
ICANN Transcription

IDNs EPDP

Thursday, 31 March 2022 at 13:30 UTC

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DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the IDNs EPDP call taking place on Thursday, 31st March, 2022 at 13:30 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom Room. If you're only on the telephone, could you please let yourselves be known now?

All members and participants will be promoted to panelists for today's call. Members and participants, when using the chat, please select "everyone" in order for everyone to see the chat. Observers will remain as an attendee and have view-only chat access. Statements of interest must be kept up-to-date. If anyone has any updates, please raise your hand or speak up now. If you need assistance with your statements of interest, please e-mail the GNSO secretariat.

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All documentation and information can be found on the IDNs EPDP wiki space. Recordings will be posted on the public wiki space shortly after the end of the call. Please remember to state your name before speaking for the transcript. As a reminder, those who take part in the ICANN multistakeholder process are expected to comply with the Expected Standards of Behavior. Thank you and over to our chair, Donna Austin. Please begin.

DONNA AUSTIN:

Thank you, Devan. Welcome, everybody, to today's call. Just a couple of things before we get started. We were having a little bit of a chat before we started the recording. The call that we have scheduled for the 14th of April, we are going to have to ... We will have to either move that or cancel that because it clashes with a GNSO Council call.

And our standard practice when that happens is to move the call 24 hours. But on this occasion, it will run into Good Friday, which is a holiday in many countries. So we are thinking we're going to have to move that to earlier in the week or cancel that call altogether. So we will investigate some options that are available and put that to the list to see if there are any days that come up as more convenient for others—for folks in [inaudible]. But if it becomes too difficult, we'll just cancel the call.

The other thing I wanted to highlight as well—and this is just with me not really knowing what's happening with the meeting planning—but we are going to have to think, at some point, about ICANN74. In normal times, ICANN74 would be a policy forum so I would expect that this PDP would meet more than once in a face-

to-face setting. But I don't know that that will be the case for ICANN74 so we may need to, at some point, when it becomes a bit clearer about what the format requirements for ICANN74 are going to be, make some decisions about how much time we want to allocate to meeting during ICANN74.

I know that ICANN73 presented some problems for us because of conflicts with sessions. So I want to be mindful of that. I don't want to have half the team available, and have a meeting, and then on the week after, we have to rehash everything because we only had half the team there. So I'm mindful that that's something that we will have to deal with in probably the next few weeks. I'm not sure what the meeting planning schedule is.

The other thing I'd like to do is just give a shoutout to Satish for a panel that he chaired during an APAC DNS forum this week. The forum is still going. Unfortunately for me, I was going to present during that session but was unable to due the fact that where I am, at the moment, is being hit by another rain event. So I just wanted to give a shoutout to Pitnan and say thanks very much for presenting on my behalf. I had a few slides prepared. So I just wanted to give a shoutout to Pitnan.

And also, Satish, if you just wanted to take the floor for a couple of minutes and give an overview of the session and how you think it went, and maybe, if there's a recording, that we can get that into chat. So Satish, if you want a couple of minutes, please go ahead.

SATISH BABU:

Thanks, Donna, for the opportunity to make a very brief intervention here. The DNS Forum session on the future of IDNs—IDN variants, actually. It is specifically mentioned as variants. We had two sets of speakers. We had three speakers from the policy side of things. We had Pitnan, we had Donna, and we had Kenny of the ccPDP4. And we had two other presentations—one from Marc Blanchet, another from a gentleman from CNNIC—on the practical aspects of variant management. I think there are very few current examples of variant and variant management and the Chinese example is one of them.

The session had really good response from the audience. There were [so many] questions raised, especially on how we can treat variants as [inaudible]—equivalent. Because currently, if you have an e-mail address with a variant domain name, that may not work. So that, of course, is not in the purview of the current policy discussions. But it was a very engaging session and we really missed Donna's presence which would have made the session even more stronger. The recording is available and I'll share it with that link. Thank you very much.

DONNA AUSTIN:

Thanks very much, Satish. Justine has dropped the YouTube recording in the chat for anyone who's interested in taking a look at that. All righty. So let's get going with this week's agenda. Ariel, I will hand it over to you to reacquaint us with B4a and see if we can wrap this one up and move onto B5. Thanks, Ariel.

ARIEL LIANG:

Thanks, Donna. This is Ariel. B4a, we actually started this discussion twice in the previous meetings but we haven't completed it yet. It's about the role of withheld for same entity labels, specifically at the beginning stage of application process or the process for existing registry operators to request activation of these allocatable variant labels.

So basically, we ended, in the last meeting, to discuss the possible three scenarios—the role these withheld same entity labels play. The first one is for existing registry operators, the allocatable variant labels not being requested for activation, what role do they play?

The second scenario is for future applicants, there may be allocatable variant labels of their primary applied-for label but they do not wish to apply for them at the time of the application. For those labels, what role do they play?

And possibly, we may want to discuss the third scenario but I'm not sure whether it's absolutely necessary because this type of scenario may happen when we go into detail of the further steps of the application process. So for future applicants, they may wish to apply for some allocatable variant labels of their primary label, but for some reason, those labels did not pass the evaluation process so they're being rejected and then they stay at the rejected label state.

