

New gTLD Program Update

21 June 2010





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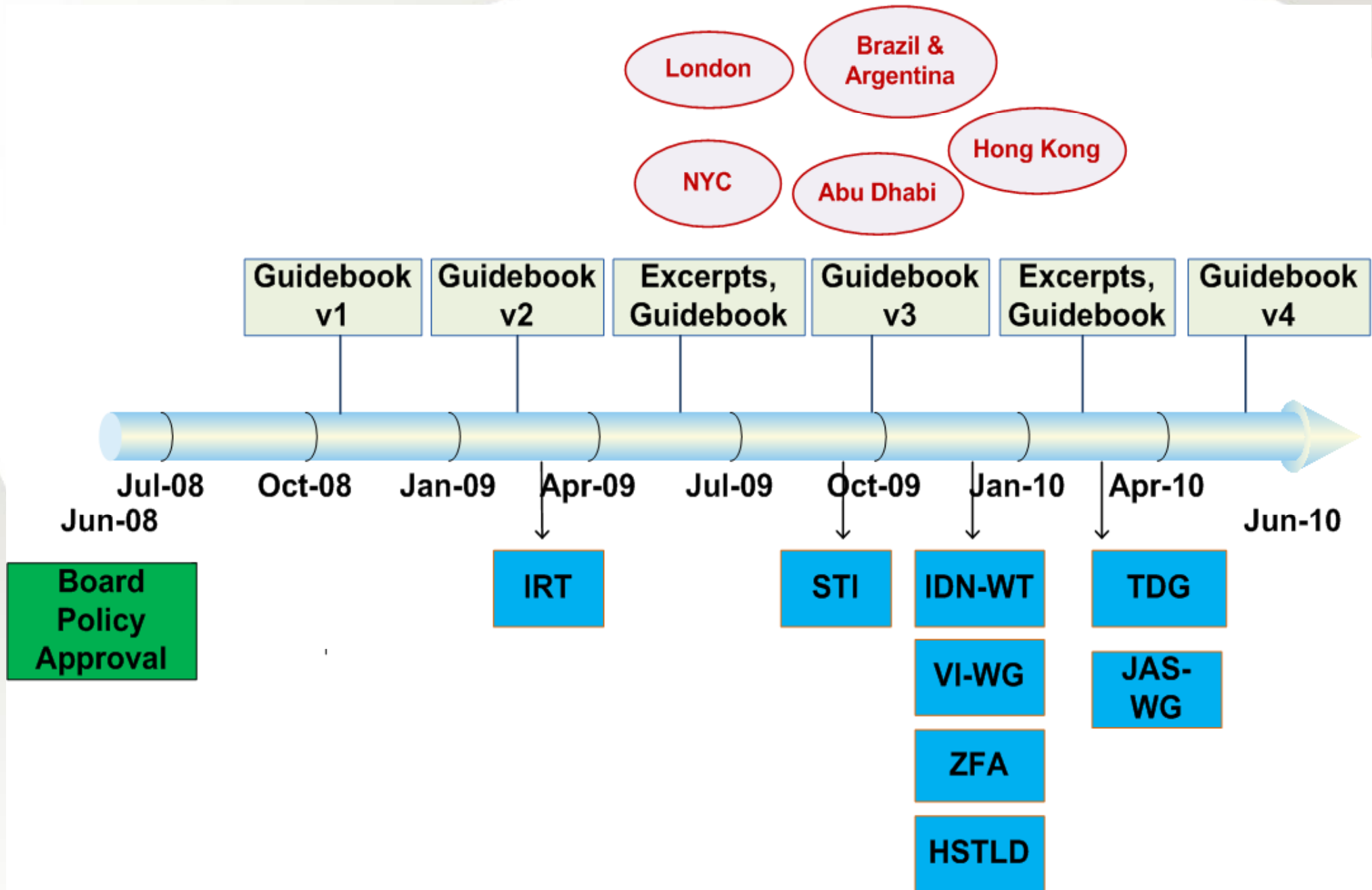
New gTLD Program Results

- Public participation success
- Resolving remaining issues
- Improving the namespace
- Getting ready

The New gTLD Program Today

- Close to resolution on all Guidebook issues
- Thanks to outstanding public participation – the ICANN model at work:
 - **IRT** – trademark protections
 - **STI** – Uniform Rapid Suspension and Trademark Clearinghouse
 - **ZFA** – standardized zone file access model
 - **HSTLD** – special designation for high security TLDs
 - **TDG** – registry agreement and post-delegation procedures
 - **VI-WG** – registry/registrar separation
 - **IDN-WT** – variant & 3-character issues

