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COMMUNITY FORUM

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New gTLD Subsequent Procedures PDP Working Group

Meeting with the ALAC on Geographic Names/WT5, Community Applications, Applicant Support, and Application Fees

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Agenda

1) Geographic Names/WT5
2) Community Applications
3) Applicant Support
4) Application Fees

Geographic Names

Work Track 5

Geographic Names – Work Track 5 (1/2)

⊙ Issue:

- ⊙ In the 2012 round, certain geographic strings were "reserved" and not available for delegation.

- ⊙ For other types of geographic names in the 2012 round, applicants needed support or non-objection of relevant government authorities to apply for the string.

- ⊙ For some applications, there were different perspectives about whether an application should be permitted to go forward.

- ⊙ Work Track 5 is focused on making recommendations about the treatment of geographic names at the top level in subsequent procedures.

- ⊙ Shared leadership model with co-leaders from ALAC, ccNSO, GAC, and GNSO.

⊙ Current Status:

- ⊙ Completed Terms of Reference document.

- ⊙ Held a webinar on the history of geographic names at the top level.

Geographic Names – Work Track 5 (2/2)

- ⊙ The WT is currently discussing the following for geographic names that received specific treatment in the 2012 round:

  A. Is it a valid geographic term for the purposes of new gTLDs?

  B. What were the positive impact/merits based on the treatment applied to the term in the AGB?

  C. What were the negative impact/opportunities lost based on the treatment applied to the term in the AGB?

Community Applications
Work Track 3

Community Applications – Work Track 3 (1/2)

- ⊙ Issue:
  - ○ Concerns about Community Priority Evaluation (CPE) results – specifically about the strictness of the criteria and the way they were interpreted by the evaluators
  - ○ Concerns about the CPE process and level of transparency (note, ICANN Board resolved on 17 Sept 2016 that ICANN undertake independent review of CPE process)

- ⊙ Current Status:
  - ○ WT has considered a number of available resources (e.g., Council of Europe report, data on outcomes of CPE in 2012, GAC Advice, etc.) and sought input from members of the Joint SO/AC New gTLD Applicant Support Working Group.
  - ○ Developed a set of draft recommendations and questions for community input to include in the Initial Report.

Community Applications – Work Track 3 (2/2)

- ⊙ Preliminary Recommendations / Implementation Guidance:

  - ○ Increase the transparency and predictability in the application process.
  - ○ Applications should be evaluated in a shorter time period.
  - ○ Evaluation procedures should be developed BEFORE the application process opens.
  - ○ Need opportunity for dialogue and clarifying questions in CPE process.
  - ○ Less restrictive word count for communities to engage in clarifying and providing information.

- ⊙ Questions for Community Input:

  - ○ How would you define "community" for the purposes of community-based applications in the New gTLD Program?
  - ○ What attributes are appropriate?
  - ○ Should community-based applications receive any differential treatment beyond the chance to participate in CPE, in the event of string contention?
  - ○ Should additional outcomes beyond awarding the TLD be considered for CPE?
  - ○ What specific changes to the CPE criteria should be considered, if the mechanism is maintained?

Applicant Support

Work Track 1

Applicant Support – Work Track 1 (1/3)

- ◉ Issue:
  - ○ Lack of utilization of the Applicant Support Program (ASP): During the 2012 round, only 3 applicants for ASP, 1 meeting criteria
  - ○ The WG has identified a number of possible causes for lack of ASP use: Criteria is configured improperly, program made available too late, outreach efforts not executed well, and lack of holistic support (e.g., beyond financial)

- ◉ Current Status:
  - ○ Discussed support beyond financial (e.g., mentoring, technical support, capacity building, annual ICANN fee relief, etc.)
  - ○ Some consideration of expanding ASP to the "middle applicant," or in other words struggling regions that are further along in their development compared to underserved or underdeveloped regions.
  - ○ Struggling regions extended beyond economies classified by the United Nations. Disadvantaged communities exist within wealthy countries and should not be excluded.

Applicant Support – Work Track 1 (2/3)

- ⊙ Current Status, continued:
  - ○ Noted concerns with rule that resulted in ASP candidates potentially losing initial fees
  - ○ Allow application who do not qualify, the opportunity to raise the additional funds and transfer to the standard application process
  - ○ Some noted that the business model (e.g., RO targeting applicants in underserved/underdeveloped regions) could be a factor for consideration
  - ○ Broad support for expanding outreach through local partners, GSE, leveraging existing workshops/conferences, etc.
  - ○ Stemming from the AM Global Report, WG acknowledged that possible ASP candidates may not see business case or environment is simply not ready to support a registry

Applicant Support – Work Track 1 (3/3)

- ◉ Questions:
  - ○ Metrics: How do we measure success? Number of applications: consideration vs. actual applications applied for, business plan, financial sustainability, interest, sufficient time to make an informed decision?
  - ○ Evaluation criteria if there are more applicants than funds, ideas: dispersed by region, number of points earned in the evaluation process, type of application, communities represented, other?
  - ○ Other elements – did we provide the right tools?
  - ○ How can we best provide locally available consulting resources?
  - ○ How to improve the learning curve – ideas beyond mentorship?
  - ○ Do we want to keep the potential penalization to applicants who may try to game the system?
  - ○ String contention resolution and auction considerations – should there be special considerations?

Application Fees

Work Track 1

Application Fees – Work Track 1 (1/3)

- ⊙ Issue:
  - ○ The New gTLD Program was designed to be revenue neutral, but in the 2012 round, the program was new and it was difficult to predict costs and the number of applications that would be received.
    - Is the costing methodology still appropriate going forward?
    - How should the investment in systems and other multi-round assets be allocated?

- ⊙ Current Status:
  - ○ The Work Track has extensively discussed application fees, including costing models.
  - ○ Developed a set of draft recommendations and questions for community input to include in the Initial Report.
    - Proposed "cost floor"
    - Factors that should be taken into account in calculating fees
    - When to refund excess fees versus use in excess fee distributions

Application Fees – Work Track 1 (2/3)

- ⊙ Current Status – continued:

  - Potential uses of excess fees:
    - – Support general outreach
    - – Support the gTLD program
    - – Application Support Program
    - – Top-up any shortfall in the segregated contingency fund

- ⊙ Questions:
  - ○ Should there be different fees by type of application if the difference is material? How would you define material – a percentage of the application fee or a set amount?
  - ○ What happens if the revenue-cost neutral amount results in a refund that is greater than the floor value? Should only the difference between the cost floor and actual costs be refunded? Should there be a minimum amount for this to come into effect?
  - ○ Considerations/implications if we move to continuous rounds?