

25 October 2016

**Re: WORK PLAN AND TIMELINE FOR THE NEW GTLD SUBSEQUENT PROCEDURES POLICY DEVELOPMENT PROCESS WORKING GROUP**

Dr. Steve Crocker  
Chair, ICANN Board of Directors

Dear Dr. Crocker,

Thank you again for your letter regarding the work plan and timeline for the New gTLD Subsequent Procedures Policy Development Process (PDP) Working Group (WG), dated 5 August 2016. This letter follows and supplements the response already provided by the GNSO Council to the ICANN Board on 16 August 2016.

On 12 September 2016, the Council sent a letter to all of the GNSO's Stakeholder Groups and Constituencies, as well as the New gTLD Subsequent Procedures Policy Development Process Working Group, seeking community input on the topics raised in your letter. In considering inputs received, the Council notes that responses have not been received from all of the GNSO's Stakeholder Groups and Constituencies. As such, the purpose of this letter is aimed at synthesizing the input received, highlighting those areas of common views. For your reference, all comments have been compiled and included in this letter as well.

The GNSO Council hopes that this synthesized set of responses comprehensively addresses the questions raised in the ICANN Board's letter. We would like to draw your attention to the request from the New gTLD Subsequent Procedures PDP WG for additional context under which these questions were asked. The GNSO Council looks forward to discussion with the Board on this topic during our meeting at ICANN 57, along with other new gTLD issues of high interest.

**Synthesis of Input Received**

Responses were received from the Business Constituency (BC), the At-Large Advisory Committee (ALAC) (via comment during a WG call), the Internet Service Providers and Connectivity Providers (ISPCP), the Intellectual Property Constituency (IPC), the Registries Stakeholder Group (RySG), and the New gTLD Subsequent Procedures PDP WG. Several people also commented in their individual capacity, including: Philip Corwin, Johan Helsingus, Rubens Kuhl, and Volker Greimann.

There was a range of opinions among respondents regarding the central questions in the Board's, listed below:

1. Must the entirety of the New gTLD Subsequent Procedures PDP complete before advancing a new application process?

2. Can a new application process proceed while policy work continues and be iteratively integrated into the application process?
3. Can a set of critical sub set of issues be identified that must be identified and resolved prior to advancing a new application process?

The New gTLD Subsequent Procedures PDP WG was unable to reach consensus on the questions, requesting additional context for why the questions in the letter were posed; it also noted the short timeframe provided for feedback to the GNSO Council. Specifically, the PDP WG could not reach agreement about a critical set of issues, nor could it agree if that was even appropriate. The PDP WG intends to provide an updated schedule of its work prior to ICANN57 and looks forward to further discussions on the issue during and following ICANN57.

In regards to question one above, there was convergence among the BC, ISPCP, and IPC responses that a new application window should not be opened until all necessary reviews are complete and considered by the Community and Board. The BC and IPC responses referenced the necessary completion of the Subsequent Procedures PDP, but also the Review of All Rights Protection Mechanisms in All gTLDs (RPMs PDP), and the Competition, Consumer Trust & Consumer Choice Review Team (CCT-RT). The IPC added further that, specifically, *Phase 1* of the RPMs PDP (i.e., RPMs related to new gTLDs) must be complete, as well as SSR Reviews. The ISPCP also emphasized that technical aspects, such as universal acceptance, technical outreach efforts (e.g., particularly with the Internet Engineering Task Force (IETF)), must be completed before a new application process can begin.

The ALAC, in its participation during a WG meeting, held similar views to the above, noting that the same community efforts should serve as a dependency in launching a new application process.

Conversely, the RySG felt that the 2007 GNSO Policy for the Introduction of New gTLDs is generally sound and expressed that only work required to address significant deficiencies in policy or implementation should occur prior to the introduction of additional gTLDs. Beyond the efforts of the Subsequent Procedures PDP, the RySG noted however, that the CCT-RT and WP-3 (i.e., security and stability analysis of collected DNS data) of the Continuous Data-driven Analysis of Root Server System Stability (CDAR) study must be completed prior to advancing a new application process.

The BC, ISPCP, IPC, and ALAC response to question 1 largely renders questions 2 and 3 above as not applicable. However, in regards to question 2, the ISPCP response noted that an iterative policy development/implementation seemed to be an impossible way forward due to the interconnectedness of the application process.