Global Community Collaboration



What we published

- Applicant Guidebook draft version 4
 - Redlined to show changes from v3
 - 4 new explanatory memoranda
- Comment summaries from 10 comment periods
- Working group reports (6)
- New gTLD Program Budget
- Phase I Economic study

Resolving Remaining Issues



Remaining Guidebook Issues

- Registry Agreement
 - Vertical integration
 - Process for future amendments
- Geographic Names
- IDN
 - 3-character requirement
 - Variant Management
- Trademark Protection
- Malicious Conduct

Applicant Guidebook Updates

Module 1

- Vertical integration
- Variant management
- Process development

Module 2

- IDN 3-character requirement issues
- Geographic names

Module 5

- Trademark Clearinghouse
- URS
- Post-delegation dispute resolution
- Zone file access requirements
- Registry transition procedures
- Registry agreement

Module 1: Introduction to the Application Process

Vertical integration

- Cross-ownership essentially prohibited
- Policy development work by GNSO is concurrent, expected to supersede default position

Variant management

- Variant characters = any multiple characters that are considered equivalent for domain name registration purposes
- Variant string = results from substitution of one or more characters with variant characters
- Variant TLD strings not delegated until variant mechanism tested for top level

Module 1: Introduction to the Application Process

Evaluation process development:

- Inclusion of specific notice & posting periods
- Clarification of public comment process
- Addresses panel code of conduct violations
- Description of user registration & application system access
- Description of background check

Module 2: Evaluation Procedures

IDN 3-character requirement

- Revised to allow 2-character IDN strings subject to confusability tests

Geographic names

- Applications for country/territory names are excluded from first round
- Changes due to GAC advice in recent communiqués
- Will be impacted by ccNSO PDP outcome
- Included sample letter of government support

Module 5: Trademark Clearinghouse

- Central repository for information to be authenticated, stored, and disseminated pertaining to the rights of trademark holders
- All new gTLD registries required to offer pre-launch services using clearinghouse data
- Registries must offer either:
 - A sunrise period; or
 - A trademark Claims service

Module 5: Uniform Rapid Suspension (URS)

- An additional remedy available to rightsholders
 - UDRP continues to be available
 - Other legal remedies available to both parties
 - Reduced costs to trademark holders as opposed to UDRP
- Results in rapid suspension of a domain name in clear-cut cases
- Defenses for registrants
 - Model incorporates fair uses of domain names, penalties for abusive trademark holders

Module 5: Post-Delegation Dispute Resolution

- **Trademark PDDRP**

- Addresses affirmative conduct by registries
 - Systematic trademark infringement or use of TLD for an improper purpose
 - Contractual compliance, URS and UDRP are also available for individual cases

- **Community RRDRP**

- Forum to address allegations that a community-based gTLD registry operator is not enforcing restrictions stated in the terms of the gTLD registry agreement

Module 5: Zone File Access (ZFA) Requirements

- Standardized model
 - Scalable with a large number of gTLDs
 - Single point of contact for consumers
 - Reduced administrative overhead to providers
- Registry requirements: standardization of access methods and data formats
- Preserves the ability of registries (and others) to innovate in delivery & production of zone files

Module 5: Registry Transition Process Model

- Building process in advance for:
 - Emergency situation where critical registry functions unavailable
 - Non-emergency transition situation where registry operator is turning over to a successor
 - Enhancing registrant protection in transition situations
 - Agreement and financial instrument requirements have been updated consistent with these proposed processes

Module 5: Registry Agreement

New "hybrid" process for future amendments

- allows future amendments to registry agreements when supported by both ICANN and affected registries

Change of control

- requires ICANN consent to any transaction in which a third party that was not vetted as a result of the application process would gain control of the registry

IGO provisions

- new agreement provisions for governmental and inter-governmental organization entities