But then, after a while, for some reason, the grounds for rejection is removed. For example. They were in contention with another new gTLD and then that new gTLD got removed from the root zone, for example. Then the grounds for rejection is removed

because the contention no longer exists. So then, for those labels, they return to the withheld same entity as state. So for those labels, what role do they play?

But I think maybe the third scenario is overcomplicated for this particular charter question. Maybe this is something we can discuss later on. So perhaps we only need to focus on the first two scenarios. And I believe that's the intent of this charter question, is to focus on those two scenarios. Then in later part of the charter, we will have additional questions about withheld same entity label's role in objection, and string similarity review, and those steps. So I think that's where we ended in the last meeting and I will stop here and open for comments, questions, and input.

DONNA AUSTIN: Thanks, Ariel. Does anybody have any thoughts on this one? It is a little bit of a tricky one to try to—certainly, for me, it's a little bit hard to process this one in my mind. So I can understand that it might seem like the trick question in our charter. Maxim, go ahead.

MAXIM ALZOBA: Do you hear me?

DONNA AUSTIN: Yes.

MAXIM ALZOBA: I don't see much of an issue if the qualification added that in case of variants, all strings which are from the same variant set can be allocated or applied for, only by the same entity. Things will just work as usual. But if it's variants and not the same entity, then it's just no. I don't see much of a difference from the bureaucratic point of view. Thanks.

DONNA AUSTIN: Thank, Maxim. Any thoughts from others? Sarmad and then Dennis.

SARMAD HUSSAIN: Thank you, Donna. This is Sarmad. I think, to me, there are two separate questions here. At the top, it says what role do they play? I guess that question, at least the way I would understand it, may allude to whether they are, for example, used in any other process—in the application evaluation, for example—so for example, string similarity review and those kind of things, and may not necessarily really talk about the legal claim, which is a slightly separate thing.

So as far as the legal claim is concerned, I'm actually not sure why we are connecting the role they play to the legal claim. That's one thing which I would maybe like to clarify as well. Thank you.

DONNA AUSTIN: I think that was something that Jeff raised during a previous call. But perhaps my memory is failing me. And Sarmad, to be honest, I really don't remember why he raised that. Dennis?

DENNIS TAN TANAKA: Thank you, Donna. Just wanted to echo Sarmad's comments there. It's an interesting angle as far as the connection between how you use the allocatable variant labels in the application process versus the legal claims from a registry operator.

I'm just putting on my charter drafting team chair hat here. When we were discussing about this question, it was because the context of the previous round, where the self-identified variants were used to some extent in string similarity processes, even though the registry operators were not granted any legal claims over those self-identified variants. But nevertheless, those labels and strings were used in the application process—again, for very specific reasons. So the question in the charter relates to that experience. How do we think about that?

Then the next question is, to Sarmad's point, what's the connection with any legal claims that a registry operator would have over allocatable variants that may or may not be available down the road because of contentions or any other reasons that may exist during an application window, or round, or process. Thank you.

DONNA AUSTIN: Dennis, understanding the context for the question, did you have a sense of what kind of answer the EPDP Team might come up with for this question? Because I think when we ... Ariel, I don't know whether, when we went through this before, I think there was a view that there's no role to play here—that they are what they are.

But I can see that they could be a factor in the string similarity. But I don't know how we would reflect an answer here or a recommendation. So I think that's what I'm struggling with a little bit. Hadia?

HADIA ELMINIAWI:

Thank you, Donna. My question here, are we now looking for the role that these variants are playing or are we looking for whether the applicant needs to put the variants in the application or not? As I see it, the roles don't really matter at this point. But what really matters, what should the applicant do? Would the applicant need to mention the variants in the original application or not?

The variants are, in all cases, withheld to the same entity and this is a policy that has been approved and established. So the reason for applying for the variants while in the main application wouldn't be to withhold the variants to the entity but would be for other reasons. So let's think what other reasons for which the applicant would need to apply for the variants in the main application. Thinking, I would say one of the reasons would be that the applicant would like to request activation of one of the variants in the future.

Then the next question comes. So can the applicant actually apply for activation of a variant any time or would this happen within specific grounds? And if this would happen within specific grounds then the applicant ... Because we don't know when the next round is going to happen, if the applicant thinks that he would like to activate one of the variants in the future, then he will need to apply for it in the original application. But actually, if the applicant can

apply for the activation of any variants at any time, then there is no need to apply for the variant in the main application.

This discussion sets aside the fees part. But the fees part is also something to consider when thinking about this question because, to my mind, if you start putting more strings, then definitely this will include more work and thus maybe some extra fees. So I think in order to think about this question, we need to consider many other aspects. Thank you.

DONNA AUSTIN:

Thanks, Hadia. I think you've identified some interesting things to think about. But for this question, it specifically says that the variant label has not been requested for allocation in the application process. So essentially, what we're saying is that there might be five variant labels but the applicant is choosing only to apply for two of those. So that means that there's three others that will still be in that bucket we've held for same entity, that nobody else could apply for. I note that Ariel has said we're going to look at withheld same entity labels in the objection and string similarity review process.

So I think there's a question of whether all the variant labels in a set should potentially go through that string similarity process rather than just the ones that have been applied for. But I think that's a question that we'll get to, as Ariel has called out, under topic E. So I'm wondering whether it makes sense to set aside this question until we've been through the topic E questions and then come back to this and see whether there's some unanswered questions that we could come back to.

