
ICANN83 | PF – At-Large Plenary 1: Unravelling The Net Round of New gTLDs for Comm-Based TLD Applicants
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MICHELLE DESMYTER

Hello and welcome everyone to the At-Large Plenary 1, Unraveling The Next Round Of New gTLDs For Community-Based, Top-Level Domains Applicants. My name is Michelle DeSmyter and I am the remote participation manager for today's session. Please note that this session is being recorded and is governed by the ICANN Expected Standards of Behavior and ICANN Community Anti-Harassment Policy.

During this session, questions or comments will only be read aloud if submitted within the Q&A pod. Interpretation for today's session will include English, French, and Spanish. If you would like to speak during this session, please raise your hand in Zoom. When called upon, virtual participants will be given permission to unmute in Zoom. On-site participants will use a physical microphone to speak. Please state your name for the record and the language you will speak, if speaking a language other than English, and please speak at a reasonable pace. And with this, I will now hand the floor over to your moderator, Cheryl Langdon-Orr.

CHERYL LANGDON-ORR

Thank you, Michelle. My name is Cheryl Langdon-Orr. I'm your tour guide for today. As we take a trip through the Applicant Guidebook and the thrill-packed and exciting world of the potential next round

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for new gTLDs. Because we're in an At-Large and At-Large advisory committee space, much of our focus will be on where we come from, which is the interests of end users, and in this context, often driven by those who would be qualifying or pre-qualifying for applicant support with the next round. And of course, those who will be making, hopefully, lots of community-based applications.

So there is a deliberate filter and flavor on the questions you will be getting from our intervenors. We have a role of extremely talented and hard-working presenters, including from staff, who will be giving us a this is where we are and this is what we think we've done view of things. And we have some more than capable intervenors who have prepared one, two, or maybe four or five questions for each of these presenters. And we hope that with this discourse, with this discussion, we might peel off some of the oops, we should have looked more into those moments. This is an opportunity for us to take, we've done a whole lot of hard graft, hard work, and getting the modelling as good as we can.

Now, we've also done a really fairly effective and efficient effort at polishing and dotting I's and crossing T's and picking up some of the big oops stuff. This session may come up with a, oh, I wish we'd thought of that earlier. And so if you have a, oh, I wish we'd thought of that earlier, come to the microphone, put up your hand in Zoom, put up your tent card. We do want this to be something that your information, your aha moments can be reflected on.

The ideal place, if you've got a particularly long or specific intervention and you are not one of the organized intervenors, one of the speakers, is to put this in chat. If you put it in chat, then it can be captured. We will not ignore it. You do not have to get it on the transcript record for your thought to be effective in our process going forward, because the Consolidated Policy Working Group, the CPWG of the ALAC, which was formed many, many years ago to stop the way too many meetings happening and bringing a few things together, has a deliberate plan to look at parts of the Applicant Guidebook and make draft commentary for the ALAC to consider in response to the current call for public comment on the complete Applicant Guidebook.

So your work here today will contribute directly into the next steps that the Consolidated Policy Working Group goes into. We've already got a small team being populated. They're choosing which bits of the Applicant Guidebook they want to drill down on, and so this is a good opportunity for additional voices to be heard.

With that, I'm going to cut short my allocation of introduction and hope that Lars and Elisa – who's going to start off? Which one of you is? You're starting off, okay. As soon as he gets his glasses cleaned and put on his face and he's ready, he has a drink of water. Well, if you're more than ready, how about we get started? The agenda is in front of you. This is the order of things. We will be doing our best to get through all of them, but if we don't, well, at least we've tried. So let's hand it over to our first Jean into part of

the Applicant Guidebook, and this is the Applicant Journey. Over to you, Lars.

LARS HOFFMANN

Thank you so much, Cheryl. Thank you for the warm welcome. My name is Lars Hoffmann. I work together with Elisa and the program lead, Marika, and over there the lead for the ASP program, Kristy Buckley, and a whole other team. Not all of them could make it here to Prague on the next round, and obviously we're not just working as the staff, but we've been working very closely with the community, especially in the Implementation Review Team, the IRT, over the past two years.

And so the fruit of that, I think it's fair to say, labor will go through here a little bit. Some of you have followed me around or us around during this meeting. I'm looking at you, Jim. So you've seen, maybe heard me talk about this before. If you want me to speed up, I'll do that. I can do the Applicant Journey in five minutes or in 50, and I will slow down for the interpreters. Gisella warned me, and I've lasted 10 seconds. So great job there. So I'll go at a medium pace, and if you want me to speed up, I'll do that in terms of slides, not speaking pace. The next slide, please.

And Michelle is running that. Thank you, Michelle. The quick overview. So who can apply for a new gTLD? Legal entities. These are terms that are used in the English and American language. I'm going to go with here Corporation organizations, institutions, and governmental, non-governmental, and intergovernmental

agencies. Other terms in other countries and languages may apply. I think the takeaway is here no individuals in their own personal capacity can apply.

The period for the applications we are planning to start opening in April 2026. The date, I think, came out of discussions that we had two years ago in Washington, and it's still the date that we are working towards, which, by the way, will then mean that the Applicant Guidebook should be adopted no later than December this year. Per policy, there needs to be at least a four-month gap in between the guidebook being adopted and the round opening.

The fee is \$227,000. I don't know why I have a problem with that number. There's also additional fees that are applicable. Yes, for other reasons. I just can't say it. Plus additional fees that apply, and Marika, in fact, will later talk about the fee structure, so there will be more details around that. And then TAMS is maybe something, a term, a new acronym that you may not have heard, but if you will follow the round over the next few years, you will become intimately familiar with. That is essentially the software that we're developing where the application will be submitted in and the application we have dealt with. It will be essentially the central focus point for the program, and it stands for the TLD Application Management System. With the next slide, please, Michelle. Thank you.

This is the big overview of the applicant journey. You see here, it's not very easy to read. I appreciate that, but we try to squeeze

everything onto one slide for our own sanity and maybe to make sure that somehow this all fits together, and I think it does. What I will say is that this is not the journey that every application will take, but it's the journey that some applications may take, especially the bottom right there, the yellow bit. It's contention resolution. We very much hope that not every application will have to go through that. I will, in the next few slides, break this down, so I'm not going to look at this now, but I wanted to give you a big overview. If I see the next slide, please, Michelle.

That's essentially the cutout from the submission on the left to the prioritization draw in the yellow on the top right and the community input objections. You see that there. So the application window will be open between 12 and 15 weeks. We have not entirely settled on the length. There's a couple of factors to take into account, 12 to 15 weeks as policy, so we will obviously nail that down for when the Board will hopefully adopt the guidebook later this year.

Once the window closes, we'll have to do some administrative checks on these applications, prepare the system for the reveal day, which is the first yellow box. On that day, all the public-facing information on applications will be available to see for everybody. If you look at the draft Applicant Guidebook, it has all the application questions in there. There's a lot of them, but you will be able to see also which answers to this question will be public-facing and which will be not, and we encourage you to go through that as part of the public comment review, if you're inclined to do

so, and make sure that that aligns with the expectations and obviously privacy requirements.