Improving the Namespace

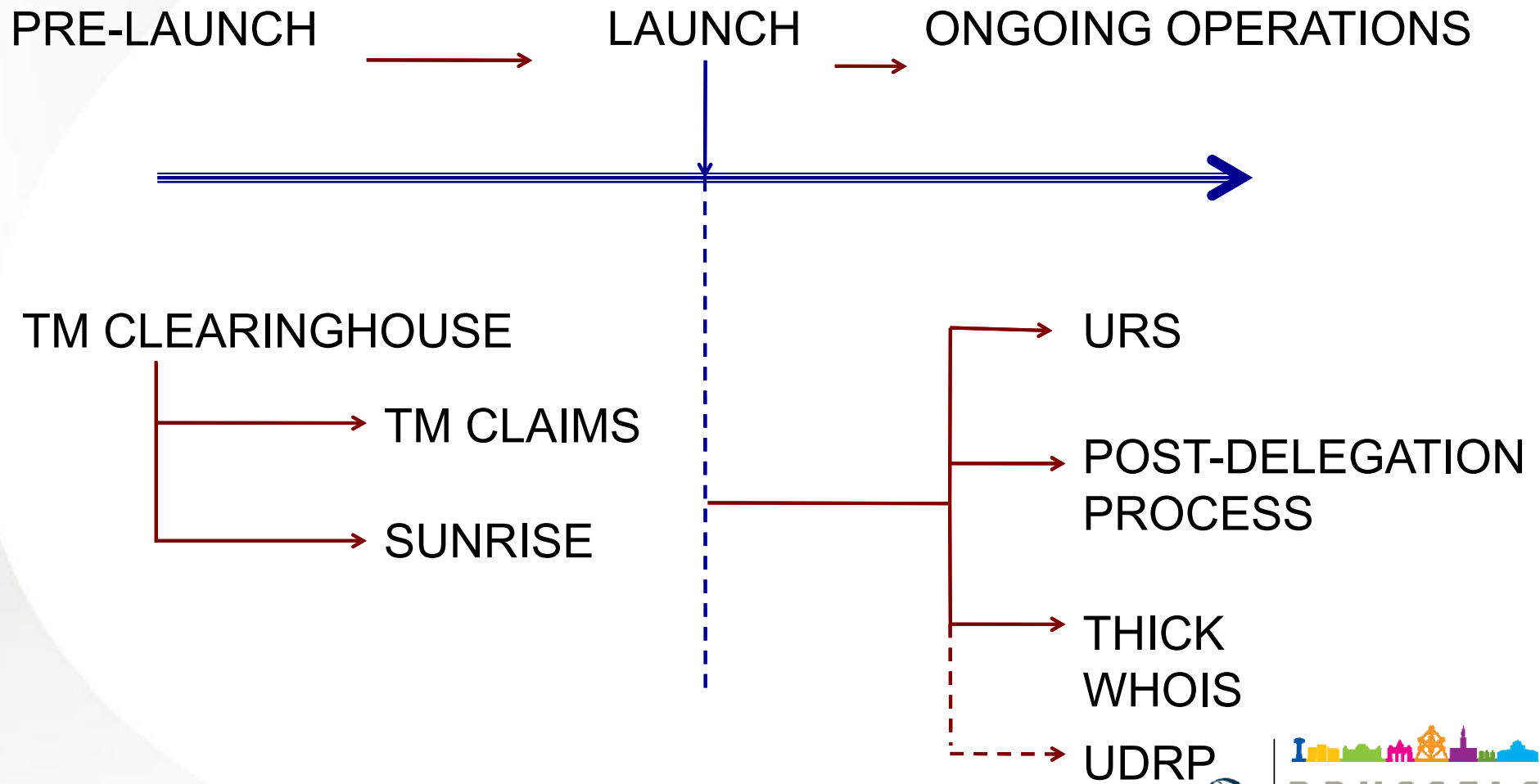
- Trademark protection
- Mitigating malicious conduct

Trademark Protection

- Trademark Clearinghouse and URS proposals
 - originated in IRT, revised via STI
 - updated based on public comment and included in guidebook
- Trademark Post-Delegation Dispute Resolution
 - Procedure revamped with assistance from TDG and others

Rights Protection

REGISTRY LIFECYCLE



Generic Names IP Protections

	Current gTLD Names	Future gTLD Names
Top Level (e.g. .name)	<ul style="list-style-type: none">• Declared RPM	<ul style="list-style-type: none">• Declared RPM• Legal rights objection• Post-delegation dispute (PDDRP)• Enhanced vetting of applicants
Second Level (e.g. myco.name)	<ul style="list-style-type: none">• UDRP• Various RPM policies• Thick and Thin Whois	<ul style="list-style-type: none">• UDRP• Required/standardized processes:<ul style="list-style-type: none">○ URS○ TM Clearinghouse (claims or sunrise)○ PDDRP○ Thick Whois only

Malicious Conduct & New gTLD Program

As ICANN initiated work with the community on the new gTLD program, the community raised concerns regarding the potential for increased malicious conduct within the new gTLD space.

