonable application window, as long as ICANN provides reasonable notice (at least 2 months) before the application window opens.” – BRG

“The three months window provided for the current round with adequate notice appears to have worked well.” GAC UK

Process should occur regularly to provide predictability:

“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

“This (application window) 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

“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.” - BC

Support for a continuous application system:

“We suggest a continuously available application system, eliminating the need for rounds entirely.” – Demys

“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.” - RySG

CC2 Review – Application Submission Period

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?

Less concern with rounds or continuous process and more concern re potential harm to Internet users by proliferation of gTLDs (ALAC)

Application window timeline set for predictability, with post application to delegation steps running in parallel with any subsequent window. Continue this process until a continuous application process is adopted.

Applicants in the next round (regardless whether delegated or not) have priority over additional/subsequent round applicants.

Lead-up rounds should closely reflect end-goal of continuous application process. Rounds should be a means of refining the continuous application process.

CC2 Review – Application Submission Period

Excerpts

Support for priority to first applicants:

“Applicants in the next round (regardless whether delegated or not) have priority over additional/subsequent round applicants.” – Jannik Skou

Support for establishing a predictable timeline:

“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

“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

Process should reflect end-goal of continuous application window:

“The strategic goal for future applications should be the implementation of a continuous process on a first-come, first-served basis.” – RySG

“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.” – Afiliias

“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

CC2 Review – Application Submission Period

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?

Applicant Support needs to be addressed separately and prior to any new round.

If process is more predictable, impact should have limited to no impact on Applicant Support

No impact if sufficient notice given prior to application period, including education and awareness

CC2 Review – Application Submission Period

Excerpts:

Application Support is a separate issue:

“Applicant Support programs should be addressed separately and prior to any “rounds.”” – Afilius

Submission period must be predictable:

“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

“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.” – Jannik Skou

“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

Education and awareness is key:

“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

“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

“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

CC2 Review – Application Queuing 1.7.1

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?

In support of the prioritization draw: Nominet, GAC UK, and RySG, and Jannik Skou

- ✓ “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!” -- Nominet
- ✓ “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.” – GAC UK

CC2 Review – Application Queuing 1.7.1

- ✓ “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
- ✓ “Prioritization Draw is fair and works.” – Jannik Skou (staff note: quote is from response to 1.7.2)

CC2 Review – Application Queuing 1.7.1

- John Poole **opposes** prioritization draw.

“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.”

– John Poole

Nominet and RySG emphasized the **importance of predictability.**

- “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
- “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.” -- RySG

CC2 Review – Application Queuing 1.7.1

Prioritization aspects in developing recommendations but without limiting the implementation to a draw (for instance, the legal environment won't allow for a repeated 'lottery' type of license:

- Prioritization draws are focused on the order in which applications are managed throughout the gTLD process but not in the timing of when the applicant receives the TLD
- The mechanism will rely on randomization
- It will meet the legal laws of California and ICANN's not-for-profit status
- The mechanism will be operationally optimized

CC2 Review – Application Queuing 1.7.2

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?

In support of prioritization of specific application types: Jannik Skou, Nominet, ALAC, Demys, and GAC UK

- ✓ “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
- ✓ “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

CC2 Review – Application Queuing 1.7.2

- ✓ “Applicants asking for **Applicant Support and community evaluation** be given priority.” – ALAC
- ✓ “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 (staff note: quote is from response to 1.7.1)
- ✓ “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.” – GAC UK

CC2 Review – Application Queuing 1.7.2

Afilias and RySG and John Poole do not favor prioritization of specific application types.

- “The implementation of a continuous period obviates the need for queuing. Else, randomization with no prioritization of categories is clear and fair.” -- Afilias
- “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

BRG suggested grouping applications by common characteristics.

- “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. . .” -
- BRG (staff note: see full text for examples and additional detail)

Next Meeting

Thank-you for your Time and Thoughts!

Next Meeting:

Tuesday, August 8, 2017 at 3:00 UTC