Then we have a 14-day replacement period. Those of you who work in the IRT or have been interested in the round will know this already. Applicants this time will have the opportunity to apply for any string they want, obviously, and then they're also able to submit one replacement string. There needs to be no correlation between the two strings. They can be completely unrelated. There could even be different types of strings, so if you wanted to, you could apply for a .brand and then an IDN for your replacement string, if you're inclined to do so. During that replacement period, applicants are then able to view all the public information to the applications, which includes the applied-for strings and the replacement strings of the other applicants.

Based on that information, applicants may choose to either remain in their applied-for string or to switch to their replacement string with the goal to evade, prevent from being caught in contention later on, or in fact evading contention that is clear on reveal day because somebody else applied for the exact same string. Nobody is forced to use their replacement string. Nobody is forced to submit a replacement string, but in my own personal opinion, I think everybody should. Even if you don't use it, it doesn't cost anything to submit that, and then you have the option to switch to another, essentially a second favorite string if you wanted to, and potentially evading contention.

At the end of the replacement period, 14 days, we have the string confirmation day, so that's the last day essentially where the switch can take place, and then we'll have a definitive list of the applied-for strings. Beyond that point, strings cannot be changed anymore. It's a small asterisk to that. I'll get to that in a moment. You certainly cannot go back to your applied-for string if you have switched from your replacement string, nor can you then say, oh, now I still actually want to move forward to my replacement string. It is in those two weeks that you can do that. Beyond that, the opportunity has passed. And at that moment, and you'll see that on the next slide.

One second, Michelle. No, it's fine, actually. No, no, go forward. I didn't know whether the prioritization draw would be on that because on A, it's essentially here on the left, it's the move over from string confirmation day. And what happens straight afterwards are kind of three things. The community input and objection period opens. I'll get to that in a moment. And the string evaluation opens. And so for the string evaluation, I don't know if some of you were in the session that Samad Hussain held at 9 o'clock this morning on string similarity. In that green box, the string similarity evaluation will occur. And for that, we need to know what strings are applied for. And so therefore, there's no going back. It's one of the reasons why there's no going back on your replacement or applied for string.

String similarity, if you're interested in that, I recommend you listen to the recording of the session this morning, as I said, led by Samad

Hussain and his team. That will compare all the applied for strings against one another, as well as to all the strings that are already delegated to discern whether there's any visual similarity that could be confusing. That is the standard that is applied there for that review. And if there is, then those strings will be put into contention. I said that to Jim earlier, actually during the Samad session. I think there was only one or two strings in 2012 out of the almost 2000 that were found to be confusingly similar. Whether that's the same will depend on what strings are applied for, obviously. But it was not that there was a huge amount of strings that were caught in the last round.

However, not however, and in addition, we'll have the purple box there at the bottom, which is the community input and objections period. And this is essentially four different processes. We have the application comment period. It's for 90 days. That's a period where anybody can provide comments on an application, on any aspect of an application. Those comments will be captured in TAMS, the online system in which the applications are being dealt with. Those comments are public. And the evaluators for the various evaluations can take those comments into account.

In parallel, we also have the GAC early warning system. That means that individual GAC members or groups of GAC members, if they wish to work together at that moment, can raise any concerns that they may have with an application based on the criteria that the GAC essentially decides is an individual GAC member's decision. Those early warnings usually will lead to applicants, and they're

being encouraged to do so, leads to applicants working with the GAC member or members to address those early warnings.

There's different mechanisms that could be done. But it is not something that can hold up or stop or prevent an application from proceeding. So if an applicant wishes to or decides to ignore an early warning, not engage with the GAC and just move forward, that is their prerogative. However, the whole reason for the early warning is that to indicate to the applicants that there are concerns, which could then lead to GAC advice later in the process. And the GAC advice is something that, if the Board were to adopt it, could absolutely stop an application from moving forward.

We also have during that period the objection period. That's a 90-day period as well. And Elisa will actually talk about that in more detail later as well. So there you can raise an objection to an application. There are certain standing requirements that come into place. These objections are being administered by an independent dispute resolution panel. So it's not ICANN who's adjudicating that, although I think I look very good in a judge's robe, but unfortunately, it's for another job. And we have the singular and plural notification during that time as well. This comes out of policy. Oh, that comes out of policy from the GAC.

I mean, all of this does, but this was added later on as a supplemental recommendation by the GAC Council post-PDP, whereby anyone, any member of the public, an applicant, can send ICANN a notification that two applied-for strings are the singular

and plural form of the same word in the same language. And there are some requirements and documentation that is needed to prove, if you want, that assertion. And if ICANN confirms that this indeed is the case, then those two strings will be put into contention. If ICANN does not receive a notification, then those strings will not be put in contention.

So I'm going to stick here with English. If you have a house and houses applied for and nobody says anything about that, there's no concerns being raised, those applications will be moved forward. Maybe they're going to be caught in string similarity, maybe not. If they're not, then both of them can be delegated, assuming they pass all evaluations. If you have two applications for mouse and mice and somebody raises their hand there, and in English, I know for those of you, Sebastien, that's listening to the translation, mouse and mice in English are spelled and look very different, whereas house and houses look quite similar. It's an irregular plural. So if you have mouse and mice and somebody raises their hand and says these are singular and plural of the same word, in that case they would be put into contention because the dictionary, I assume, will confirm that.

Once we have a contention set, we then move into a contention resolution. Obviously, if a string is not in contention, it will then move to the applicant and application review. We'll see that in a moment. Contention resolution is probably the second biggest innovation or change from the 2012 round. We have no private resolution. During the upcoming round, the Board has resolved on

that, which means that there will be a prohibition of communication among applicants whose strings are in contention. And at that point, contention can only be resolved either through an ICANN auction or through the community priority evaluation. That's a topic we'll dive into a bit more deeply later on as well.

If an application passes CPE, they have priority and will come out successfully out of the contention set without having to go to an auction. And then there is the caveat to this, which is another way if you adopt .brand or just a brand TLD application, at that moment, you still have the opportunity to change your string as a brand. There are conditions around that. You can't just use a completely different TLD or different string. It would have to be a word or several words added to your original string. And those additional words that you would like to add to your additional string as the brand owner have to appear in the goods and services section of your trademark document. And so if a brand chooses to do that, that would then trigger a comment period, objection periods. Again, it would trigger a string similarity review as well.

And assuming that they pass all that, then the brand could move forward and move out of contention at that moment. I note that this change must not create a new contention set. In that case, the change would be not approved, nor can they join an existing different contention set. So the only way that they can do it is to definitively exit contention and then move forward. And if I can see the next slide and then I'll break here for questions. Yes, I need to

as well. I need some water too. It's the applicant application evaluation.

The applicant evaluation here has you see that here background screening financial and operational evaluation takes place as part of that. And then the application evaluation depends to a significant degree on what type of applicant or application you are. Not everybody will go through all of these that are listed there on the bullets at the bottom of the flowchart. Geographic name review happens only for those that are geonames obviously. Brand TLD evaluation, eligibility evaluation, sorry for spec 13 only applies to the brands. I won't go through all of these, but they are dependent as I said on the type of application.