Initiated malicious conduct study in March 2009, with participation from:

- Anti Phishing community and APWG members
- Registry Internet Safety Group (RISG)
- Security and Stability Advisory Committee (SSAC)
- Computer Emergency Response Teams (CERT)
- Banking and finance industries
- Internet security experts

Concluded and published initial study in October 2009; posted with Guidebook 3 materials

Malicious Conduct Results

Study provided nine recommendations related to new gTLD program, included or described in Guidebook

- Vet registry operators
- Demonstrate plan for DNSSEC deployment
- Prohibit wildcarding
- Remove orphan glue records
- Require thick WHOIS
- Document registry-level abuse contacts and procedures
- Expedited registry security request process
- Centralize zone-file access
- Create framework for high security zone verification

Way Forward

Update memo published May 2010

Located at www.icann.org/en/topics/new-gtlds/mitigating-malicious-conduct-memo-update-28may10-en.pdf

Measures will contribute significantly to security and combating instances of malicious conduct within the namespace

Seek to support advisory group efforts outlined in ZFA strategy paper and HSTLD advisory group

- ZFA: www.icann.org/en/topics/new-gtlds/zfa-strategy-paper-12may10-en.pdf
- HSTLD: www.icann.org/en/topics/new-gtlds/hstld-program-snapshot-2-16jun10-en.pdf

All posted as part of the Applicant Guidebook v4 explanatory memos

Generic Names Protections

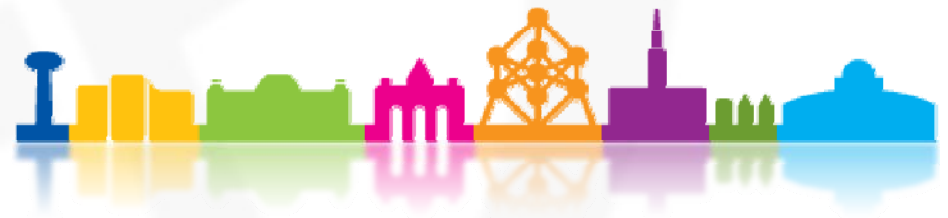
	Today's gTLD Names	Possible Future Names
Users	<ul style="list-style-type: none">• DNSSEC phased in gradually	<ul style="list-style-type: none">• Additional vetting of applicants• DNSSEC requirement• Prohibition on wildcarding• Registry abuse contacts & procedures• Removal of orphan glue records
Enforcement	<ul style="list-style-type: none">• Thick and Thin Whois• Individualized abuse policies• Zone file access via individual bi-lateral agreements	<ul style="list-style-type: none">• High-security designation (HSTLD)• Thick Whois required• Centralized zone file access
Registries	<ul style="list-style-type: none">• ERSR	<ul style="list-style-type: none">• ERSR

Getting Ready



Economic studies

- Phase I (market survey) published for comment
- Phase II requested for 2010
 - Quantify net benefits
 - Agreement in principle to execute case studies of gTLD rules and reduction of external costs



Root zone scaling

- Study completed September 2009
- Delegation rate study completed
- RSSAC / SSAC responses in process



Funding the Program

Draft New gTLD Program Budget posted for comment:

Deployment costs (\$2.6 MM)	Operational activities not undertaken until project launch is (nearly) certain
Application processing costs	Day-to-day evaluation of applications: revenue neutral activities funded by application fees

Proposed budget will be prepared after consideration of public comment, advice of Board Finance Committee

Supporting Applicants

Joint SO/AC Working Group Charter:

- Identify suitable criteria for applicants to qualify for dedicated support
- Identify how fees can be reduced and/or subsidized to accommodate qualified applicants (in keeping with cost recovery principle)
- Identify appropriate kinds of support (e.g. technical assistance, organizational assistance, financial assistance, fee reduction) and timelines
- Identify potential providers and appropriate mechanisms to enable support provisioning