In supporting the premise of questions 2 and 3, the RySG identified closed generics, distinct registry agreements for exclusive-use TLDs, and geographic names as key priority topics under the Subsequent Procedures PDP. The RySG also noted specific new gTLD implementation issue areas, including (but not limited to) objection processes, string procedures, communities, and application procedures.

While not a question in the Board letter, there are different perspectives on whether it is a given that there should be a subsequent application process. The ISPCP expressed that there needs to be a full discussion about whether or not to have a further round of new gTLDs, drawing on marketplace and technical reviews. In their individual capacities, Johan Helsingius agreed with this view, while Rubens

Kuhl and Volker Greimann responded that the community has already committed to subsequent procedures by way of the existing policy recommendations in the 2007 Final Report for the Introduction of New gTLDs.

With best regards,

Donna Austin, GNSO Vice-Chair (Contracted Parties House)

James Bladel, GNSO Chair

Heather Forrest, GNSO Vice-Chair (Non-Contracted Parties House)

**Responses from Stakeholder Groups and Constituencies**

#	Full Text	Contributor
1.	<p>Thank you for your inquiry in regard to Chairman Crocker’s August 5<sup>th</sup> letter to you regarding whether “the entirety of the current Subsequent Procedures PDP must be completed prior to advancing a new application process under the current policy recommendations”. I shared the letter with members of the Business Constituency and we had a rather lengthy discussion of this subject on the BC member call held on Thursday, August 19th.</p> <p>Based on that conversation I can convey the following preliminary views from the BC:</p> <ul style="list-style-type: none"> <li>• The BC is of the general view that if there is to be a subsequent round or a permanently open application window, it should not be unnecessarily delayed so as to permit the timely submission of .brand applications.</li> <li>• That said, the BC believes that the application window should not be opened until all necessary reviews have been completed and their reports and recommendations have been fully considered by the ICANN community and Board. This includes not just the Subsequent Procedures PDP referenced in Chairman Crocker’s letter but also the RPM Review PDP (of which I am a WG Co-Chair) and the Consumer Choice, Competition and Trust Review mandated by the Affirmation of Commitments.</li> <li>• Chairman Crocker appears to be inquiring as to whether it is possible for the Subsequent Procedures PDP to adopt a Work Stream 1 &amp; 2 approach similar to the one created for the CCWG on Accountability. The BC knows of no precedent for such an approach within a PDP. We also observe that the Charter created for a PDP requires it to address, at a minimum, all the subject matter specified in the Charter and that it is the general practice of a PDP WG to keep all issues open and subject to potential adjustment up to publication of its proposed draft report and recommendations. Therefore, we believe that any WS 1 &amp; 2 approach for any PDP would need to be specified in its initial Charter and, if not, would require a Charter amendment to be approved by Council.</li> <li>• The BC wishes its Councilors to inquire in regard to what process will be followed within Council in forming a response to Chairman Crocker’s letter.</li> </ul> <p>Beyond those preliminary views, and speaking in a personal capacity informed by my Co-Chair position of the RPM Review PDP, I note that our Charter bifurcates our work into two phases, with the first being a review of all new gTLD RPMs and the second being a review of the UDRP. We are currently adhering to our projected work schedule and expect to complete our review of new gTLD RPMs by mid-2017 and to deliver a final report and recommendations (following a public comment period) to the Council by late 2017. We will then commence the UDRP review in early 2018 and have not yet projected how long that second phase might take to complete.</p> <p>I personally see no reason why a subsequent application round would need to await completion of the UDRP review. However, it is the strong view of the BC that no new application round should commence until our WG’s review of the efficacy of the RPMs has been completed and any recommendations for change have been considered by Council and The Board. While I have not yet discussed this matter with the other two Co-Chairs, I personally see no practical means by which we could prioritize our phase 1 RPM review into separate work streams; further, doing so would require wholesale revision (and consequent disruption) of our projected work schedule.</p> <p>I hope that this rather detailed response is of assistance to you and other Council members, and look forward to further initial discussion of this subject during our September 1<sup>st</sup> Council call.</p> <p>See full comment: <a href="https://gns0.icann.org/mailling-lists/archives/council/msg19017.html">https://gns0.icann.org/mailling-lists/archives/council/msg19017.html</a></p>	Philip Corwin on behalf of the BC

