New gTLD Implementation Model

New gTLD Program Goals

- Launch a process to introduce new gTLDs into the Domain Name Space following the direction provided by ICANN's GNSO policy recommendations, specifically

- Provide a timely, clear roadmap for applicants describing the application and evaluation process
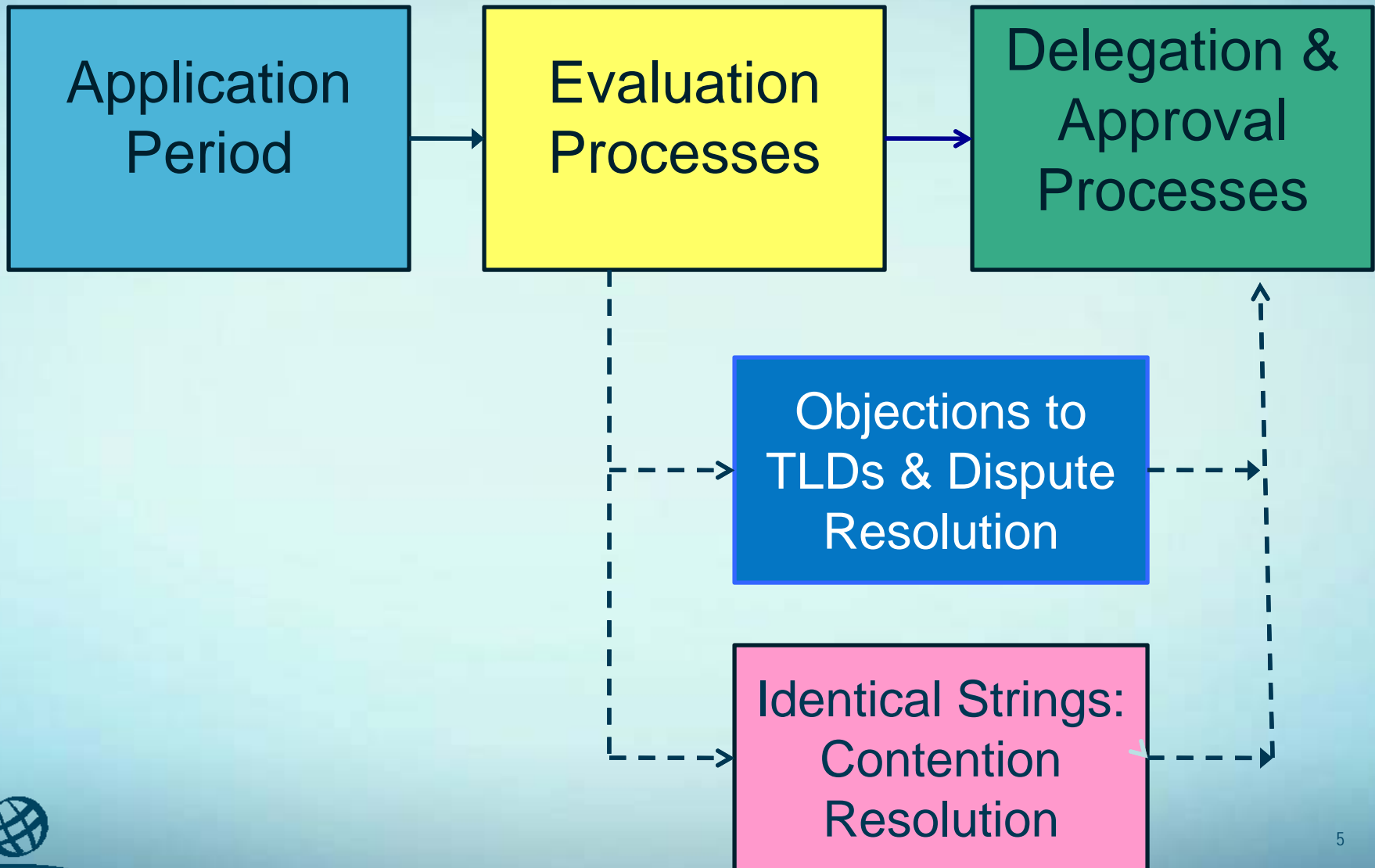
- Preserve DNS stability and security

Caveat

- The implementation model is just that, a model.
- There has been considerable implementation work done at the direction of the ICANN Board while the Board considers the Policy Recommendations
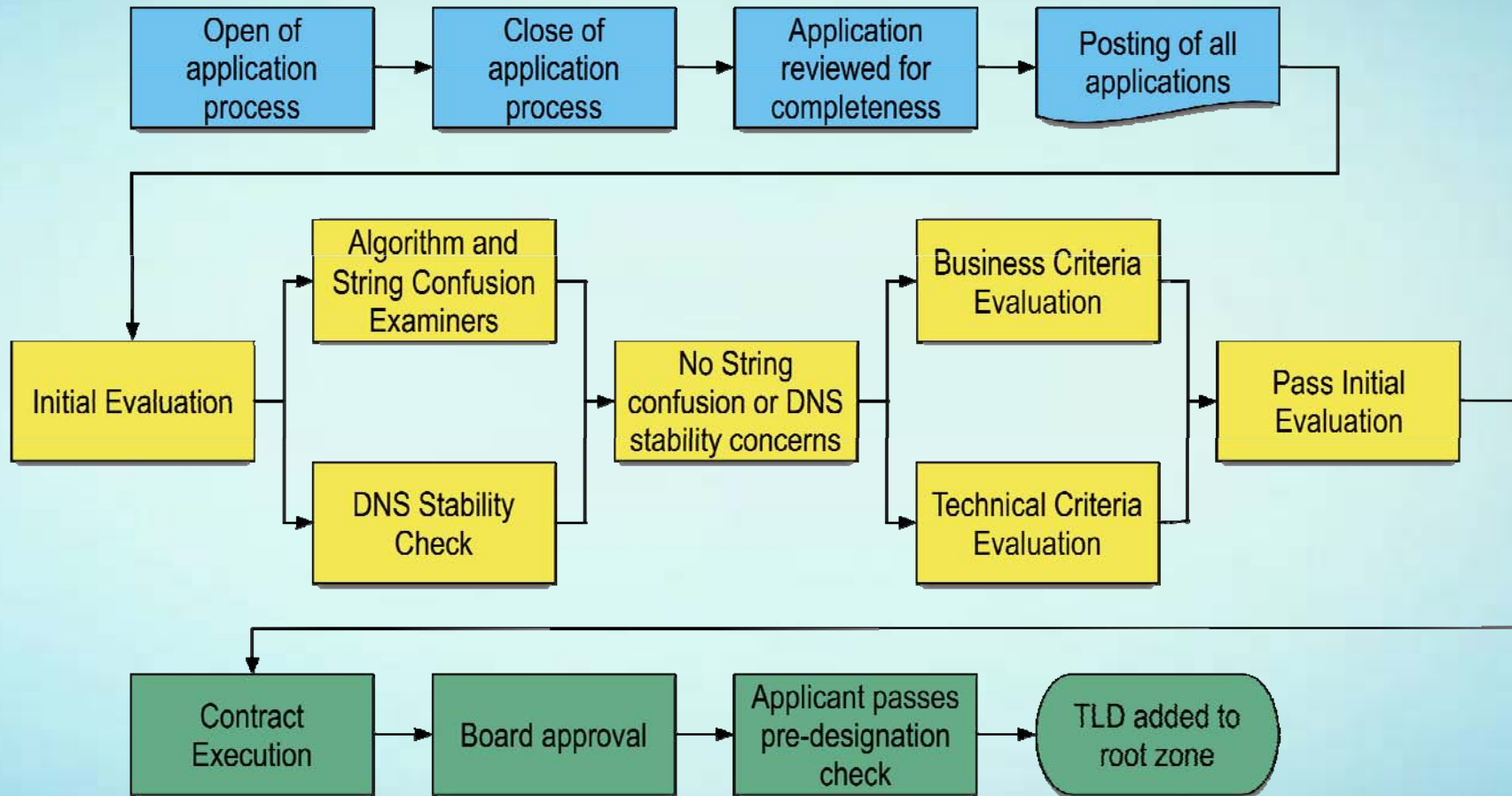- The actual implementation may vary from what is presented here