Operational Readiness



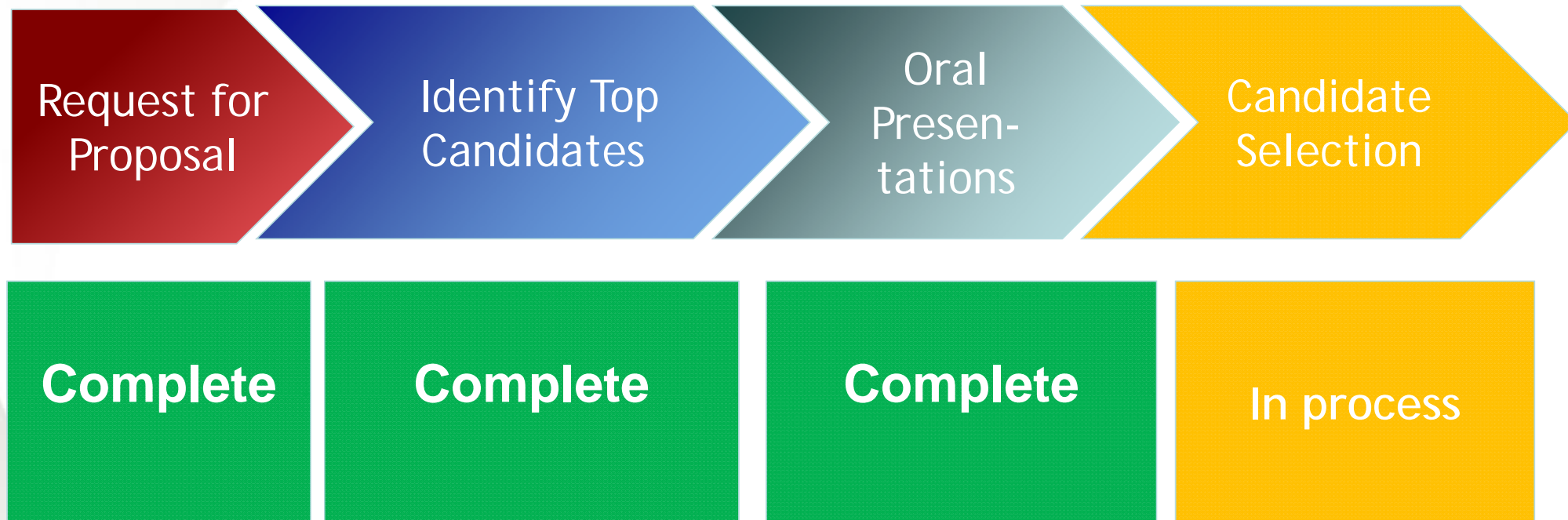
Documenting the Process

User Registration
Application Submission
Completeness Check
Publication of Results
DNS Stability Review
String Similarity Review
Geographic Names Review
Technical and Operational Review
Financial Review
Registry Services Review
Termination Procedure



Completed

Retaining evaluation panelists



Evaluation Panel Procurement Status

Assessment Area	RFP	Top Candidates	Orals	Selection	Contract	On-board
Technical	Complete	Complete	Complete	Tentative	Not Started	Not Started
Financial	Complete	Complete	Complete	Tentative	Not Started	Not Started
String Similarity	Complete	Complete	Complete	Tentative	Not Started	Not Started
Geographic Names	Complete	Complete	Complete	Tentative	Not Started	Not Started
Community Priority	Complete	Complete	Complete	Tentative	Not Started	Not Started
DNS Stability	N/A	Complete	Complete	Tentative	Not Started	Not Started
Registry Services	N/A	Complete	Complete	Tentative	Not Started	Not Started

Service & Dispute Resolution Providers

Objection / Service Grounds	RFI	Top Candidates	Interviews	Selection	Exchange of Letters	On-board*
String Confusion	Complete	Complete	Complete	ICDR	Complete	Not Started
Legal Rights	Complete	Complete	Complete	WIPO	Complete	Not Started
Morality and Public Order	Complete	Complete	Complete	ICC	Complete	Not Started
Community Objection	Complete	Complete	Complete	ICC	Complete	Not Started
URS	Written	Not Started	Not Started		Not Started	Not Started
Clearinghouse	Written	Not Started	Not Started		Not Started	Not Started
Post-delegation DRP	In-process	Not Started	Not Started		Not Started	Not Started
Independent Objector	Written	Not Started	Not Started		Not Started	Not Started