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2.	<p>[The (ALAC) new GTLD working group has been discussing this and has looked at the correspondence and after some discussion has conducted a straw poll of its members to find out where they stood. The response was unanimous in saying that - and I'll just read it from the section there: "Do not start the process of a subsequent round until all necessary reviews have been completed and their reports and recommendations have been fully concerted by the ICANN community and board. This includes not just the subsequent procedures PDP referenced in Chairman Crocker's - Chairman's Crocker letter but also the RPM review PDP and the consumer choice competition and trust review mandated by the affirmation of commitments", and I hope that helps.</p> <p>See full comment: <a href="https://gns0.icann.org/en/meetings/transcript-council-01sep16-en.pdf">https://gns0.icann.org/en/meetings/transcript-council-01sep16-en.pdf</a></p>	Olivier Crépin-LeBlond on behalf of the ALAC
3.	<p>We've shared Steve Crocker's related letter within our constituency. Following a discussion I'd like to communicate our preliminary thoughts:</p> <p><u>General observation</u></p> <p>The recent round of gTLDs resulted in a new "gaming" move for domainers. They discontinued the practice of avidly buying all attractive names that became available for resale purposes, and invested instead in registry concessions, now a new secondary market is developing with gTLDs themselves (not the names).</p> <p>The dominant registrars have cherry picked which new gTLDs to include in their storefronts, thus becoming arbiters of the fate of newly launched gTLDs, since exclusion from their registration sites is a tough disadvantage to overcome. IOW registrars are designated the EXCLUSIVE sales channels for all new gTLDs, but they are under no obligation to carry any of them in their domain name portfolios. A subsequent round might, given these developments, simply augment these distortions, so "proceed with caution" would appear advisable.</p> <p><u>Further comments</u></p> <ol style="list-style-type: none"> <li>Both the letter from the Board and the letter from the GNSO Council seem to start with the assumption that there will necessarily be a subsequent round of the new gTLD program. The ISPCP constituency hopes that a full discussion about whether or not to have a further round is had by the community long before work is done on building a new application process. It seems essential that the marketplace and technical reviews are complete and considered by the community. These need to be part of the foundation of any discussion of whether or not to proceed with subsequent rounds of new gTLD applications.</li> <li>In the event that a new gTLD application window is opened, no particular type of gTLD should be allowed to determine the timing of the window. In particular, all strings should have equal status as far as the timing of a subsequent window. For example, a set of strings for a particular use or function, should not be allowed to proceed early.</li> <li>In the event that a new gTLD application window is opened, the policy work in support of the new round should be complete prior to the application process being developed. The ISPCP constituency finds the idea of iterative development of application process to be impossible in the context of such a complex procedure. An iterative approach fails to take into account the interconnectedness of the application process – the development of a policy on geographic names, for example, might have implications on what strings are available and even the prohibition of certain names. The possibility of policy development in one area having a knock-on effect in another area is something we witnessed in the 2012 round. It would likely be a feature of subsequent rounds and makes the iterative development of an application process unlikely to succeed.</li> <li>The Board question about timing raises questions beyond policy and the development of an application process. The ISPCP constituency is extremely concerned that not enough attention has been paid to technical aspects of the deployment of new strings in the root zone. In particular, universal acceptance and technical outreach are areas where the ICANN community needs a new, comprehensive plan. That effort,</li> </ol>	Wolf-Ulrich Knoben on behalf of the ISPCP

