GNSO Public Forum on New gTLDs

- AGENDA

- New gTLDs Policy -- update on GNSO draft new gTLDs final report --Avri Doria, Chair, GNSO Council

- New gTLDs Implementation -- overview of proposed implementation guidelines -- Kurt Pritz, ICANN Senior Vice President, Services

- Public Comments

Update on New gTLD PDP

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Chair, GNSO Council

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Agenda

- Activity since Lisbon
- Current Status
- Discussion Points
  - Protecting Rights of Others
  - Controversial Names
  - Rejection of an Application
  - Disputes and Objections
  - IDN
- Next Steps

Activity In Lisbon re GAC Principles

- In Lisbon GAC released a Principles document
- GNSO New gTLD committee met to discuss the GAC principles paper in detail
  - Reviewed each of the principles
  - Looked at each of the proposed New gTLD recommendations in the light of our understanding on the principles
  - Developed questions for the GAC on interpretation

Activity since Lisbon (II)

- Held a conference call with several GAC members to discuss the range of understanding of the principles

- Have revised several recommendation based on the principles, discussions and the GNSO's understanding of the balance of:

  - ICANN mission and core values
  - GAC principles
  - The constituencies' priorities

Activity since Lisbon

- Continued discussion among the GSNO constituencies in attempt to reach consensus on all of the GNSO principles
- The discussions are continuing here in San Juan

Current Status

- PDP nearing completion
  - Related WG groups completed their work
    - Internationalised Domain Names IDN WG
    - Reserved Names (RN) WG
    - Protecting the Rights of Others (PRO) WG
  - New gTLD committee working to integrate WG recommendations as appropriate
- Holding open forum discussions of draft final report
- Continuing to integrate the complex set of conditions

Current Status (II)

- Draft Final Report Status
  - Updated draft - 16 June
  - 6 Principles
    - All stable
  - 19 recommendations
    - 16 stable
    - 3 Still in discussion
  - 15 Implementation guidelines
    - All stable

Current Status (III)

- Staff has begun testing the recommendations against implementation
- Staff and New gTLD Committee spent Saturday afternoon discussing issues with recommendations found in the attempt to understand the eventual implementation
- Reported to GAC on treatment of its principles in the report.

Discussion: Protecting the Rights of Others

- Recommendation 3

Strings must not infringe the existing legal rights of others that are recognized or enforceable under generally accepted and internationally recognized principles of law.

- At top level, current approach recommends creation of a dispute process, based on UDRP, but as part of application review process

- At 2nd level, ongoing discussion about creation of reference implementation of Rights Protection Mechanisms for applications that warrant use of a mechanism.

Discussion: 'Controversial' Names

- Recommendation 6

Strings must not be contrary to generally accepted legal norms relating to morality and public order that are enforceable under generally accepted and internationally recognized principles of law.

- RN WG opted against creating a category for controversial names

- Current approach recommends creation of objection process as part of the staff implementation effort

Discussion: Rejection of an Application

- Recommendation 20

An application will be rejected if it is determined, based on public comments or otherwise, that there is substantial opposition to it from among significant established institutions of the economic sector, or cultural or language community, to which it is targeted or which it is intended to support.

- Current approach recommends dispute and objection mechanisms.

- Continuing discussion and editing of recommendation.

Discussion: Disputes and Objections

- Currently the subject of implementation discussion within the staff and discussion between ICANN staff and GNSO

- Open Issues include:
  - Who has standing in a dispute or objection
  - Scalability: who can pre-process objections if everyone has standing
  - Fee mechanisms for objections
    - for applicants
    - for the registering the objection
  - Managing priorities in the complex of multiple disputes or resolutions.

Discussion: IDNs

- Strong community interest in including IDNs in 1st round of New gTLD applications.

- It is still an open question to what extent this will be possible.

Next Steps

- Goal is to finish GNSO process within next 2 months. This includes :
    - Integrate results of open forum discussions and comments as appropriate
    - Continue iteration with staff on implementation issues
    - Complete review and integration of WG results as appropriate
    - Hold council vote on the final report and its recommendaitons.

Thank You