Getting to Done

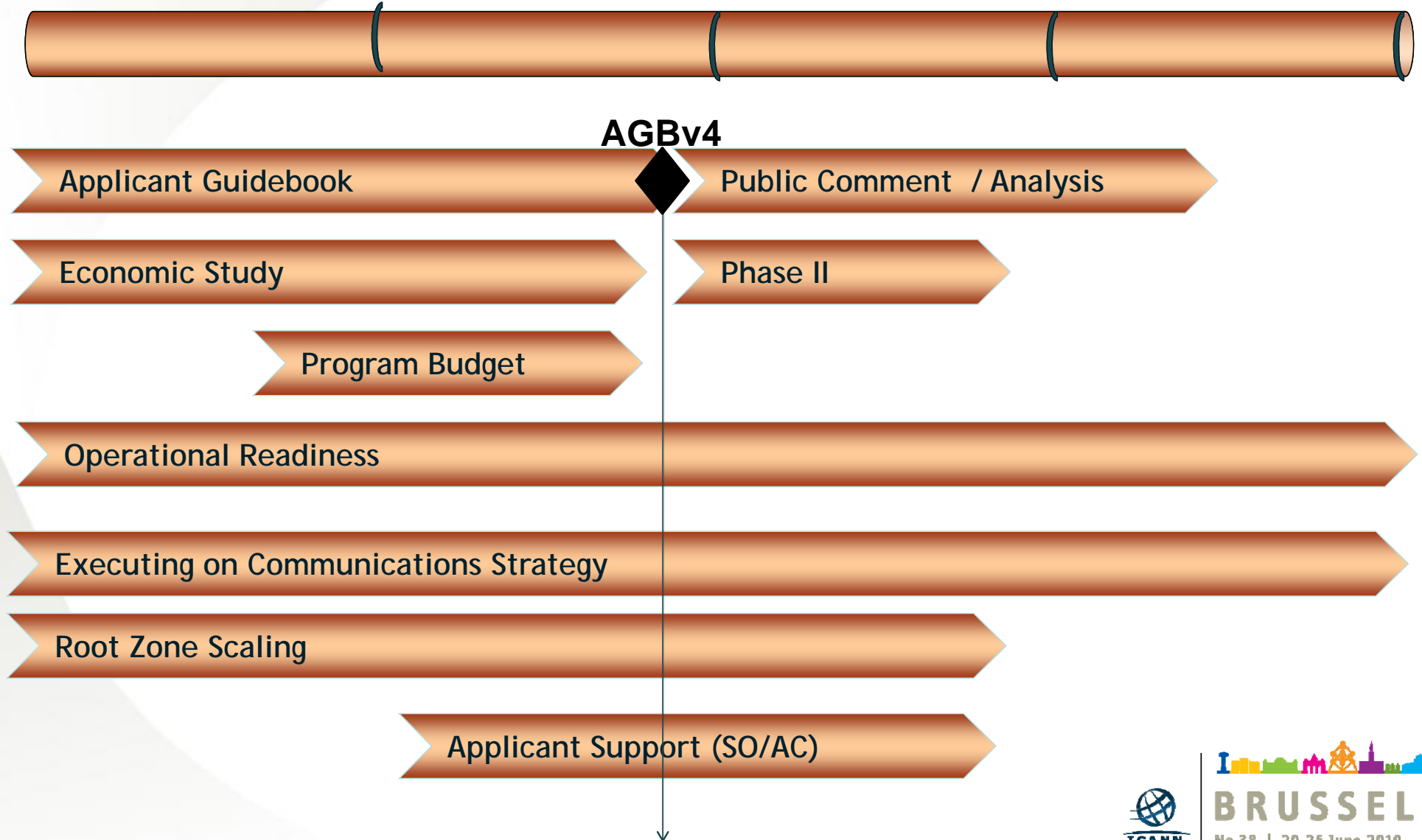
2010

3/1

7/1

10/1

2011



Sessions in Brussels

Date/Time/Place	Session
Tuesday 11-13:30 <i>311/312</i>	New gTLD Basics
Wednesday 14-15:30 <i>Gold</i>	IDN: Variants & ccTLD Fast Track
Wednesday 14-15:30 <i>Gold</i>	Reducing Barriers to New gTLD Creation in Developing Regions
Wednesday 16-17:30 <i>Silver</i>	Brand Management in the Age of New gTLDs
Throughout	Briefings for stakeholder groups

Thank you

Questions

Questions

