



81

ANNUAL
GENERAL
MEETING



ICANN Board Engagement with ICANN Community

Topic:

Future of the Next Round: New gTLD Program:

Applications in rounds or continuously accepting applications (first come, first serve)?

ICANN81 Prep Week

28 October 2024, 15:00-16:00 UTC



Goal of the Session

This session will explore what a future New gTLD Program might look like if **applications could be submitted continuously**, similarly to how this is currently done for other programs that ICANN runs, such as registrar accreditation

Background

- To date, the New gTLD Program has run in the form of rounds, meaning that new gTLD applicants are able to submit their applications during a certain window of time, with the next round currently expected to open in April 2026
- [SubPro Final Report](#) Affirmation with Modification 3.1 states that “Applications must be assessed in rounds”
- In the [March 2023 scorecard](#), the Board noted its concerns around the approach
- As included in the [September 2023 scorecard](#), the GNSO Council adopted a clarifying statement expressing interest in collaborating with the ICANN Board on the long-term evolution of the program, potentially moving away from the current round-based approach

What are Some of the Issues of Conducting the Program in Rounds?

- Having to deal with **contention sets**, which have proven to be one of the most complex and litigious – and therefore costly – aspects of the Program
- Significant costs of “**switching**” the Program on and off
- Creating a **sense of scarcity around gTLDs** and thus a rush to apply each time an application window opens

How Could This Work?

- A continuous open New gTLD Program means that applications would be submitted on a first-come, first-serve basis – and **contention sets would no longer come into existence**
 - If String A is applied for on 1 January 2025 at 00:00 UTC, and String B is applied for any time thereafter, String A, for the purposes of evaluating String B, is considered a ‘delegated string’ unless/until the application for String A is withdrawn or cannot proceed in the program (due to evaluation outcome, objection, GAC advice, etc..). The same would then be true for String C that is applied for after String B, and so on and so forth...
- Therefore, applicants can only apply for strings that are not already delegated (as is the case now) or applied for (which would be different to the status quo). If the application for that string is withdrawn or otherwise terminated before delegation, the string becomes eligible to be applied for again
- String similarity evaluation would review applied-for strings against all delegated strings, blocked names, reserved names, and all applied-for strings that are not yet delegated but for which an application was submitted earlier

Previously Raised Concerns

Known concern: Applications occur at any time, meaning that those wanting to provide input on specific applications would need to monitor the application process continuously at all times in perpetuity

→ **How it could be addressed:** To reduce the burden on the ICANN community, the application comment objection and objections windows as well as other input opportunities could be opened in a coordinated way at specific intervals, e.g. for 4 weeks after every ICANN meeting, for all applications that have been submitted since the previous ‘community input window’

Known concern: The initial stage of a permanently open New gTLD Program would mean that there could be a race

→ **How it could be addressed:**

- Such a change would come after the next round, and, subject to any PDPs, maybe even after the next next round, therefore demand should not be pent up in a way that it is potentially prior to the opening of the 2026 round
- Such a permanently open window could be opened first to ASP recipients and only after a period of time to all – circumventing the in-built advantage of existing players and applicants with deeper pockets – and thus better resources to put in an early application

Known concern: When/how would a newly developed policy for the Program be applied?

→ **How it could be addressed:** Currently, Consensus Policies are developed and, once implemented, apply per the terms of the RA; similarly, new policies for the gTLD Program would be applied as of an agreed 'policy effective date' as discussed with the IRT

Some Questions to Explore

- What advantages, if any, exist in maintaining the round-based system?
- What challenges would arise from a continuously open New gTLD Program?
- Are there other models that could be considered that would address the issues identified?
- Given current priorities, what is a realistic timeline for developing policies on this issue that would allow a different approach?