New gTLD Program Update

08 April 2013

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Agenda

+ Accomplishments since Toronto meeting
+ Timeline
+ Application Processing
  - Initial Evaluation Status
  - Objections & Dispute Resolution
  - Agreements & Contracting
  - Pre-Delegation Testing
+ Operational Readiness
+ Rights Protection Mechanisms
+ Operational Support Mechanisms
+ New gTLD Operations Strategy
* TAS opens for Clarifying Questions (CQs)
* CQs for Geographic Names begin
  * Prioritization Draw
    * Technical/Operational, Registry and Financial CQs begin
  * New gTLD Investment Policy published
* Revised Registry Agreement, Public Interest Commitments (PIC)
  * Communication improvements
  * Government funding for objections, instructions published
* First URS Provider announced
* String Similarity contention sets published
  * String Similarity IDN Variant review results published
  * URS procedure and rules published
    * Posting of PICs
    * Call for Data Escrow agent applications
    * Objection period closes
    * PIC DRP made available for public comment
* Applicant outreach
  * Pre-Delegation Testing pilot
    * Initial Evaluation results published
    * TMCH Verification Services open

Toronto to Beijing
Accomplishments
New gTLD Program Timeline

- CQs: 27
- IE Results Published: 26
- TMCH Verification System Available
- 07-11: ICANN46 Beijing - GAC Advice
- 12: Dispute Announcement
- 23: Contracting
- 29: Pre-Delegation Testing
- 30: Sunrise/TM Claims System Available
  - URS Operational
  - EBERO Operational
  - String Contention
  - Extended Eval

Timeline:
- Apr 2013
- May 2013
- June 2013
- July 2013
- Aug 2013
- Sep 2013
- Oct 2013
- Nov 2013
## Application Statistics

<table>
<thead>
<tr>
<th>Applications Received</th>
<th>1930</th>
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<tbody>
<tr>
<td>Application Withdrawals Processed</td>
<td>39</td>
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<tr>
<td>Active Applications</td>
<td>1891</td>
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<tr>
<td>Application Failed String Similarity Review</td>
<td>1</td>
</tr>
<tr>
<td>Applications Failed Applicant Support</td>
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</tr>
</tbody>
</table>

- Initial Evaluation results released weekly starting 22 March
- As of 5 April – 93 of first 108 applications passed
  - First 108 applications includes prioritized IDNs
  - Results for 15 applications not yet available
  - Possible reasons include: pending change requests, clarifying questions, or follow-up with applicants regarding missing information.
# Initial Evaluation Panel Statistics

<table>
<thead>
<tr>
<th>As of 5 April</th>
<th>Pre-CQ Eval</th>
<th>Pending CQ Response</th>
<th>Post CQ Eval</th>
<th>Prelim Panel Results</th>
<th>IE Results Published</th>
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</thead>
<tbody>
<tr>
<td>Background Screening</td>
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<td>12</td>
<td></td>
<td>1787</td>
<td>93</td>
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<td>String Similarity</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>1930</td>
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<tr>
<td>DNS Stability</td>
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<td>-</td>
<td>-</td>
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<td>93</td>
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<tr>
<td>Geographic Names</td>
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<td>1785</td>
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<td>Financial</td>
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<td>455</td>
<td>264</td>
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<tr>
<td>Technical &amp; Operational</td>
<td>700</td>
<td>434</td>
<td>271</td>
<td>394</td>
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<tr>
<td>Registry Services</td>
<td>406</td>
<td>224</td>
<td>226</td>
<td>943</td>
<td>93</td>
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</table>
Application Evaluations

+ Evaluations are performed manually by multiple firms
  - As much as possible, applications from same applying entity or have the same back-end service provider are allocated to the same firm

+ Judgment is applied by each firm against criteria in the AGB and materials presented in Supplemental Notes and Advisories
  - Judgment may differ across firms

+ Differences in scores may occur, however final Pass/Recommended for EE outcome is expected to be consistent across firms
IE Results Publication

- Publish IE Results
- Deliver Final IE Results to ICANN
- Review Outreach Materials
- Perform Outreach (if applicable)
- Process Results for Publication
- Deliver Preliminary Results to ICANN
- Review CQ Responses
- Issue CQs (if applicable)
- Initial Review of Application

Change requests received after this step will be addressed at either:

+ Contracting time if the application passes IE, or
+ In EE if the application is recommended for EE
Outreach

- Outreach is an opportunity for applicants to provide the missing information within IE.
- Outreach is NOT an opportunity to submit a change request to amend the application.
- If the missing information is not submitted within the allowed time period of 1 week, IE results will be finalized based on existing information.
- No follow-up on outreach will be provided.
On the Horizon

GAC Advice
Contracting
Pre-Delegation Testing
On the Horizon
Governmental Advisory Committee (GAC) Advice

+ Expected shortly after ICANN46 Beijing
+ Once published, applicants will have 21 days to submit a response to the ICANN Board
+ More information https://gacweb.icann.org
On the Horizon

