

At-Large gTLD WG - Rollout Issues

Introduction

As the gTLD process unfolds, At-Large will want to observe its rollout and may develop further advice on it going forward.

A first thought: are there issues in the latest near final Application guidebook that this groups needs to discuss and possibly comment on?

Tasks

[History ALAC's gTLD rollout concerns](#) - Based on statements made by ALAC before the application process was initiated

Table of Rollout Concerns Post Application start Date

| Concern | Date | Documentation | Notes |
|---------|------|---------------|-------|
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Avri (11.11.11)

Comments

The main areas of concern that keep coming up are:

- when will there be a 2nd round
- how will ICANN decide which applications get handled when ...

Michele Neylon (11.11.11)

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These issues may be of concern to the domain industry and to organisations thinking of applying for TLDs.

The have absolutely no bearing on the public at large that has no interest in acquiring domains, let alone TLDs.

I would gently remind that this is an *At-Large* Working Group intended to monitor the evolving process from the point of view of the end-user. Other constituencies are welcome to form their own and I can even envision partnerships to be useful. But the specific WG has a fairly focused perspective.

I can see many concerns going forward about fraudulent domain use, park pages on even more domains that should have content, shoddy WHOIS enforcement, user confusion, arbitrary domain takedowns and objectionable names.

But I don't see ANY -- not ONE BIT -- of concern in the end-user community that there won't be a second round. I can't even find a resounding consensus -- again, from the end-user PoV -- for a first one.

NB: The last official ALAC statement made on the Applicant Guidebook called the proposed gTLD process "unacceptable". That position is still on the record and has not been recanted or revised. The objections put forward in that statement are yet to be addressed and some may never be. In effect, we're (still) participating under protest.

- Evan Leibovitch (11.11.11)

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Sorry - yes - I keep forgetting this is an ALAC WG :)

regards

Michele (11.11.11)

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Hello Evan,

On 11/11/2011 20:05, Evan Leibovitch wrote :

- > But I don't see ANY -- not ONE BIT -- of concern in the end-user
- > community that there won't be a second round. I can't even find a
- > resounding consensus -- again, from the end-user PoV -- for a first one.

Actually Evan, don't be that 100% sure about this. Some ALSes might indeed be interested in proposing community gTLDs and they do have a concern whether this round is going to be the only round or whether there will be future rounds and when. Any end user is a potential applicant. That's the diversity of our community and IMHO it's a strength.

What's important is that we don't polarize ourselves. Yes, there was no consensus for a first round. This meant that some of us support a first round and some of us don't. "No consensus for a first round" does NOT equate to "Consensus for no first round".

Kind regards,

Olivier Crépin-Leblond (12.11.11)

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oops, I forgot to comment on the following part too:

On 11/11/2011 20:05, Evan Leibovitch wrote :

> NB: The last official ALAC statement made on the Applicant Guidebook

> called the proposed gTLD process "unacceptable". That position is

> still on the record and has not been recanted or revised. The

> objections put forward in that statement are yet to be addressed and

> some may never be. In effect, we're (still) participating under protest.

Yes, that is correct. The process was "unacceptable".

It does not mean that the ALAC reached consensus against the concept of introducing new gTLDs.

I am putting this on record because there appears to be a new wave of anti-new gTLD dissent out there (ie. outside of ICANN), and in my view we should not be drawn in what is turning out to be a religious argument which will yield no winners.

Kind regards,

Olivier Crépin-Leblond (12.11.11)

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Hi,

(added more specific subject designation)

This conversation gives me the impression that one activity that might fit within this group's charter is to review the updated AGB to see if it has been improved in any of the areas that are of concern to ALAC/At-Large.

That is, might be worth putting out an ALAC scorecard on that subject and after ALAC review process sending it to the Board.

Does this seem like a worthwhile idea?

If so, a process step might be to find a few volunteers to put together a draft version of such a score card.

It seems something that would have to happen in double time, if it is going to be seen in time.

Avri (12.11.11)

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Good evening:

Evidently, we are not in the presence of significant demand for TLDs from communities.

Obviously, the exorbitant application fees - which are clearly designed to get the, increasingly reluctant, branded interests to pay up - are a massive obstacle to communities.

So, let's call it a day. Closure. Not interested. Wait for the next round, when a more proportionate attitude will have to prevail.

Regards

CW Mail (12.11.11)

PS: My earlier submissions on these matters are on the record.

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Good point, Avri.

Here is my own take on this that could be used as a starting point.

The problems ALAC has identified with the DAG(1) were

1. Fees: The \$185,000 cost (and the many other indirect costs) was a barrier to entry for many deserving potential TLDs.