Once these are passed, we then move to contracting, post-contracting and eventually delegation. One quick addendum here before I pause which is that if an application had or was in contention came out as the prevailing application but in this part of the journey either withdraws or fails in application and is not able to proceed I can ask the opportunity to go back to those applications or to the runner up if you want in the contention set and ask them to proceed with their application permitted that they are still kind of quote unquote waiting around. They may as well have withdrawn their application, received their refund, in that case they can't re-enter the program, but if they are given the opportunity to quote unquote just sit there until the other string is gone to delegation or in fact has withdrawn, so there's an

opportunity potentially for a runner up to still move forward to delegation as well.

This brings me to the end we're going to dive more deeply into application comments with Elisa we're going to talk about, Kristy, about the bid credit for the auctions. I'll give my best to talk about PICS and CPE as well. So there will be more deep dives. And I already said Marika will talk about fees if time permits, but if there's any initial questions, I'm happy to very happy to stop you for a moment.

CHERYL LANGDON-ORR

Thank you. And the 25 minutes allocated was not just for your presentation, but for the whole section. So perhaps reading the fine print might have been a good idea, Lars. That said, all that means is that the rest of your team gets to compress their time by, assume you can take three to five minutes off whatever you plan to say and let's hope that what you plan to say was a good deal less than the time on the agenda. Because the intervenors are desperate to have an intervention. I looked over at Avri and Justine didn't answer my WhatsApp to say who goes first, so I said Avri, were you ready? So she's ready. Go for it.

AVRI DORIA

Thank you. First, I want to start with a compliment, seeing as I won't stay that way for very long. I love the pictures. I really love the exposition of it. I think it's good reading. I've recommended to

everyone around that they read it. I love the way anytime there's anything that's questionable it sends you to the longer explanations that one finds. I guess it's in the annexes. I constantly had to go to the annexes because I was reading it because I didn't quite understand the word that was being used. But I think that's a really good piece of work.

My question today starts even before the pretty pictures. I have two questions from your first slide. One of them is, and this is not a question that I came up with on my own, but people came to me and said, okay, we understand that last time the corporation or the Board or someone decided that individuals couldn't apply. But the sole proprietorship, that looks new. Was that in the policy? How did that get in there? And why is a sole proprietorship, which is a company often registered, faces taxes like any other company, why are they excluded?

So that was kind of like the first sort of question that I had and I don't understand. And then I have another one from the first page too. Yeah, there's that. Oh, maybe it wasn't on there.

LARS HOFFMANN

Sorry, I think it's the top one there. The legal entity.

AVRI DORIA	I didn't understand that secondary exclusion, so I wonder if there is an explanation of why that is, because I've been asked that. It says individuals or sole proprietor.
LARS HOFFMANN	Avri, I already have to, this is a very bad start here. From my end, I will get back to you, but I believe--
AVRI DORIA	Because I don't think that was in the last round. The last round was just individuals couldn't. And that had been an arbitrary decision at that point. So I'm wondering how we got to this extension of it.
LARS HOFFMANN	I'll take that. It's a very good point.
AVRI DORIA	The other question I had, and this one I got because I've been helping someone in applicant support and it made me think about such things. A part of the difficulties we had last time was the system. I guess it's called TAMS. I forget what it was called last time. Have we gone through sufficient alpha testing to make sure that there won't be glitches this time that sort of throw the whole balance of the applicant and user experience off? And is there any training? And as most of us have never been through this kind of form, and this is really quite an arduous journey. It's almost like an obstacle course. So is there training? Is there practice? Is there

sandboxes? Is there something for users, and whatever, to actually learn how to do it before they have to commit themselves? So those were the questions I got before the obstacle course.

LARS HOFFMANN

Thanks, Avri. So on the first point, it's a very good point. We take that back, in fact as the first public comment we've received on the Applicant Guidebook, so it's very good. On your question on the system, I'll pass it a moment to Kristy as well, but what I want to say first is that on the testing, yes, so we have an internal timeline, the system needs to be ready for usage once the round opens, so that's for us April next year, that's what we're working towards.

We will certainly on our own track to have the system developed much earlier than that, so we can do a lot of testing. We're looking already into that, what are the best types of internal users to do that and have a specific role to work through the system as an applicant if you want before we get to releasing that to the public. We're also tentatively looking at the meeting in Mumbai next year, so ICANN85. We hope that at the moment we can provide at the very least a demonstration to the community of the system how it works, and then in terms of the training, Kristy do you want to take that up?

KRISTY BUCKLEY

Sure. Thanks, Lars. This is Kristy Buckley for the record. Thank you for the question, Avri. So one of the hats that I am wearing in

addition to ASP is also looking at readiness for the org, for the community, and for of course applicants. So indeed, one of the things that we'll be looking at is system training and similar to ASP putting together a system user guide with step-by-step instructions and screenshots, as well as training videos that will be recorded and available on the website for people to take a look at, thanks.

AVRI DORIA

But as we've already seen in the applicant support problem, even with that, and I have followed those and they really are good and they really are helpful on those of us that can follow a menu, I mean a not a menu, a recipe step-by-step. They're helpful but to some, they're confusing to people still. We're getting reports from various people and perhaps testing them with the naive users, naive being a nice word, not a pejorative word.

Somebody that hasn't been indoctrinated by our way of thinking. Because I have found working with people, even intelligent people, even with the recipe, they can't. and we had a meeting in here just earlier with other people talking about how difficult it is for them to understand. We understand it, I read it, it's clear enough, but not to others. So okay, so thank you. So please look at that. Thanks.

KRISTY BUCKLEY

Justine.

JUSTINE CHEW

Okay, this is Justine. In the interest of time, I'm going to reduce the number of questions I have. I think they're breathing easier now. You mentioned about the, if you go to slide number six. You talk a little bit about the string replacement period. So in the chart it doesn't refer to string replacement, just talks about replacement period. I think you probably should add the word string replacement, or add the word string. But you didn't allude to the conditions by which an applicant can actually move to their replacement string. Can you talk a little bit about that, please?

LARS HOFFMANN

Thanks, Justine. I did not. This is absolutely correct. So the replacement string has some strings attached, I suppose. We have, I'm here all week. Yes, can I get them in? So this was based on the idea that the brand string change, which was developed policy, had conditions to it, and alluded to that you can't join another content set or create a new one. And so the same principle essentially underlies the replacement string.

So if your replacement string is somebody else's applied for string, identical to it, then you can't do that. You cannot use your replacement string because you would join somebody else in contention. Similarly, if somebody else has picked the exact same replacement string, we decided after some long discussions with the IRT to also exclude that from being used. So I think we have already some terminology in the Applicant Guidebook to encourage applicants to be strategic about the replacement string.

Don't use a plural form of your original applied for string. Because if you apply for house, and your replacement string is houses, if somebody else applies for house, yes, you can switch to houses, absolutely, they're not identical. But in the singular and plural notification period, there's every chance that you will still end up in contention with houses.

So as long as your replacement string is not identical to another applied for, or in fact, already delegated string, but that really we encourage people to look at what strings are delegated at this moment, or is another person's replacement string, you're free to use this. Otherwise, you're not.

