

At-Large Release of Country and Territory Names within the .TORAY and .PICTET TLDs Workspace

Comment Close Date	Statement Name	Status	Assignee (s)	Call for Comments Open	Call for Comments Close	Vote Open	Vote Close	Date of Submission	Staff Contact and Email	Statement Number
10 May 2016	Release of Country and Territory Names within the .TORAY and .PICTET TLDs	No Statement	n/a	n/a	n/a	n/a	n/a	n/a	Krista Papac krista.papac@icann.org	n/a

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- [Comments Forum](#)

Brief Overview

Purpose: This Public Comment period aims at gathering community input on proposed amendments to the .TORAY and .PICTET Registry Agreements to allow the registration of country and territory names currently reserved under Section 4 of Specification 5 of the Registry Agreement. These amendments are intended to implement the requests from the registry operators to offer a new registry service, which were submitted through the Registry Services Evaluation Policy (RSEP) process.

Current Status: As required by the [Registry Services Evaluation Policy](#) (RSEP), ICANN has undertaken a preliminary determination on whether the proposals might raise significant competition, security or stability issues. ICANN's preliminary review (based on the information provided) did not identify any such issues for these proposals.

To inform discussions of the next steps, ICANN is posting for public review and comment drafts of Registry Agreement amendments that would apply to the registry service, if approved.

As required per Section 4 of Specification 5 of the Registry Agreement, the release of country and territory names from reservation is subject to review by ICANN's Governmental Advisory Committee (GAC) and approval by ICANN. Alternatively, the Registry Operator may reach agreement with the applicable government(s) to release specific country and territory names.

In the GAC's [Singapore Communiqué](#) [PDF, 113 KB] (11 February 2015), the GAC advised ICANN Board to "work with the GAC to develop a public database to streamline the process for the release of country and territory names at the second level, as outlined in Specification 5. The database will inform whether individual GAC Members intend to agree to all requests, review them case by case, or not agree to any. The absence of input from a government will not be considered as agreement".

Subsequent to the GAC's Singapore Communiqué (11 February 2015), on 23 April 2015, the GAC Chair sent a [letter](#) [PDF, 180 KB] to the Chairman of the ICANN Board, confirming its intent to work on a proposal for the development of such database for the process for release of country and territory names.

Also it is stated in the [GAC's Buenos Aires Communiqué](#) [PDF, 107 KB] (24 June 2015) that "the GAC is continuing to develop a database of country requirements for notification of requests for release of country/territory names at the second level in new gTLDs (reserved according to the application rules for new gTLDs), with options for governments to state that they do not object to release and abstain from notifications for such requests". [The list](#) was finalised and published on the GAC website on 30 July 2015.

On 12 October 2015, ICANN published the Country and Territory Names webpage to provide information regarding names currently reserved under Specification 5 Section 4 of the [New gTLD Registry Agreement](#). The webpage provides clarification regarding the [Governmental Advisory Committee Notification Requirements list](#) established to facilitate notification of registry requests for release of country and territory names as second-level domains in new gTLDs.

Next Steps: ICANN will prepare a Public Comment Summary and Analysis Report at the conclusion of the comment period. ICANN will consider these comments along with the advice from the GAC as it considers whether or not to approve the requested amendments.

Section I: Description, Explanation, and Purpose

Section 4 of Specification 5 of the Registry Agreement addresses the reservation and release of country and territory names. Registry Operators are required to reserve such names, and may propose either the release of specific country and territory names upon agreement with the relevant government(s), or the release of country and territory names subject to review by the Governmental Advisory Committee and approval by ICANN. Specifically, the Registry Agreement provides as follows:

The country and territory names (including their IDN variants, where applicable) contained in the following internationally recognized lists shall be withheld from registration or allocated to Registry Operator at All Levels:

4.1. the short form (in English) of all country and territory names contained on the ISO3166-1 list, as updated from time to time, including the European Union, which is exceptionally reserved on the ISO 3166-1 list, and its scope extended in August 1999 to any application needing to represent the name European Union <http://www.iso.org/iso/support/country_codes/iso_3166_code_lists/iso-3166-1_decoding_table.htm>;

4.2. the United Nations Group of Experts on Geographical Names, Technical Reference Manual for the Standardization of Geographical Names, Part III Names of Countries of the World; and

4.3. the list of United Nations member states in 6 official United Nations languages prepared by the Working Group on Country Names of the United Nations Conference on the Standardization of Geographical Names;

provided, that the reservation of specific country and territory names (including their IDN variants according to the registry operator IDN registration policy, where applicable) may be released to the extent that Registry Operator reaches agreement with the applicable government(s). Registry Operator must not activate such names in the DNS; provided, that Registry Operator may propose the release of these reservations, subject to review by ICANN's Governmental Advisory Committee and approval by ICANN. Upon conclusion of Registry Operator's designation as operator of the registry for the TLD, all such names that remain withheld from registration or allocated to Registry Operator shall be transferred as specified by ICANN. Registry Operator may self-allocate and renew such names without use of an ICANN accredited registrar, which will not be considered Transactions for purposes of Section 6.1 of the Agreement.

The New gTLD registry operators listed below submitted requests to ICANN through the Registry Services Evaluation Policy (RSEP) process to release country and territory names in the second level. In total, the requests concern two new gTLDs. The RSEP requests are proposed to be implemented by amending Exhibit A, Approved Services of the respective Registry Agreements, which are being posted for public comment.

Proposal	TLD	Registry Name	Documents
2016009	pictet	Pictet Europe S.A.	Pictet Europe S.A. Request 1 February 2016 [PDF, 18 KB]
2016008	toray	Toray Industries, Inc.	Toray Industries, Inc. Request 28 January 2016 [PDF, 19 KB]

As part of these requests, each registry operator described the country and territory domain names that it would offer for registration.

These RSEP requests were posted for public information on the Registry Service Evaluation Process webpage, available at <https://www.icann.org/resources/pages/rsep-2014-02-19-en>.

As provided by the [Registry Services Evaluation Policy](#), ICANN has undertaken a preliminary determination on whether these proposals might raise significant competition, security or stability issues. ICANN's preliminary review (based on the information provided) did not identify any such issues for these requests.

In addition, as required per Section 4 of Specification 5 of the Registry Agreement, the proposed release of the reserved country and territory names is subject to review by ICANN's Governmental Advisory Committee (GAC). Thus, these requests have been forwarded to the GAC for consideration and also the amendments to implement these requests are being posted for comment by the community.

Section II: Background

The proposed amendments to .TORAY and .PICTET Registry Agreements to implement the registry services as described in the RSEP proposal are similar to the previously posted nine public comment announcements which included a total of thirty-six RSEP requests involving forty-two new gTLDs:

On 19 September 2014, a similar public comment period for the RSEP proposal and amendment for the release of country and territory names within .NEUSTAR was opened. The public comment forum for this request can be found here: <https://www.icann.org/public-comments/ctn-release-neustar-2014-09-19-en>.

On 11 December 2014, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .BMW and .MINI was opened. The public comment forum for this request can be found here: <https://www.icann.org/public-comments/bmw-mini-amendment-2014-12-11-en>.

On 6 January 2015, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .DVAG, .TUI, .SPIEGEL, .ALLFINANZ and .FLSMIDTH was opened. The public comment forum for this request can be found here: <https://www.icann.org/public-comments/ctn-release-tlds-2015-01-06-en>.

On 2 March 2015, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .EMERCK, .HAMBURG and .BERLIN was opened. The public comment forum for this request can be found here: <https://www.icann.org/public-comments/emerck-hamburg-berlin-amendment-2015-03-02-en>.

