GNSO Public Forum

Dr Bruce Tonkin

Chair, new gTLD Committee

Lisbon, 26 March 2007

Agenda

- **Why have new gTLDs**
- **Application process**
- **Strings checks**
- **Applicant criteria**
- **Objection and dispute resolution processes**
- **New gTLD operator obligations**

Postal Addresses

- **Human friendly**
  - **120 King Street, Melbourne, Victoria, Australia**
- **Machine friendly**
  - **E.g in Australia, Delivery Point Identifier (DPID - unique 8 digit bar-code used for routing mail)**
  - **Postcode 3000, Country Code AU**

Internet Addresses

- **Machine friendly**
  - **192.0.34.163**
- **Human friendly**
  - **www.icann.org**

Domain Name System

- **Goal: (from RFC1034)**
- **The primary goal is a consistent name space which will be used for referring to resources. In order to avoid the problems caused by ad hoc encodings, names should not be required to contain network identifiers, addresses, routes, or similar information as part of the name.**
- **not restricted to a single application**

Name Hierarchy

- **Hierarchical**
- **Tree structure**
- **Machine and human readable**
- **.**
- **.a, .b, .c – single level**
- **a.a, b.a, c.a – two level**
- **a.a.a, b.a.a – three level**

Name Hierarchy

- **Deep hierarchy – many levels**
  - Allows short names per level
  - A.a.a.a.a.a.a.a.a.a.a.a.a.a
  - .b.a.a.a.a.a.a.a.a.a.a.a.a
- Shallow hierarchy
  - few levels
  - longer names needed at each level
  - .aaaaaaaaaaaaaaaaaa
  - .baaaaaaaaaaaaaaaaa

Domain Name Hierarchy

- **Prior to 2000 – (see RFC1591)**
  - AU, UK, DE, CH – two letter country codes (ISO-3166)
  - Generic:
    - Com – commercial
    - Net – network operators
    - Org – miscellaneous
    - .edu, .gov, .mil, .int

TLD operator requirements

- **From RFC 1591**
- **(1) Designate a manager for supervising that domain's name space**
- **(2) These designated authorities are trustees for the delegated domain, and have a duty to serve the community**

TLD operator requirements

- **(3) The designated manager must be equitable to all groups in the domain that request domain names**

- **(4) Significantly interested parties in the domain should agree that the designated manager is the appropriate party**

TLD operator requirements

- **(5) The designated manager must do a satisfactory job of operating the DNS service for the domain.**
- **(6) For any transfer of the designated manager trusteeship from one organization to another, the higher-level domain manager must receive communications from both the old organization and the new organization that assure that the transfer is mutually agreed, and that the new organization understands its responsibilities.**

Current situation

- **No uniform conformance to categories**
  - **.tv (Tuvalu) – commonly associated with television, video etc**
  - **.com – widely used by Internet users whether natural persons, legal entities, profit, non-profit etc**
    - **Driven by low cost, ease of registration**
  - **Some country code names duplicated top level (e.g .com.au, .net.au) – now many choosing flat hierarchies – motly registrations at 2nd level**
  - **Some country hierarchies duplicated in .com - (e.g uk.com, au.com etc)**

Global trends

- **Widespread access to convenient travel and communications technologies**
- **Natural persons no longer necessarily associate themselves with countries, but with international communities of interest**
  - Multiple citizenship, language skills
- **Companies, organizations now global – operate across many borders**

Background

- **Initial ICANN working group on new gTLDs started in June, 1999**
- **Arguments for and against new gTLDs have been fairly consistent since 1999 working group C report**

Background

- **For:**
  - Increase choice, diversity, competition
  - Provide opportunity for global communities to have their own hierarchy
- **Against:**
  - Unnecessary – register at second level in the existing hierarchy
  - Requirement for "defensive registrations" to protect brand

Background

- **1999:**
  - Agreed to introduce new gTLDs
  - Begin with a testbed with six to ten TLDs
- **2000:**
  - First round – e.g .biz, .info, .museum, .coop
- **2004:**
  - Limited second round – e.g .travel, .cat, .asia

Approaches

- **Create a structured taxonomy**
  - finance, manufacturing, etc
  - PC users, MAC users, other users
  - fish eaters, meat eaters, and those that don't eat
- **Allow communities to self select**
  - *Market based approach*

Why new gTLDs

- **Support the functional, geographic, and cultural diversity of the Internet by allowing globally distributed *communities* the opportunity to have their own hierarchy of names starting at the top level**

- **Accept that not all communities identify themselves with countries or by the original broad com/net/org categories**

New gTLD committee

- **Accepted outcomes of 1999 work taking into account experience with introducing new gTLDs so far**

- **Focussed on lessons learnt and creating a process for introducing new gTLDs**

- **ICANN mission and core values used to guide the work**

Internationalised Domain Names (IDNs)

- **The committee supports the introduction of IDNs when technical testing completed**
- **Treated the same as any other new gTLD in the process**
- **IDNs do make implementation more complex**
- **GNSO IDN working group established to examine IDN issues further**

Work items

- **String criteria**
- **Applicant criteria**
- **String contention**
- **Contractual requirements**

String Criteria

- (1) Must not be "confusingly similar" to an existing top-level domain
- (2) Must not cause any technical instability

String Criteria

- **(3) Must not infringe the existing legal rights of others that are recognized or enforceable under generally accepted and internationally recognized principles of law**

String Criteria

- **(4) Must not be a reserved word**
- **Categories include:**
  - **ICANN and IANA related names**
  - **Single/two character labels**
  - **Names with hyphens in 3rd and 4th character positions (e.g "xn--ndk061n")**
- **Working group established to review existing lists at second level in gTLD agreements for application at the top level**

String Criteria

- **(5) Strings must not be contrary to generally accepted legal norms relating to morality and public order**

Complaint and dispute resolution

- The community will be able to raise issues associated with whether strings match the string criteria
- Technical disputes will be resolved within ICANN structure
- Where possible, issues outside of ICANN's core expertise will be referred to external dispute providers with appropriate expertise – decisions will be made with reference to internationally recognized principles of law

Applicant Criteria

- **(1) Applicants must be able to demonstrate their technical capability to run a registry operation**
- **(2) Applicants must be able to demonstrate their financial and organizational capability to fulfill all their obligations of a TLD operator**

Applicant Criteria

- **(3) There must be no substantial opposition from among significant established institutions of the economic, geographic, cultural or language community for which the TLD string is intended to support**

String contention

- **Occurs when multiple valid applications for the same string or confusingly similar strings**

String contention

- **First encourage applicants to resolve amongst themselves**
  - Meetings amongst themselves
  - Mediation (using a third party to help)
  - Binding Arbitration

String contention

- **If there are significant established institutions of the economic, geographic, cultural or language community for which the TLD string is intended to support – use a comparative evaluation process, otherwise use auction**

- **Additional fees from the applicants to cover costs for comparative evaluation**

String contention

- **If there are significant established institutions of the economic, geographic, cultural or language community for which the TLD string is intended to support – use a comparative evaluation process**
- **Additional fees from the applicants to cover costs**

Protecting Rights working group

- **Established to address some of the concerns around registration processes at the second level that give some protection for legal rights especially during start-up of new gTLDs**

Next Steps

- **Seeking to finalize recommendations by May 2007 and produce the final "Final Report"**

- **Submit "Board Report" to the Board by early June 2007**

- **Available for the Board to consider at its meeting in Puerto Rico, 29 June 07**