JUSTINE CHEW

This is Justine. So follow up. My understanding is that is impetus between why you have a reveal day as well as a string confirmation day, because that's a new thing that's being introduced in the next round. So the intention behind a reveal day, I think you alluded to it a little bit, is that all the strings, the primary strings that are being applied for together with string replacement strings, if an applicant decides to put one in, all those will be revealed. And then there's a 14-day period where presumably ICANN Org will inform the applicant whether they are allowed to use their replacement string or not. That is correct?

LARS HOFFMANN

Correct.

JUSTINE CHEW

Okay. So once all of that is sorted out, then you have the final list of strings that are being put through the application process, or the evaluation process, I should say, and that is revealed at string confirmation day.

LARS HOFFMANN

Okay, very good. Correct.

CHERYL LANGDON-ORR

And the rest of those questions will be forwarded to you at a later date, because I'm sure there's a few. All right. Am I correct in assuming, sorry, well, let me start that sentence again. I don't need to assume that I'm Cheryl Langdon, or I am relatively confident that I'm Cheryl Langdon, or for the transcript record. What I would like to know, am I correct in assuming, Lars, is Alisa's going to take us through the next section on our community-based TLD applications. Is that right? Or are you diving in? Because if you're diving in, I'm going to hope a woman can do a better job.

LARS HOFFMANN

A woman can always do a better job, Cheryl.

CHERYL LANGDON-ORR

Okay.

LARS HOFFMANN

We know that. I've got a boy and a girl at home. I can guarantee you that. There we are. What I will say is that, unfortunately, you'll have to deal with me on this.

CHERYL LANGDON-ORR

Well, can we deal with you quicker?

LARS HOFFMANN

I'll be as quick as I can, and most certainly quicker than before. If I can go to slide 11, please. Are we already there? We are. Oh, my God. See, first stumble.

We have the community-based applications. This is a concept that stemmed from 2007. Essentially, this allows a community to apply for a TLD, and if they're on contention and they pass the evaluation process, they will, I alluded to that earlier, prevail in the contention set and will not have to go to an auction, thereby not having to potentially spend a lot of money to, quote-unquote, beat another applicant. If I can go to the, well, and the only thing I will say here at the very bottom, very quickly, so a community application requires there's a specific registration policy. In other words, a way that that TLD pertains to serve their community that has to be a contractually enforceable commitment, and that would then be incorporated into what is called specification spec 12 of the registry agreement. The next slide, please.

So you see here, section 441 of the AGB deals with this in more detail. Essentially, an applicant for a community TLD has to prove

or expected to meet a couple of criteria. We'll get into that in just a moment, but they have to demonstrate that there is a relationship with an organized community. They have applied for a TLD string that is strictly or strongly specifically related to the identity of the community. They have that registration policy I just talked about, and they have been endorsed by the community to operate that string.

And just very quickly, all those questions or those answers to these issues, they have to be demonstrated in the application, but an evaluation of this will only occur if they are in contention and they affirmatively confirm that they want to go through CPE at that moment. There's costs associated with that. They could still choose not to do so and proceed to an auction. We don't expect that to happen, or I should say I would be personally surprised, but it's absolutely not mandatory at that moment. In other words, you can apply for a community TLD, and you will not be charged the CPE fee if you don't go through it because you're not in contention, obviously. The next slide, please.

You see the different criteria here of these. I won't read through all of these. I don't want to get in more trouble with Cheryl than I am already. There's the scope and the requirements, the reference to section 4.4. What I will do very quickly maybe is go to slide 16, Michelle. I just want to give you a quick overview of the criteria here for the CPE evaluation. Applicants are evaluated against these four main criteria. There's a lot of questions around this that are detailed in the Applicant Guidebook. The bracketed numbers are

the sections in the draft AGB, community establishment, nexus, so that's the correlation between the community and the string, the registration policy, how they intend to serve the community, and the endorsement. We spoke about that as well.

If they're successful, they move through or out the contention set. If there are more than one successful CPE applicant in the same contention set and they're both past CPE, in that case they both would still go to an auction. However, anybody else in the contention set who's not a community-based application would not be participating in that auction. I'm going to stop there. That was as quick as I could do it. Thank you.

CHERYL LANGDON-ORR

Congratulations. You've made me very happy.

LARS HOFFMANN

Sometimes.

CHERYL LANGDON-ORR

And now I would like to ask anybody who is not very fluent in Spanish for them to put their headsets on. So I'm giving the warning, ladies and gentlemen, for you to pick your channel, get your things unwrapped. We unfortunately do not have captioning that will be putting English or something up on screen. So if you're in the Zoom room, make sure you have selected your language,

your preferred language. The Zoom room will provide you with interpretation.

And you may need to also remember that if you select in the Zoom room that you mute original, that once you finish listening to interpretation, which you will need now, because I can assure you Eunice will be speaking in Spanish, you will need to also then select the original to go back on. Otherwise, I'll get, I can't hear. Audio's not working. No, you've still muted the original. So if you're using Zoom, remember, either put up with the original language also being there, or remember to unmute it. If you're in the room, headsets on. I filibustered as long as I need to. Eunice, the floor is yours.

EUNICE ALEJANDRA PÉREZ Thank you, Cheryl. I have a question. The first is --
COELLO

CHERYL LANGDON-ORR Why are you speaking English?

EUNICE ALEJANDRA PÉREZ I'm sorry.
COELLO

CHERYL LANGDON-ORR Boy, are you in trouble now.

EUNICE ALEJANDRA PÉREZ COELLO It's a break, guys. Sorry, I will speak in Spanish. This is Eunice. Thank you so much. So one of my questions is the following. Even though a flexible interpretation of the community term is accepted, how can we make sure, or I can make sure about the possibility of being self-identified as a community application of a TLD so that it's not used by applicants that do not represent a community actually?

LARS HOFFMANN I just want to make sure that I answered the question. So I think it was whether how we can make sure that a specific TLD is allocated to the right community as opposed to an applicant who does not represent a certain community.

JUSTINE CHEW I think the element there is how do we prevent abuse by an applicant who says that they are community but they don't actually meet the criteria.

LARS HOFFMANN Yeah. So the criteria try to, it's a fine balance, right? On the one hand, I think there was a desire from the community, and I think I'm going too far to say also they included the At-Large, to have more community application being successful than in the last round. So there were some measures taken around that. Passing score was

lowered. The criteria are more detailed. There may be better examples on how you can pass the test and what is expected. On the other hand, you're quite right. It needs to be, you need to catch those applications that maybe want to use CPE to evade the need to have a young teen auction and thereby maybe pretending or wanting to represent the community in a way that is not aligned with the intent or the purpose of the policy and the evaluation process.

So I think the application questions and the criteria, if you look to them more detailed, are trying to really focus in on that. Both the nexus between the applied for string and the community to represent has to be there. I think internally we have an example about, which hopefully is not offensive, couch surfing. So if you are the couch surfing community and you apply for .couch as your TLD, that nexus isn't there, right? Couch means to a lot of people a lot of things, but you don't associate necessarily couch surfing with it. So there you should really apply for .couchsurfing, which then brings the nexus of the string to the community you serve.