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	<p>to ensure that the technical aspects of new gTLDs is addressed, will need to be done before a new application process can commence – thus affecting the schedule of that process.</p> <p>5. Another technical aspect that must be addressed prior to a new round beginning is the relationship between the Internet’s underlying architecture and the new gTLD program. Specifically, ICANN must improve its relationship with the IETF to identify meaningful ways to cooperate in the reservation of certain strings in the root. This relationship must also provide some reliable, predictable, scalable and usable mechanism for reserving strings for special use or because those strings, if allowed in the root, would affect the security and stability of the DNS and tools built upon the DNS.</p> <p>Procedurally, the ISPCP reserves the right to send our comment directly to the board.</p> <p>See full comment: <a href="https://gns0.icann.org/mailling-lists/archives/council/msg19141.html">https://gns0.icann.org/mailling-lists/archives/council/msg19141.html</a></p>	
4.	<p>The IPC believes that all of the following reviews should be completed prior to the opening of the next new gTLD application window:</p> <ul style="list-style-type: none"> <li>- Rights Protection Mechanism Phase 1</li> <li>- New gTLD Subsequent Procedures</li> <li>- SSR Review</li> <li>- CCT Review</li> </ul> <p>Several in our number also believe that Rights Protection Mechanism Phase 2 should be completed prior to the next round. Some IPC members also believe there are elements of WS2 which should be completed first.</p> <p>See full comment: <a href="https://gns0.icann.org/mailling-lists/archives/council/msg19154.html">https://gns0.icann.org/mailling-lists/archives/council/msg19154.html</a></p>	Paul McGrady on behalf of the IPC

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5.	<p>We are in receipt of your letter dated 12 September 2016 requesting input regarding the ICANN Board's letter on new gTLD subsequent procedures. The New gTLD Subsequent Procedures PDP Working Group had an extensive discussion about the letter at its regularly scheduled Working Group call on September 19, 2016. More specifically, the Working Group discussed whether it believes that the entirety of the current Subsequent Procedures PDP must be completed prior to advancing a new application process under the current policy recommendations. Unfortunately, the group at this stage is divided on the issue of whether the issues to be addressed in the PDP are capable of being separated into different phases or even whether such separation of issues is appropriate. In addition, given the lack of context in which this letter was submitted, coupled with the quick turnaround required and the division of the Working Group members, we were unable to come to consensus on the subject of splitting or otherwise subdividing the work plan.</p> <p>As such, the group is continuing to operate under its existing work plan and is in the process of refining the detailed schedule in terms of ordering and the amount of time that each of the sub issues will take. This updated schedule will be made available to the GNSO Council upon completion, which is anticipated to be prior to ICANN57 in Hyderabad. Further, the Working Group intends to revisit the questions posed in the Board's letter after community discussions in Hyderabad and after the various SOAC and SG/Cs have had the opportunity to consider these questions with their communities.</p> <p>We appreciate that the GNSO council is consulting with the PDP WG and remain available for any clarifications that the GNSO council might require.</p> <p>See full comment: <a href="https://community.icann.org/download/attachments/60490519/Subsequent_Procedures_PDP_WG_Response_to_GNSO_Council_25Sept2016.pdf?version=1&amp;modificationDate=1474899342926&amp;api=v2">https://community.icann.org/download/attachments/60490519/Subsequent Procedures PDP WG Response to GNSO Council_25Sept2016.pdf?version=1&amp;modificationDate=1474899342926&amp;api=v2</a></p>	Avri Doria and Jeff Neuman on behalf of the New gTLD Subsequent Procedures PDP WG

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6.	<p>The Registry Stakeholder Group (RySG) thanks the GNSO Council for inviting a response on this important topic. As a foundational matter, we believe that the existing policy framework set forth in the 2007 GNSO Policy for the Introduction of New gTLDs (“GNSO Policy”) is generally sound. The introduction of new gTLDs in the 2012 round has encouraged innovation, improved competition and provided consumers with more choice in domain name registration, with few of the negative effects anticipated by some parties. Given the expectation in both GNSO Policy and the Applicant Guidebook that additional gTLDs would be introduced through a predictable processes going forward, only work that is required to address significant deficiencies in either policy or implementation should be considered as prerequisites to the introduction of additional gTLDs.<sup>1</sup></p> <p>The RySG has identified a small number of initial areas in which the GNSO Policy either did not address an issue that arose during the 2012 round, or where it became clear that the GNSO Policy needed to be revised. These are:</p> <ol style="list-style-type: none"> <li><b>1. Closed Generics.</b> Neither the GNSO Policy nor the final Applicant Guidebook for the 2012 round (“Guidebook”) directly address the question of whether registrants in a gTLD representing a generic word may be restricted to a single company or its affiliates, commonly referred to as a “closed generic.” Some applicants participated in the round with the intent to operate gTLDs in this manner. By virtue of a Board Resolution<sup>2</sup> and a requirement in Specification 11 to the New gTLD Registry Agreement, registry operators may not operate closed generic gTLDs. The Board has suggested that the GNSO develop a formal policy recommendation on this topic and the RySG agrees that it is important to resolve this matter through policy development prior to the introduction of additional new gTLDs.</li> <li><b>2. Distinct registry agreements for exclusive-use TLDs.</b> Current GNSO Policy makes reference to a single Registry Agreement, suggesting that all new gTLD contracts would follow the same form.<sup>3</sup> The standard registry agreement is modeled on legacy gTLD arrangements, in which a TLD is made available for registrations by third parties. However, many of the TLDs delegated in the 2012 round are restricted to use by a single entity, generally the registry operator or an Affiliate.<sup>4</sup> Many of the provisions of the standard registry agreement designed to protect</li> </ol>	Paul Diaz on behalf of the RySG

