



# Work Track 5 – Geographic Names

16 May 2018

# Agenda 1 Slide

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Welcome/Agenda  
Review/SOI  
Updates

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Administration /  
Capturing and  
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AOB

**Welcome / Agenda Review /  
SOI Updates  
Agenda Item #1**



# Administration / Capturing and managing input Agenda Item #2

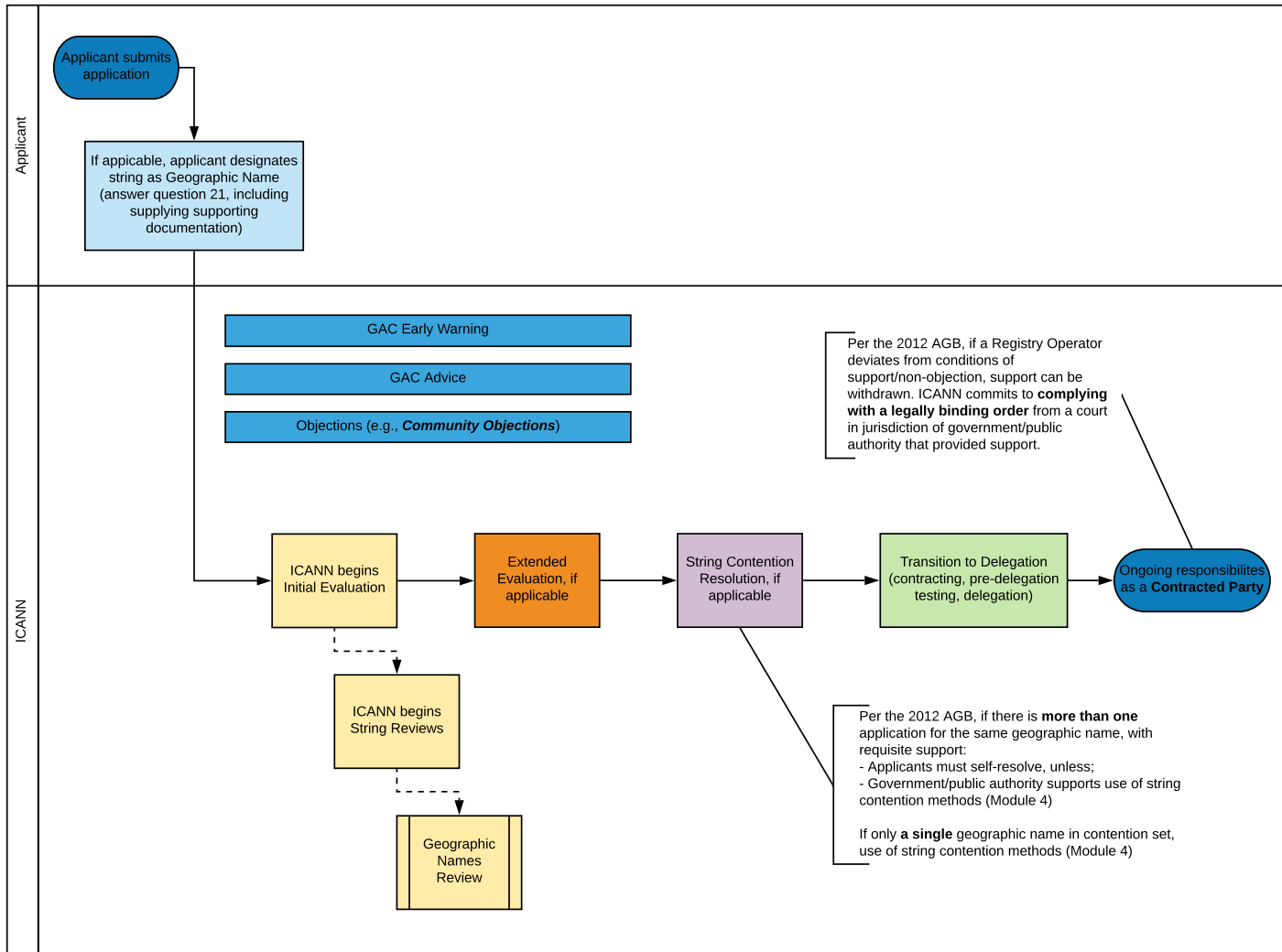


# Geographic Names Process Review Agenda Item #3

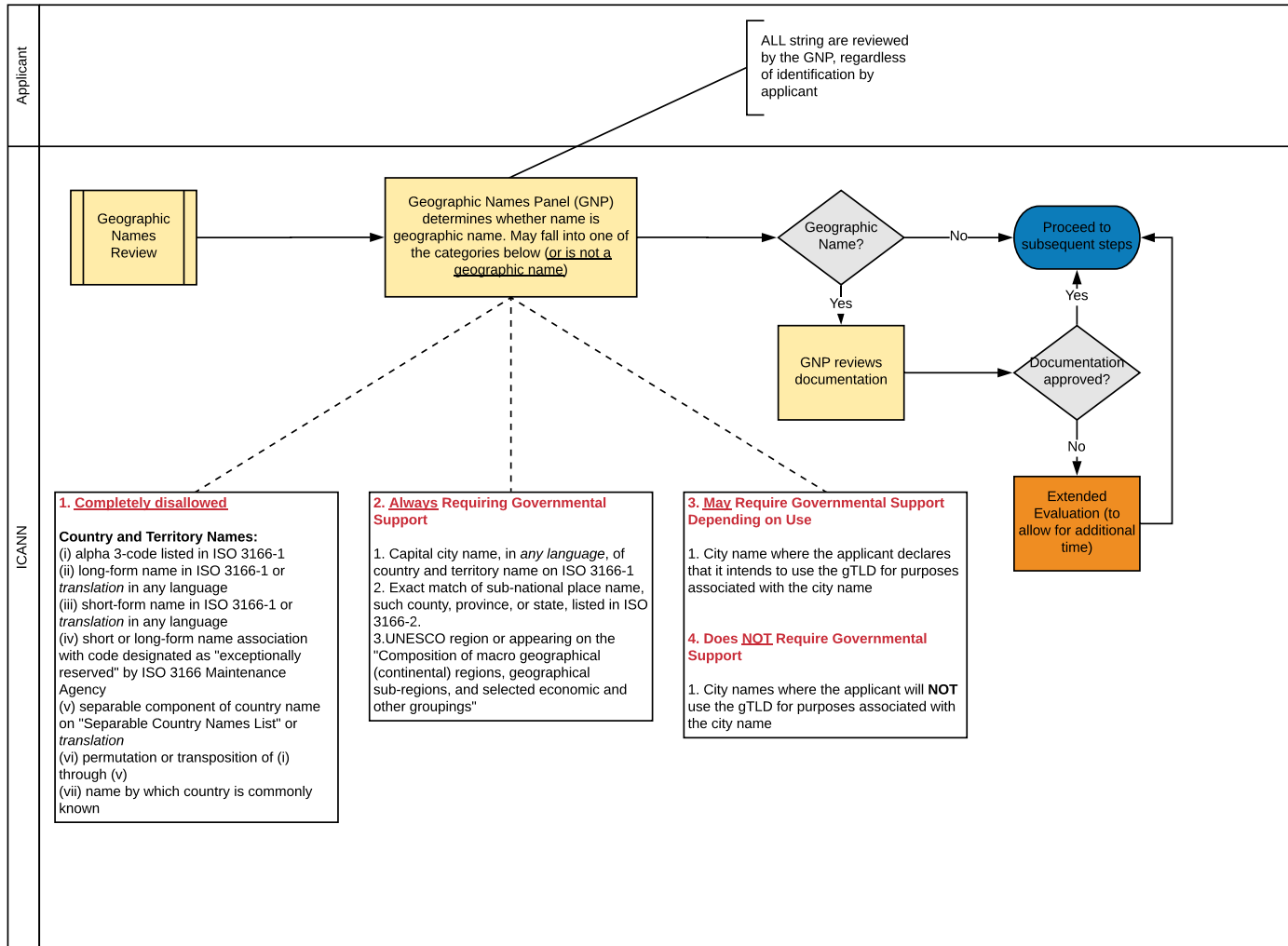
# Why are we looking at the process?

- ⦿ Recent discussions have focused on issues related to the geographic names requirements and geographic names review in Initial Evaluation.
- ⦿ There are a number of additional elements related to string contention and post-delegation that may be relevant to review and discuss.
- ⦿ Process flow diagrams help to illustrate how these elements worked together in the 2012 round.
- ⦿ They may also help the Work Track identify and discuss areas where there were issues in the 2012 round as well as opportunities for improvement in subsequent procedures.