And the other aspect here I think that comes also into this is the endorsement of the community that you're trying to serve. So really looking at is this a multi-global community where you really should have support from not just one small organization, but probably from other organizations that represent or are representative of that global community. Whereas if you're just a very small or geographically limited linguistic group, for example, you can't expect to get support from all linguistic groups around

the world. That would be a little bit strange. So there the support has to come obviously from that group. So the support requirements would be a lot lower than for somebody who pretends to support or represent the community of a much more global aspect of the community. I hope that helps.

And I see there's hands up. I just want to really add to this. I really encourage you to take a look at the criteria in the guidebook. They are the result of long discussions with the IRT. And so any feedback there is still very much welcome. Thank you.

EUNICE ALEJANDRA PÉREZ COELLO Thank you. I'd like to say that we have reviewed this. And I have another question, please, regarding the monitoring or the review. So as I was saying, the following question regarding the monitoring or supervision by ICANN for the compliance of the voluntary commitments of the registry that on behalf of the operators of gTLDs, community gTLDs, how can we make sure that communities involved know their rights and the mechanisms available in order to act in the event of an infringement?

LARS HOFFMANN Yeah, thank you. So the volunteer commitments, the RVC's registry voluntary commitments that are proposed by the applicants, whether they are a community or not actually in that case, will all be part of the public facing aspect of an application. If they are submitted later, they will also be part to a new comment and

objection period. So in that case, it really is, I think the onus is on the community or on, by that I mean the community that a TLD tries to represent or also the ICANN community or the global internet user community to review those documents, provide comments and inputs before they move forward to being contractually included into the registry agreement. But there is an opportunity to comment on that and make sure that the input, and ICANN will make sure the input is taken into consideration.

CHERYL LANGDON-ORR

Thank you very much. Now, I've had a quick intervention in the back channels that go on in all of these meetings with Justine. And so instead of continuing with the planned questions, we're going to take a quick, notice that word, quick break for questions from the floor. So I'm not opening a list of speakers here. I'm saying that the current people who have their hands up are now going to be given the opportunity of asking the questions. So the queue is open and closed. Right. First up, and please, if you are not speaking English, do let us know to start with. Giacomo, if you would like to take the microphone and unmute.

GIACOMO MAZZONE

Yes, thank you. I put some questions in the chat, but I think that is important also to address in general to everybody. The first question is that for the community applicants, there is no possibility to access in the current version of the Applicant Guidebook for support only for indigenous communities, while

community can be a lot larger than the indigenous community and can be poor as well as the indigenous. I remember what happened in 2012, and this was the case where some communities were discovered because they have in front a large vested interest that sees the community brand instead of the real communities.

The second question is about the evaluation. Last time, the evaluation of what was community and the objection to the community was given to the economist. That is like to give to a butcher the protection of the lambs. The economists have no clue about what was a community, and for them, they were looking only for economic terms, and this brings a lot of mistakes. So we have the case of .gay, as you remember very well. We have the case of .music. Luckily, we win after three years of contention for .radio. So I think that we need to learn from the mistakes of the past time if really we want to be fair in this process this time. Thank you.

CHERYL LANGDON-ORR

Does this go to Kristy or you? Kristy.

KRISTY BUCKLEY

I can take the first question. Thank you very much for the question. This is Kristy Buckley for the record. So if you recall back to the earlier part of the presentation, to apply for a gTLD, it needs to be a legal entity, right? And so if it is a community, it still needs to have some sort of legal form beyond an individual or a group of people. So for ASP, you're right, the only eligible entity type that is

community-based is Indigenous communities, but we also have non-profits, non-governmental, charitable organizations, international or intergovernmental organizations, as well as small businesses. So if a community is in its legal form, one of those entity types, it may be eligible to apply for ASP.

CHERYL LANGDON-ORR

We're not going to be doing follow-up questions, I'm sorry. If you weren't in the first group, then pop it into chat and it will be dealt with. Justine has asked to make an intervention on the second of Giacomo questions. Over to you, Justine.

JUSTINE CHEW

Sure. Thanks, Cheryl. Unless Lars and his team want to jump in, but I think the second part of Giacomo's question was to do with evaluators. I think we all had problems with the selection of the evaluator for CPE, Community Priority Evaluation, in the last round. Generally speaking, we didn't think that that party was the appropriate evaluator. So, this is something that At-Large has been raising over and over and over. We would like to have a say or at least play some active role in the selection of the next CPE evaluator.

CHERYL LANGDON-ORR

Lars?

LARS HOFFMANN

Yeah, Justine, we hear you. I think where the community role comes in, we've discussed this, is the, I think the RFP, when that goes out, to make sure that the criteria and also some of the, I think, directions, I don't have the statement of work, maybe, of the eventual provider, will be shared with the community. I think the procurement process that ICANN adhere to, it is difficult, if not impossible, to have the community be actively involved in that. But we will very much try to get your input when it comes to the selection criteria, as well as the request and the criteria that the eventual provider will use in order to assess the applications.

We are also really looking at, everybody learned their lessons from 2012, emphasizing here consistency across application evaluations. And we also believe that the criteria that we developed together with the IRT allow for more consistent results across the various applications. But the procurement process does not allow for the community to be actively involved in making a choice on a contract that is essentially between ICANN and a third-party provider. It's not the answer you want to hear, but it's the answer I have to give, Justine.

CHERYL LANGDON-ORR

Well, setting criteria is important, too. Let's make sure that's done in a robust and very transparent manner. Uncle Paul.

PAUL MCGRADY

Thanks, Paul McGrady here. Thank you for giving me a moment of your time, Cheryl, around the table. I'm not a member of the ALAC. I've not quite graduated yet, but maybe someday. And I'm actually not a member of the IRT, so I'm just a ICANN busybody on this particular topic.

But I've raised concerns that we have loose terms in this section. We use the word community in some places. We use the phrase identified community in other places. We seem to have a missing definition about a broader community. And let me throw out an example. So say I am the town council of Cherokee, North Carolina, and I decide to apply for a .cherokee. I can show that there's a direct nexus to .cherokee for my town, and I can show 100% of the people in my defined community support me. But what I don't have to talk about in my application questions, and what is very vague, is perhaps what the Cherokee Nation thinks about my application, right?

And I've asked for us to look at defining identified community and defining some possible broader community or members of broader communities that might have some interest in the TLD. So far, there's not been any progress towards that. I view this as a completely avoidable train wreck, and I'm just, I'm here to ask the ALAC to consider looking into that topic, and I'll leave it to your good selves and where you land, of course. But anyways, thank you for letting me stick my nose into your business, and you guys are lovely. Thank you.

CHERYL LANGDON-ORR

I think we have heard you, and we will take that into consideration. Thank you very much, Mr. McGrady. Next cab off the rank is Anne. Over to you, Anne, and then last cab off the rank will be Kathy.