Do folks have a view on whether that would be a good approach? Maybe we look at the topic E situation first. Then, if we think there's a little bit left over that is relevant for this question, we can come back to it. Or if we think it's adequately covered under topic E, we could identify that there. Okay. So it looks like we've got agreement. Let's park this one for now and revisit it after we've been through topic E. Is that okay with you, Ariel?

ARIEL LIANG: Yes. It's also what staff would potentially suggest so we appreciate that. I think it would probably provide further clarity when we tackle topic E and may conclude this can be a redundant question. But it seems logical to tackle that one first and then go back to this one.

DONNA AUSTIN: Great. All right. Thanks, everybody. We can move on to B5.

ARIEL LIANG: Donna, I suppose you'd like me to introduce this question and the context.

DONNA AUSTIN: Yes please, Ariel.

ARIEL LIANG: So B5 asks, "Do restrictions that apply to a TLD, such a community TLD, dot brand TLDs, also apply to its variants? Are

these labels equally treated as different versions of the same string or completely independent strings not bound by the same restrictions.”

So for the context of this question, I would like to provide some examples of the types of TLDs this charter question refers to. That refers to existing and future gTLDs that have different application questions, evaluation processes, contractual requirements, post-delegation activities, and other nonstandard treatments compared to a standard gTLD.

So in the question itself, it has already provided example of community-based TLDs and also brand TLDs. And staff also identified some other examples, such as the TLDs subject to category one safeguards and geo TLDs. In the slide here, you will see that for each bullet point, we have listed some of the areas in those gTLDs that may have nonstandard elements to that. And in the next slide, I will give some further explanation to that. Of course, this is not a comprehensive list. There may be other types of TLDs that have restrictions that we didn't list here but these are some examples.

So the question focuses on the principal treatment of these types of variant labels but not the detailed processes and procedures regarding these type of TLDs with restrictions. So we're talking about whether they should be treated the same, like their primary TLD with restriction, or they should be treated differently. But we're not talking about the exact procedures or policies related to them. That's beyond the scope of this charter question. So that's something we like to have the team keep in mind.

Just to give you some further understanding—these type of TLDs and their respective restrictions. So community-based TLDs, they are a TLD operated for the benefit of a clearly-delineated community. And that's from the 2012 round. And that is expected to continue in the future rounds as well. So those community-based TLDs will continue to exist. Then currently, I believe there are close to 60 community-based TLDs in the root zone, currently existing.

So when they're being applied in 2012, the applicant needs to submit a written endorsement by that established institution representing the community. So for the applicant, they have a different question or requirement for that. Then if there is contention related to those TLDs, the applicant can elect to have the community priority evaluation process to resolve contention. That's something specific applied to the community-based TLDs. Then, in their registry agreement, they also need to abide by specification 12. So they have a different contractual requirement. That's a community TLD.

Then you can see, in the example, there are some existing ones here on the top. So there's a Catholic and administration or governmental affairs in Chinese. I think the Arabic one is also Catholic. So these are some current examples.

Then, for brand TLDs, these are TLDs that use a brand name and operate it by a corporation that owns the brand. I think currently one third of the existing gTLDs that are brand TLDs. So it's over 400 brand TLDs. So in the application process, the applicant for such a TLD may need to submit proof that, indeed, they have the brand. Then the registry operator is going to operate that brand,

too. Then they also need to abide by specification 13 in the registry agreement. These are some nonstandard things for a brand TLD compared to a standard gTLD.

Then, for geo TLDs, they are denoting geographical, geopolitical, ethnic, social, or cultural representations. And currently, there is probably over 50 geo TLDs in the root zone. So you can see some of the examples here—I think, dot Abu Dhabi, dot Shenzhen, dot Guangdong. These are geographical locations—basically, countries, or cities, or provinces.

Then, in the application process, they need to provide documentation of support or non-objection from relevant governments who are public authorities for such geo TLDs. Then also, applications need to be evaluated by geographic names panel. I think that's a SubPro recommendation for that. Steve or Emily, correct me if I'm wrong. So these are some restrictions, per se, for the geo TLDs.

The last type, the TLDs subject to category one safeguards. These are the TLDs deemed applicable to highly-sensitive or regulated industry. It's because in the 2012 rounds, the GAC advised the ICANN Board that specific safeguards should apply to certain strings related to consumer protection, sensitive strings and regulated markets. Then the Board adopted the implementation framework to identify such TLDs.

So these are some examples. It's a dot cloud in Japan and dot house, dot books. So for these types of TLDs, they have a contractual requirement to be bound by the requirements in specification 11, which is the mandatory public interest

commitment requirement. Then, for future gTLDs, a specific evaluation panel needs to confirm whether applied-for TLDs fall into the category. So these are some restrictions applied to these types of TLDs.

Back to the question itself, should the same treatment for the variant labels for such TLDs be applied? Or they should be treated differently and not bound by the same restrictions. That's the principal question that we need to discuss. So I will stop here.

DONNA AUSTIN:

Thanks, Ariel. I think probably important to keep in mind that we have a preliminary recommendation that it would be one application that would be submitted with the variant labels and also the assumption that the gTLD and its variant labels would be operated mostly for a single user experience. So I think it's probably important to keep those two things in mind as well when we think about this. But we have a bit of a queue so we'll go to Michael, Maxim, and then Edmon.