# Geo Names Process in 2012

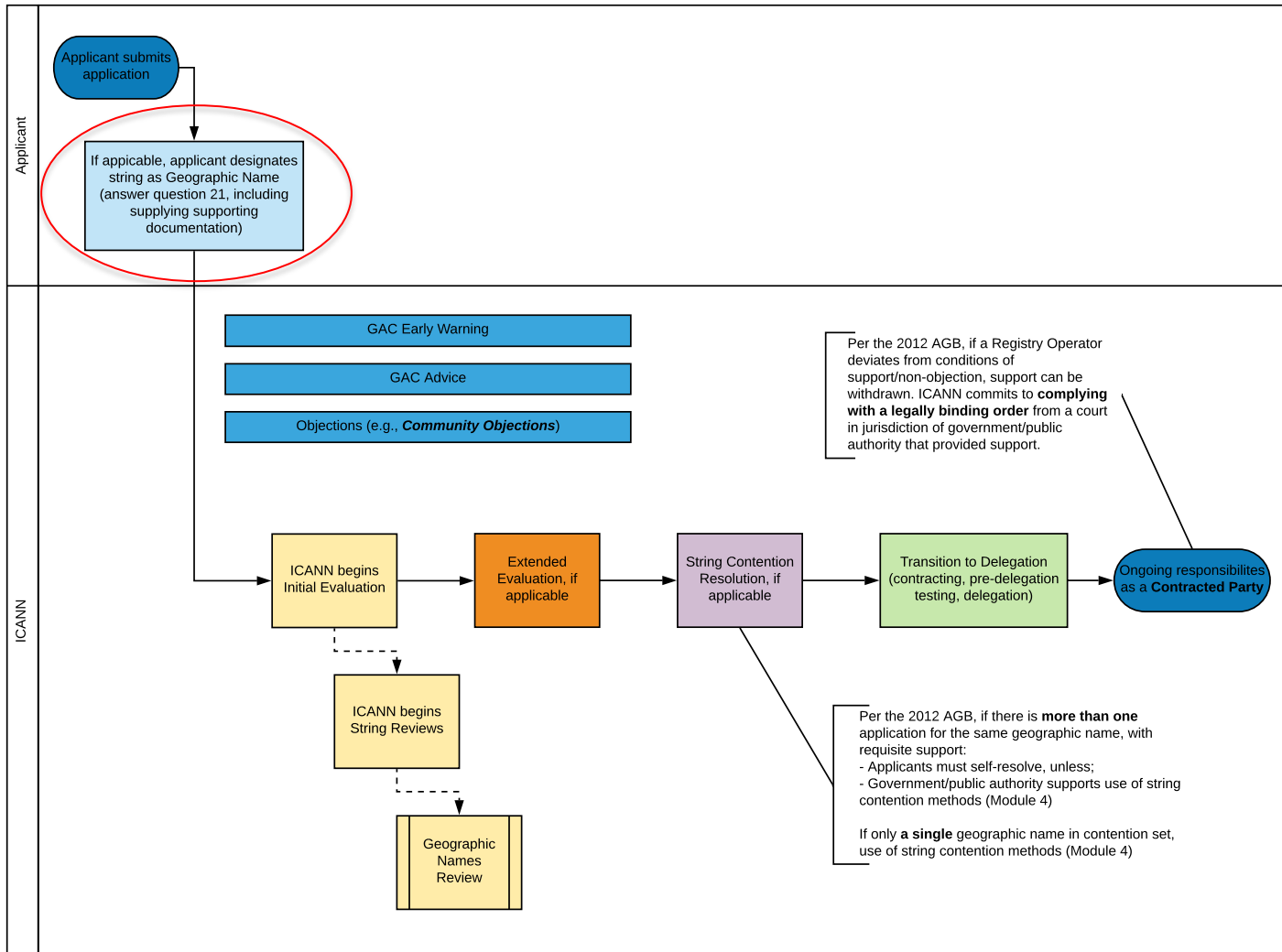


# Geo Names Process in 2012, cont.





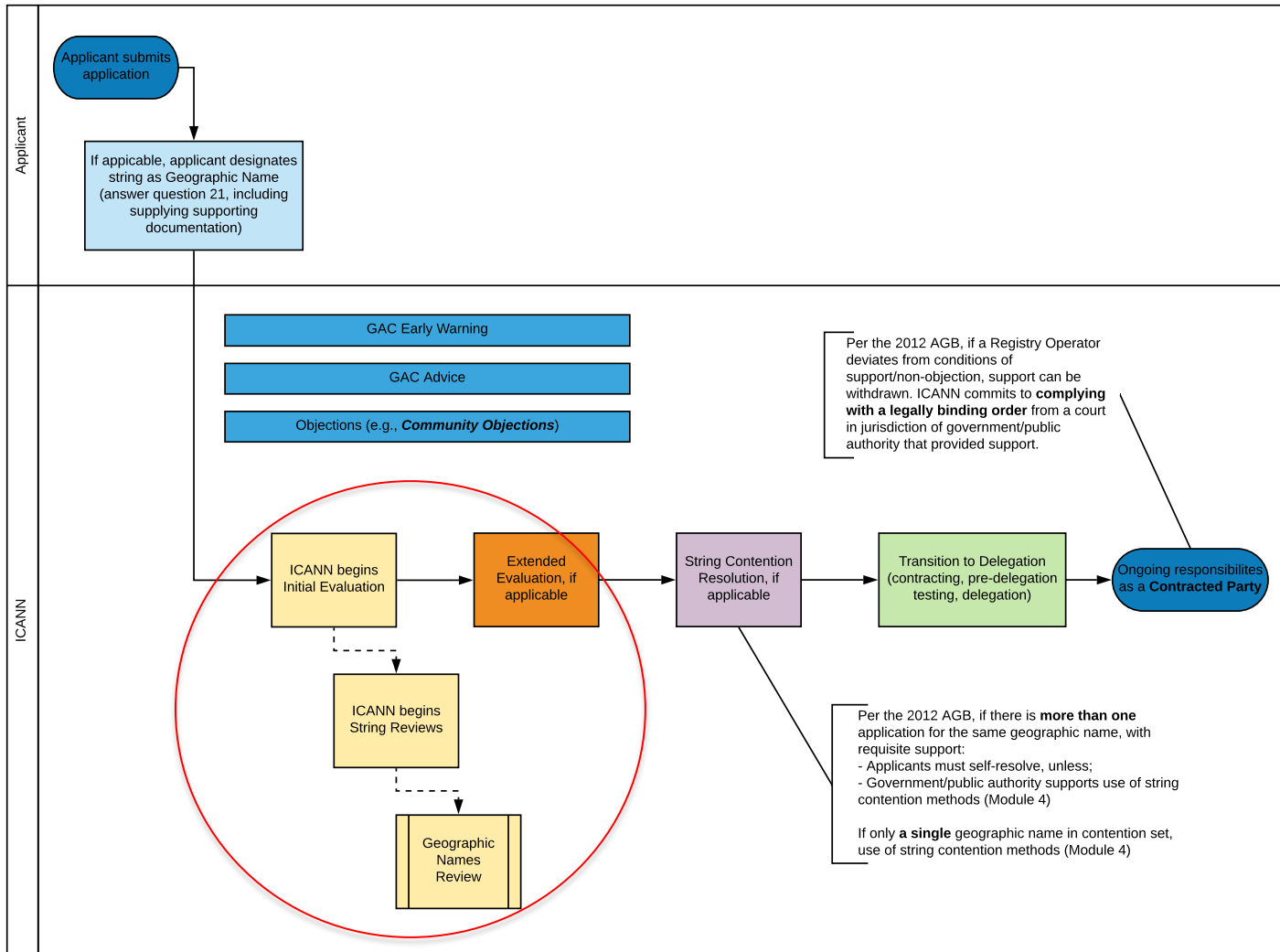
# Geo Names Process in 2012



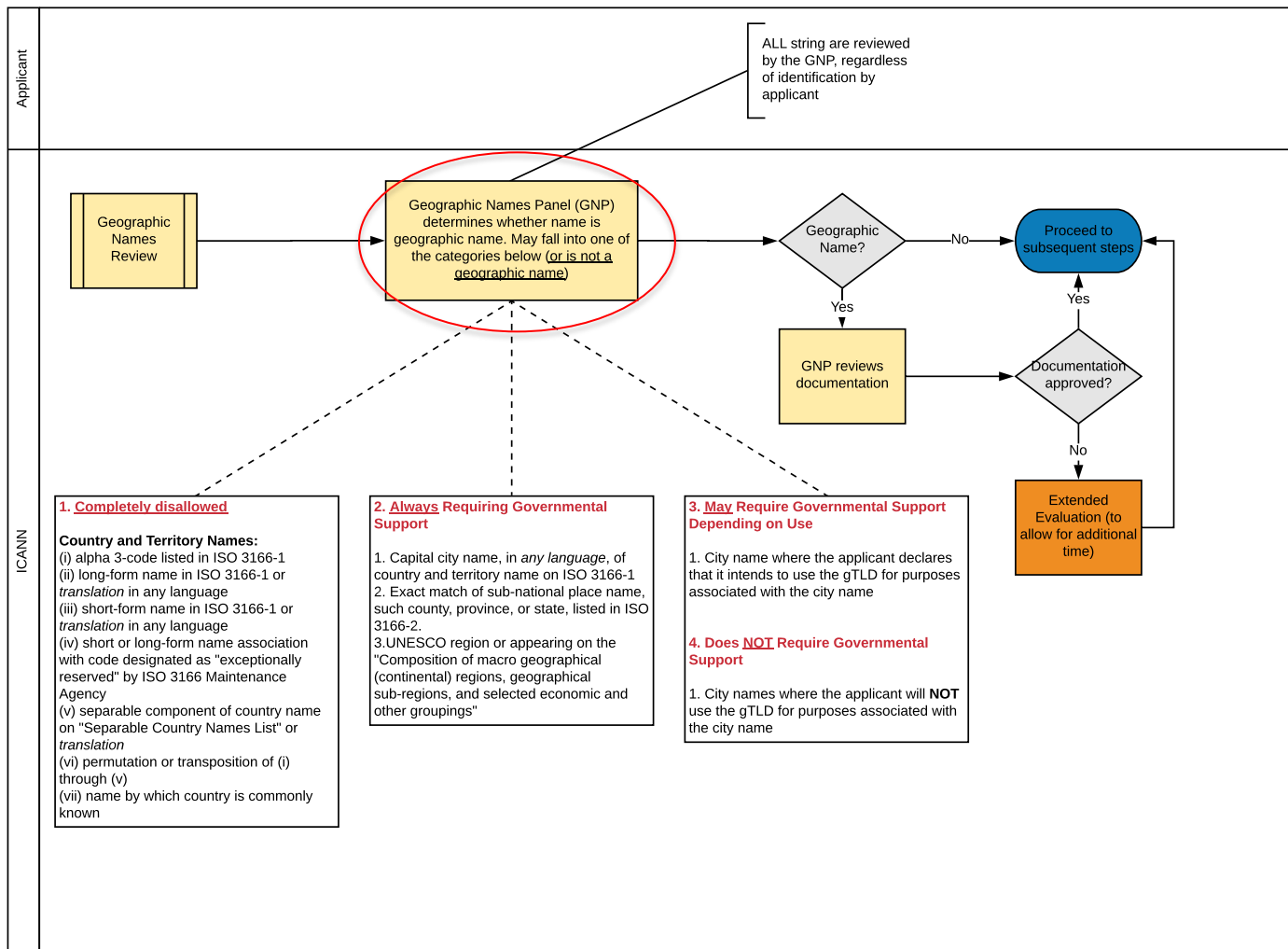
# Submitting Your Application

- ⦿ If applicant believes that their string is a geographic name, per section 2.2.1.4 of the Applicant Guidebook, they