Aspects of the Process

- Simple process in most cases:
  - 5-step inquiry
  - Objective criteria

- Robust process when it needs to be:
  - Provide a path for addressing objections on specific limited grounds to proposed TLDs
  - Resolve situations where there are multiple applications for the same (or very similar) TLDs
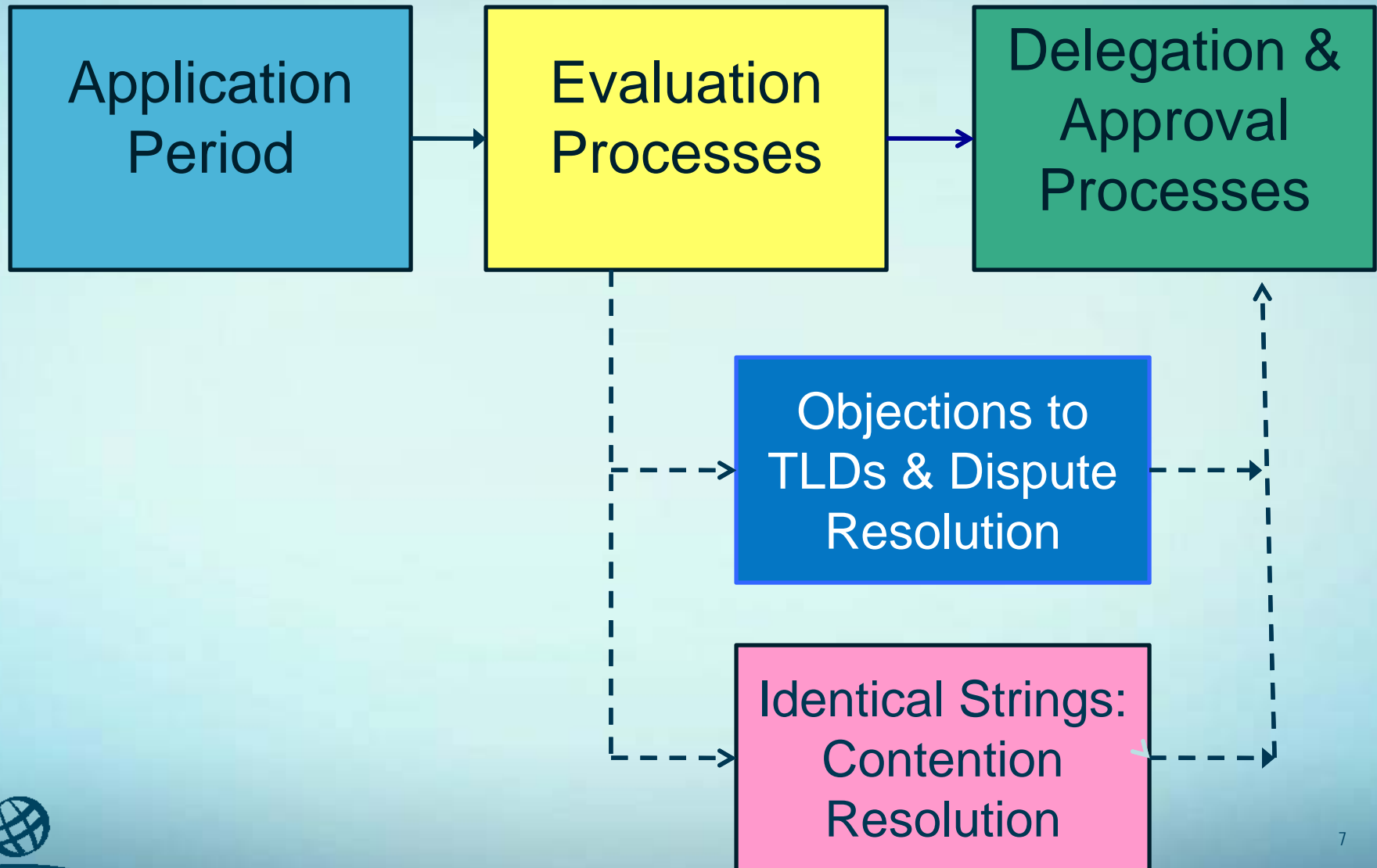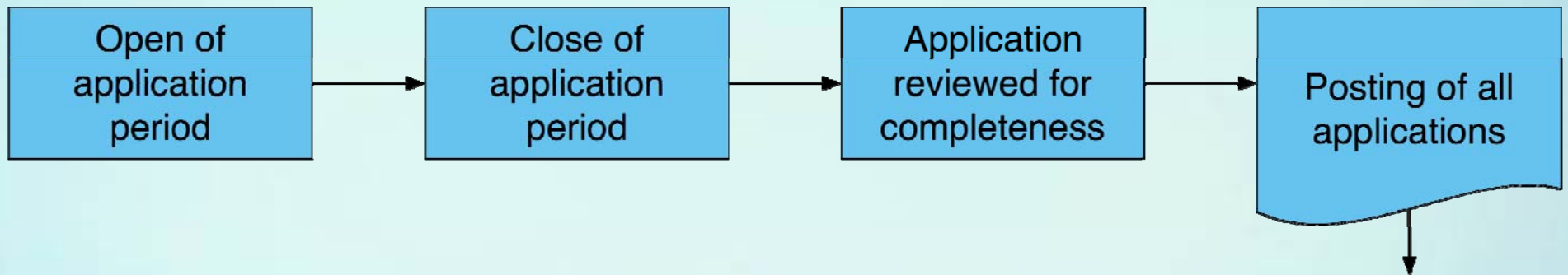
Simplified Process

Application Period → Evaluation Processes → Delegation & Approval Processes

Objections to TLDs & Dispute Resolution

Identical Strings: Contention Resolution

5

Fastest Potential Path of an Application

Main Application Paths

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┌──────────────┐      ┌──────────────┐      ┌──────────────┐
│ Application  │─────▶│  Evaluation  │─────▶│ Delegation & │
│   Period     │      │  Processes   │      │  Approval    │
│              │      │              │      │  Processes   │
└──────────────┘      └──────┬───────┘      └──────────────┘
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Objections to TLDs & Dispute Resolution