MICHAEL KARAKASH:

I think the answer should be yes. They should be bound by the same restrictions. As Donna already said, it's a single application. The entity applies for a brand TLD, for example, then all of its variants would also be used as brands. Otherwise, that could be really complicated because brands, for example, are usually closed TLDs with no registrar access. And if you then start to mix brands with open TLDs, then parts of the domains would be

available to the public and part not. So I think all variants should be handled the same way. Thanks.

DONNA AUSTIN: Thanks, Michael. Maxim?

MAXIM ALZOBA: I think for geo TLDs it's important to avoid situation where a variant of some geo TLD—in particular, name, or region, name of the city or region name—is going to be a variant in some other language, which is the actual name of another city or another region. It will cause huge scandal. Situation where one territory or city will be able to block use of, for example, some generic term like “capital,” but in different languages, is going to cause quite an unpleasant effect. And it should be avoided. So I suggest that for geo TLDs, variant rules have lower precedence than geo evaluation panel. Thanks.

DONNA AUSTIN: Thanks, Maxim. That's an interesting observation. I'm just wondering if others have any thoughts on that. Edmon, go ahead.

EDMON CHUNG: Yeah. Edmon here, speaking personally, not from Board. I think, building on what Michael was saying, and also yourself, Donna, I think the one application principle should roll here. I see it both ways. One way of it is that all of it should be treated the same and

the restrictions or the requirements be the same across the variants.

On the other side, it should be one application. So all the requirements for establishing that it is a geo TLD or establishing that it's a community TLD should also be one application. So you don't need an endorsement for all the variants—a separate endorsement for each of the variants. That would be redundant, I would say. And again, the one application principle should apply.

DONNA AUSTIN: Thanks, Edmon. Michael and then Sarmad. Michael, could you go ahead?

MICHAEL KARAKASH: Did I understand Maxim's comment correctly, that you, Maxim, suggest that for geo TLDs, the variant relationship should be less important than other topics? Like if an existing TLD or applied-for TLD label has a variant which might be a different geo name in some different language, then that label should not be available for that TLD, even though it would be a variant under the root zone LGR? Did I get that correct?

MAXIM ALZOBA: If I may.

DONNA AUSTIN: Yes, Maxim. Please.

MAXIM ALZOBA:

Yes. For geos, the most important part of application is endorsement, or approval, or nonobjection from their relevant government—local government, federal government. It depends on the particular jurisdiction who makes the decisions. And in situation where you say the government, they cannot use the city name or the territory name as a TLD because some other, maybe generic or brand, used that, it's a clear road to huge scandal, particularly damaging for the ICANN and the community.

I remind you that for most all cities, the history is a bit older than the current set of rules around trademarks. So the idea is, in case of geos, the group of, let's say, technical experts cannot decide that particular city, or federal territory, or something like that cannot have the name because it causes scandals on intergovernmental scale. We should avoid that. Thanks.

DONNA AUSTIN:

So, Maxim, I'm not sure. I understand the geo TLD application process but I'm not 100% clear on the relevance to the question here. So if you had an IDN gTLD label that is a geographic TLD and fits within that geo definition in the applicant guidebook, I'm not understanding your statement in the context of the IDN geo TLD and its variants because it's the treatment of the variants that we're trying to deal with here, not the actual geo TLD process. It sits separately.

MAXIM ALZOBA: If I may, short example. In different languages, the word “capital” or word “town,” or “big city” can be used worldwide. And having one particular geo TLD, all variants in different languages of the word “city” or “capital” is not what’s intended, I hope. Thanks.

DONNA AUSTIN: Right. And I don’t think the word “city” actually falls within the definition of a geo TLD but I could be wrong. But I’m going to go to Sarmad and Edmon.

SARMAD HUSSAIN: Thank you, Donna. There are two different aspects of this, one which is a set of criteria, constraints, whichever way we want to call it, which apply from an application evaluation perspective for a string. Then there are also, probably in some cases, criteria/constraints which apply from a use perspective on the string after it has been evaluated and delegated.

Those two may actually—or they maybe need to create those two things separately. For example, the use of a variant string may actually be ... The same rules can apply or should apply from a use perspective. If an original string is a geo TLD, then the variant should also be used as a geo TLD.

But I guess the question is, in the application evaluation perspective—not the use perspective—if a geo TLD, for example, requires endorsement from a community in a particular, for example, language, its variant, for example, could be in another language which is not used in that city for with the original string is

coming from. Therefore, the local community may or may not endorse that foreign language version.

So the application criteria—and that's something for the working group to consider. Will the application criteria applicable—is also the same or is just the use criteria. Thank you.

DONNA AUSTIN:

Thanks, Sarmad. I think that's an interesting angle. While the application is one, the evaluation process for the gTLD string and its variants may actually be different. And Maxim, that may be what you were trying to get to but I'm not 100% sure. I think it's a valid point. Edmon, go ahead.

EDMON CHUNG:

Yeah. Edmon here. It's interesting what Sarmad raises. But I still think it has to be the case that it is a one-application principle because you put in one application and the endorsements and everything for that particular application and the variant is essentially ... Regardless of what language that variant is, it is supposed to be allocatable, first of all. We're talking about the same community, or city, or brand, or whatever category they're in. So I guess the evaluation should be for the entire application.

