DUBLIN – New gTLD Program Reviews and Related Activities
Monday, October 19, 2015 – 14:00 to 15:15 IST
ICANN54 | Dublin, Ireland

KAREN LENTZ: Good afternoon everyone. Welcome to the new gTLD Program Reviews and Related Activities session. My name is Karen Lentz. I am director of operations and policy research at ICANN. And I have today a large panel of people who will talk to you about work that's going on related to this program.

For those who might be new to it, the new gTLD program has been around for the last several years. The ICANN community as done a lot of work on opening up the top level of the name space so that many more gTLDs have been added in the last few years.

We're considering this session a little bit like the sightseeing bus that drives you around the city so you can see the lay of the land and everything there is to see.

There are several more sessions this week which will enable you to get deeper into some of the topics or areas that you might be interested in, and we'll be highlighting what those sessions are this week.

In terms of the agenda, we are starting with discussion of the work that's occurring within the supporting organization and advisory committees within ICANN, who are doing work that is either looking at what the results and experiences have been of operating this application round in the program, and are looking ahead at what sort of recommendations or considerations they might want to apply to future application processes in the program. Then, we'll turn to some topic specific review of activities and studies that would have underway. So we'll go through all of that and then we'll have time for questions.

I will introduce the panel very quickly starting with Mary Wong from ICANN staff, who will speak about policy activities in the GNSO. Olga Cavalli from the GAC's Geographic Names working group.

We'll also be joined by Alice Munyua and Tracy Hackshaw from the GAC's Underserved Regions Working Group. Heather Forrest is here from the Cross Community Working Group on Use of Country and Territory Names.

Jim Galvin is here from the SSAC. Margie Milam from staff will talk about the competition choice and consumer trust review that's upcoming. Brian Aitchison from ICANN will talk about some of the metrics that have been collected to support the CCT review.

Greg Rayford from Analysis group will discuss the economic study that's been conducted to start looking at the some of the competitive effects of the program.

Dave Dickinson from Nielsen will talk about the results of a registrant survey that we recently published a report on. Cristina Flores from ICANN will talk about the Program Implementation Review report, which was recently published, that covers a number of topics leading to the implementation of the program and the processing of applications.

Antonietta Mangiacotti from ICANN will talk about the rights protection reviews as well as the trademark clearinghouse review that's upcoming. And David Conrad, last but not least, will talk about the upcoming study on the impact of the program on the root server system.

So with that, I will hand it over to Mary to kick us off.

MARY WONG: Thank you, Karen. Hello everybody. I'm the first stop on your hop-on/hop-off bus, so welcome to the Generic Name Supporting Organization, or the GNSO.

I realize that a lot of you in the room are old hands at this and veterans of the ICANN policy process, but for those of you who are new, welcome.

We thought it would be helpful to focus or highlight two projects that may lead to potential policy work by the GNSO. You see those on these two bullet points.

But before I tell you a little bit about them, this diagram we've also included, it's rather affectionately – although perhaps not accurately –known as the snake. And it shows you the various stages of a GNSO Policy Develop Process (or PDP).

We thought this would be useful, particularly for the newcomers, but also for everyone else, because the GNSO PDP is somewhat different from other develop processes and other SOs and ACs. So in terms of the two potential projects that we've listed on this slide, in terms of where we are in the GNSO PDP, this is a very, very early phase.

You see in the round, red circle there that this is really about scoping out the issue. And in terms of the first issue, the new gTLD subsequent rounds, this is a Preliminary Issue report that was published quite recently and is open for public comment through the end of this month or the 30th of October.

The second was just published also for public comment, and that involves the potential review of all the various rights protection mechanisms that have been developed for all the gTLDs. I'll say a little bit more about that. I have, I think, two minutes.

I think what's important, going back to the diagram of the snake, is like I said, it's a fairly early phase. It's the issue scoping phase, and public comments will be very, very important to inform the GNSO and the GNSO Council in its decision whether or not to vote to initiate either or both of these PDPs, so please send us your public comment, one from the 30th of October and the other through 30th of November.

The new gTLD subsequent rounds is kind of pretty self-explanatory. It looks back to the original GNSO principles that were developed and adopted sometime in 2007. So if there were to be a PDP, if that's what's voted on by the council to kick it off, obviously this PDP could clarify, add to, amend, or change what's in the current principles that have governed this current program.

In terms of the rights protection mechanisms, this is more focused. It focuses on the various processes, policies, and procedures that have been developed over the years to protect the rights of trademark owners in the generic top-level domains.

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It's important to note that for this particular piece of potential work – the RPM review – note that it says all gTLDs, so it would cover the older policies such as the Uniform Dispute Resolution Policy that applies to all gTLDs, not just those in the new gTLD program. And, of course, also those new RPMs develop for the new gTLD program that Antonietta will talk a little more about.

