

# At-Large Proposed Guidelines for the Second String Similarity Review Process 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         |
|--------------------|---|------------------------|---|------------------------|-------------------------|------------|------------|--------------------|--|--------------------------|
| 2016/08/31         | <a href="#">Proposed Guidelines for the Second String Similarity Review Process</a> | ADOPTED<br>14Y, 0N, 0A | <a href="#">Cheryl Langdon-Orr</a><br><a href="#">Ariel Liang</a> | 2016/08/08             | 2016/08/15              | 2016/08/18 | 2016/08/23 | 2016/08/24         | <a href="#">Bart Boswinkel</a><br><a href="#">Bart.Boswinkel@icann.org</a> | AL-ALAC-ST-0816-01-00-EN |

For information about this Public Comment, please click [here](#) >>

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## Brief Overview

**Purpose:** The ccNSO Extended Process Similarity Review Panel (EPSRP) Working Group seeks public comments on its proposed guidelines for and refinement of the methodology on the second string similarity review process, including the interpretation of its [split recommendations](#) [PDF, 274 KB].

**Current Status:** The EPSRP Working Group has concluded its deliberations on developing further policy guidance for the Extended Process Similarity Review Panel.

**Next Steps:** After the closure of the public comment proceeding, the EPSRP Working Group will review the public comments received and revise its proposed guidelines, if deemed appropriate. The proposed guidelines will then be submitted to the ccNSO Council for approval and submission to the ICANN Board.

## Section I: Description, Explanation, and Purpose

The ccNSO Extended Process Similarity Review Panel (EPSRP) Working Group was established to:

- Provide guidance on and refinement of the methodology for second string similarity review process
- Provide interpretation of split recommendations
- Inform policy on selection of strings

The work of the EPSRP Working Group is limited to the review of the EPSRP as defined in the [IDN ccTLD Fast Track Implementation Plan](#) [PDF, 851 KB] and [EPSRP Guidelines](#) [PDF, 86 KB]. Focus is on providing guidance on how to treat an IDN ccTLD string that is only found confusingly similar in UPPERCASE and not in lowercase. This is both relevant for the IDN ccTLD Fast Track process and also the proposed overall policy for the selection of IDN ccTLD strings.

As part of its [charter](#) [PDF, 103 KB], the EPSRP Working Group should at least conduct one public consultation on their proposals.

## Section II: Background

The second Extended Process Similarity Review and the associated Panel and Guidelines were introduced in December 2013 as part of the IDN ccTLD Fast Track process. Among other reasons, the process was introduced as a test bed within the IDN ccTLD Fast Track process to allow for testing and refining, if needed, of the proposed two-panel mechanism and methodology.

As part of the [third review of the IDN ccTLD Fast Track process in FY2015](#), some policy issues pertaining to the guidance of the second string similarity review panel became apparent, in particular how to treat an IDN ccTLD string that is only found confusingly similar in UPPERCASE and not in lowercase.

At its meeting on 25 June 2015, the [ICANN Board requested](#) that *"the ccNSO, in consultation with other stakeholders, including GAC and SSAC, to provide further guidance on and refinement of the methodology of second string similarity review process, including the interpretation of its split recommendations, to be applied to the relevant current and subsequent cases in the IDN ccTLD Fast Track process as well as to inform the proposed policy for the selection of the IDN ccTLD strings."*

In response to the request, the ccNSO established a working group on 11 September 2015 by adopting its [charter](#) [PDF, 103 KB]. The ccNSO also sought participation from the GAC and SSAC in the working group in a manner these participants deem to be most appropriate.

Further, to ensure the ICANN Board consultation request is adequately met, the EPSRP Working Group offers an opportunity to provide comments on its observations and proposed guidance and refinement of second string similarity review process. The GAC and SSAC have been invited to, at a minimum, express no objection to submitting the EPSRP Working Group recommendations to the ICANN Board.

Although the work of the EPSRP Working Group is limited to the review of the EPSRP as defined in the [IDN ccTLD Fast Track Implementation Plan](#) [PDF, 851 KB] and [EPSRP Guidelines](#) [PDF, 86 KB], it will have an impact on the overall proposed policy for the selection of IDN ccTLD strings as the latter includes the same mechanisms and definition of confusing similarity. To stimulate further discussion, the EPSRP Working Group has also made some related [observations](#) [PDF, 276 KB] on the process around confusing similarity of IDN ccTLDs, however they are not considered to be in scope of its mandate.

## Section III: Relevant Resources

- [EPSRP Working Group Proposed Guidelines \(redline\)](#) [PDF, 465 KB]
- [EPSRP Working Group Proposed Guidelines \(clean\)](#) [PDF, 395 KB]

## Section IV: Additional Information

## Section V: Reports

## Staff Contact

Bart Boswinkel  
[Bart.Boswinkel@icann.org](mailto:Bart.Boswinkel@icann.org)

## FINAL VERSION TO BE SUBMITTED IF RATIFIED



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## FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

The ALAC appreciates the opportunity to participate in this Public Comment proceeding and commends the work of the ccNSO Extended Process Similarity Review Panel (EPSRP) Working Group.

The ALAC strongly supports the Working Group's specified [observations](#) on the process around confusing similarity of IDN ccTLDs. Specifically, the ALAC is in agreement with the Working Group's 'suggested way forward', which are as follows:

*A clear, consistent set of rules for 'confusing similarity' should be in place and applied to both ccTLDs and gTLDs.*

*In the immediate term, the IDN ccTLD Fast Track process should be amended to take into account the following guiding principles:*

- *ccTLD policy is a matter for the local internet communities to determine.*
- *A given IDN ccTLD application represents the free choice of a specific linguistic community that has every right to use its language and script in the DNS space. It is essential that the IDN ccTLD evaluation process should do everything possible to facilitate such requests from local communities.*
- *Where a finding of potential confusability has been made, rather than rejecting the application, the process should allow the applicant to propose mitigation measures.*
- *A pragmatic approach should be adopted to the issue of potential user confusion. It may not be possible to eliminate confusion entirely, and much user confusion takes place in context (phishing, URL clicking), rather than because of a TLD.*
- *Where there is a split recommendation (between upper case and lower case), the finding relating to the lower case shall prevail and the application shall go forward.*

The ALAC congratulates the EPSRP Working Group for making significant, positive impact on the overall ICANN policy for the selection of IDN ccTLD strings. The ALAC believes that the proposed guidelines will help promote linguistic diversity, mitigate the risk of user confusion, and preserve and ensure the security, stability, and interoperability of the DNS.

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## FIRST DRAFT SUBMITTED

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