<sup>1</sup> As stated in the implementation guidance for the GNSO Policy, “This policy development process has been designed to produce a systemised and ongoing mechanism for applicants to propose new top-level domains. The Request for Proposals (RFP) for the first round will include scheduling information for the subsequent rounds to occur within one year.” Similarly, the final version of the Applicant Guidebook affirmed that “the goal is for the next application round to begin within one year of the close of the application submission period for the initial round.” While the specific one-year target has not been met, we believe that the principle a timely, systematic, and ongoing mechanism remains a key element of the initial recommendations.

<sup>2</sup> Resolutions 2014.03.26.NG01 - 2014.03.26.NG02 available at <https://www.icann.org/resources/board-material/resolutions-new-gtld-2014-03-26-en> affirmed a lighter weight solution for exclusive-use TLDs through the introduction of Specification 13, and an amendment to Section 2.9(a) for qualified registries.

<sup>3</sup> Principle F states that “a set of operational criteria must be set out in contractual conditions in the registry agreement to ensure compliance with ICANN policies.” While the question of supporting multiple forms of the Registry Agreement was not specifically referenced in the GNSO policy, the status quo suggests that a single form will be used.

<sup>4</sup> In this context, we think of the notion of “Affiliate” somewhat broadly. For example, the definition set forth in Section 2.9(c) of the Registry Agreement, as follows: Affiliate” means a person or entity that, directly or indirectly, through one or more intermediaries, or in combination with one or more other persons or entities, controls, is controlled by, or is under common control with, the person or entity specified, and “control” (including the terms

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	<p>registrants are not beneficial in such TLDs, and complicate the operation of the TLD for both ICANN and the registry operator without any clear benefit. The RySG believes that the current PDP should update the GNSO Policy to allow ICANN to provide separate, appropriate contracts for registry operators that offer SLD registrations to the public versus those that limit registrations to a single entity and its Affiliates. We note that addressing this issue may require revisions to multiple elements of the GNSO Policy, including the requirement that registries “may not discriminate among [ICANN] accredited registrars.” This and other elements of the GNSO Policy may not be applicable in contexts where there are no third party registrants in the TLD.</p> <p><b>3. Geographic Names.</b> The RySG notes that there is ongoing discussion within the ICANN community on the topic of geographic names as TLDs. The RySG has not reached agreement on whether the current GNSO Policy as reflected in Recommendations 1 and 5 and the Reserved Names WG, as well as the implementation reflected in the AGB, provide both sufficient certainty and predictability for applicants and protection of geographic names consistent with international law. The RySG has also not reached agreement on whether revisions to the GNSO Policy are necessary in light of the experience of the 2012 application round. To the extent that the GNSO takes up this issue, any policy should continue to reflect the established consensus of the GNSO community that the scope of geographic names and protection afforded to them should be limited to those recognized under international law and that the process for recognizing them should be transparent and predictable for applicants. <i>(comment continued on the next page)</i></p>	

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“controlled by” and “under common control with”) means the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of a person or entity, whether through the ownership of securities, as trustee or executor, by serving as an employee or a member of a board of directors or equivalent governing body, by contract, by credit arrangement or otherwise.”