Contracting

+ Registry Agreement Modifications
+ 23 April: Contracting
+ Applications eligible for contracting: Passed Initial Evaluation, no pending objections/GAC advice, and not in string contention.
+ Receive formal notification to begin the process:
  - Continued Operations Instrument (COI) documentation
  - Contact and signatory information
  - Cross-ownership declaration
  - Indication of acceptance (or not) of base registry agreement
+ Applicants accepting the base registry agreement will be processed rapidly; applicants seeking to negotiate will require more time
On the Horizon
Pre-Delegation Testing

+ PDT pilot completed
  - Proved the PDT system works

+ Observations based on Pilot
  - Communication between applicant and PDT provider may be required to clarify information submitted or to obtain incomplete information
  - Customer support hours will be extended to provide more global support
  - Additional and more detailed applicant preparation materials needed

+ Resources available to help applicants prepare on the new PDT page - http://newgtlds.icann.org/en/applicants/pdt
Beyond the Horizon

Extended Evaluation

Dispute Resolution Determinations

String Contention
Beyond the Horizon

Extended Evaluation

+ Aug 2013 (projected)
  Completion of Initial Evaluation

+ Sep 2013 (anticipated)
  15-day window for eligible applicants
to opt-in to Extended Evaluation

+ Oct 2013 (anticipated)
  Extended Evaluation commencement
On the Horizon
Dispute Resolution

+ 220 Objections validated to date:
  - 33 String Confusion Objections
  - 69 Legal Rights Objections
  - 23 Limited Public Interest Objections
  - 95 Community Objections

+ IO filed 24 Objections
  - 11 Limited Public Interest, 13 Community

+ Dispute Announcement posted on 12-April-2013

+ Applicants have 30 days to respond
  - If fees and responses are not filed by the Applicant, the Objector will prevail by default.
Beyond the Horizon
String Contention Resolution

+ Sep 2013 (anticipated) Community Priority Evaluation
+ Auction will begin following Community Priority Evaluation
Important Dates:

26 Mar 2013
Trademark Verification Service Launched

6 Apr 2013
DRAFT Rights Protection Mechanism Requirements Posted

Upcoming
Agreements To Be Posted

July 2013
Sunrise Capability Operational

August 2013
Claims capability operational

The Trademark Clearinghouse will accept and authenticate rights information, and will support both trademark claims and sunrise services required in all new gTLDs.

Trademark Clearinghouse Session on Thursday in Grand Hall A at 9:00am

More Information
http://newgtlds.icann.org/en/about/trademark-clearinghouse
Important Dates:

20 Feb 2013
Announcement of First URS Provider: National Arbitration Forum (NAF)

April
Supplementary Rules to be Published, and Additional Provider(s) Appointed

April to June
System details published (announcement page, interfaces, verification)

July
System launch and demonstration

+ Uniform Rapid Suspension will provide rapid relief to trademark holders for the most clear-cut cases of infringement and offer lower-cost, faster responses than the existing Uniform Domain Name Dispute Resolution Policy

+ More information

http://newgtlds.icann.org/en/applicants/urs
Rights Protection Mechanisms
Post-Delegation Dispute Resolution Procedure (PDDRP)

Important Dates:

27 Apr 2013
Close of PIC DRP reply period

+ PDDRPs are dispute mechanisms for dealing with registry operators as opposed to applicants

+ 3 Post-Delegation Dispute Resolution Processes:
  - Trademark
  - Registry Restrictions
  - Public Interest Commitments

+ Launching with first new gTLD
Important Dates:

01 Aug 2013
Full DNS testing operational, WHOIS and EPP tested using standard TCP port test

01 Oct 2013
Full EPP, WHOIS, and correlational testing operational

Operational Support Mechanisms

Service Level Agreement Monitoring (SLA)

+ SLA Monitoring will ensure that registries are providing the required baseline level of service in three primary areas: DNS, RDDS and EPP

+ Registry Monitoring Platform in development with partner Zabbix SIA

+ Monitoring nodes across all ICANN regions
Operational Support Mechanisms
Centralized Zone Data Access Program (CZDAP)

Important Dates:

10 Jun 2013
CZDAP Launch

07 Jul 2013
Extended Functionality Launch

+ The Centralized Zone Data Access Program will provide a scalable, streamlined way for consumers to access all TLD zone file data in one location, and in a standardized and consistent format

+ Model developed by community of registry operators and security experts
Operational Support Mechanisms
Emergency Back-end Registry Operator (EBERO)

Important Dates:

- 02 Apr 2013
  EBERO providers announced

- August 2013
  EBERO operational

+ Emergency Back-end Registry Operators will provide the five critical registry functions for three to five years in the event of a TLD registry operator failure or in the case of transition from one registry operator to another

+ Next steps:
  - Contracting
  - Process Workshop – finalize details
  - Testing and Simulation

+ More information
  http://www.icann.org/en/resources/registries/ebero/faqs
Operational Support Mechanisms

Data Escrow

+ Data escrow requires each new gTLD registry to save data with an ICANN accredited data escrow agent

+ More information
  
PROCESS
PEOPLE
TECHNOLOGY
Process Overview 6.2 Pre-Delegation Testing

Process Overview:
The Pre-Delegation Testing (PDT) is the test required of an Applicant which assesses their ability to administer technical aspects of managing a new global top level domain (gTLD). This test must be passed successfully before the gTLD can be delegated into the domain name system (DNS). Prerequisite to this process is the Applicant’s submission to ICANN of a completed PDT Test Form and an executed Registry Agreement (RyA). ICANN has engaged a PDT service provider (PDTSP) to execute the testing process on behalf of ICANN.