should indicate as such via Question 21 and provide required support/non-objection.

# Geographic Names Review



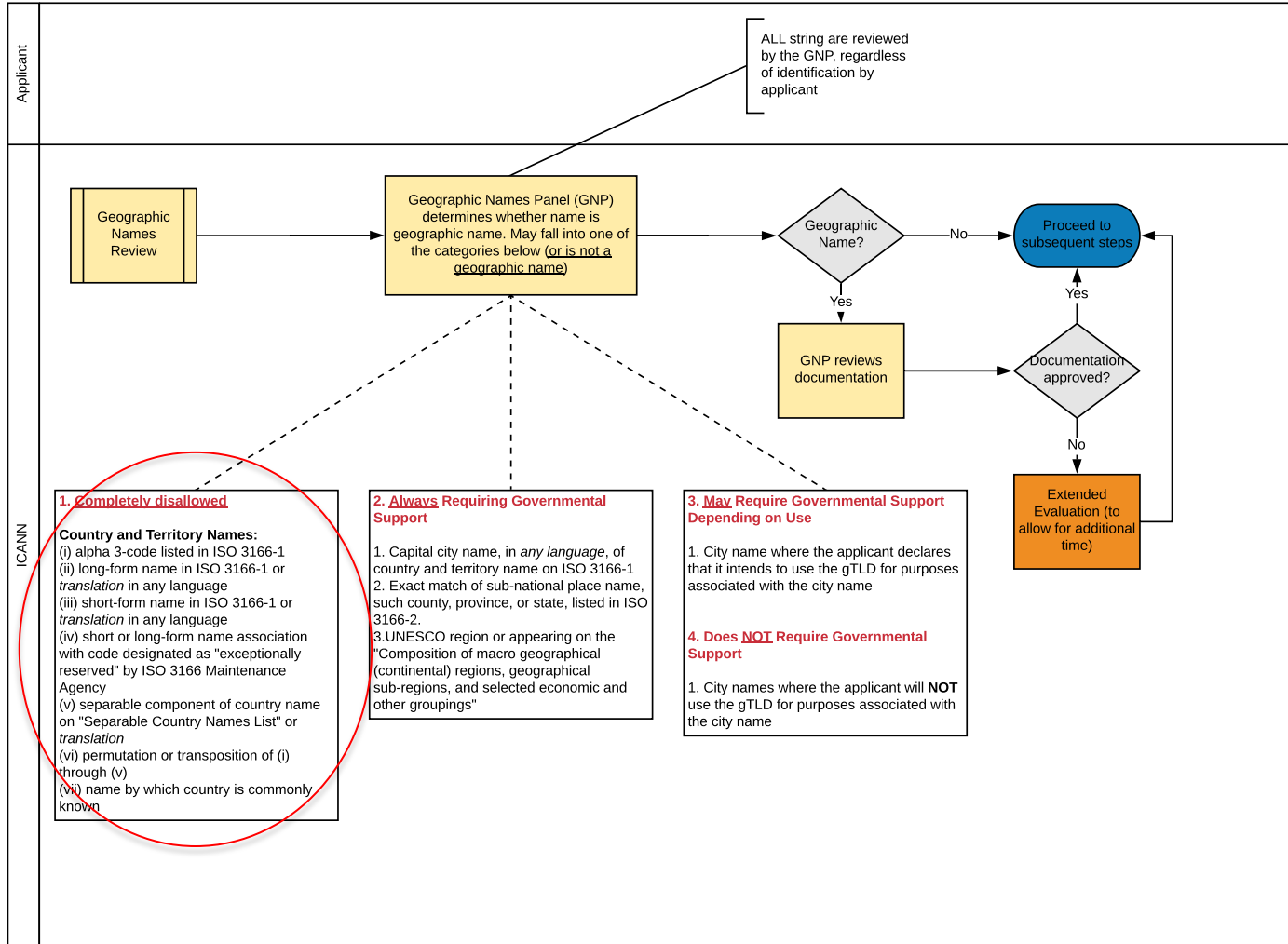
# Geographic Names Review, Detail



# Geographic Names Review, Detail

- ⦿ All applications and their respective strings were included in the Geographic Names Review procedure, regardless if they were designated as such in the application.
  - ⦿ Applications that were designated by the applicant as a Geographic Name could be determined to **NOT** be a Geographic Name based on the criteria in the AGB.
  - ⦿ Applications that were **NOT** designated by the applicant as a Geographic Name could in fact be determined to be a Geographic Name based on the criteria in the AGB.