ANNE AIKMAN-SCALESE

Thank you. Anne Aikman-Scalese. I think the IRT has actually done a really terrific job of implementing policy. My comments are personally, even though I'm co-liaison from council to the IRT, but these remarks are personal. Based, I think, primarily on my past life representing more than one Indian tribe, I would say that the self-identified community language coming out of the policy is important to respect. That is policy language a community may self-identify.

And the question's been asked whether there are safeguards, or how do we prevent a community from taking over a TLD when it's not really the legitimate representative of the particular community. And first of all, I would say we have two excellent stop-gap measures. One is letters of opposition, as explained in the scoring process. Letters of opposition, in the example that Paul gave, would definitely be coming in.

Okay, I've never represented the Cherokee, but the letters of opposition would definitely be coming in in that situation. You know, we may have questions about how we notify people, or how we expect them to be monitoring these things, but that's a problem

that ICANN has generally. ICANN has a general problem on how they alert people to review new gTLD applications for conflicting interests.

Secondly, we have a well-established community objection process, and in connection with community priority, evaluation, we now have a very high fee associated that has to be paid in connection with community priority evaluation, which should actually deter people from making false applications for community status. My concern goes on the other end, as many of you know from our discussions on IRT, that if we restrict the smaller communities, the more informal communities, linguistic and cultural communities, who are actually very specifically mentioned in the policy, that we are going to chill that process. And we will not have community applications from smaller, informal, linguistic and cultural communities. Thank you, Especially Indigenous. Thank you.

CHERYL LANGDON-ORR

Thanks, Anne. I believe that ALAC and At-Large have heard you clearly, but over to you, Lars, very briefly.

LARS HOFFMANN

Yeah, very quick to both Anne and Paul's point. I want just everybody to also understand we're talking CPE here as a mechanism to resolve contention. And this is based on policy, right? We didn't just make this up. So, if I'm the mayor of Cherokee,

North Carolina and I apply for .cherokee and nobody else applies for .cherokee, the application will go through, right? It will go through that. I mean, there could be GAC advice, there could be other issues around this, but it is not a contention and therefore you will move forward with that application.

I want to set that expectation quite clearly. The issue is obviously if they are in a contention set with the Cherokee Nation, for example, that's a different situation for obvious reasons. But if there's no other application to it, there could be objections, obviously, there could be other issues. But based, the CPE itself will not catch it, that's what I'm trying to say.

ANNE AIKMAN-SCALESE

Right, no, there would be community objection.

LARS HOFFMANN

Sure, no, no, and I'm not saying that will not happen, but we're talking about CPE here, so CPE will not come into that at that moment, that's what I'm trying to say. Community objection absolutely is a whole different story, of course.

CHERYL LANGDON-ORR

Thanks, Lars. Sorry, Lutz, I had closed the queue from only the Zoomers, and that includes Kathy. Make it quick.

KATHY KLEIMAN

Can we go back a few slides, Lars, to where there was the discussion of identified communities? There was a slide that had a lot of-- the slide before this. Guys, to what Paul was saying, and this is Kathy Kleiman, I'm in the non-commercial stakeholder group, so thank you for a moment. These terms are not defined, and we could really use your help, because in defining the terms, you get to the points, and if you get to the points, then you get the CPE evaluation.

You have to get to 12 out of 16 points. And this is an argument Anne and I have been having in the implementation review team, because a small community can have the same name as a larger community. A linguistics community can have the same name as a larger community, and illustration is .Hebrew. There are Christian scholars who study the Bible in Greek and in Hebrew, and they could call themselves. And they've been established for a millennium, and so they are a well-established community, but .Hebrew is also the biblical name of a religion.

And so we're setting up rules that allow self-identified communities to win community priority evaluation when there's a larger community out there, and the complaints and the comments are not being weighed, and the definitions seem to be self-referential, and the panelists who may be global, let's say we put in the best experts, but we don't allow them to weigh these letters of concern coming in, then we haven't done much. So we need your eyes. You guys are community experts along with the noncommercial

stakeholder group, and ALAC and NCSG really need to dive in and see if we need more definitions. Thank you, Cheryl.

CHERYL LANGDON-ORR

And we're just going to take that as a segue to our next part on our agenda. Who's got this? Is it Eliza?

LARS HOFFMANN

No, it's finally a woman, Cheryl. Kristy.

KRISTY BUCKLEY

Thanks, everyone. And in the sake of time, maybe I'll just go quite briefly through this. I had a chance to check with Justine yesterday, and I think the idea is maybe we can have a deeper discussion on this topic in an upcoming CPWG meeting. Yeah? OK. So I'll go briefly through. Next slide just is a reminder of the policy recommendation and the implementation guidance, calling for a bid credit or other similar mechanism to apply to supported applicants that end up in an auction. Next slide.

This is unpacking ICANN Org's understanding of the intent of that recommendation, and this is based upon the rationale provided in the SubPro final report, which our understanding is to preserve the competitive market balance of the auction process by giving ASP applicants an increased chance to prevail in an auction while not necessarily guaranteeing that they will have the winning bid, which

is dependent, of course, on the market value of the string that is under contention. Next slide, please.

So these were some of the considerations that went into the implementation work on this. The SubPro final report does not have a range or a number for the bid credit, so this was up for determination. And the higher that bid credit, the higher the clearing price would be for auctions in which the ASP applicants are participating. We also note here that the bid credit must align with ICANN's role as a public benefit corporation, which means that we need to avoid providing undue benefits to private entities.

Based upon our research, the highest bid credit detected was 35%, and so this is the amount that you will see in the draft Applicant Guidebook that is currently out for public comment. There were a range of bid credits that we could find across the globe, ranging from 10% to 30%, and the highest we could find was 35%, so that's what we have proposed. Next slide, please.

So the approach that you'll see in the Applicant Guidebook, as I mentioned, that's currently out, and we look forward to your comments on this, is that ICANN provide that 35% bid credit, but it's not to exceed a monetary value of \$1.7 million for supported applicants that participate in auction. The rationale for this is that, again, the 35% seems reasonable in light of the research conducted and that this was the highest one that we could find an example for, and the \$1.75 million cap represents the maximum amount of revenue per year from all sources from supported applicants,

because they are restricted in having \$5 million or less in order to qualify under the financial need criteria for ASP.

Next slide provides a couple of examples to show you what we're proposing as a phased-out approach to this, which I'll get to in the next table. So in your own time, maybe just take a look at these two examples. The first example shows getting the maximum bid credit of 35%. The second example shows a phased-out approach that if the bid were to exceed that \$5 million threshold, which is a qualifying criteria for ASP, our supported applicants, then the bid credit would go down in a phased-out approach, which I'll show in the next slide.

So this table, and this is also included in the Applicant Guidebook that's currently out, shows how we're proposing that phased-out approach. So if the winning price, which is the second highest bid, is lesser than or equal to \$5 million US, then it would be the maximum 35% bid credit applied, which means that the payment due would be \$3.25 million or less than that.

If the winning price exceeds that amount, so \$5 million to \$7 million, \$7 million to \$9 million, or over \$9 million, you can see that the bid credit applied decreases down to 20%, 10%, and then 0%. And again, this is really to align with the idea that if a supported applicant gets, they qualify for support, but then they are able to go fundraise \$100 million to participate in an auction, we can't be seen as giving undue benefit to a private entity that does not really require that support in order to participate.