Now, in terms of the string itself, I would imagine that all the variants will need to go out for both public comment and also string objection processes because of the first come, first served rule. If something comes in, in a particular variant, to potentially block another TLD coming in at the later stage, and they think that it infringes on their rights, whether it be a city, or be a brand, or

any other thing, then they would have to object at that particular point.

So regardless of how we treat the application, it's still going to be one application. Then all the variants need to go through those processes and allow other people to object or else it would be too late for people who miss out. We can't hide those and then someone miss out just like, I guess, in some ways, in response to what Maxim was saying, all those variants need to go through both the public comment, and the string similarity, and the string objection processes so that we know that it's safe to allocate the application going forward.

I don't know whether I'm making it clear for everyone. But I terms of variants, regardless of what it is, I think it needs to be one application. If it's a geo, we treat the whole package as a geo. If it's a brand, we treat the whole package as a brand. That's how we should probably treat it. Anything else would really decouple the variants and also cause a bit of a problem to the whole concept of variants.

DONNA AUSTIN:

Thanks, Edmon. I think it's probably important that we stick to the question that's in front of us here. We may have ended up down a rabbit hole. So maybe there is a simple way to answer this question. But I think we need to try to capture these points in the writeup. Sarmad?

SARMAD HUSSAIN: Thank you, Donna. Could I request to move to the next slide, please? I just want to provide an example of, perhaps, what I was saying. So in case of the brand TLDs here, we have to ... What it says here is that the applicant needs to submit proof that the applied-for string is identical to the registrar trademark of the registry operator.

Suppose there is a variant which is not visually the same or visually identical. And that is a likely possibility because, for example, simplified Chinese and traditional Chinese don't look identical. Variants in Arabic script also may or may not be identical.

So the question is that if there is a variant which is not identical, even if it is allocatable in the evaluation process, would it then be rejected because it does not meet the original string criteria? That is why, I guess, I was raising that the application—at the application level versus ... Of course, at the user level, if they're delegated, both of them need to be used for that particular brand. But the question is that do the same application criteria apply? Thank you.

DONNA AUSTIN: Thanks, Sarmad. Michael and then Edmon.

MICHAEL KARAKASH: I just wanted to mention something that Maxim and I have been talking in the chat. I think we should avoid talking different things than we are just—or writing different things that we are talking. So I wanted to move that discussion quickly into the talk.

I think Maxim says that in such special cases, the variant relationship should not be applied but I guess that's not an option at all because the root zone LGR is paramount. And there is absolutely no way that we would be able to have two TLD strings that are variants of each other be operated by two different entities because those labels have two geo cities or whatever. I think that's not an option. Thanks.

DONNA AUSTIN: Thanks, Michael. I think perhaps that's what Edmon was getting to. But Edmon has his hand up so maybe he can clarify that.

EDMON CHUNG: Yes. I think I agree with Michael on that particular point. Yes. That was what I wanted to say earlier. So yes. I agree with that.

Back to Sarmad's point, now I understand what Sarmad is saying a lot more. In those circumstances, I think the situation—again, the one-application rule or principle, I think, should apply. The identity needs to be applied for the applied-for string. The variants are technical issues that we're dealing with. For example, I always use this example as in capital letters and small letters. So if you have a trademark with different capitalization, you would still apply that for a TLD and the capitalization wouldn't matter.

The same thing happens, at least for Chinese. I'm not as familiar with the other languages. But for Chinese, for example—simplified and Chinese and traditional Chinese—as far as I understand trademark rules, they are, in most cases, considered to be conflicts, regardless of whether you put it in simplified or traditional

Chinese, although the trademark itself could be applied in one or the other.

So I think if we go to that route, it makes it very difficult in terms of having to apply different trademark rules and so forth. I think the safest way is going back to the one-application principle and evaluate that particular criteria for the applied-for string, just like, as I said, the endorsements. Do you check the endorsements for the string for all the variants? If that's the case, then all endorsements need to include all the variants. That doesn't make sense.

The endorsement goes to the applied-for string and the variants are technical support—basically, technical policy support for running the TLD. That needs to be treated as one package—one application. That's how I would probably envision it, I think.

DONNA AUSTIN:

Thanks, Edmon. Just a question. And excuse my ignorance on this but I'm just trying to unpack Maxim's issue, which I think is really to do with the gTLD process and not what we're actually dealing with here. But is it possible that a geo TLD is applied for in Arabic and it has two variants—so that's one application? Then you have another applicant who submits an application that the primary is actually identified as the variant of the first application. So somebody's variant could actually be the primary of another application. I'm sorry if I'm complicating this too much but I just wonder if that's a possibility and if that's what Maxim is concerned about. Michael?

MICHAEL KARAKASH: Just to answer your question, if I got it right, this cannot be the case due to transitivity. If you have got A and B being variants of each other, and you then have a C, which is a variant of B, then it automatically is also a variant of A. Is that your question? Because in the variant world, there is no main label. They are all equally valid and equally important, so to say.

DONNA AUSTIN: Yeah. I think I need a whiteboard.

DENNIS TAN TANAKA: May I quickly ...? Sorry, Donna.