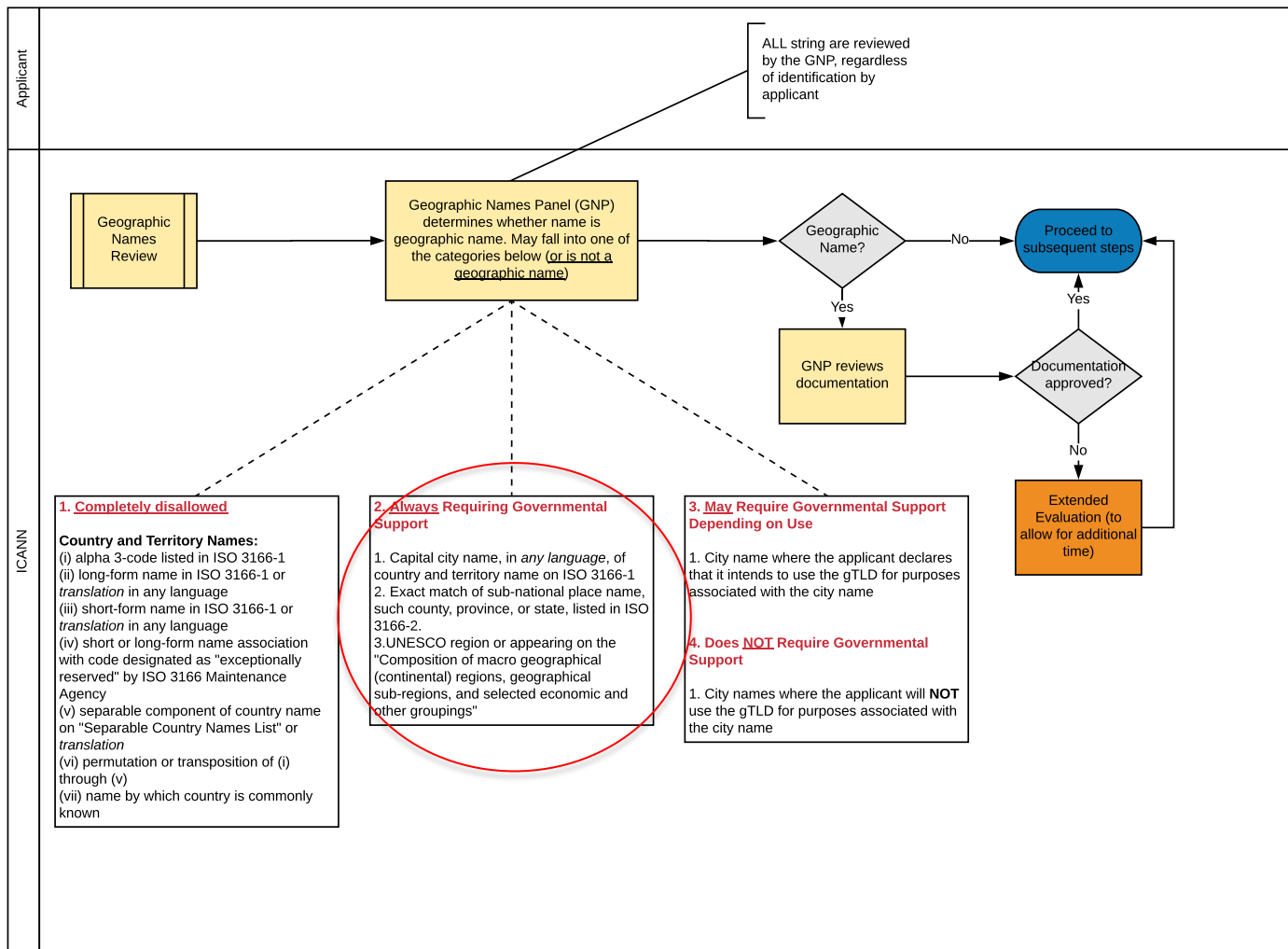
# Geographic Names Review, Detail



# Preventative Protections – Country and Territory

- ⊙ Country and Territory names, as defined by the AGB, were **completely unavailable for registration, by any party**. Examples include:
  - ⊙ (i) Alpha 3-char: **AFG**
  - ⊙ (ii) Long Form: **the Islamic Republic of Afghanistan**
  - ⊙ (iii) Short Form: **Afghanistan**
  - ⊙ (iv) Exceptionally Reserved: **Ascension Island**
  - ⊙ (iv) Separable Component: **Antigua** (for Antigua and Barbuda)
  - ⊙ (vi) Permutation: **IslamicRepublicofAfghanistan** or Transposition: **AfghanistanRepublic**
  - ⊙ (vii) Commonly Known: **Holland** (for the Netherlands)

