

Recommendation 33

Recommendation	To	Prerequisite or Priority Level
Recommendation 33. Collect data comparing subjective and objective trustworthiness of new gTLDs with restrictions on registration, to new gTLDs with few or no restrictions.	ICANN Org PDP Working Group and Future CCT Review Teams	Prerequisite

Rationale/Related Findings

The ICANN Global surveys indicated that the public expects some restrictions about who can purchase domain names and trusts that restrictions will be enforced¹. The survey results also indicated that the presence of such restrictions contributed to consumer trust².

Success Measures:

A success measure would be data that informs ICANN policy on registration restrictions. Those applicants choosing to apply for gTLDs with restrictions would have a better basis for the decision to do so. This data may also assist ICANN Organisation to embed some basic restrictions if this would be seen to enhance trust worthiness in the gTLD space.

Public Comments Summary:

Public Comment Feedback/Community Reactions

- 4 in favor
- 3 against
- 2 neutral

¹ Nielsen, *Consumer Research Wave 2* (2016), pp.9, 13, 26-27, 65; Nielsen, *Registrant Survey Wave 2* (2016), pp. 14, 18, 30, 68.

² Nielsen, *Consumer Research* (2015), pp. .9, 26; Nielsen, *Consumer Research Wave 2* (2016), pp. 9, 13, 26.

- 13 no indication of stance/silent
- Total: 22 submissions.

Stakeholder Group/Commenter	Support/Against	Other notes
<p>New gTLD Subsequent Procedures Policy Development Process Working Group</p>	<p>Clarify which parts of this recommendation are aimed at each target audience, as this will impact feasibility from an implementation perspective. In particular, members of the CCT-RT explained that high priority items target an 18-month timeframe. Recommendation has been assigned a high priority level. If data collection directives are targeted at the ICANN organization, it may not be feasible from a timing perspective for the ICANN organization to complete data collection and share with the WG for analysis and action before the WG concludes. Provide a more targeted definition of trustworthiness for the purposes of this recommendation? A specific definition will support appropriate data collection and analysis.</p>	<p>n/a</p>
<p>Registries Stakeholder Group</p>	<p>We suggest removing recommendation 33, for several reasons: - The RT provides no rationale for this recommendation. It is therefore unclear what its reasoning is regarding necessity and the designated high priority level. Without a known desired outcome for use of the data, the recommendation cannot be supported. - Subjectivity, in general, is not helpful in formulating potential future policy. Everyone has a subjective opinion, and quarters of the community are known for importing, or attempting to import, subjectivity into policymaking without supporting facts or data. - The comparison—or the question that prompts it—very likely presumes that respondents (whomever they are—the recommendation 21/34 doesn't specify) will believe that registration restrictions make a gTLD "safer" than those with no restrictions. This apparently already is borne out in previous survey results. There is a danger of resulting community bias—either as it applies to the gTLDs from the 2012 round or future rounds—that gTLDs with restrictions are somehow preferable as a business model, and therefore restrictions could be imposed where, in reality, none are warranted.</p>	<p>n/a</p>
<p>Verified Top-Level Domains Consortium</p>	<p>Studies would provide valuable insight to the internet community. Data derived from the study would help to inform decisions regarding future rounds and the operation of gTLDs in highly regulated sectors. Resources required to administer surveys must be considered. More information regarding the scope and costs of these types of potentially useful surveys would be appreciated. In setting policy for new gTLDs, the Consortium believes subsequent procedures for new gTLDs should require a registry to operate as a vTLD if it: 1. is linked to regulated or professional sectors; 2. is likely to invoke a level of implied trust from consumers; or 3. has implications for consumer safety and wellbeing.</p>	<p>1</p>