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6.	<p><i>(comment continued from the previous page)</i></p> <p>We believe that the Subsequent Procedures PDP should focus its work in these areas and resolve these key policy questions as a first priority. Further work to improve the GNSO Policy could be completed in the future, but is not necessary to allow the delegation of additional gTLDs.</p> <p>The RySG also believes that any subsequent gTLD application process should allow for more fulsome participation by the Global South. It is our understanding, however, that the Competition, Consumer Choice, and Consumer Trust Review Team (CCT-RT) intends to address this issue. We do not expect that proposals to increase participation from the Global South will require changes to the GNSO Policy, so while we acknowledge the importance of the topic we do not believe it needs to be a gating item prior to the introduction of the next application window.</p> <p>Importantly, this makes completion of the CCT-RT study a gating item for the initiation of a future round. In addition, WP3 of the Continuous Data-driven Analysis of Root Server System Stability (CDAR) is required in order to confirm that the introduction of new gTLDs in 2012 had not adverse impact on the DNS root. Other review procedures should not be treated as gating. We believe that the initial goal of opening a future process within one-year of the close of the 2012 round demonstrates that any further reviews were not intended to gate a future round.</p> <p><i>(comment continued on the next page)</i></p>	Paul Diaz on behalf of the RySG

<p>6. <i>(comment continued from the previous page)</i></p> <p>In addition to considering what elements of the GNSO Policy were likely to require change, the RySG membership identified areas where we believe that the existing GNSO Policy was sound but that operational improvements should be pursued prior to the introduction of additional gTLDs. Based on registry discussion, the following four topics were identified as the most critical issue areas: <b>Objection processes</b>, including fee issues, the Independent Objector process, and procedures for the consolidation of objections; <b>String procedures</b>, including the String Similarity Review and the standards applied in String Objections, particularly those that resulted in perceived inconsistencies; <b>Communities</b>, including whether specific changes need to be made to the Community Objection process and how we can better encourage participation from bona fide communities; and <b>Application procedures</b>, including ensuring that procedures are set prior to the opening of an application window and procedures to streamline the evaluation of registry backends.</p> <p>Importantly, the RySG does not believe that these represent the <i>only</i> issue areas where implementation processes could be improved. Rather, they represent the subset where procedures were sufficiently flawed that process improvements should be considered in advance of a future application process. Additional implementation changes could be proposed on an ongoing basis and addressed by the community including ICANN staff, without blocking or delaying the initiation of a future application process.</p> <p>The RySG has convened workstreams devoted to each of these issue areas, comprised of members with direct experience with the above processes, tasked with enumerating the most critical problems encountered and potential solutions that could be effected without recourse to policy change. We intend to provide this guidance in a follow up correspondence to the ICANN Board and the GNSO Council in the coming weeks.</p> <p>We believe that this bifurcated approach would expedite progress towards future application process, in support of the existing policy of supporting the predictable and timely introduction of new gTLDs. To support this method, a streamlined implementation track should be initiated, to address the critical implementation issues. We recommend the following steps:</p> <ol style="list-style-type: none"><li>1. Publish an updated version of the Applicant Guidebook, redlined to reflect the areas where changes occurred following the publication of final Applicant Guidebook, while the application process was ongoing. We acknowledge that ICANN staff has already initiated the process of reviewing how its internal procedures and systems could be improved to facilitate a future round as part of the New gTLD Program Implementation Review. To the extent that these procedures have been finalized and are relevant to the guidebook, they could be reflected at this stage.</li><li>2. Prioritize the review of the implementation issues identified in this letter and ensuring active participation of ICANN staff in such a review.</li><li>3. Ensure that robust community review and input procedures were provided, both for the policy recommendations put forth by the GNSO PDP Working Group, and the recommended implementation changes.</li></ol> <p>See full comment: <a href="https://community.icann.org/download/attachments/60490519/RySGSubsequentProceduresGatingIssues_v4.docxopen_in_new">community.icann.org/download/attachments/60490519/RySGSubsequentProceduresGatingIssues_v4.docxopen_in_new</a></p>	<p>Paul Diaz on behalf of the RySG</p>
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## Responses from Individuals