# Geographic Names Review, Detail

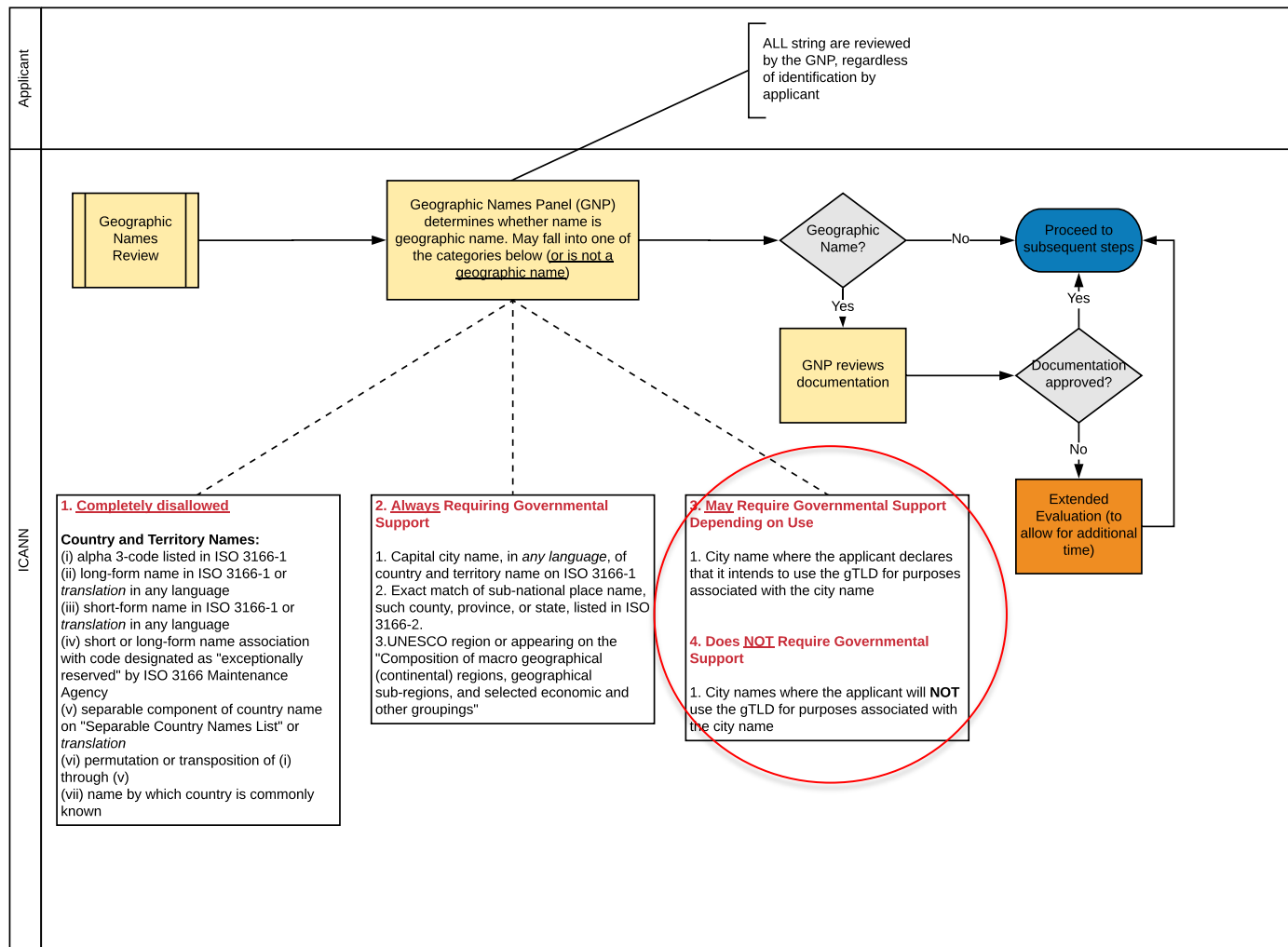




# Preventative Protections – Geographic Names

- ⦿ Certain types of Geographic Names **always required governmental support or non-objection:**
  1. Representation, in any language, of the *capital city name* of any country or territory listed in the ISO 3166-1 standard.
  2. Exact match of a *sub-national place name*, such as a county, province, or state, listed in the ISO 3166-2 standard.
  3. String listed as a UNESCO region or appearing on the “Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings”

