

# At-Large Release of Country and Territory Names within the .EMERCK, .HAMBURG and .BERLIN 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
14.04.2015	<a href="#">Release of Country and Territory Names within the .EMERCK, .HAMBURG and .BERLIN TLDs</a>	No Statement	n/a	n/a	n/a	n/a	n/a	n/a	Krista Papac <a href="#">krista.papac@icann.org</a>	n/a

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

- [Comments Forum](#)

## Brief Overview

This Public Comment period aims at gathering community input on proposed amendments to the .EMERCK, .HAMBURG and .BERLIN 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.

## 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](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 three 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
2014076	berlin	dotBERLIN GmbH & Co. KG	<a href="#">dotBERLIN GmbH &amp; Co. KG Request 08 February 2015</a> [PDF, 17 KB]
2014075	hamburg	Hamburg Top-Level-Domain GmbH	<a href="#">Hamburg Top-Level-Domain GmbH Request 08 February 2015</a> [PDF, 17 KB]
2014070	emerck	Merck KGaA	<a href="#">Merck KGaA Request 23 January 2015</a> [PDF, 17 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 .EMERCK, .HAMBURG and .BERLIN Registry Agreements to implement the registry services as described in the RSEP proposal are similar to the previously submitted three RSEP requests:

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 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 this request can be found here: <https://www.icann.org/public-comments/ctn-release-lds-2015-01-06-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".

## 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 the GAC'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 the GAC'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]
- [.BERLIN RSEP Request](#) [PDF, 17 KB]
- [.HAMBURG RSEP Request](#) [PDF, 17 KB]
- [.EMERCK RSEP Request](#) [PDF, 17 KB]

## Section IV: Additional Information

- [.BERLIN Proposed Amendment](#) [PDF, 57 KB]
- [.HAMBURG Proposed Amendment](#) [PDF, 60 KB]
- [.EMERCK Proposed Amendment](#) [PDF, 46 KB]

## Section V: Reports

### Staff Contact

Krista Papac  
[krista.papac@icann.org](mailto:krista.papac@icann.org)

*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.*