Identical Strings: Contention Resolution

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Application Phase

Application Period

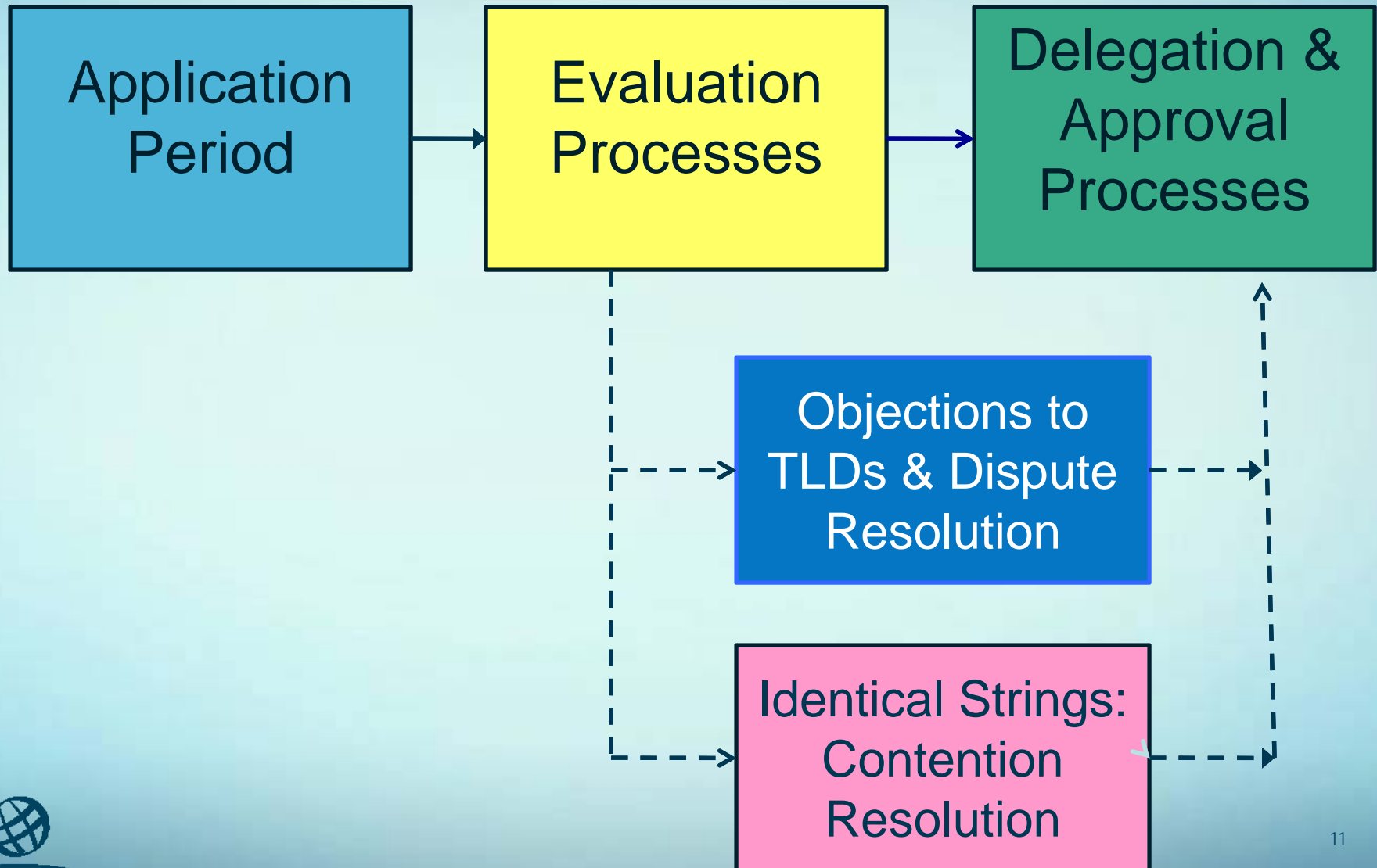| Open of application period	→	Close of application period	→	Application reviewed for completeness	→	Posting of all applications
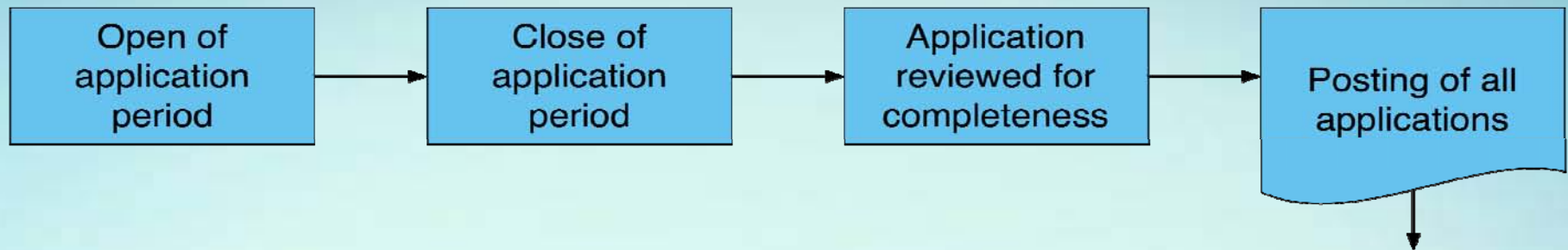
- Expected to last at least 45 calendar days
- Will follow 4-month communications period
- Applications will be reviewed for completeness
- Information on all applications will be posted on ICANN's website <u>at the same time</u>
- Fees:
  - Application
  - Additional ——→ depending on application path

Types of Applicant

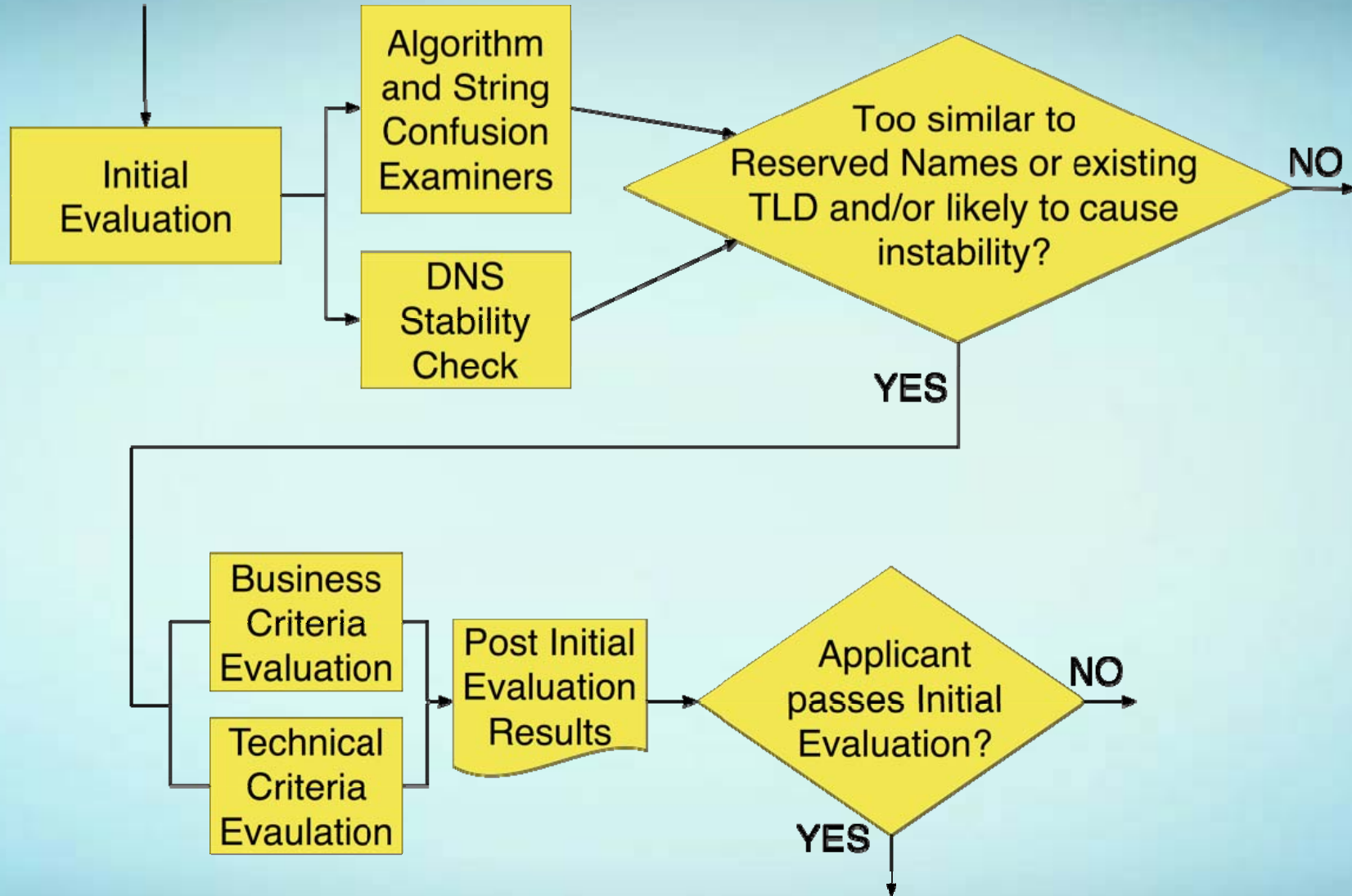| Open of application period	→	Close of application period	→	Application reviewed for completeness	→	Posting of all applications
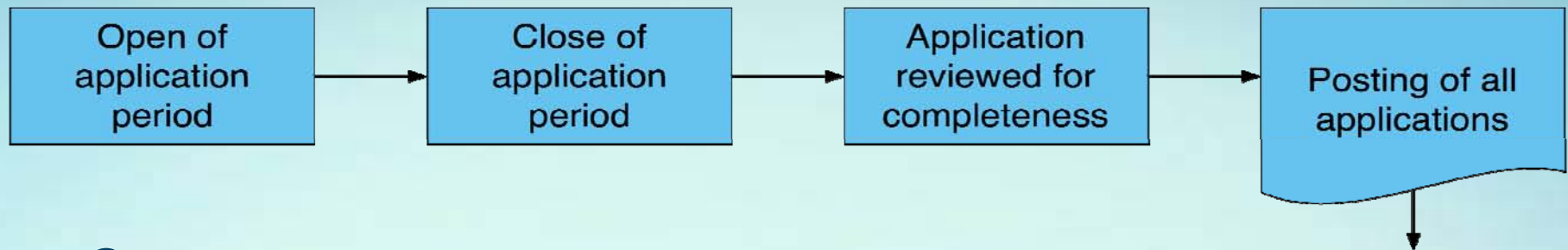
- Open:
  - Names generally available to any type of registrant
- Community-based:
  - Addresses a clearly identified, organized and pre-established community with finite membership
  - Is endorsed by that community
  - Features a string that is strongly and specifically associated with the community in question
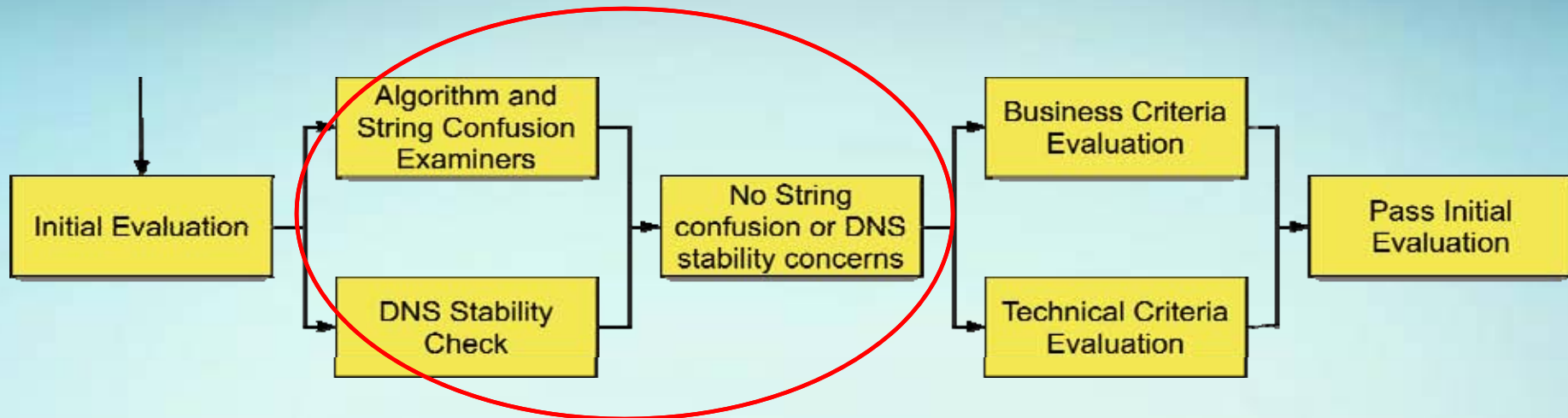 - Has a dedicated registration and use policy