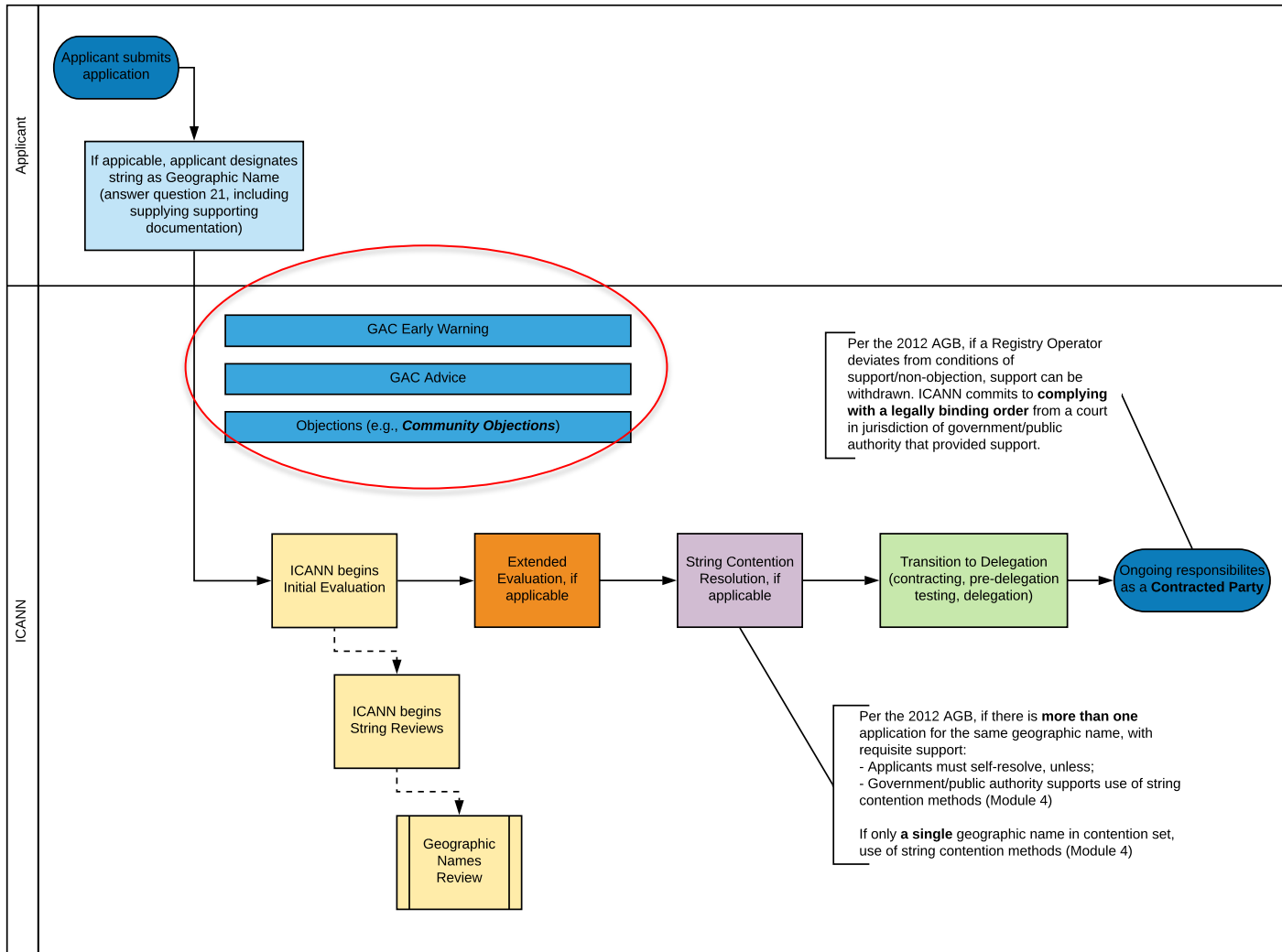
# Geographic Names Review, Detail



# Preventative Protections – Geographic Names

- ⦿ Certain types of Geographic Names **only required governmental support or non-objection depending on intended use**:
  - ⦿ If the applicant applies for *city name*, and the applicant declared that it intended to use the gTLD for purposes associated with the city name, support or non-objection was required from the relevant governments or public authorities.
  - ⦿ The applicant was subject to geographic names requirements if:
    - ⦿ It was clear from applicant statements within the application that the applicant would use the TLD primarily for purposes associated with the city name AND
    - ⦿ The applied-for string is a city name as listed on official city documents.

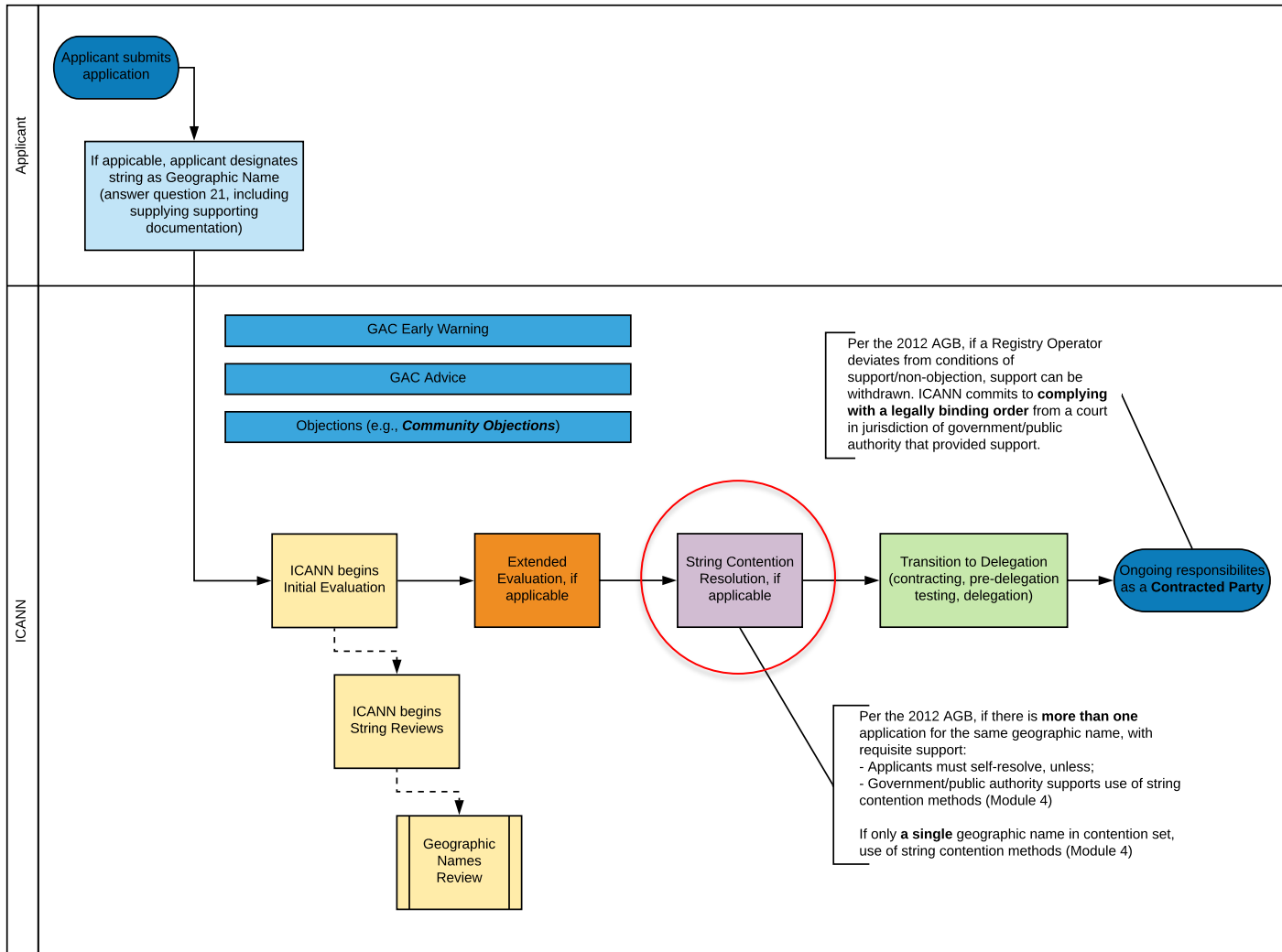
# Geo Names Process in 2012



# Preventative Protections – Objection Mechanisms

- ⊙ Parties were able to raise concerns about applications via several mechanisms:
  - ⊙ GAC Early Warning
  - ⊙ GAC Advice
  - ⊙ Objections
    - ⊙ **String Confusion Objection** – The applied-for gTLD string is confusingly similar to an existing TLD or to another applied-for gTLD string in the same round of applications.
    - ⊙ **Legal Rights Objection** – The applied-for gTLD string infringes the existing legal rights of the objector.
    - ⊙ **Limited Public Interest Objection** – The applied-for gTLD string is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law.
    - ⊙ **Community Objection** – There is substantial opposition to the gTLD application from a significant portion of the community to which the gTLD string may be explicitly or implicitly targeted.