*Status: PENDING The Board has yet to implement the JAS report, and it is possible that some of its core cost-related recommendations will be rejected.

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2. More categories were needed than "community" and "other". By pooling together controversial and non-controversial applications, IDNs, geoTLDs and everything else into a single pool ICANN, was making the process needlessly complex and expensive for many applicants.

*Status: REJECTED (although implementation of the JAS report may imply a new sub-category of "needy")

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3. The trademark protections of earlier DAG versions were too broad and sweeping, and gave too little protection against "bully" practises

Status: * PARTIALLY ACCEPTED *. The negotiations between the GAC and the ALAC Board changed some things for the better, but some excesses remain

4. TLD objections on Morality and Public Order.

"We emphatically call for the complete abolition of the class of objections based on morality and public order. We assert that ICANN has no business being in (or delegating) the role of comparing relative morality and conflicting human rights.

*Status: WORSENEDED Despite many person-weeks of volunteer time spent in the "Rec 6" joint working group, a sweeping objection provision given to the GAC essentially allows objections to be made without publicly disclosed justification or appeal.

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5. ALAC was (vehemently and unanimously) against the use of third-party Dispute Resolution Service Providers, as a sub-contracted arbiter of comparative subjective qualities of applicants

Status: *REJECTED*. DRSPs are very much still embedded in the current process

6. ALAC believed that the concept of "Independent Objector" was redundant with ALAC's own function, and that ALAC was able to serve the public interest.

Status: ACCEPTED. In giving At-Large the ability to launch objections similar to the GAC, this request has been largely satisfied.

So, if keeping score, that's:

ACCEPTED - 1

PARTIALLY ACCEPTED - 1

PENDING - 1

REJECTED - 2

WORSENER - 1

This is my (obviously biased) analysis of the outcomes; Contrary opinions are actively solicited.

Whether this scorecard merits specific new comment to the Board is IMO debatable. The Board knows what we told it, and it knows how it acted. Is there value in reminding the Board what it already knows, well beyond the time window when change was possible?

- Evan Leibovitch (12.11.11)

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Hi,

In the context of the next IANA contract and the requirements for full documentation, having documented this and brought it to the attention of the Board might be significant. So it might be worth writing it up. What do others think.

Also, in the past was the ALAC position given to the Board as advice or to the Staff as comments?

Avri (12.11.11)

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Thank you so much, Evan, great summary! That's roughly the scorecard we could present. Since only last one (IO) has been "accepted", I wonder whether we should move to draft the procedure asap, although I haven't seen GAC provided the procedure for early warning or LPI Objection.

Hong Xue (12.11.11)

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Some issues, as Evan said will not be addressed correctly since it is almost impossible to reach consensus and at same time I believe the process needs to start, as any new issue - never done before - we will face some challenges, but not to move is not a good advice.

IMO we, as At large members, need to keep a close eye on this process to raise any problems we are seeing, may become too big to solve afterwards.

I am seeing a lot of interest about the new gTLDs from several different groups. Hope ICANN with our help can manage properly the whole process addressing the problems as they come out.

Kisses to all

Vanda Scartezini (13.11.11)

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I would also want to agree to this that there is a need for At-Large to play its role in ensuring ICANN stays both transparent and accountable starting from the very first application round. Obviously the first round will help in generating a learning around what issues may arise and how ICANN will look at mitigating them.

The second important thing is that community gTLDs cannot be ruled out. Another important aspect is the capacity building and awareness aspect. If one looks deeper there is an opportunity in generating innovation in the internet addressing space here and with every innovation come a number of resulting issues and solutions.

New gTLD applications will not only be for the privileged world, there may be an opportunity here through the need of generating awareness across the RALO regions about the new gTLD program and this might also be worth considering that we specifically propose to ICANN that this role be shared.

Again, it might also be an awareness and adoption issue concerning "anti-new gTLD dissent", as long as the playing field is open and allows developing to participate equally with the JAS proposal opportunity, this WG may specifically play that part. Raising awareness at the bottom of the gTLD innovation value chain may help decrease the anti-new gTLD dissent. Don't you all think that we have an important role to play here together and within this WG?

Fouad Bajwa (13.11.11)

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> organisations thinking of applying for TLDs.

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> interest in acquiring domains, let alone TLDs.

I don't think that's right.

One of the things I have heard advocated recently is that "DotBrands" TLDs be rolled out first. To my way of thinking, allowing trademark owners to establish billboards in the Internet's infrastructure ahead of open, generic spaces where users could actually register and use names would a very unsatisfactory result for the public at large.

I think the At Large also could see an interest in ensuring that the first batch included a fair mix of TLDs designed for/targeted at people in a diverse geographic area and in a wide representation of language sets.

Bret Fausett (14.11.11)

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