And so I will just end and pass and to Olga with a bit of a plug for the sessions to come later this week where we will have the opportunity to present to you and to enjoy a discussion with you about what exactly is in these reports, what kind of issues we would like feedback on, and of course, the various possible steps forward.

Thank you very much.

OLGA CAVALLI: Thank you, Mary. Thank you, Karen. This is the second stop of the hop-on/hop-off bus. My name is Olga Cavalli. I am the GAC representative of Argentina, and I am the GAC vice chair. I've been chairing this Internet working group in the GAC since its creation in the Buenos Aires meeting at the end of 2013.

And thank you Karen for the invitation. As we first met – I'm talking the about these things in Los Angeles, you may recall, and since then she has been so kind to invite us, me or some

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other colleagues could bring some outcomes or what we do in this Internet working group.

I have five slides. I will concentrate only on two because I know we have little time. I just use the rest of the information for your information. You can contact me if you want more details about this internal working group in the GAC.

Why we created this working group. In the GAC Durban communique, what was at the time of the GAC advice for dot-amazon, and we had other geographic names that were requested as TLDs, names that are not in official ISO list or official United Nations lists or other lists that are used for ccTLDs.

We started with this working group at the Bueno Aires meeting, and since then we have been doing several different things, which are the objectives of this working group.

We want in the next round of new gTLDs to have less conflicts in relation with the use of names which are relevant to communities, to countries that have some meaning for people, and countries that are in sub-regions, regions, or some cities.

We have, for example, dot-spa. We had Thai, we had Amazon, Patagonia – several examples that generated some conflicts.

My personal idea after the work of this working group and in the next round of new gTLDs, I would like to see more success stories and less conflicts. This is, at least, what we would like to have.

We want to lower the uncertainty for both, for the community and countries, for governments, and also for the applicant. We understand that the applicants invest us a lot of money, time, and effort in doing the applications, so the better the rules, the better the outcome. This is our idea. So this is why we want to review this.

Prevent and avoid misuse of names which are relevant for communities. We understand that those names are not included in official lists. And for some legal perspectives, they are available to anybody, but at the same time they have a meaning for many people and for many countries and for many governments and communities, so we have a conflict here. We have to check how to diminish this uncertainty. And also, in our work, give some background for the ICANN staff in doing this preparation and for the GNSO and doing the process that Mary has just informed you. And I will go to the next slide and I will stop with that one.

What we are working now, inject information that we have gathered in those two years of work to the GNSO. We want to

make comments to the process that you're starting in the PDP, and also, we're interacting with ICANN to inform about some outcomes.

What we did last year is we prepared a draft document for the first time as far as I remember in the GAC. We opened the document, which was not a GAC document, not even the working group document. It was an idea to the public comments.

So we received a large amount of comments. We processed them. We send them in Singapore, and those comments brought many legal concerns related with the availability of those names that should not be reserved for countries or communities, so this is what we have to work with.

We have developed some best practices that are in other slides. I won't go through that because it's very long, but you can take a look at them. How could we make them enforceable? What happened in first round is that they were mentioned that the applicants should get in touch with the community where the name would come from, but that didn't happen, and that brought conflicts after the application was made. This is one thing that we would like to review, perhaps, with the GNSO and with ICANN staff.

We are also working on a compilation of experiences from the first round of these conflicts. And something that has been arising in several comments everyone talks about: public interest.

What we have realized is public interest has many meanings in the ICANN environment, so we are trying to – I'm not sure if define it, that's a lot of work – but perhaps have in mind that public interest has a different meaning for government, for community, or for applicant.

I will stop here, and I apologize, I will have to leave 15 minutes before if we have question and answers. I invite you to our session about Women in ICANN at 15:15 in the floor above of us. Thank you so much.

KAREN LENTZ: Thank you, Olga. I didn't know the microphone phone was on when I said thank you.

Also from the GAC, do we have Alice or Tracy in the room yet? No. Okay. So we will move to Heather.

HEATHER FORREST: Thanks, Karen. Yeah, you can go right to the substantive slide. That's wonderful. Thank you very much for inviting me to be

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here today. I'm a GNSO co-chair of the Cross Community Working Group on the Use of Country and Territory Names as Top-Level Domains.

It's important I think that we, perhaps, if we can, just amend the slide to note that this isn't a GNSO PDP. This is a joint effort of the GNSO and the ccNSO. And I'm delighted to see one of my ccNSO co-chairs in the room.

This is really a very brief update. We've had the opportunity to give a similar update in Buenos Aires, and what I'll say is what we've done since that time.

So this cross-community working group is looking particularly at the issue of country and territory names and their use as TLDs. We have reached preliminary conclusions in relation to two-character country codes as those are identified on the ISO 3166-1 standard.

And I encourage you – if you have any questions as to where to find it – but I encourage you to check out our preliminary conclusions which are set up on our web page.

With that as background, we're moving on now to discuss three letter codes in the ISO 3166 standard. And doing so, if you like, building on the platform of the methodology that was undertaken in addressing two-letter codes.

