

New gTLD Subsequent Procedures PDP Working Group
Work Track 5 Geographic Names
13:30 - 15:00, Sat, Oct 20, 2018
Session 1 of 3

Topic: Review of the Supplemental Initial Report

Actions:

ACTION ITEM 1: Comments to the Supplemental Initial Report are due by 23:59 CEST on Thursday, 25 October.

ACTION ITEM 2: Capture the questions on the mechanisms of last resort and private resolution of contention sets and put them out into the supplemental initial report:

-- *How is the objection process integrated in the two options for mechanisms of last resort?*

-- *Whether we want to ask the community if we want different private resolution mechanisms between different applicant groups – such as between an individual applicant and a city (say allowing it for some and not for others)? Should there be different rules for different types of top-level domains?*

-- *Would a city be allowed to participate in a contention resolution involving a brand or trademark – maybe not that specific, but ask a question about the legalities of private resolution of contention sets?*

ACTION ITEM 3 re: <Question> Jeff had said mentioned during the last plenary meeting that he would share the letters sent to the Auction Service Providers requesting feedback on abuse with the WG. I don't think we've seen these letters share with the group yet. Are those forthcoming? <Question> Staff will follow up with this request.

Notes:

Auctions: Mechanisms of Last Resort (Slides 10-14):

-- This was the method that was most commonly used in the last round and will likely be used in the next round. May especially be the case in private resolutions, depending on what those are.

-- Vickrey model: The sealed bid doesn't give you a chance to see what the other applicants had to pay so you don't know what it is worth to the second bidders. You only pay the amount of the second bid to mitigate this lack of transparency. Don't think the bidders would have to see the value of the second bid.

-- Problem: what is stopping someone from putting down a large sum of money for each bid? While escalating fees helps reduce people coming into the new gTLD, not sure that's a good thing.

-- <comment>I do encourage that the inclusion of how community applications are handled be discussed simultaneously with option 1 & 2 for auctions of last resort, and not as an afterthought the way community applications have been handled in the past.<comment>

-- <comment>It will also be important to understand how the objection process is integrated into both of the Vickrey auction types.</comment>

-- ***How is the objection process integrated in the two options for mechanisms of last resort?***

You might only need to hear the details of the objection for the first application.

-- The WG is interested in the other options and feedback on them.

-- These options and private resolution also integrates with contention sets.

-- Need to whittle down the ways of last resort. Figure out the simplest way to word the questions before sending them out.

-- Slide 4 wording change: that there was a dispute on what the method of last resort would be in general? Look at the actual supplemental report.

Private Resolution of Contention Sets (slides 15-18):

-- Question from the Registries SG as to whether there could be an analysis of abuse of the private resolution of contention sets with respect to the feedback provided by several commenters to the Initial Report; it seems that the analysis hasn't been done and instead we are asking more questions in the Supplemental Initial Report. Answer: We didn't ask questions about private auctions in the Initial Report, but some commenters voluntarily provided comments. The Supplemental Report gives everyone the option to provide comments on auctions and private resolution of contention sets. In the preamble to this Supplemental Report we do acknowledge that we have gotten comments on these subjects and these will be taken into account, so they don't need to be resubmitted.

-- Re: community applicants give them more consideration in the mechanism of last resort; we provided some ideas in the Initial Report and are happy to provide additional comments to the Supplemental Report.

-- With the other changes we are making with the report the private resolution as a last resort may be used more. Concerned that any private resolution would have to go to public comment. If all of these contention sets go to private resolution that would not be in the public interest. In the case of private resolution where there is a need for a public comment, that would be in the case of a change request. If everyone withdrew not sure if there is a need for public comment.

-- Don't see how you could have contention sets on a city's name with the city not participating.

-- Take issue with the concept of a city name being generic. Not sure one should consider a city name as a generic string. Defer to Work Track 5.

Add questions:

-- ***Whether we want to ask the community if we want different private resolution mechanisms between different applicant groups – such as between an individual applicant and a city (say allowing it for some and not for others)? Should there be different rules for different types of top-level domains?***

-- ***Would a city be allowed to participate in a contention resolution involving a brand or trademark – maybe not that specific, but ask a question about the legalities of private resolution of contention sets?***

Role of Application Comment (slides 19-21):

No discussion.

Change Requests (slides 22-24):

-- Benefit for these kinds of changes and as long as there are no objections from the community they should go ahead. The process could be that a company announces a change will happen and if it falls into a certain category then it goes for public comment and the community can object.

-- If there is a change of string you allow public comment and not let them move into another contention set or a name collision.

Registrar Support for New gTLDs (slides 25-27):

No discussion. WG members are requested to review the slides and the section of the Supplemental Initial Report and provide comments not later than 23:59 CEST on Thursday, 25 October.