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Main Application Paths


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┌──────────────┐     ┌──────────────┐     ┌──────────────┐
│ Application  │ ──> │  Evaluation  │ ──> │ Delegation & │
│    Period    │     │  Processes   │     │   Approval   │
│              │     │              │     │  Processes   │
└──────────────┘     └──────┬───────┘     └──────▲───────┘
                            │                    │
                    ┌───────┴────────────┐       │
                    │                    │       │
                    ▼                    │       │
            ┌──────────────┐             │       │
            │ Objections to│─────────────┼───────┘
            │TLDs & Dispute│             │
            │  Resolution  │             │
            └──────────────┘             │
                                         │
            ┌──────────────┐             │
            │Identical     │─────────────┘
            │Strings:      │
            │Contention    │
            │Resolution    │
            └──────────────┘
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Initial Evaluation Phase
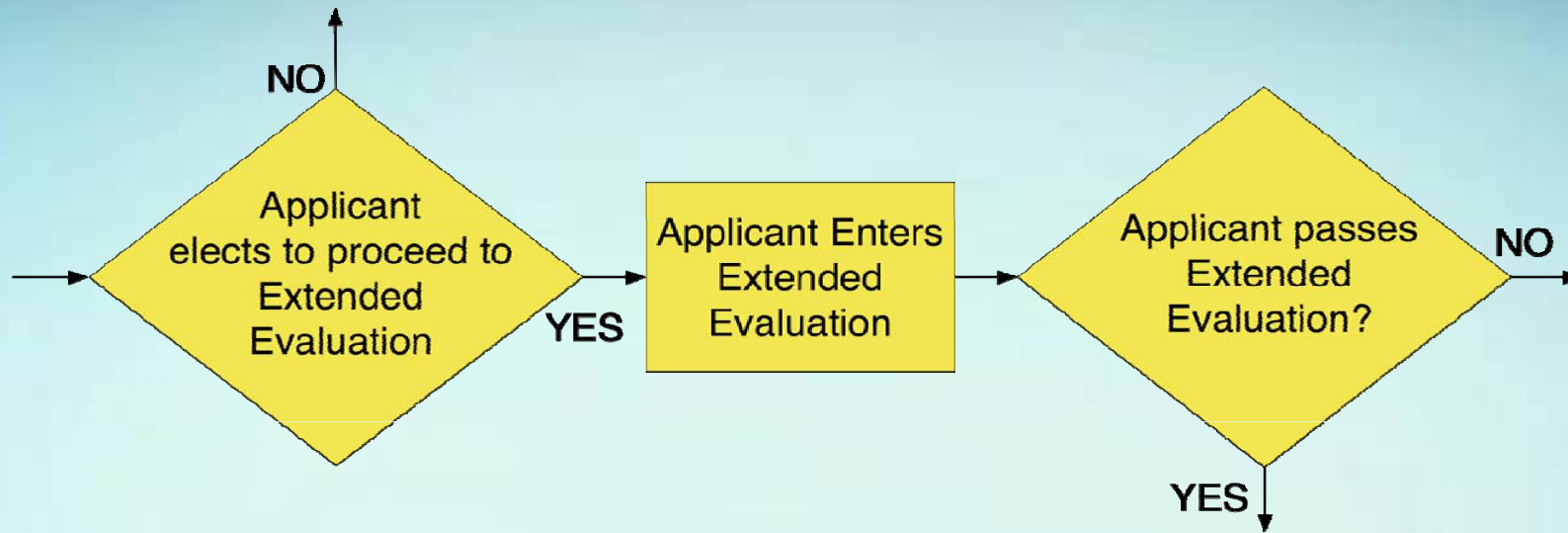
Initial Evaluation – TLD String