First of all, identifying the current status quo of the policy. Secondly, considering options, canvassing the full range of options as to what policy could look like going forward. And thirdly, at least, let's say, examining each one of those options and looking for one that could be supported by a robust, identifiable, clear justification. I should also mention that justification has been very important to us in our historical research in terms of the current policy status as well.

What we have done, where we are exactly at the moment, is a few weeks prior to this particular ICANN meeting, we circulated to the heads of the various SOs/ACs, and then down within those respective organizations, some thought-provoking questions in relation to policy on three letter codes. If you haven't received that through your various SOs and ACs, please do let me know. It's important that our questions get distributed as widely as possible.

We had very roughly put a 9 October, if you like, aspirational thought as to when we might get some feedback back so that we had things to discuss in our meeting this morning, which we did. We had a very substantive and interesting discussion, but that 9 October was really just a soft target.

If you are willing, we'd be very, very grateful to receive your feedback as to your thoughts on how three-letter codes should

be used going forward. So, again, if you have not received those questions through your various SOs and ACs, please do let me know and I'll be very happy to make sure they find their way to you.

Thanks very much, Karen.

KAREN LENTZ: Thank you, Heather. Jim?

JIM GALVIN: Thank you. I'm Jim Galvin with Afilias, and I currently serve as vice chair of the SSAC.

SSAC has had a work party for just about a year now where we have been examining as the other groups have been – the GNSO, ALAC, and other SOs and ACs – reviewing the new gTLD program to consider whether there's any additional advice or comments that we might offer, obviously in preparation for the next round.

Particularly, it's worth noting that SSAC had made over 60 recommendations over the course of the last four or five years with respect to the new program. And what I want to do is just highlight a couple of the specific topic areas that we've been focused on, and are focusing on, and are considering what

additional advice that we might give over and above what we have done.

The first one is about root scaling. SSAC had made quite a number of recommendations about what it means to scale the root as the size increases, the use of the root zone increases, changes to the root zone occur. And, of course, now we have a plan that is being developed for rolling the root key, which will have its own timeline and issues that are going to come up. So we are concerned in general.

Our specific remit is about the security and the stability of the naming and numbering systems. And we care a great deal that the security of the system overall is maintained while all of those things happen.

One of the interesting questions one gets to ask is, we've certainly had a lot of new TLDs role out. We have more to come. And you want to step back and look at the system that has occurred and ask if there have been any significant incidents to date.

A certain set of things have happened, but has the system failed in any significant way? And so is it important to remember some of the advice that we've given before? Should we do things

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differently? Suggest some different monitoring to avoid those kinds of circumstances in the past?

So we are still considering the general topic of root scaling and reconsidering some of the advice that we've given in light of the experience that we have and whether or not we should say more about that.

In addition, another interesting topic is more generally called name collisions. We obviously have the step of controlled interruption that's part of new gTLD launches.

We have a number of names still that are on an indefinite deferral. We certainly have the IETF, which is doing its part for considering whether or not there are technical usages of names that it wants to reserve system that the new gTLD program should account for.

So we are considering the question of whether or not there are criteria – technical criteria – that would be important to considering whether or not names should be reserved and who should reserve those names and how those reservations should be respected or not respected.

And then, in a related manner, is controlled interruption still an important thing that we have to continue to do?

Obviously, part of the last few years of the launch of new TLDs has served its purpose in creating awareness about this issue. The name collision problem in part comes about on a technical level just because of how software has been implemented, how it's been deployed in legacy systems.

There comes a point in time when you have to ask yourself how long is it important to continue to support and take care of backwards compatibility and legacy systems? Is there a way to evaluate and know that that risk is low enough and you can make a different decision about whether or not name collisions are important? You still need controlled interruption. Is there some advice that we can offer in evaluating the current deferral of the set of reserve names so that a final decision can be made about whether they can move forward or not, and what the criteria for those might be?

That's all I want to say about those two areas that we've been looking at. I thought that would be most helpful for people listening, because they tend to be important topics.

If you have more specific concerns about what SSAC is doing and any questions about what we're up to, I also just want to remind you in closing that SSAC has its open pub meeting on Thursday morning.

We have the 8:00 AM. slot. I know that's early for a lot of people, but it is traditionally, for years now, during which SSAC has had that slot and I would encourage you to come to that meeting also with any additional questions you have that might not fit into the context of this particular forum. Thank you.

KAREN LENTZ: Thank you, Jim. And thank you, all of you. Before we move on to the next section, do we have Alice or Tracy? No. Okay.

So we're going to shift into the program review section. So these are sort of multidisciplinary reviews that have been identified in a number of areas, and so we'll start this one off with Margie Milam talking about competition, trust, and choice.

MARGIE MILAM: Hello, everyone. Currently we're getting ready to launch the next review under the Affirmation of Commitments, and this one will be looking at the new gTLD program and the effects of the new gTLD program on competition, consumer choice, and trust.

