ICANN | GNSO

Generic Names Supporting Organization

New gTLD Subsequent Procedures PDP

December 2017 Newsletter

**Note: all upcoming meetings are subject to change. For current scheduling information, please see the <u>GNSO Master Calendar</u>, Working Group<u>scheduling document</u>, and list of upcoming Work Track topics.

CURRENT STATUS AND NEXT STEPS

Overall Working Group

Current Status:

The Working Group is continuing to refine preliminary outcomes for the overarching subjects in the Working Group's Charter, leveraging input received through Community Comment 1 (CC1) and additional input received through a number of Working Group calls. Three streams of work are currently underway, each with a specific focus: different TLD types, predictability/community engagement, and application submission periods. In November, the Working Group concentrated on progressing deliberations on application submission periods.

The Work Tracks are preparing to develop draft recommendations for changes, if any, to the existing policy or implementation.

Next Steps:

The full Working Group will finalize documentation reflecting deliberations on the overarching issues. The Working Group plans to complete a first reading on the overarching issues in the coming months. Once the Work Tracks have developed draft recommendations for changes, if any, to the existing policy or implementation, these recommendations will be reviewed by the full Working Group before publication of Draft Recommendations for public comment.

Work Track 1

Current Status:

In November, the WT focused on <u>Application Fees</u> and <u>Variable Fees</u>.

21 November meeting highlights:

- Reviewed policy reasons for setting a "floor" on application fees and agreed that if a floor is recommended, the application fee will be the greater of a) the fee set by principles of cost recovery and b) the price floor amount.
- Discussed possible uses of any excess fees, including returning funds to applicants, allowing excess to be used as a credit to ongoing fees, and placing excess fees in a reserve fund for use in subsequent procedures.

WT1 had a meeting on 5 December, which focused on <u>Applicant Support</u> and the <u>Applicant Guidebook</u>. The discussion will be summarized in the following edition of the newsletter.

Next Steps:

WT1 has a meeting scheduled for 19 December (topics: <u>Systems</u>, <u>Communications</u>, and <u>Application Queuing</u>).

Work Track 2

Current Status:

In November, the WT focused on <u>Registry/Registrar Standardization</u>, <u>Registrar Non-Discrimination</u>, and Registry/Registrar Separation.

21 November meeting highlights:

- Welcomed <u>Sophia Feng</u>, who will be serving as the new WT2 co-lead beside Michael Flemming.
- Reviewed the work plan for drafting WT2 content for the Working Group's Initial Report.
- Discussed <u>input from ICANN Compliance</u> received in response to the WT's inquiry regarding any complaints received about vertically integrated entities. Reviewed potential follow up questions to be submitted to ICANN Compliance.
- Reviewed comments received in response to <u>CC2</u> questions on registrar non-discrimination and registry/registrar separation, including feedback on circumstances where exemptions to the Code of Conduct should be granted and input on whether rules contained within section 2.9 of the Registry Agreement and in the Code of Conduct prohibit the integrated registry/registrar from achieving the economic efficiencies.

Next Steps:

WT2 has meetings scheduled for 7 December (topics: <u>TLD Rollout</u> and <u>Contractual Compliance</u>) and 21 December (topics: <u>Base Registry Agreement</u>, <u>Reserved Names</u>, and <u>Registrant</u> Protections).

Work Track 3

Current Status:

In November, the WT focused on Community Applications.

14 November meeting highlights:

- Reviewed the work plan for drafting WT3 content for the Working Group's Initial Report.
- Discussed the possibility of identifying sub-categories of community applications based on the purpose of the TLD.
- Considered the opportunities and challenges that might result in having different criteria for different sub-categories of communities.
- Discussed the possibility of promoting or requiring a closer link between the string applied for by a community applicant and the identity or purpose of the community.

28 November meeting highlights:

- Reviewed input and prior Advice from the GAC on Community based applications and the Community Priority Evaluation Process.
- Reviewed <u>responses to CC2</u> questions regarding Community based applications and the Community Priority Evaluation Process.

Next Steps:

WT3 has a meeting scheduled for 12 December (topics: <u>Community Applications</u> and <u>Objections</u>).

Work Track 4

Current Status:

In November, the WT focused on reviewing the status of WT topics.

30 November meeting highlights:

- Reviewed progress of deliberations in each of the WT's topic areas.
- Discussed items for which the WT has reached preliminary consensus and issues still to be resolved in future discussions.

Next Steps:

WT4 has a meeting scheduled for 14 December.

Work Track 5

Current Status:

In November, the WT had its first two meetings, which focused on setting up the Work Track, developing the Terms of Reference for the WT, and introducing the proposed risk-based approach for analyzing the topic.

15 November meeting highlights:

- Introduced the leadership team of Work Track 5.
- Discussed rules of engagement, working methods, and the WT meeting schedule.

- Reviewed feedback received during the <u>Work Track 5 session at ICANN60</u>, including feedback on the Work Track 5 Terms of Reference.
- Introduced the idea of using a risk-based approach to evaluate issues within WT5's scope.
- Introduced a <u>"buddy" system</u> to provide support for newcomers and those unfamiliar with GNSO policy process.

29 November meeting highlights:

- Went over <u>proposed language</u> for the Scope section of the Work Track 5 Terms of Reference and discussed different options for text to include in the Scope.
- Discussed the <u>risk based approach</u> for examining issues under consideration in Work Track 5. This is a potential methodology for the WT to use in its analysis.
- Shared the full text of the draft Terms of Reference for input from Work Track members.

WT5 had a meeting on 6 December, which focused on the WT5 <u>Terms of Reference</u>. The discussion will be summarized in the following edition of the newsletter.

Next Steps:

WT5 has a meeting scheduled for 20 December.

WHAT IS THIS ABOUT?

In June 2014, the GNSO Council established a Discussion Group that was intended to evaluate the experiences of the 2012 round gTLD Program and to identify possible areas for future GNSO policy development. The Discussion Group's <u>deliverables</u> served as the basis for the GNSO Council's request for a Preliminary Issue Report in June of 2015.

Following the publication of the <u>Final Issue Report</u>, the GNSO Council adopted the <u>charter</u> for the PDP Working Group, which began its work in February 2016. The Working Group initially concentrated on a set of overarching issues, and has since established four separate Work Tracks to consider specific topic areas: Work Track 1 - Overall Process/Support/Outreach, Work Track 2 - Legal/Regulatory, Work Track 3: String Contention/Objections & Disputes, Work Track 4: Internationalized Domain Names/Technical & Operations.

WHY IS THIS IMPORTANT?

The Discussion Group identified a number of subjects that may require further analysis and possible formulation of policy language. There are existing policy recommendations adopted by the GNSO Council and ICANN Board, which will remain in place unless the PDP WG determines that changes are needed.

To join this effort, please email the GNSO Secretariat: gnso-secs@icann.org All are welcome!

MORE INFORMATION

- PDP Working Group Workspace Wiki: https://community.icann.org/x/RgV1Aw
- PDP Working Group Charter: https://community.icann.org/x/KAp1Aw
- PDP Working Group Active Project Page: https://gnso.icann.org/en/group-activities/active/new-gtld-subsequent-procedures