Stakeholder Group/Commenter	Support/Against	Other notes
ICANN Business Constituency	<p>ICANN Business Constituency ranks this recommendation as Very Important - Abuse Mitigation</p> <p>Recommendations 25 -36 relate to Restricted gTLDs. Historically, some restricted gTLDs have removed their restrictions and become open gTLDs. Brand owners have found that the restrictions of new gTLDs operators may prevent registrations of trademarked terms by the Brand owner – while allowing 3rd parties to register without having a right to the trademarked term. This occurred in restricted new gTLDs that required membership to an association or industry or a specific geographical location.</p>	<p>1</p>
Governmental Advisory Committee	<p>The GAC supports these recommendations in calling for the additional collection of data; repeating and refining the DNS abuse Study and attaining public comments on the impact of new gTLD registration restrictions on competition. With that, the GAC notes its public policy interest in ICANN (through its new gTLD program) further engendering trust and confidence in the DNS while doing so in an informed manner, cognizant of any potential/known impacts on competition.</p>	<p>1</p>
Com Laude & Valideus	<p>We agree with the questions and information gaps the CCTRT identifies with respect to Safeguards for Highly Regulated Strings and broadly agree with its recommendations regarding desired data gathering to inform conclusions about the effectiveness of measures introduced to deal with such strings.</p>	<p>1</p>
Non-Commercial Stakeholders Group	<p>The Review Team directs actions, studies, data collection, and review to GNSO PDP Working Groups that are already on very tight schedules, and may have already moved past the issues being considered by the time the final recommendations are issued in the final report. We ask the Review Team to clarify that the GNSO Council and its officers remain in charge of the PDP WG, and that the Review Team is not seeking to delay current WG schedules, direct WG work, handle, or manage the GNSO's Working Group process. (See e.g. Recommendation 34 (studies), Recommendation 35 (data collection) and Recommendation 36 (public comments) that provide directions directly to GNSO PDP Working Groups bypassing the GNSO Council and the Multistakeholder process.) They should be deleted or rewritten as advisory, in case the WG has passed the topic, chosen to allocate its data gathering resources differently or received other input from its outreach and comment requests.</p>	<p>n/a</p>
ICANN Organization	<p>This recommendation does not provide recommendation as to what is expected from ICANN organization and other stakeholders. For clarity, it would be helpful if the CCTRT can specify what is expected of ICANN organization and each of the stakeholders mentioned in these recommendations.</p> <p>Although data for registrants' preferences for types of TLDs (i.e., geographic) can provide insight into choice and trust, it's unclear how registrants' preferences for particular TLDs inform the extent to which the expansion of gTLDs has promoted competition, consumer trust and consumer choice. It would be helpful if the CCTRT could clarify to ensure that appropriate analyses could be performed to inform future CCTRT discussions.</p> <p>Implementation, cost, resource, and timing estimate: Implementation of these recommendations could entail repeating the registrant survey and including additional questions to address new requirements from these recommendations. This survey is estimated to cost USD 150,000. Resource requirement is estimated at 0.5 FTE. Estimated timeline for implementation, including report generation is 6 months.</p>	<p>n/a</p>

Stakeholder Group/Commenter	Support/Against	Other notes
	<p>Ongoing cost and resource estimate: USD 150,000 and 0.5 FTE for each iteration of the report.</p> <p>This is another area where the recommendations overlap with activities of the gTLD Marketplace Index. It would be helpful to understand how the CCTRT sees these recommendations aligning with the gTLD Marketplace Index effort. Would the CCTRT consider folding these recommendations into a common set of metrics that may be collected and analyzed via this ongoing effort?</p>	
Neustar, Inc.	This recommendation assumes consumer awareness of restrictions and trust levels, and has limited practical utility. How 'objective trustworthiness' will be defined and measured is of particular interest, given the ambiguity of the term and lack of specificity in the recommendation.	n/a

Revised Recommendation 33

Recommendation	To	Prerequisite or Priority Level
Recommendation 33. Collect data on consumers level of perceived trustworthiness of new gTLDs with restrictions on registration compared to new gTLDs with few or no restrictions	ICANN Org PDP Working Group and Future CCT Review Teams	Prerequisite

Formatted Table

Comment [G1]: Based on the public comments, it would seem that commenters take issue with the phrase subjective as they feel it may be open to bias.