We have published a call for volunteers to join in this review team on October 1. That will be open until October 30, so we have this month where we're seeking volunteers to participate either as an independent expert or as a representative of one of

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the SOs and ACs. So there's a place on our website where you can put in your application and provide your expertise to be picked that group.

Because we are seeking representatives from supporting organizations and SOs and ACs, we are going to look for endorsements from the various SOs and ACs in the month of November. So early November once the call for volunteers is closed, we will publish the list of applicants. Then we'll look to the SOs and ACs to endorse the applicants that have sought to represent their SO or AC.

And then in December, once we get the endorsements back, the selection process will take place under the Affirmation of Commitments. Fadi as the CEO of ICANN and Thomas as the GAC chair, will get together and determine who will be members of this review team. And we'll announce the review team in December.

When you look at the timeline going forward, we anticipate that – and once the review team has been announced it will start its work in January. And given history from past reviews, we expect that that work will be done by the end of the year with possibly a final report on recommendations at the end of 2016. Next slide, please.

So if you're interested in participating, we really would like to get volunteers to represent a broad range of expertise. I'm not going to read the expertise that we're looking for, but you can see because the scope of the review is so broad, we're going to be looking for people who have a really in-depth knowledge of the new gTLD program, familiarity with the multi-stakeholder model and its procedures.

We are interested in people with consumer protection matters, because we want to look to see how the impact of the program on consumers. We also would like to see if we can find expertise in DNS and security related expertise, and competition issues.

If any of you would like to participate, we would really encourage you to do so because it will be an exciting review. And look at all of those interesting issues.

And with that, I'll pass it to Karen who will talk to you about the preparations that we've done for this review team.

KAREN LENTZ: Thank you. Margie. So in terms of the scope that Margie mentioned, this language is from ICANN's Affirmation of Commitment Section 9.3, where it defines this review and asks the review team to look at the extent to which new gTLDs have promoted competition, consumer trust, and consumer choice.

As well as A) the application and evaluation process; and B) safeguards put in place to mitigate issues.

So if you think about that in sort of three columns, that helps kind of organize the work that we've been doing in terms of preparing for these different areas that are part of the review.

So if you see, for example, the right-hand big circle, which is the review team, and you look at some of the activities that have been done so far, they relate to metrics that go to examination of competition, choice, and trust.

They relate to program implementation, so looking at the effectiveness of the application and evaluation process. And in terms of safeguards, we've started to look at some of the rights protection mechanisms that were built into the program. So this work's going to be described by the next set of speakers. Brian?

BRIAN AITCHISON: Thanks, Karen. My name is Brian Aitchison. I'm a lead researcher on ICANN's Operations and Policy Research Team and I'm going to talk a little bit about competition, consumer trust, and consumer choice metrics.

As Karen mentioned, the Affirmation of Commitment's mandates that ICANN review new gTLD programs in terms of competition, trust, and choice.

Back in 2010, the board tasked the GNSO and ALAC to find and recommend a set of metrics to measure CCT. After several years of gathering and assessing data, CCT Implementation Advisory Group reviewed the metrics in terms of their feasibility, utility, and cost-effectiveness.

The metrics have been gathered from various sources, most of them publicly available. For example, we took information from the new gTLD application status page, the IANA root zone dat0base, registry's monthly transaction reports, and a number of others.

Some metrics were incorporated from other efforts, such as the consumer and registrant surveys of the new gTLD marketplace conducted by Nielson, and an economic study of the new gTLD competitive landscape conducted by Analysis Group.

So just last month the process of publishing the metrics on ICANN's website began. Not all of the metrics are up and on the page yet, as we're still finalizing and updating many of them with the latest data; but the page is now available, so have a look.

The metrics are broken down into several categories, as you can see. There's data on compliance, registries, registrars, domain name registrations, domain name navigation, and rights protection mechanisms.

As just a few examples of what you can see on the page, you can see how many complaints ICANN receives each year on registries and registrars, you can see the number of TLDs operated by new entrant as opposed to legacy registries, and how many TLDs use internationalized domain name scripts. And that's just a small sampling of what's up.

We're running a more in-depth CCT data workshop in Wicklow MR3 on Wednesday morning at 8:00 AM., so grab a coffee and come talk metrics with us. And I'll pass that on.

KAREN LENTZ: Thank you, Brian. Greg?

GREG RAYFORD: All right. Thank you, Brian and thank you, Karen. Thank you all for continuing to remain on the tourist bus. The next stop will be the work that we've been doing. If you could go to the next slide, Karen, that would be great. Thanks.

So Analysis Group was retained by ICANN to look at the competitive effects associated with the new gTLD program, both in the past, presently, and in the future.

I think most of our focus is looking towards future, especially given that the new gTLD program is still relatively young.