- TLD strings need to follow DNS stability rules
  - ASCII rules already published
  - Additional IDN rules under consideration
- Strings checked for similarity
  - Examiners decision informed by algorithm
  - Existing TLDs, reserved names
  - Other TLD strings applied for ⟶ String Contention[13]
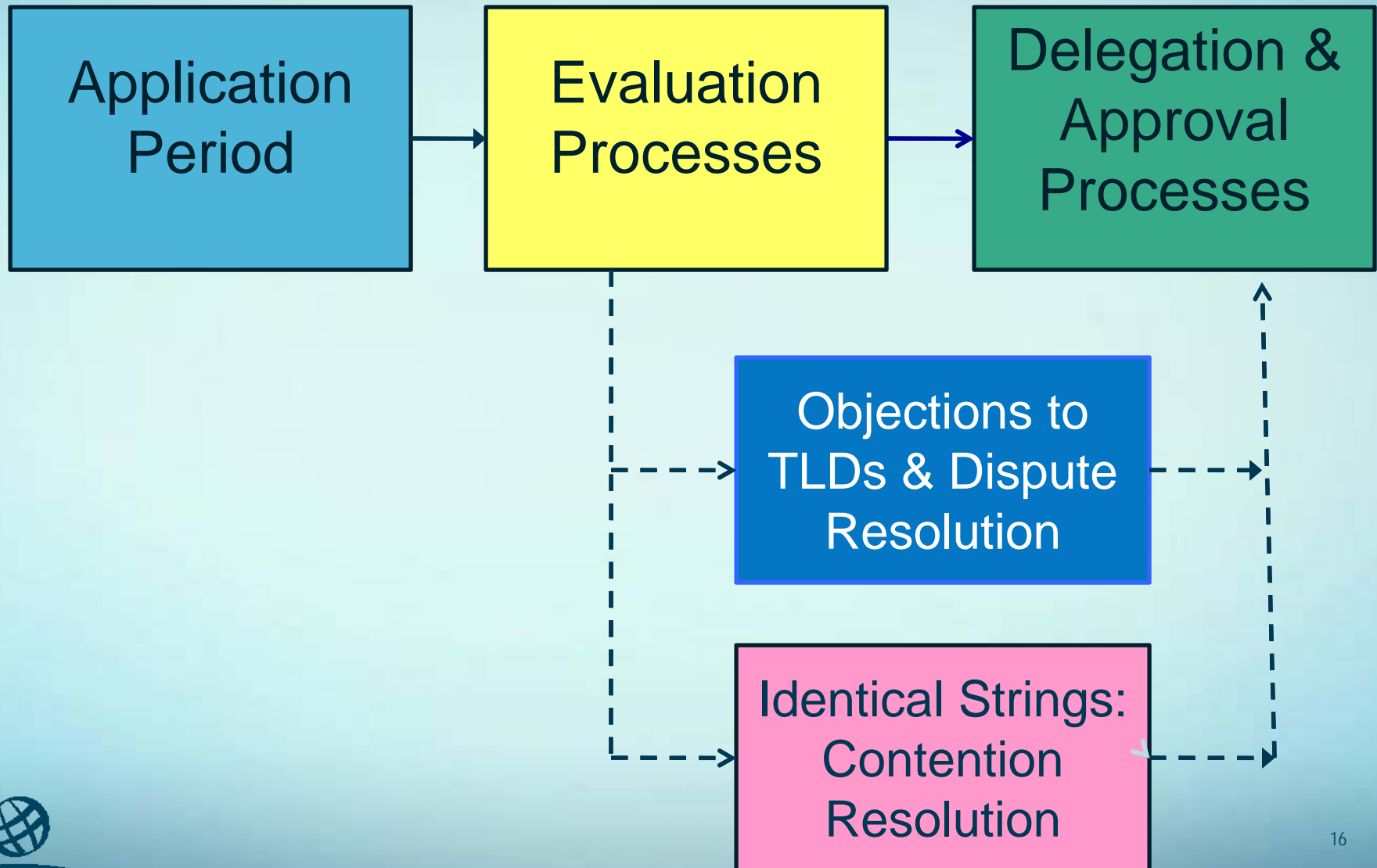
Initial Evaluation – Applicant
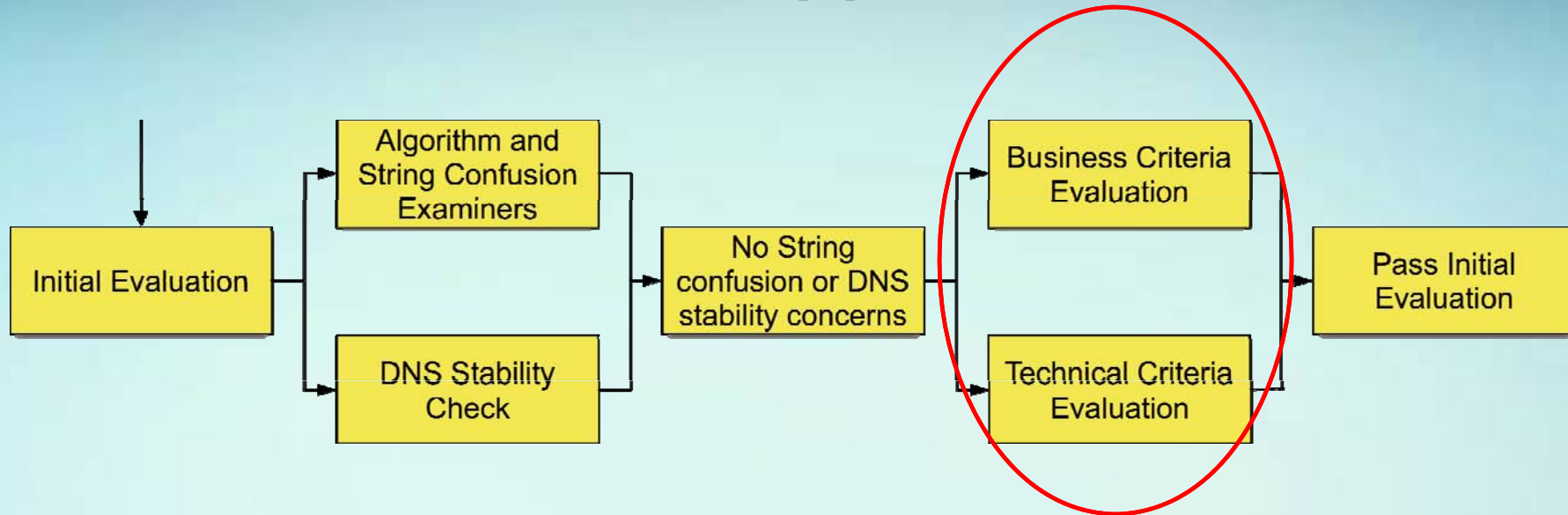
- Applicants are established organizations

- Technical evaluation: Applicant must demonstrate its competence to operate a registry in compliance with industry protocols and standards