On 31 March 2015, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .HONDA, .AXA, .EPSON, .HSBC, .XYZ and .COLLEGE was opened. The public comment forum for this request can be found here: <https://www.icann.org/public-comments/ctn-release-tlds-2015-03-31-en>.

On 13 May 2015, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .SONY, .ARCHI, .BIO and .SAARLAND was opened. The public comment forum for this request can be found here: <https://www.icann.org/public-comments/ctn-release-tlds-2015-05-13-en>.

On 26 May 2015, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .KOMATSU and .RICOH was opened. The public comment forum this request can be found here: <https://www.icann.org/public-comments/ctn-release-tlds-2015-05-26-en>.

On 21 June 2015, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .GLOBAL, .BNPPARIBAS, .BRIDGESTONE and .FIRESTONE was opened. The public comment forum this request can be found here: <https://www.icann.org/public-comments/ctn-release-tlds-2015-06-21-en>.

On 1 September 2015, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .BROTHER, .GEA, .ACO, .SECURITY, .PROTECTION, .THEATRE and .RENT was opened. The public comment forum this request can be found here: <https://www.icann.org/public-comments/ctn-release-tlds-2015-09-01-en>.

On 15 December 2015, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .STUDY, .COURSES, .LAMBORGHINI, XN--3OQ18VL8PN36A, .VOLKSWAGEN, .BUGATTI, .AUDI and .DELTA was opened. The public comment forum this request can be found here: <https://www.icann.org/public-comments/ctn-release-tlds-2015-12-15-en>.

The current language in Specification 5 of the Registry Agreement regarding the required reservation of country and territory names was included in response to advice from the Governmental Advisory Committee (GAC) during the development of the New gTLD Program (see this exchange of letters between the ICANN President and the GAC dated [17 March 2009](#) [PDF, 244 KB] and [24 April 2009](#) [PDF, 95 KB]).

Furthermore, the GAC commented on this topic in the [Singapore Communiqué](#) [PDF, 449 KB] published on 27 March 2014. The GAC noted that it "*discussed the Brand Registry Group proposal for a streamlined process under an addendum to the Registry Agreement for the approval of country names and 2-letter and character codes at the second level.*" The GAC stated that it "*has no major concerns about brand owners seeking approval for such names,*" but that the approval should be "*done directly with the countries concerned rather than through a GAC-level operational process.*" The GAC noted that "*individual GAC members could assist with proposals relevant to their particular country if requested,*" and further suggested that "*consideration be given to establishing a register of countries that do not require individual requests to be made.*" Subsequent to the GAC's Singapore Communiqué, on 8 August 2014, the GAC confirmed its intent to review the proposed release of country and territory names as well (see 10 September 2014 [letter](#) from the GAC Chair to the Chairman of the ICANN Board). In the GAC's [Los Angeles Communiqué](#) [PDF, 127 KB] (15 October 2014), the GAC noted that "It will review the use of country and territory names at the second level and advise the ICANN Board in due course".

In the GAC's [Singapore Communiqué](#) [PDF, 113 KB] (11 February 2015), the GAC advised ICANN Board to "work with the GAC to develop a public database to streamline the process for the release of country and territory names at the second level, as outlined in Specification 5. The database will inform whether individual GAC Members intend to agree to all requests, review them case by case, or not agree to any. The absence of input from a government will not be considered as agreement."

Subsequent to the GAC's Singapore Communiqué (11 February 2015), on 23 April 2015, the GAC Chair sent a [letter](#) [PDF, 180 KB] to the Chairman of the ICANN Board, confirming its intent to work on a proposal for the development of such database for the process for release of country and territory names. The GAC indicated in its letter that "The GAC has started to work on a proposal for such a database and on related aspects of the process for release of country and territory names. This work has priority status for the GAC and a proposal will soon be shared with ICANN. In the meantime, it is the expectation of the GAC that a realistic timeline will be followed, and that existent RSEP requests will not be approved before an adequate process involving the GAC and individual governments in the release of country and territory names at the second level has been developed."