The primary goal and what I'll be talking about today and in more detail on Wednesday at the panel that Brian mentioned is to establish a baseline for thinking about how to measure changes in competition between now and about a year from now.

Our team includes a number of people. The two primary members are Katherine Tucker, who's a professor of economics at MIT Sloan; and myself, an economist and vice president at Analysis Group. If you could go to the next slide, that would be great.

So Katherine and I both come from a competition and antitrust background and think a lot about how firms compete. And it simplifies it a little bit too much, but in terms of the approach that we're taking or thinking the about in this report, is that registrars and registries – and there are other ways in which competition, of course, may manifest –but registrars and registries may compete on price and non-price factors.

So when we think of price, we think of the prices that registries charge to registrars. We'll call those wholesale prices. And the price that registries may charge to consumers, we'll typically refer to those as retail prices.

Then there are also lots of other ways in which competition can manifest. So, for example, registrars and registries may try and differentiate themselves by looking at changes in the product quality or the types of offerings that they're providing or the ancillary products that they provide to consumers.

So to think about and to measure whether or not we see any type of competition on both these price and non-price factors, we sent data requests to registrars and registries for a sample – I'd say carefully selected sample – of 109 new gTLDs and then 14 legacy TLDs, where the new gTLDs were, in particular, chosen to select those new gTLDs that were both historically popular or that had large number of registrations, but then also had a large number of recent registrations.

I'll just quickly note that we made sure that the set of new gTLDs that we sampled from were representative of ICANN's five regions. And we also ensured that at least some of them had this IDN capability that Brian just mentioned.

So we sent these requests out. The registries were very responsive and provided us with lots and lots of wholesale data. The registrars were, unfortunately, a little bit less responsive, and so we ended up having to go to their websites and collect their publicly provided prices, both for the domain name registrations but also for any add-on features.

So just to give you – and this is a really, really high-level summary of those results – but to give you a summary of what we found, in terms of the registration shares, we find that both across registries and across registrars, there's a lot more dispersion amongst the new gTLDs as opposed to the legacy TLDs.

In terms of the wholesale prices that were provided by registries, we find that, in general, the new gTLD prices are on average higher than the legacy TLD prices. In terms of price dispersion, which is one way in which one can begin to look at competition, we find higher levels of price dispersion for new gTLDs as opposed to legacy TLDs.

And then finally, when we look at add-on prices and their price relative to the price of, for example, buying a domain name, we find that the add-on prices are typically fairly significant relative to the price of actually registering a domain.

There is a note down here, and I think it's an important one to focus on, which is that the phase one results in particular, since we're establishing a baseline, were not attempting to say really anything about competition at this point.

There could be lots of reasons for why we see either higher prices or lower prices or higher dispersion or lower dispersion, including TLDs' ability to differentiate themselves and the fact that legacy TLDs still have wholesale price caps.

Why don't we go ahead and skip this one. I feel like I'm probably running tight on time.

I mentioned the phase two assessment, so this will be coming out in about a year from now where we'll compare what we saw today versus what we see a year from now to hopefully have a little bit more insight as to whether or not we are seeing any kind of pro- or anti-competitive effects associated with the new gTLD program. It will include both looking at prices, but also at registrations. And to the extent that we're able to obtain transaction level data in the future, then we will also include that in our report as well. Thank you.

DAVID DICKINSON: Hi, everyone. I'm just waiting for the slides to come up here. I'll go ahead and start talking since we're on limited time.

This is a brief overview of the Global Registrant Survey. Go ahead to the next slide. This survey was conducted in 24 countries in 17 different languages. We gathered over about 3,000 interviews. It was conducted with adults aged 18 or older who had registered a domain name before, and they were the decision maker for that domain name.

It was conducted in two waves earlier this year. ICANN commissioned it, and Nielsen conducted it. It's a companion piece to the consumer survey that some of you may have already seen the results from. And if you've seen the results from that, these results are surprisingly similar, so a lot of consistency between the two. Go ahead to the next slide. Keep going.

One of the areas that we explored were awareness levels and visitation. On the left-hand side there you see the legacy gTLDs, and we see a consistent pattern there. The common three: .com, .net, .org, have high awareness levels. And then it drops down as you get to less-commonly registered legacy gTLDs, until you get to the geographically targeted gTLDs in which it pops back up. So when you get to those highly relevant localized gTLDs, there's a strong awareness within their geographic areas of concern.

The new gTLDs you see are a little better than the lowest level of the legacy ones, but still lots of room to growth there.

These numbers are a bit stronger than they were among the general consumer group, but still plenty of distance to go.

And we'll go to the next slide, talk about this just a little bit more. This is the same data shown in a different way. This is saying that the people were aware of any one of the gTLDs was in the group.

You can see almost everyone was aware of at least one of the ones that were put in the high category – .com, .net, .org – and then it drops down. About half the people are aware of one of that lower category of legacy gTLDs.