- Operational / business evaluation: Applicant must demonstrate its capability to operate a stable registry
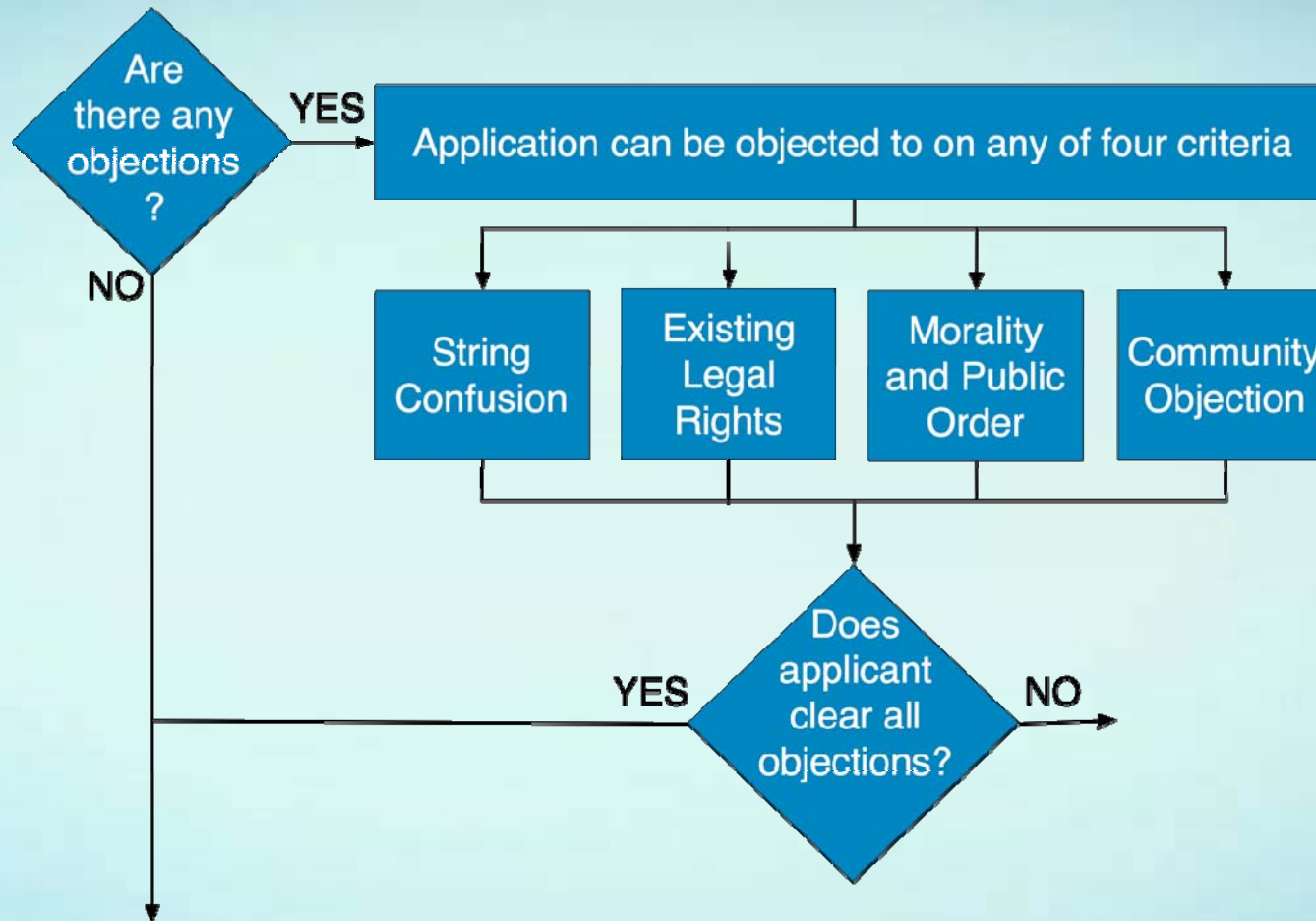
Extended Evaluation

- An applicant who does not pass Initial Evaluation may appeal this decision by requesting additional review $\longrightarrow$ Extended Evaluation

- One additional iteration takes place between applicants and evaluators to clarify information in the application and allow further examination of issues

- Same baseline criteria will be used

Main Application Paths

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┌─────────────┐      ┌─────────────┐      ┌─────────────┐
│ Application │ ───► │ Evaluation  │ ───► │ Delegation &│
│   Period    │      │ Processes   │      │  Approval   │
│             │      │             │      │  Processes  │
└─────────────┘      └──────┬──────┘      └──────▲──────┘
                            │                    │
                            ▼                    │
                     ┌─────────────┐             │
                     │ Objections to│ ───────────┤
                     │ TLDs & Dispute│            │
                     │ Resolution  │             │
                     └─────────────┘             │
                                                 │
                     ┌─────────────┐             │
                     │ Identical   │ ────────────┘
                     │ Strings:    │
                     │ Contention  │
                     │ Resolution  │
                     └─────────────┘
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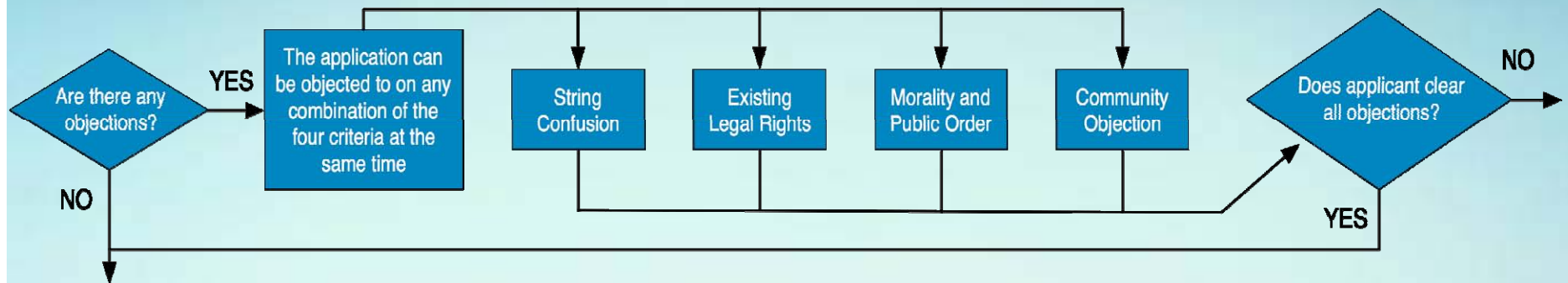
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Dispute Resolution Phase

Interests Protected in the Process

- User confusion should be avoided

- Protection of intellectual property rights

- Morality & public order safeguards
  - Interests of governments

- Protection of community interests
  - Religious organizations
  - Geographically based communities
 - Indigenous groups

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Dispute Resolution Phase

- Formal objections can be filed during a pre-determined period of time

- The dispute between the objector and applicant will be resolved by independent dispute resolution providers (DRPs)

- Fees will be paid directly to the DRPs

Dispute Resolution Process

- Only one dispute resolution service provider will be designated to administer all objections filed under any particular grounds for objection

- ICANN is working toward agreements with independent, internationally-recognized dispute resolution providers (DRPs) to administer the objection and dispute resolution proceedings

- DRPs will work with ICANN to adapt draft procedures and refine standards/guiding principles

- If more than one objection on the same grounds is filed against the same application, the intent is that those proceedings would be consolidated