DONNA AUSTIN: Go ahead, Dennis.

DENNIS TAN TANAKA: Yeah. So what I understood from your example is that two different applicants, one applying for ... Let's say the set is A, B, C strings. One applicant, one, applies for a primary label A, and has the variants, and the applicant number two applies for label B as a primary. In that case, what I see here is a contention set among those two applicants. But that perfectly feasible. It happened in the previous round, where two applicants applied for the same label. There was no primary and secondary.

Yeah. That's possible because neither applicant knows what string they're going to apply for—the other one—right? So it could be the case that one is preferred to other. But yeah. The expectation is that those two applicants would be put into a contention set because they are applying to labels that are deemed the same.

DONNA AUSTIN: Okay. Thanks, Dennis.

SATISH BABU: Thanks, Donna. First of all, I think that we cannot and should not compromise on the one-application rule, which basically says that the entire variant set is treated as part of a single application. However, I know that there are possibilities of some edge cases where there is some kind of contention with a geo, or brand, or whichever.

So either we are not sure of this—whether we already have a process in place that can handle such edge cases. For instance, Edmon mentioned public comment process. So we have to be transparent about this. Some safeguards that can handle such edge cases, if they are present, then we are okay, I think. But otherwise, I think that we need to put in place something safeguard that can handle any such edge cases that come up while applying the single-application rule. Thank you.

DONNA AUSTIN: Thanks, Satish. I think those safeguards are probably in place anyway because of the resolution processes that are identified in the SubPro processes. But I think we may be just having an interesting discussion but it may not be relevant to the primary question that we're trying to answer here. Justine?

JUSTINE CHEW: Yeah. Thanks, Donna. I'm just trying to ... I guess I was going to say what you had just said. I've been listening in on the discussions and trying to follow the chat, going back and forth. It just seems to me that the issue that Maxim raises is one that's really to be solved outside of what we are dealing with in terms of this question B5, which is things like what Edmon and Dennis have already mentioned—things like string contention. The solution is that sort of thing.

But what B5 specifically asks is if—and this is my understanding of B5—is if an applicant applies for a string that is a go name and that string has got variants, then all of those variants have to be treated as geo names as well, in the same package—dealt with as the same package. I think that's all the question asks us to answer, really. So yeah. I'm having a hard time trying to follow what is it that we're trying to resolve. Thanks.

DONNA AUSTIN: Yeah. Thanks, Justine. I think we've gone down a little bit of an interesting rabbit hole but I think it's not ... I agree that I don't think it's relevant to the question. And Maxim, I know your point about the challenges of geographical names and whether one country

could potentially block another one. But that's also being factored into the SubPro processes as well. I think we may have seen some of that play out in the 2012 round so I think that's actually taken care of in the application process.

But I think, for the question in front of us, basically, we have an IDN gTLD that might be a community-based TLD. It's got a couple of variants to go with it. Do the same rules apply for any other community-based TLD or should there be something different? I think what I'm hearing is that the requirements that apply for a normal gTLD, if you apply for a community, or a brand, or it ends up in a category one safeguard or a geo TLD, then those processes would be the same as for an IDN gTLD and its variants. So I think that's what I'm hearing.

Maxim, I want to come back to you and see whether you want one last opportunity to raise concerns or whether you agree that perhaps we've gone off-topic and that your concern is actually addressed through other SubPro processes. Maxim?

MAXIM ALZOBA:

I think we discussed it, more or less, well. And also, I suggest that we do ask geo TLDs about their opinion on this topic because they're more experienced, I'd say, in the process and in the obstacles created last round. So I suggest we do that.

DONNA AUSTIN:

Maxim, given you are one of the Registries Stakeholder Group reps on this team, and that I know that the geo TLD group is actually a member of the Registries Stakeholder Group, could I

ask you and perhaps the Registries Stakeholder Group team to ask that specific question to the geo TLDs whether—in the context of what we’re discussing here, whether there are any concerns. So if I could make the request of you and the Registry team. Maxim?

MAXIM ALZOBA: Yes. Is it possible to add it into the text of the usual mail after the meeting on what to do, etc. as a task? Thanks.

DONNA AUSTIN: Yeah, we could. Yeah.

JUSTINE CHEW: An action item for Maxim to take back to—

DONNA AUSTIN: Yeah. We can do that.

MAXIM ALZOBA: That will help a lot.

DONNA AUSTIN: Great. Thanks, Maxim. Am I correct in wrapping up this question? We’re in agreement that the restrictions that apply for a gTLD that applies for a community, or a brand, or it happens to be category one safeguarded, that for an IDN gTLD applicant that has variants as well, that those restrictions also apply. They’re not treated

differently. A brand is a brand, regardless of whether it's an IDN gTLD or just a gTLD. If folk could just put in chat whether they agree with that, then we'll be good to move on.

Great. So it looks like we good on that one. And as is always the case, we'll draw up the recommendation language. And once that's ready for prime time, we'll give the groups here two weeks to review. And if there's any concern, then we can come back and review that later. So this isn't the last chance to have a conversation around this. We still have to write up the recommendation and then there will be an opportunity for further discussion if we haven't captured this correctly. So Ariel, I think we can move on.