You look over at the new gTLDs; a little bit better picture here. The majority of the participants were aware of at least one of the new ones. The thing that stands out as different here is the new geographically-targeted gTLDs. They did not pop up in awareness, so there's still a lot of ground to be gained by those new geographically targeted gTLDs; but if we look at the pattern formed by the legacy ones, we would expect to see dramatic movement there.

These numbers, by the way, are about 20 points stronger than in the consumer studies, so within what you might consider your target market, it's a better picture. Let's go, next slide.

Intent to visit almost always follows very closely with awareness. People become aware of things because they have some relevance, and so across the board intent to visit is very high.

Another area in addition to awareness and visitation, we looked at trust. What we see here is the same pattern that we saw in the consumer survey, that if I'm familiar or if something seems interpretable and lends an air of familiarity, I tend to have a significant trust in it. If it doesn't, my trust levels are lower across the board. So this perception of familiarity affects trust levels.

So not surprisingly, the trust levels for the new gTLDs are lower, but they're still pretty high for something that's relatively new to the market space. And we think that's in part because of the interpretability of them.

A couple of other points to make about trust. The purple box there is talking about how, while there's an avoidance of a heavy hand on regulation in general, people acknowledge that the awareness that a gTLD has some level of purchase restriction to it does improve their trust level. That was the same as we saw in the consumer survey.

The other thing is the registrants are even more likely to say that they modified their online behavior to protect themselves

online; so they're aware of potential issues, and they're recognizing that they have to do something themselves to protect them. Next slide, please.

A trust in the domain name industry in general. I'll just hit at couple of points here. Registrants were more likely to say that they have come across some sort of bad behavior; however, they tend to have less fear of it. That fear is still strong fear, but they feel like they're taking personal steps.

However, there's still the same confusion that we saw in the consumer survey that they don't know necessarily the best avenue to take to protect themselves and to report a bad operator, basically.

The good news – the best news here is that trust in the industry as a whole, remains very high. Trust levels are at or above other parts technology sector, when whose job it is to fight the bad guys, it's not the industry's job. It's consumer protection agencies and law enforcement groups. Next slide.

So wrap up. The next step's there will be phase two for each of these studies that will be completed. They'll be launched about a year after they were this year, so Consumer in February; Registrants in August.

Those findings will be shared with the ICANN Competitive Consumer Trust and Consumer Choice review team as part of that review. And if you do want to see more about the research findings, we have a working session on Wednesday. Thank you.

CRISTINA FLORES: Thanks David. Hi, everyone. I'm Cristina Flores and I'm presenting a brief update on the Program Implementation Review. Next slide. Thank you.

As with other reviews we've been discussing this section, the Program Implementation Review is also intended to be an input to the Review on Competition Consumer Choice and Trust called for by the Affirmation of Commitments. In particular, this review provides information on the effectiveness and efficiency of the application and evaluation processes.

To provide some background on how we approach the review, this was a self-assessment performed by ICANN, and is the result of many people's observations.

When we were determining how we would review the implementation of the program, we thought it would be most logical for ICANN to perform the review, as it was ICANN who executed the implementation of the Applicant Guidebook.

Additionally as ICANN had the experience of operationalizing the program, we wanted to capture lessons learned for consideration when designing future application rounds.

In performing the review, we started by collecting metrics and statistics from program operations, which you'll see throughout the report.

We also reviewed feedback that we received from participants, including comments submitted here at public ICANN meetings, through customer service inquires, through public correspondence, and through the various forums available to the community.

And then to supplement this information and to provide context, we relied on observations from staff and service providers.

The report is organized into eight chapters which are listed here on the slide. The first five are mapped to the modules in the Applicant Guidebook, and the last three are on topics that we felt warranted discussion, but didn't necessarily map directly to the guidebook.

In assessing the implementation of the program, we identified lessons learned, which I mentioned a moment ago, intended as consideration for future rounds and which require varying levels

of enhancement or redesign if we were to implement for the future.

We'll be going over these lessons learned in more detail in a session later this afternoon. It's at 5:00 in this room, so we encourage you all to attend.

We will be going into a little more detail on some of the key lessons learned and they're also available in the published report; the link that's listed on this slide. Thank you.

ANTONIETTA MANGIACOTTI: Thanks, everyone, Cristina. Hi, everyone. I'm Antonietta Mangiacotti and I'm going to provide a brief update on the work related to rights protection mechanisms and the Trademark Clearinghouse.

As part of the program reviews, we conducted a study to review the effectiveness of rights protection mechanisms which were put in place as safeguards as part of the new gTLD program.

Over a period of 12 months we worked to compile and analyze quantitative as well as qualitative data on the use of the Trademark Clearinghouse, Uniform Rapid Suspension System, and the Post-Delegation Dispute Resolution Procedure.