Main Application Paths
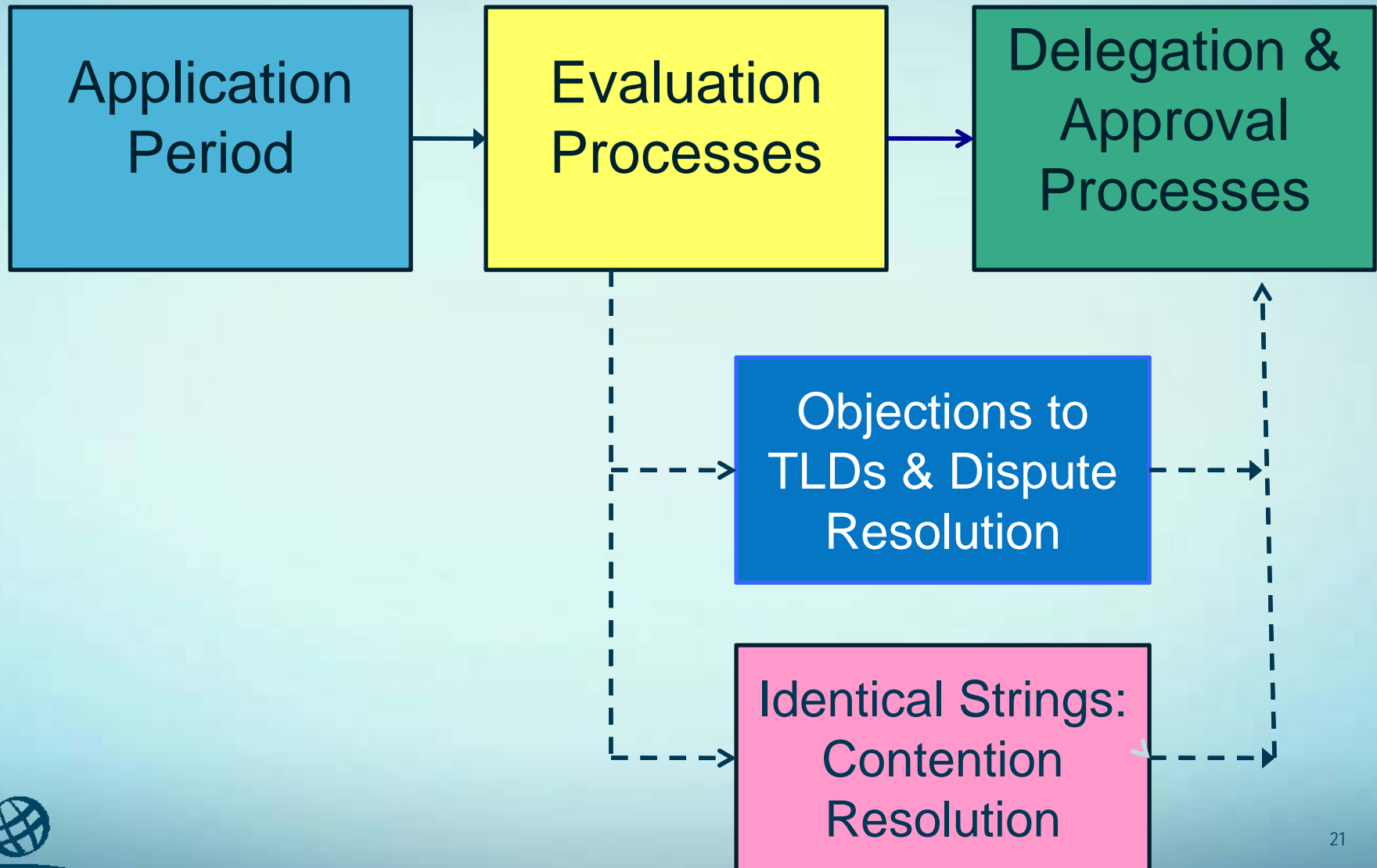
Resolving Contention Between Identical / Similar Strings
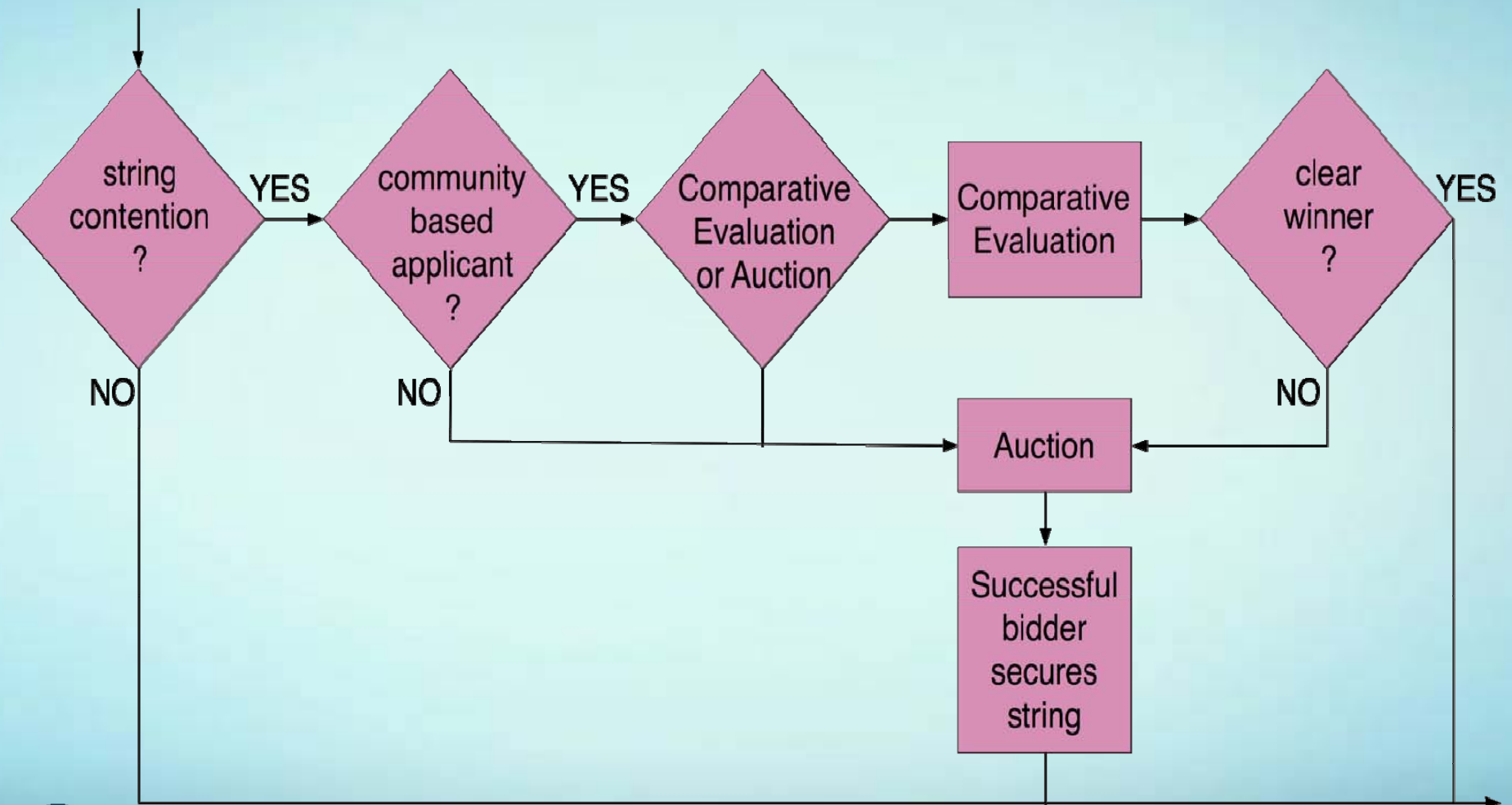
Resolving Contention Between Identical / Similar Strings

- Occurs when two or more TLD strings that remain after the evaluation and objection stages are identical or result in string confusion

- Applicants will be informed about the contention be given time to mutually resolve it

- Applicants will enter either into<u>comparative evaluation</u>or an <u>auction</u> process
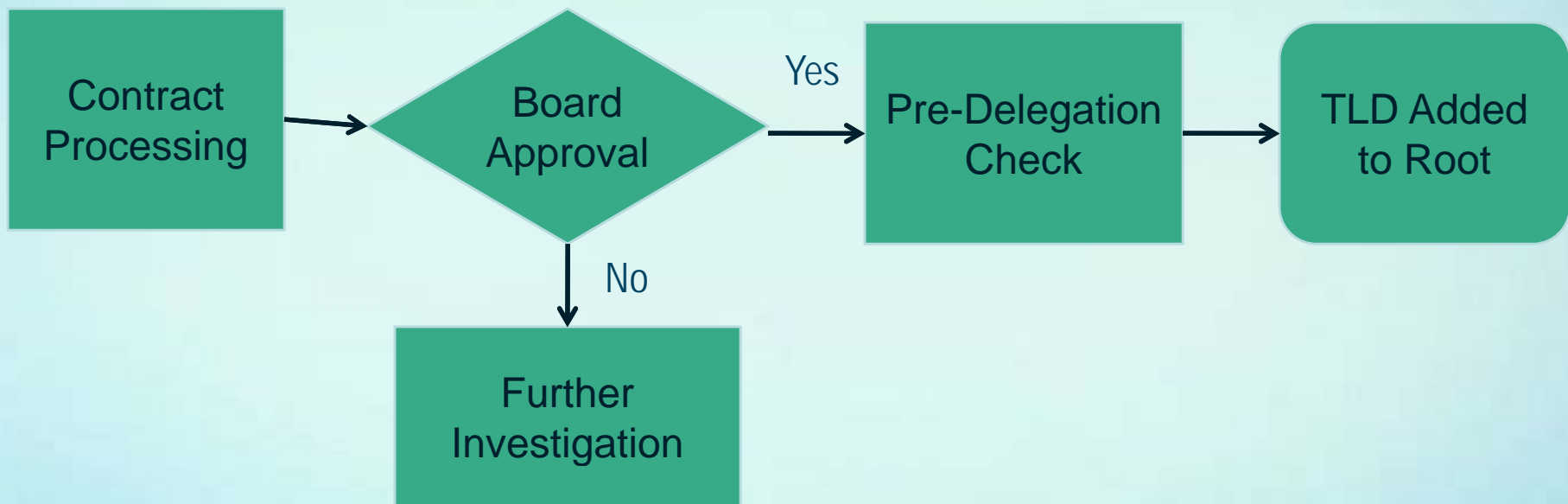
Community-Based Applicants& Comparative Evaluation