ICANN is responsible for:
- Determining the business rules of the interaction & responsibilities of ICANN & the PDTSP
- Approving the criteria of the tests and the criteria for passing or failing pre-delegation testing
- Validating application’s readiness for PDT (i.e., successful completion of E/E, and resolution of an Change Requests, Objections, or String Contention issues)
- Acts as Applicant primary liaison throughout the process, scheduling the Applicant’s testing appointment with the PDTSP, and providing introduction of Applicant to PDTSP
- Oversight of the PDT activities, affirming the Applicant has executed the PDT within the timeframe specified in the Applicant’s RyA, and ensuring Applicant and PDTSP work in cooperation to achieve successful PDT outcome
- Ensuring Applicant has engaged an Escrow Agency to support data and finance user protections
- Responsible for oversight of the PDTSP service performance and operations, and compliance with ICANN SOW
- Facilitating ICANN Steering Committee’s approval of PDT results prior to IANA handoff & Applicant notification
- PDT reporting and internal/external communication, as required (e.g., public posting, operational status, results)

Key Dates:
Starts when first applications are successfully released from Initial Evaluation (Extended) with no Objections, GAC Advice, or String Contention issues outstanding, and has executed an ICANN Registry Agreement. PDT activity may start as early as April 22, 2013 with expected volumes ranging from 20 to 100 tests per week.

Prerequisite / Process Inputs:
- Application Status Ready for PDT – PDT is triggered to start by application processing; includes executed RyA
- Scheduled PDT Appointment – facilitated by ICANN, a testing appointment secured by the Applicant and validated by PDTSP in accordance with PDTSP test staging and operational activities
- Escrow Agent Engagement – Applicant supplied information related to the independent entity they engaged to act as data escrow agent for data and financial registrant and user protections. Confirming Applicant has implemented Continued Operations Instrument and data escrow
- PDT Data and Information – Applicant submitted pre-test data and information to the PDTSP to set up testing activities (including PDT Form)

6.2 Pre-Delegation Testing Process

6.2 Pre-Delegation Testing Process (Continued)
**Process Overview 4.1 Objection and Dispute Resolution**

### Process Overview:
The objection process is intended to afford businesses, individuals, governmental entities and communities an opportunity to formally advance arguments against introducing certain new gTLDs into the domain name system. Parties with standing may file formal objections to applied-for gTLD strings on the grounds of string confusion, legal rights, limited public interest or community opposition.

**Objection Filing**
Objectors must file a formal objection directly with specified Dispute Resolution Service Providers (DRSP), third-party qualified experts identified by ICANN to manage dispute resolution. Different providers are responsible for different grounds for objection as follows:

- The International Centre for Dispute Resolution: String Confusion
- The Arbitration and Mediation Center of the World Intellectual Property Organization: Legal Rights
- The International Centre of Expertise of the International Chamber of Commerce: Limited Public Interest and Community Opposition

ICANN will provide objection funding assistance to Governments and the At-Large Advisory Committee (ALAC). Where requested and approved, ICANN will pay required funding assistance fees directly to the appropriate DRSP.

**Objection Processing**
Each DRSP will:

- Conduct administrative reviews of objections to ensure compliance with the New gTLD Dispute Resolution Procedure and applicable DRSP rules.
- Notify applicants of filed objections and collect responses and respective filing fees.
- Appoint an expert panel to resolve objections and communicate results to ICANN and the respective parties.
- Collect fees associate with the expert panel from involved parties and refund fees to the prevailing party.

ICANN is responsible for:

- Posting a Dispute Announcement of all objections filed and subsequently posting the results determined by DRSPs.
- Funding Government, ALAC, and IO objection fees.
- Informing all internal ICANN stakeholders on Objection & Dispute Resolution progress (e.g., Legal, ALAC point of contact, GAC point of Contact).
- Monitoring the progress of all objection proceedings including regular status and communication.
- Processing applications appropriately, dependent upon objection results.

If the prevailing party is the applicant, the applicant may proceed to the subsequent stage of the new gTLD program review. If the applicant does not clear the objection, the applicant is not eligible for further new gTLD program review.
Thank you!

Attend Additional New gTLD Sessions:

Monday: New gTLD Security Stability & Resiliency (SSR) Update
Monday: New gTLD Registry, 2013 RAA, & Registrants Rights & Responsibilities
Wednesday: IDN Variant Program
Wednesday: New gTLD Pre-Delegation Testing Process Review
Thursday: Trademark Clearinghouse