The draft report on reviewing the RPMs was posted for comments in February of this year. The feedback that received, which was previously discussed at ICANN 53, shows that there's a need for operational improvements in regard to the Trademark Clearinghouse where we are actually currently addressing with our service providers, while some members of the community feel that there are other issues that may need policy development by the GNSO, or just additional review in general.

The draft report has since been updated based on the feedback received and the latest data available. And the revised RPM report was published in September of this year and it's expected to serve as input to various planned activities including possible policy discussions in the GNSO, such as the issue report on RPMs, which Mary discussed earlier.

The GAC recommended an independent review of the Trademark Clearinghouse and their review of the program's impact on competition, consumer trust, and consumer choice. Next slide, please.

Also, please join us for the GNSO issue report session on reviewing RPMs on Wednesday, where the community will discuss the staff recommendations and the report regarding a possible PDP to review all RPMs. Next slide.

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The independent review of the clearinghouse was recommended by the GAC. We committed to undertaking this review to assist only the processes pertaining to the Trademark Clearinghouse such as the Trademark Clearinghouse guidelines and verification process, the sunrise period, trademark claims; but also in conjunction with the GAC-specified areas for review, which include whether the claims period should be extended beyond the required 90 days and whether the sunrise and claims services would benefit from the inclusion of non-exact matches.

And some of the proposed data sources that we will look at to analyze these processes include the Trademark Clearinghouse database, records of dispute proceedings, interview with our service providers, as well as key user groups; ICANN and clearinghouse customer service reports, the revised rights protection mechanism report, as well as the draft report and the public comment forum for those.

We want to emphasize that this is intended to be an informational study to support the discussion on related RPM reviews and also to enable the consideration of RPMs available in the domain name space.

It's also expected that this review may identify other operational issues that may need to be improved or issues for evaluation that can be included in the analysis of the Trademark

Clearinghouse or just issues that may benefit from additional policy development work.

So with this in mind, currently we are following the procurement guidelines and reviews proposals which were submitted in response to the RFP released on August 7. In terms of the next steps, the contracting process will take place with a qualified vendor, and it's estimated that this study will begin in Q4 2015. Thank you.

DAVID CONRAD: Hello, I'm David Conrad. I'm providing an update of the Root Stability study. We chose The Netherlands organization to provide this study for us using a methodology that's described there.

We will define the relevant security and stability parameters, develop a monitoring and data collection plan and solicit feedback from the DNS community, study future scenarios with a simulation of the root system, and then deliver a final report.

The estimated next steps for this study are in May of 2016 to produce a draft report, in June and July of 2016 to have a public comment period, and in April of 2017 to issue the final report. We do request feedback, both me and [inaudible].

The input on methodology can be provided at a session upcoming on Tuesday from 1:00 to 2:15 in the Ecocem room.

And with that, it's the last stop on the tour bus. I hand it back to Karen.

KAREN LENTZ:
Thank you David. And thank you everyone. I will wrap it up with a timeline on all of the program reviews and activities that have been described. This timeline hasn't changed much from what we've shown before, so we're still on pretty good track.

If you look at what's there, there are some things are difficult to predict, like the CCT review, for example, hasn't actually started yet. The estimates that are there are based on what has been the case with review teams, so that's our estimate; but as that team gets going and has a work plan, we'll be able to provide a more – probably precise and and accurate schedule. But as far as all of the reviews activities they look to be completing in year 2017.

I just want to highlight again all of the additional sessions that we have that will delve deeper into some of these topics that have been mentioned that we haven't had the time to explore as much as they deserve here, so I do encourage you to participate in those.

	And with that, I will open it up for questions. The setup of the room is such that there are individual microphones at the tables in these rows, so if you would like to ask a question, you can make your way to one these tables. And also we'll have remote participation questions and feedback as well. Ruebens?
RUEBENS KUHL:	Rubeens Kuln, NIC.BR. The question is for David Conrad. It's about controlled interruption. How many reports of collisions did ICANN receive, and of those how many were life-threatening?
DAVID CONRAD:	I can, I believe, answer in response to the last question, none; but I'll have to refer to Francisco to provide the actual statistics.
[FRANCISCO]:	The number is slightly below 30. I don't have the correct number with me right now. I think it's 27, but as David said, no one with life-threatening issue.
KAREN LENTZ:	More questions? Yes.

MARILIA MACIEL: Thank you. My name is Marilia Maciel. I'm a GNSO council representing Non-Commercial Stakeholder Group. I just would like to understand. What is the relation between the [CCT] review and the GNSO discretion on new gTLD subsequent procedures. Because there are some issues that clearly overlap and this is an upcoming PDP to us.

How do you see both processes informing each other, and is this [the CCT] being seen as an input to the PDP process?

And two quick questions; one on metrics. Unfortunately, I won't be able to be in a session, so I take opportunities to ask questions here.

The metrics seem to capture competition among existing players in the market, do you try to capture, somehow, the conditions that block the entry of new players in the DNS market, especially the developing world?