# Geo Names Process in 2012



# String Contention Involving Geo Names

If two or more applications are in a contention set, options for resolution:

- ⦿ **Self-resolution:**

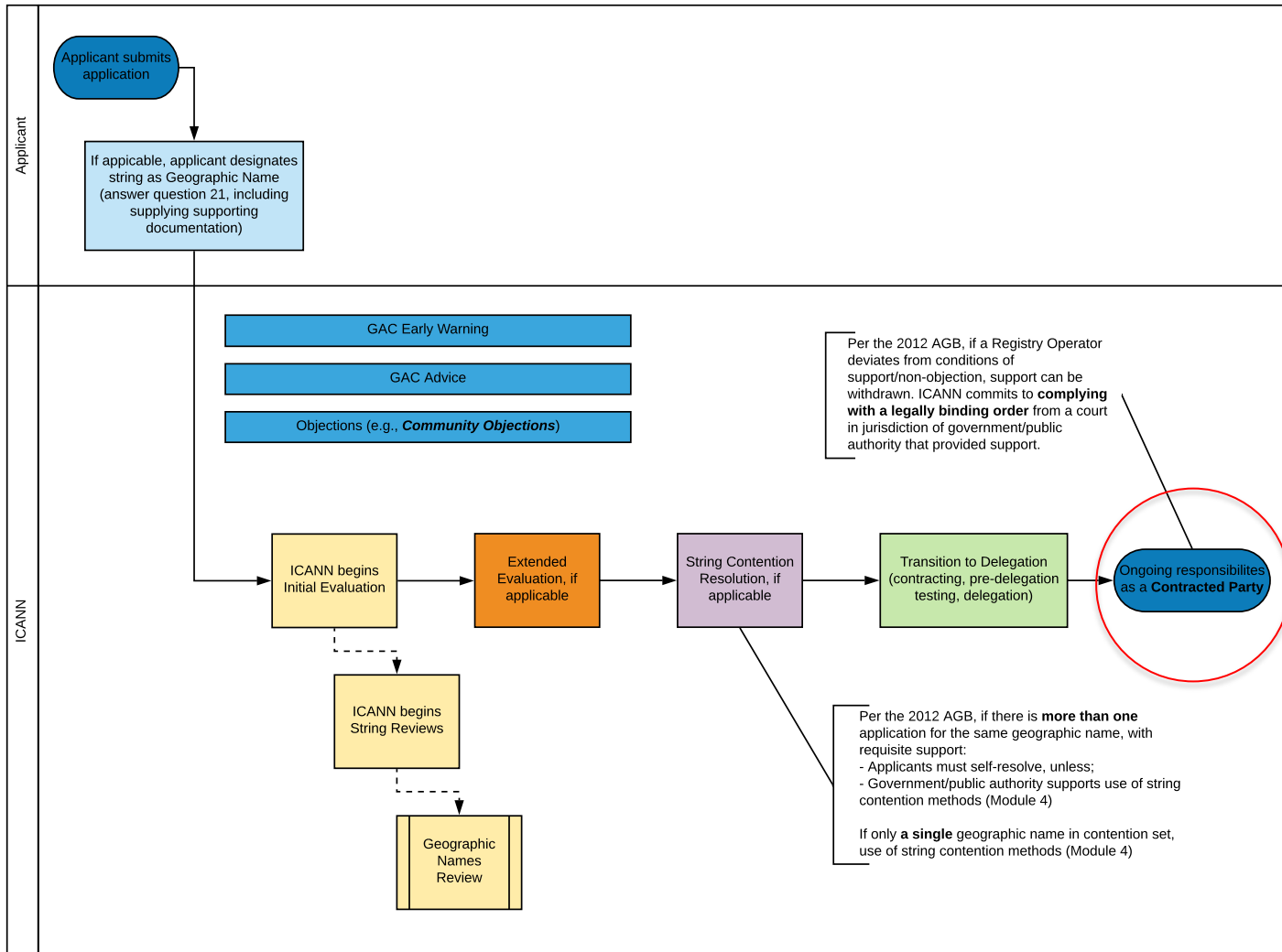
- ⦿ One or more applicants withdraw their applications OR
- ⦿ Applicants may seek to establish joint ventures, although material changes to the application will require re-evaluation.

- ⦿ **Community priority:** If one of the applicants has applied as a community-based application and passed community priority evaluation, this application will proceed.

- ⦿ **Auction** (see Module 4, Section 4.3):

- ⦿ An auction **will** take place if contention has not otherwise been resolved and there is one application for a geographic name in the contention set with similar strings that are not geographic strings (see Module 4, Section 4.3).
- ⦿ An auction **will not** take place if contending applications are for geographic names. In this case, the applications will be suspended pending resolution by the applicants (See Module 4, Section 4.3).
  - ⦿ Exception: If multiple applications have support from the same government or public authority, the government/public authority providing support may request an auction (Module 2, Section 2.2.1.4.4).

# Geo Names Process in 2012





# Contractual Requirements

Article 1, Section 1.3 (a) of the Registry Agreement states:

*Registry Operator represents and warrants to ICANN as follows:*

*(i) all material information provided and statements made in the registry TLD application, and statements made in writing during the negotiation of this Agreement, were true and correct in all material respects at the time made, and such information or statements continue to be true and correct in all material respects as of the Effective Date except as otherwise previously disclosed in writing by Registry Operator to ICANN.*

- ⦿ Potential means for holding a Registry Operator accountable if applicant applied to use a string matching a city name in a non-geographic capacity but then operated the TLD as a geographic TLD.
- ⦿ In subsequent procedures, an additional Specification or additional Public Interest Commitments could be included in the Registry Agreement.
  - ⦿ If Registry Operators do not comply, post-delegation dispute resolution processes could be used, such as the Public Interest Commitment Dispute Resolution Procedure (PICDRP).

# Governments May Withdraw Support

Section 2.2.1.4.3 of the Applicant Guidebook states:

*A government may withdraw its support for an application at a later time, including after the new gTLD has been delegated, if the registry operator has deviated from the conditions of original support or non-objection. Applicants should be aware that ICANN has committed to governments that, in the event of a dispute between a government (or public authority) and a registry operator that submitted documentation of support from that government or public authority, **ICANN will comply with a legally binding order** from a court in the jurisdiction of the government or public authority that has given support to an application.*



**AOB**

Agenda Item #4