ARIEL LIANG:

Sorry for mentioning this one thing. For the scope of this charter question, are we limiting to, basically, an applicant for a primary TLD and its variant labels. If the applicant applies for a brand TLD, then the variant label needs to also be brand TLD. So we're limiting to the same application that covers both these labels, correct? We're not talking about applicant A applies for a brand TLD, and applicant B applies for a geo TLD, and they are variant to each other. We're not talking about that scenario.

DONNA AUSTIN:

No.

ARIEL LIANG: Yeah. So I think I've got it and I will just draft some language to make sure we're limiting the scope—that labels within the same application, they need to be the same type. I think that's where the group agreed on. So I just want to clarify that.

DONNA AUSTIN: I think that's correct.

ARIEL LIANG: Okay. Yeah.

DONNA AUSTIN: Thanks, Ariel. Sarmad?

SARMAD HUSSAIN: Yes. Again, I think, going back to the same, just with another example. I just wanted to check, based on what Edmon was also saying. Do we apply the same application evaluation criteria to all the variants of a TLD in such a category as well? Or the evaluation criteria is only applied to the primary string which is being applied for? Thank you.

Just to maybe give an example. Sorry if I'm confusing things. So picking a Latin example, like a common word in German. For example, if you have "Straße, which means "street," which is spelled with a sharp S, which looks like a beta in Greek, but one of the allocatable variants is replacing the sharp S with a double S, which is visually, totally, obviously, nonidentical. Whatever criteria we're applying in evaluating, for example, the "Straße" versus

“Strasse” labels, them being variant labels of each other, will the criteria be applied only to the original application or the same criteria has to be applied to the variant S form in the application evaluation? I think that just clarifies. Thank you.

DONNA AUSTIN:

Thanks, Sarmad. I think Ariel is, in a back chat, saying that we will cover that under another charter question. So how the evaluation processes apply, we will discuss at a later point. I think this is more to do with ... It's not so much about the evaluation. This is more about if it's a community-based TLD, then do they have to—that box that Ariel had up. Do they need to cover off the same things in an application that a normal gTLD would? So I think that's my understanding unless I completely botched that. So I think the evaluation process is something we will get into later.

Okay. So we will see if we can make sense of this conversation—well, Ariel will—and provide us with some draft recommendations and rationale for how we got to here. Okay. So back to you, Ariel.

ARIEL LIANG:

Thanks, Donna. We're circling back to charter question A7, part two, because there's some unfinished business there. If you recall, it's about the single-character TLDs. We answered the first part of the question, which script will be appropriate for that. That's identified as the Han script used in Chinese, Japanese, Korean languages. But we didn't answer the second part, which is about the mechanism of criteria to identify a list of allowable characters

in the Han script and also implementation guidance related to that mechanism.

So based on the previous discussion, we heard there is some support to consult with the Chinese, Japanese, and Korean generation panels, as well as the integration panel, to gain a better understanding of this issue. I think we heard there is one different opinion, or even opposition, I think, from Jeff about consulting on this. But we also heard support from that. Then, we also saw there is support from NCSG to make the instruction to the GPs not too prescriptive. So they also provided support for that.

Along that line, staff did some kind of background thinking and we'd like to propose this strawman proposal for your consideration in terms of the consultation requests to those generation panels. And we'd like to ask for your input so that we can perhaps get the draft letter developed and then circulate that with the group before we do the outreach to the GPs.

So in the consultation letter, first we can include the background for this consultation, which is the charter question A7 of the EPDP. Then also, we can reference SAC052, which is SSAC advice regarding a single-character TLD. Basically, it discovered a high risk for user confusion or confusability of single-character TLDs. They also provided some recommendations—for example, to develop an explicit specification of a subset of a script available for a single-character TLD and make that list available prior to the acceptance of single-character TLD applications. So that's the SAC052 reference.

Then, as another background, we can reference the SubPro PDP recommendation allowing single-character TLD for scripts that are ideographic and do not introduce confusion risks about commonplace similarities. Also, SubPro has welcomed the identification of a potential list of allowable characters. That's in the rationale of its recommendation for this subject. So that's the background and context we can include in the consultation letter.

And the specific questions we propose to ask the GPs are three. The first question we'd like to ask is what is the definition of ideograph and ideogram? Because they are linguistic experts, they probably will be able to provide that clarity regarding the definition. And more importantly, we'd like to confirm with them are all Han characters ideograph or ideogram? Because we know Han script is ideograph/ideogram. But are all the characters automatically ideograph/ideogram? Or there are some nuances related to that? Maybe they can provide that clarification.

If not all Han characters are ideograph or ideogram, does the definition clearly provide a way to identify which ones are not or which ones are? Because that's tied to the SubPro recommendation. Single-character TLDs must be characters that's ideograph. So that's the first bar we need in order to allow that to happen.

Then, the second proposed question is, is it possible for GPs to coordinate and develop criteria for the evaluation of future single-TLD applications in the Han script, particularly in the context of string confusion, to ensure they're introduced to the root zone in a conservative manner. So it's a broader question, whether they are in position or have the capability to develop such criteria to assist

the evaluation for single-character TLDs. So that's something to seek their input on.

Then third is a more detailed ask—is to go one step further for the criteria-related question—is to ask whether the GPs can coordinate and develop criteria to identify a subset of the Han script allowed for a single-character TLD that present no risk of user confusion.