And a quick question about the Nielsen report. The report seems to show that Latin America, Asia ,and Africa are the regions that are being the main drivers new gTLD acceptance. If you can comment on that that would be useful. Thank you.

KAREN LENTZ:	Okay. Thank you for those questions. On the first question, the question was: What is the interaction of the CCTand the CCT review with the possible policy development work that could occur in the GNSO relating to subsequent procedures.

In terms of how they operate, they are independent. The CCT review is something that's called for in the Affirmation of Commitments and that we are undertaking to execute.

The GNSO determines its own schedule and agenda as far as the policy work that it wants to do, and they use it to find a set of steps, as you know, using the policy development process. You could, theoretically, have these processes occurring with no interaction whatsoever.

I think where we are, though, with these is that people are very much aware that we have these two processes and discussions going on. I know that in the GNSO, for example, there's been discussion about what the right way might be to either follow the work of the review team and to track or plan the work of it.

It could align with either of those discussions or that schedule. So I think it's really up to both groups how they would want to do that at that interaction

Mary, do you have anything you want to add to that?

MARY WONG: Actually, Karen described the processes very well. I'll just add that we'll go into this in more detail in the specific sessions dedicated to the two issue reports on Wednesday, but essentially on the one hand a lot of the work that's being done with all these various reviews that are going on do explicitly refer to the fact that there may be possible policy development work to be done by the GNSO.

And for these issue reports, for example, the RPM one, there is a very explicit discussion of the potential role that the CCT review, for example, that you mentioned may play, and how that might feed into the GNSO's decisions on how to move forward.

KAREN LENTZ: Thank you, Mary. Greg, do you want to address the question on competition?

GREG RAYFORD: Yeah, I'd be happy to. Thank you for the question. It's actually a really good one. It's not something that we have thought about incorporating in the first report, which is now online, but it's something that's been very much on our mind for thinking about what our results look like a year from now.

My anticipation is that it's – I don't know how much of the report it takes up, but it's something that deserves at least a little bit attention in what we write in the phase two work.

KAREN LENTZ: Thank you, Greg. And, also, I'll add that that report is open for public comment, so that might be a useful point to make in the comments.

GREG RAYFORD: And then as regarding the uptake of the new gTLDs, in certain regions, that's true, that does show up in the data. And my interpretation of what goes on there is some of that could be of a perceived relevance of those in those regions, but I think a lot of it is that there's just more of a focus in reliance on the legacy gTLDs in North America and the European theater; so in lieu of that heavy focus, there's more openness and quicker uptake. It's easier for people to move in to those new domains when they're not focused on .com.

KAREN LENTZ: Thank you. Do we have more questions? Yes, Susan.

SUSAN PAYNE: Thank you. I'm a member of INTA's Internet Committee. This is a question for Olga, please.

In the comments on some of the work of your working group, in the past some issues were raised about issues around international law an so on. So I had a question for you, whether your working group has sought and obtained advice and assistance on international law issues from either externally or from your own experts within maybe some of the GAC members' colleagues within their governments?

OLGA CAVALLI: I'm not sure if I got correctly your question about laws related with national protection of names? Is that the question? If we reviewed them?

SUSAN PAYNE: Yes.

OLGA CAVALLI: Well, we had the intention. We haven't done that so far. The idea was to first review the experiences that we had in the first round of new gTLDs. Some countries did mention that they were national protections of names. That doesn't happen in every country. And, of course, it's at the national level.

It is on our scope of work. We hope to do that. We haven't done that yet. Thank you.

KAREN LENTZ: Thank you. Jordan?

[JORDAN CARTER]:   Yes. I have two questions somewhat related to the root scaling. First, I think Jim mentioned that the SSAC was looking at root scaling as one of the topics in your own analysis, but it sounds like ICANN has an independent study on root scaling; so I'd be curious to get your opinions on how those two processes interact.

And secondly, David, I think looking at the methodology the answer to this is no, but is there any attempt made – and I think I asked this last time – is there any attempt made to look beyond root scaling to the effects of the addition of new gTLDs to the broader Internet infrastructure, in particular to the recursive resolver infrastructure of the internet?

JIM GALVIN: So I'll just respond quickly that, in fact, the root study which is being executed by this team is one of the recommendations that SSAC had made years ago as part of its set over history.

We are paying attention to this effort here and anxious to see what it's going to do and watch its methodology, and, of course, review the final report. Thank you.

DAVID CONRAD: Yeah. With respect to the impact beyond purely the root servers themselves, the methodology that we're looking at is primarily aimed at the root server system as a whole. The question about the caching resolvers is the thing that we're going to be discussing with TNO to see what approaches can be brought to bear to explore that particularly aspect, and taking the comments from Buenos Aires into account. Yes.

KAREN LENTZ: Anymore questions? Last call for questions. Okay. Please thank all of our panelists for the updates, and we hope to see you again this week.

Thanks.

[END OF TRANSCRIPTION]

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