Also it is stated in the [GAC's Buenos Aires Communiqué](#) [PDF, 107 KB] (24 June 2015) that "the GAC is continuing to develop a database of country requirements for notification of requests for release of country/territory names at the second level in new gTLDs (reserved according to the application rules for new gTLDs), with options for governments to state that they do not object to release and abstain from notifications for such requests". [The list](#) was finalised and published on the GAC website on 30 July 2015.

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To access the Country and Territory Names webpage, please visit <https://www.icann.org/resources/country-territory-names>.

ICANN will consider these comments along with the advice from the GAC as it considers whether or not to approve the requested amendments.

Section III: Relevant Resources

- RSEP Webpage: <https://www.icann.org/resources/pages/rsep-2014-02-19-en>
- RSEP Policy: <https://www.icann.org/resources/pages/policy-bd-2012-02-25-en>
- GAC Singapore Communiqué (27 March 2014):<https://www.icann.org/en/system/files/correspondence/gac-to-board-27mar14-en.pdf> [PDF, 449 KB]
- Letter from the GAC regarding requests for release of two-character labels as second level domains in New gTLDs (8 August 2014):<https://www.icann.org/resources/correspondence/dryden-to-crocker-2014-08-08-en>
- Letter from the Chairman of the ICANN Board to the Chair of the GAC requesting consideration of the release of Country & Territory Names by the GAC during ICANN 51 (2 September 2014): <http://www.icann.org/en/system/files/correspondence/crocker-to-dryden-2-02sep14-en.pdf> [PDF, 561 KB]
- Letter from the Chair of the GAC to the Chairman of the ICANN Board confirming theGAC's intention to review the proposal:<https://www.icann.org/resources/correspondence/dryden-to-crocker-2014-09-10-en>
- GAC Los Angeles Communiqué (15 October 2014):<https://www.icann.org/en/system/files/correspondence/gac-to-board-15oct14-en.pdf> [PDF, 127 KB]
- Letter from the Chair of the GAC to the Chairman of the ICANN Board confirming theGAC's intention to review the release of Country & Territory Names by the GAC during ICANN 52 (26 January 2015):<https://www.icann.org/en/system/files/correspondence/schneider-to-crocker-26jan15-en.pdf>[PDF, 215 KB]
- GAC Singapore Communiqué (11 February 2015):<https://www.icann.org/en/system/files/correspondence/gac-to-board-11feb15-en.pdf> [PDF, 113 KB]
- Letter from the Chair of the GAC to the Chairman of the ICANN Board confirming theGAC's intention to work on a proposal for the process (23 April 2015):<https://www.icann.org/en/system/files/correspondence/schneider-to-crocker-23apr15-en.pdf>[PDF, 180 KB]
- GAC Buenos Aires Communiqué (25 June 2015):<https://www.icann.org/en/system/files/correspondence/gac-to-board-24jun15-en.pdf> [PDF, 107 KB]
- GAC Country and Territory Names as second-level domains in new gTLDs requirements for notification list (30 July 2015):<https://gacweb.icann.org/display/gacweb/Country+and+Territory+Names+as+second-level+domains+in+new+gTLDs+requirements+for+notification+list>
- Country and Territory Names page: <https://www.icann.org/resources/country-territory-names>
- Pictet Europe S.A. Request [PDF, 18 KB]
- Toray Industries, Inc. Request [PDF, 19 KB]

Section IV: Additional Information

- [.PICTET Proposed Amendment](#) [PDF, 73 KB]
- [.TORAY Proposed Amendment](#) [PDF, 73 KB]

Section V: Reports

Staff Contact

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FINAL VERSION TO BE SUBMITTED IF RATIFIED

The final version to be submitted, if the draft is ratified, will be placed here by upon completion of the vote.

FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

The final draft version to be voted upon by the ALAC will be placed here before the vote is to begin.

FIRST DRAFT SUBMITTED

The first draft submitted will be placed here before the call for comments begins.