So we're still providing that level of support in a phased-out approach aligned with the amount of money that supported applicants have to use in the auction. I'm happy to come to a CPWG meeting in the future and have more discussion about this and answer any questions that you might have. Thanks.

CHERYL LANGDON-ORR

Thank you. And I would like to remind people that what is on an agenda item in any CPW meeting is published. We do not run these meetings as closed meetings. If this is a passion of somebody's, then I suggest you keep an eye out or ask someone in the At-Large community who's embedded in CPWG to let you know when this very important conversation goes into a deeper dive and a greater exploration.

I'll also remind you all that all of our working groups, including the Consolidated Policy Working Group, the CPWG, are fully transcribed in several languages. Recordings are made. And if you can't make a call, you can certainly catch up on what happened in it. So none of this valuable information will be lost, which is why I keep encouraging people to put things in chat so we can also capture it.

Let's move on then to something that the At-Large, and here I'm being very specific to say At-Large because it is a requirement of our ability to have a role in the objections process, to have a full and bottom-up consensus-driven process, which we've had a small team within the At-Large community work extremely hard over

many, many months, and kudos to all of those involved. And we've got more online and wanting to ask questions than we could possibly fit into the time left, so advanced apologies. Everyone needs to cut something down to very, very little.

And, Booker, for finance, I reckon you just need to pick your top one question out of the four you've prepared. So it's all right. We'll get Marika to respond to them later. Okay, so we are now going to move to another very important topic. Who's taking this, Elisa? Have I finally got it right? Are you finally doing it?

ELISA BUSETTO

I'm afraid it's Lars again.

CHERYL LANGDON-ORR

It's Lars again?

KRISTY BUCKLEY

I'm very sorry.

LARS HOFFMANN

But I am channeling my inner Ariel, so there's that. She gave me talking points for this. We started with, hello, everyone. So I'm doing that. Can I see the next slide, please? And I'm sure you join me in saying that we miss her here and we really hope she's going to make it to Muscat, but she's taking care of a four- or five-month-old, so those things come first.

There's essentially four different types of commitments here. In interest of time, I won't read through all of this or bore you too much with this information. We have the mandatory public interest commitments. These will be required for all of the TLDs, and they will be captured in spec 11 of the Registry Agreement. We have the safeguard public interest commitments. These will be applicable to some applications based on the specific purpose or intention of use and name of the string. It will essentially come out of the application questions whether a safeguard PIC is required. That also will be captured in spec 11. This is very much consistent with what we've seen in the 2012 round.

Then we have the Registry Volunteer Commitments. So these are customized commitments, presumably, or we assume at this stage, that will often be used to overcome third-party concerns, objections, GAC advice, or similar, to provide essentially additional safeguards. These commitments have to be enforceable under ICANN's bylaws, and so the finalized text of these can be up to communication between ICANN and the applicant to ensure that it, A, meets the needs of the applicant, that it addresses the concerns that it maybe tries to address, and that ICANN believes they are enforceable under its bylaws once they're included in the Registry Agreement for that registry.

And finally, we talked about this, the community registration policies that applies to CPE applicants. And just to be clear here, you go through the evaluation if you're on contention. However, even if you're not on contention, you will still be required to provide

a registration policy that will be put into spec 12 of the registry, and you will have to go through that. Otherwise, you would not be able to move forward to delegation. So that is a requirement for any CPE applicant. And that is also one aspect why the CPE applicant is the only type of applicant that you not can switch into or out of after your application.

One of the reasons, I believe, behind that is that CPE by some is worried that it could be used for gaming. You pretend to be a community to evade an auction, and so here the matter of fact is you can't apply as a CPE, and then when you see, oh, I'm not on contention, so these restrictions that I would have maybe accepted to evade an auction, I don't want them anymore, so I'm just going to make a change request and become a generic TLD. That is not possible. The next slide, please.

Yeah, so there's the overview here. I think this is on the registry commitment evaluations. I spoke about that already. They have to be enforceable. The evaluation of these occurs after contention resolution, so they're not carried out on all strings but just on those strings that either have not been or have prevailed in contention. And there's five criteria here around these.

I mentioned already they must not restrict content, and the evaluation will not determine whether the proposed commitments address third-party concerns. That is between the applicant and said third party, and I said that as well I can and the applicant can negotiate or discuss maybe a tuition agreement on the finalized

contractual language here so that it meets the requirements under ICANN bylaws and addresses the concerns that the applicant tries to address.

Not a great sentence, but there we go. With that, I think I'm at the end of this, and I think also you won't have to come back to me today, so it's my last intervention.

CHERYL LANGDON-ORR

Well, it's going to have to be a time warp time for people here because we will be finishing in 12 minutes' time, and to fit in a 20-minute and a 15-minute session in 12 minutes is outside of pretty much anybody's control at this table. So whilst we cut and cull something I absolutely delight in, what I would like to do is suggest that one of our remote participants, Dev, if you're queued up with a very brief comment on our community objections and appeals process, I'd just like to hear a word from you if possible. Well, they're now poking fingers in the air saying it has to be Alan. Dev, I apologize, but the powers that be that I simply serve here in this room think Alan should be doing the job, but thank you for staying up all night to be with us.

ALAN GREENBERG

I was pointing to Amelia, not to Alan.

CHERYL LANGDON-ORR

Amelia, equal, go ahead, make it fast.

EMILIA ZALEWSKA

Okay, thank you so much. I was first in the line, now I'm the first one. Yeah, so thank you for this opportunity. So regarding the process of community objections, we just wanted to make a comment, and it is also Dev's and Alan's comment to this, and the working group that has been mentioned that has been working on this process for a long time is that one issue that arises is that ALAC didn't receive a standing to make an objection. This means that we have to prove that we meet the criteria to make the objection on behalf of the community. So first of all, there is the nexus.

Secondly, that this community meets the criteria of the community that are in the procedure. So it may seem complicated for us because, well, At-Large community is the community of end users, which is by the definition the very large community. So it might be quite difficult for us to prove that we have standing to represent the particular community which doesn't have At-Large in their name or ALAC in their name. The second thing is that this community, like the significant part of this community, support the objection. So this is an issue I think it's important to bring to the attention. I don't know, Alan, if you would like to add some other comments to this?

ALAN GREENBERG

The only comment is we were suggesting that just like the independent objector have the nexus requirements waived, that it should be done for At-Large as well. Thank you.

CHERYL LANGDON-ORR

If you'd just like to take that on notice because there will be more coming on that because Justine's asked for just a brief moment for an intervention. Go ahead, Justine.

JUSTINE CHEW

Thanks, Cheryl. This is Justine. I was actually going to have a couple of questions regarding RVCs, if I may. The first one is that we know that any voluntary commitments have to go through the evaluation process, which is the Registry Commitments Evaluation or RCE for short. We can't change that right now. What my concern is and the At-Large concern is that there could be a situation where the applicant volunteers a commitment but somehow that commitment doesn't pass RCE, but it's actually a valuable commitment as far as the community is concerned. Because it doesn't meet RCE, it doesn't get into the registry agreement and therefore it's not enforceable.