- The Policy Recommendations established a preference for community-based applicants
- A bona fide community-based applicant can elect to have contention resolved through a comparative evaluation
- Winner should clearly and convincingly add more value to the global Internet namespace than other contenders
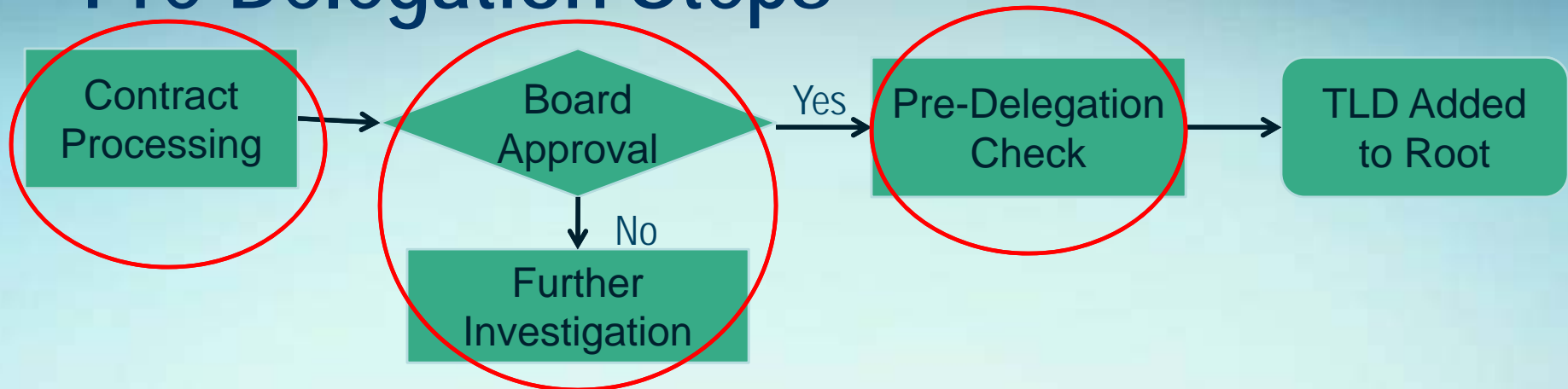- If no clear winner, parties may proceed to auction

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Auction: to resolve string contention

- Economic case for auctions paper to be published
- Different potential auction models are under investigation
- Auction process will be managed by a third party service provider
- Before an auction is conducted, ICANN will undertake a community-based consultation to determine uses of funds consistent with ICANN's mission and for the benefit of the DNS and DNS community
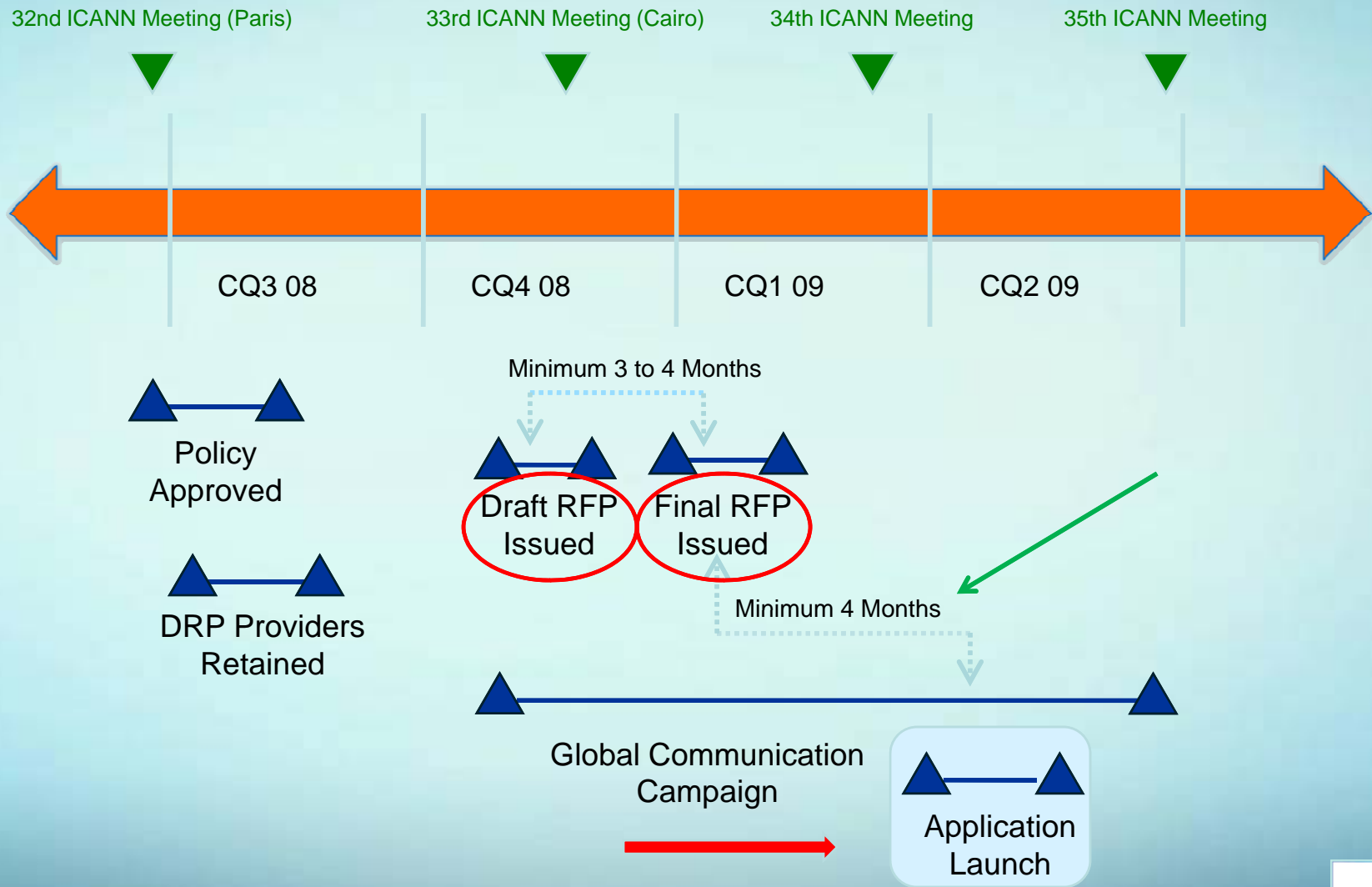
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Delegation Phase

Contract Processing → Board Approval → Yes → Pre-Delegation Check → TLD Added to Root

Board Approval → No → Further Investigation

Pre-Delegation Steps

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┌──────────────┐        ◇──────────◇    Yes    ┌──────────────┐        ┌──────────────┐
│  Contract    │  ───►  │   Board   │  ───────► │Pre-Delegation│  ───►  │  TLD Added   │
│  Processing  │        │  Approval │           │    Check     │        │   to Root    │
└──────────────┘        ◇──────────◇           └──────────────┘        └──────────────┘
                             │ No
                             ▼
                        ┌──────────────┐
                        │   Further    │
                        │Investigation │
                        └──────────────┘
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- Standard base agreement will be part of RFP

- Staff will recommend Board approval of applicants that have followed the standard process

- Actual delegation of a new gTLD to a successful applicant is contingent upon the applicant's demonstration, to the extent possible, that it has fulfilled the commitments required to meet the baseline criteria

- Pre-determined period of time to make all necessary structural arrangements for the pre-delegation phase

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Thank You