So basically, we're asking whether they can figure out the list of Han script characters, whether that's feasible, because there's thousands of them. Alternatively, if it's not possible to identify that, is there a possibility for them to identify the disqualifying Han characters that may introduce confusion risks that rise above commonplace similarities. Then what's the estimated level of effort required to conduct such work?

So that's the main three questions. We'd like to propose that you ask the GPs. And definitely, we want to hear your input on these questions—whether they're appropriate or whether they need further clarification.

Then, at the end, we'd like to also mention something in the letter to the GPs—the expectation for the outcome of their work—how they will be incorporated. This is something we'd like the EPDP Team to consider and provide us an answer to that. Basically, should the outcome of the GP's work automatically become EPDP's recommendation related to this charter question or it will simply be an input to the EPDPs further deliberation on this charter question? That's the first question.

Second is if the GPs are able to develop such criteria, and even a list of allowable characters, should the outcome be encoded in the RZLGR and basically tap those code points, based on whether they can be single-character TLD candidates or not? Or should they just be published as a document for reference? So these are something we'd like to ask the EPDP team to think about and provide us input on so that we can also incorporate that in the consultation letter when we send these primary questions to them. Hope this is clear and I will stop here.

DONNA AUSTIN:

Thanks, Ariel. This is obviously the first time that folks have seen this so it will take ... I appreciate that you'll need more time to consider this. But I just wonder—we've only got seven minutes left for this call—whether there's any initial reactions to what Ariel has proposed. We can take those on board now and perhaps address them before we send this out to the group. Probably, we'll send it out to the group through, maybe, a week and we'll try to wrap it up on the call next week.

But if there's any initial reactions to this ... And I guess, as Ariel stated at the beginning of this, I think there was pretty much general agreement, with one exception, that we go ahead and do this. I just want to reconfirm that that still is the case. So just open to whether there are any initial reactions to this. Does it look good? Have we missed the mark? That would be helpful feedback before we push this out to the list for formal consideration.

Thanks, Satish. Satish is noting that it's useful to consult with the GPs. I think the setting expectation points are probably important

ones for us to consider. Should the outcomes become an input to our work or should the outcomes automatically become the EPDP Team's recommendation?

I think as chair that we should consider it an input. I don't know that we would automatically adopt whatever the input is as recommendations because we would need to discuss them because we don't know what they're going to come back with. So I would recommend that the expectation is that we would discuss the recommendations and then decide whether to adopt the input or not.

And then, should the outcomes be encoded in the Root Zone LGR or should they be published as a document for reference? I think, again, that's probably a question that we can't answer until we see the input. But interested in whether others have thoughts on that. And Dennis is agreeing that the GPs would be considered an input.

Okay. I'm not seeing any hands so I will assume that we're on the right track with this. And check the e-mail list and we'll get something more formally sent out for people to have the opportunity to read—yeah, it does, Nigel—so to give some folks the opportunity to read again, and digest, and see if there's any comments. We'll come back to this at the beginning of the call next week. Hopefully we can tick the box and move on. Also, it'd be great, if there are concerns, that they could be identified on the email. And perhaps we could have some discussion over e-mail on this as well.

Okay. We're almost at time. We've been working on revising the A5/A6 language as a result of the discussion we had last week. So we should have that to the list pretty soon as well. So hopefully, we'll just put that out there. We'll only come back and discuss it if we have objections. Otherwise, I think we've captured the concerns that ALAC—or the concerns, questions, issues that ALAC raised. And we should be good on that A5/A6 language.

Ariel, is there anything else we were going to discuss today?

ARIEL LIANG:

Yes. We have a very quick item. It's A10. It's about the label state transition. So if you guys recall correctly, in A9, we talk about the five possible label states identified in the staff paper, which is allocated, deallocated, withheld same entity, rejected, and blocked. So the general agreement is to accept the staff paper proposal as a preliminary recommendation and revisit if circumstances warrant that after we tackle a later part of the charter.

So A10 is talk about the possible transition from one state to another. So logically, it could be that the team also accepts the label transition as identified in the staff paper because there is no additional label states being proposed. Also, based on the previous discussion, there is general agreement with the transition defined in the staff paper at this time. So then, we just want to quickly confirm that's the direction. And then, if so, staff can draft some preliminary language based on that.

There is only one thing I'd like to point out. In the state transition from rejected to withheld same entity, there is a path to do that. It's basically if the ground for rejection is removed, then the rejected label can become withheld same entity. But in the staff paper, it says every rejected label is automatically withheld same entity as well.

So maybe that needs to be clarified to make sure we include the nuance that it will have that transition when the grounds for rejection is removed. So it's not automatically rejected equals withheld same entity. It's based on the grounds of the rejection. So that's the only one thing maybe we can make a clarification. But the rest will be preliminary agreement with the staff paper proposal. So that's a quick item.

DONNA AUSTIN:

Thanks, Ariel. Maybe this is something else we can push to the list and see if we can resolve this on the list as well. So if folks can keep an eye out for that as well, then we'll see if we can round this out on the list as well. All right. We're a minute over. Interesting discussion today. And we will see you all again next week.

DEVAN REED:

Thank you all for joining. Once again, this meeting is adjourned. I'll end the recording and disconnect all remaining lines.

[END OF TRANSCRIPTION]