Can we look at how we could extend as far as possible to have these included somehow? In the alternative, even if they don't make the cut for RCE, they still should be prominently published somewhere and drawn attention to because they add credibility to the applicant in some way or another. That's one.

The second one is apart from the application, and I'm going beyond application, I'm going beyond delegation. There is this mention in the draft AGB that any commitments, whether it's RBC or

otherwise, that is included in the registry agreement. Is there thoughts about a moratorium as to how you cannot change it over a certain period so that it's not the case where an applicant gets it in and then six months later decides that they don't want to have it in the registry agreement, they want to get it out. Is there some kind of mechanism to prevent that, at least in the short term?

LARS HOFFMANN

Thanks, Justine. On your first point, I think the Board was very clear as well. There was a lot of community discussions around this, obviously a few years back around the panel discussion. Kathy was part of that. I think Jeff Neuman and others may have been, Ari, I think, as well as part of the Board back then. I think there was a real concern that the commitments have to be enforceable, so for that to be included in the contract, I need to be comfortable that we can enforce them under our bylaws.

As we pointed out, there can be discussions, negotiations between the applicant and ICANN to make sure that the commitment meets the desired or has the desired effect and meets those criteria of enforceability. If that is not to be the case, then it will not be included in the contract. But it is something that obviously, if the applicant wishes to do so, for example, could include in their mission. Make that very clear in the application as well, that these commitments are something that they want to and will adhere to. It is just not something that can be in the contract with ICANN. That

doesn't preclude it from any other commitment they want to make to the wider community here.

On your second point, I believe, and I have to go back, and I'm looking to the team. I don't believe that there is a mechanism that is clearly established on how to change RBCs. So I think from our perspective at the moment, and I'm saying this with the caveat that I will have to double-check and correct the record potentially, but I don't think there's a way to change these RBCs. So we don't believe that there's a quick way to sign the registry agreement and then, as you say, kind of uncommit, if you want. That certainly is not the intent of the policy, I believe, and so I believe that is not a possibility at the moment. Thanks.

CHERYL LANGDON-ORR

Cheryl Langdon, all for the record. Marika, you know I love the money, and I hate the fact that there is just not enough time for us to speak on this. So what I'm going to ask you to do is take a line from what we've done earlier and can we have a focused session at one of our CPWG meetings? I've already mentioned to Bukola who had at least four very good questions ready for you of one of several parts. So you will definitely have an interactive exercise. If we can put this section off for a dedicated part to one of our CPWG meetings, I'm now going to look over to the Chair of the CPWG and hope she at least nods or smiles back at me to say that's a damned good idea.

AVRI DORIA I don't know if a smile could convey a damned good idea.

CHERYL LANGDON-ORR Oh, it will.

AVRI DORIA But I've already told various people that if you want to be informed when we're having those sessions, do let me know. But, yes, of course. We could do anything.

CHERYL LANGDON-ORR Well, and we should sometimes. Basically, this is a massive document, a massive piece of work. So many of these topics we could have spent the whole of this session on. Now, this has been a whirlwind tour. But, Marika, in the last three minutes, because I am going to extend this by two, you've got three minutes, just give us a couple of numbers. No, skipped, gone. If you people can't do effective and efficient in a slide deck, I'll talk to you later, but, you know.

MARIKA KONINGS All right, so we can skip ahead to slide 36. Thank you. I think that's where we're at. So Lars already shared the evaluation fee, and that was already communicated a while back, is set at \$227,000 per application. I think you're also aware that for qualified ASP

applicants, they will pay a reduced fee that's either between 75% or 85% reduced, depending on the number of qualified ASP applicants we'll have at the end of the ASP application window.

And there's also a reduction or a waiver of the fee for those applying for variants, and the details of those are obviously within the document. Then also noting, obviously, fee needs to be paid on time, otherwise we will not consider the application further. And that due date is up on receipt of the invoice or no later than seven days after the close of the application window. Next slide, please.

So we'll also have an opportunity for applicants to receive a refund. So an applicant is able to withdraw at any point in the process, and at that point they also have an option to request a refund at the same time. So basically, three windows that you see here, and what you see underneath it as well is to kind of demonstrate what are some of the activities that are already taking place in those different windows that, again, translate back into the refund percentages. We're approaching this from a cost recovery model, and obviously there are certain activities that have taken place.

So that first window basically starts from the moment we've received payment up until 10 days after string confirmation. We did receive some questions like why is it only 65%? It seems pretty high. You haven't done anything yet. But I think it's really important to remember that, obviously, the cost that we're also recovering is for the implementation of the program. So there's already 70,000 of the application fee is dedicated to recovering

those costs, and hence that then translates into that 65% refund window.

Second window is from 11 days after string confirmation until start of application and applicant evaluations. And, again, this aligns with, I think, the application journey that Lars presented on. And the last window is when there's a 20% refund is from the start of applicant evaluations until contracting. So I think this gives you a picture of refunds. And, yes, and then maybe just the next one, because, again, there are some other circumstances in which refunds are received. We can go to the next slide.

So there is a volume refund that will kick in if we receive more than 1,000 applications. So, again, this is to recognize that we are trying to recover the implementation costs. But as soon as we've done that, we're able to return any extra to applicants. So that's expected to happen very shortly after we close the application window. Refunds as a result of material changes will be determined by the ICANN Board. And in the case of high-risk name collision, those strings that are flagged as being at high risk, they will be able to request a 65% refund if they decide not to proceed with submitting a mitigation plan. There is more on conditional evaluations, but maybe we'll leave that.

CHERYL LANGDON-ORR

We'll hold on that. So this is the preview to the movie, right? You've all been teased. No questions, Hadia We've all been teased. You'll all want to desperately turn up when you see Marika's name on the

agenda for that particular CPWG meeting. So more, watch this space.

Ladies and gentlemen, we almost made our timing. We've slipped by a minute or two. I don't know about you, but I think I can live with this because of the quality of what we were hearing and particularly what was being asked. What I do want to do is not only thank all of you, and especially. And they know I love them all, despite I poke sticks at them from time to time. The fantastic staff that's been working with the IRT. And I agree with Justine. You really have done a fabulous job.

Some of us remember talking about reviews of the Applicant Guidebook last time, standing around pianos in rooms without the lights on but that had the windows open. That's how much care and consideration was put into taking community leadership input into it last time. And this has been a vastly different and very positive experience. So even though we might sound like little gnats at times, overall, brilliant. It's been a pleasure. And we're going to stick with making it a better model to the end.

Speaking of better models, I don't know how we would manage without our interpreters. Thank you, one and all interpreters. You are our voice. It is so essential to allow people to work in something that is natural and native to their thinking. And our tech team, hey, nobody pulled the plug on the power this time. But when it happened in another meeting, you were so good. If it had happened in this meeting, it would have been great again. Thank

you, linesmen. Thank you, Ball boys. Thank you, one and all. More in a CPW meeting near you.

JUSTINE CHEW

Best IRT ever. Thank you, guys.

[END OF TRANSCRIPTION]