#	Full Text	Contributor
7.	<p><i>(excerpted from Philip Corwin’s email regarding BC input – see response #1)</i></p> <p>Beyond those preliminary views, and speaking in a personal capacity informed by my Co-Chair position of the RPM Review PDP, I note that our Charter bifurcates our work into two phases, with the first being a review of all new gTLD RPMs and the second being a review of the UDRP. We are currently adhering to our projected work schedule and expect to complete our review of new gTLD RPMs by mid-2017 and to deliver a final report and recommendations (following a public comment period) to the Council by late 2017. We will then commence the UDRP review in early 2018 and have not yet projected how long that second phase might take to complete.</p> <p>I personally see no reason why a subsequent application round would need to await completion of the UDRP review. However, it is the strong view of the BC that no new application round should commence until our WG’s review of the efficacy of the RPMs has been completed and any recommendations for change have been considered by Council and The Board. While I have not yet discussed this matter with the other two Co-Chairs, I personally see no practical means by which we could prioritize our phase 1 RPM review into separate work streams; further, doing so would require wholesale revision (and consequent disruption) of our projected work schedule.</p> <p>See full comment: <a href="https://gns0.icann.org/mailing-lists/archives/council/msg19017.html">https://gns0.icann.org/mailing-lists/archives/council/msg19017.html</a></p>	Philip Corwin
8.	<p><i>(This email responds to ISPCP points. Original ISPC comments are italicized.)</i></p> <p><i>&gt;1. Both the letter from the Board and the letter from the GNSO Council seem to start with the assumption that &gt;there will necessarily be a subsequent round of the new gTLD program. The ISPCP constituency hopes that a full &gt;discussion about whether or not to have a further round is had by the community long before work is done on &gt;building a new application process. It seems essential that the marketplace and technical reviews are complete &gt; &gt;and considered by the community. These need to be part of the foundation of any discussion of whether or not to &gt;proceed with subsequent rounds of new gTLD applications.</i></p> <p>Indeed. I am concerned about the way a lot of people seem to assume a subsequent round will happen. I feel we have to wait for the results of the reviews before making up our minds.</p> <p><i>&gt;2. In the event that a new gTLD application window is opened, no particular type of gTLD should be allowed to &gt;determine the timing of the window. In particular, all strings should have equal status as far as the timing of a &gt;subsequent window. For example, a set of strings for a particular use or function, should not be allowed to &gt;proceed early.</i></p> <p>I agree.</p> <p><i>&gt;3. In the event that a new gTLD application window is opened, the policy work in support of the new round &gt;should be complete prior to the application process being developed. The ISPCP constituency finds the idea of &gt;iterative development of application process to be impossible in</i></p>	Johan Helsingius

#	Full Text	Contributor
	<p><i>the context of such a complex procedure. An &gt;iterative approach fails to take into account the interconnectedness of the application process – the development &gt;of a policy on geographic names, for example, might have implications on what strings are available and even &gt;the prohibition of certain names. The possibility of policy development in one area having a knock-on effect in &gt;another area is something we witnessed in the 2012 round. It would likely be a feature of subsequent rounds and &gt;makes the iterative development of an application process unlikely to succeed.</i></p> <p>Again, I really have to agree. Strongly.</p> <p>&gt;5. <i>Another technical aspect that must be addressed prior to a new round beginning is the relationship between &gt;the Internet’s underlying architecture and the new gTLD program. Specifically, ICANN must improve its &gt;relationship with the IETF to identify meaningful ways to cooperate in the reservation of certain strings in the &gt;root. This relationship must also provide some reliable, predictable, scalable and usable mechanism for reserving &gt;strings for special use or because those strings, if allowed in the root, would affect the security and stability of &gt;the DNS and tools built upon the DNS.</i></p> <p>See full comment: <a href="https://gns0.icann.org/mailling-lists/archives/council/msg19139.html">https://gns0.icann.org/mailling-lists/archives/council/msg19139.html</a></p>	
9.	<p><i>(This email responds to ISPCP points and email from Johan Helsingius. Quoted text is italicized.)</i></p> <p>&gt;&gt;1. <i>Both the letter from the Board and the letter from the GNSO Council seem to start with the assumption &gt;&gt;that there will necessarily be a subsequent round of the new gTLD program. The ISPCP constituency hopes that &gt;&gt;a full discussion about whether or not to have a further round is had by the community long before work is &gt;&gt;done on building a new application process. It seems essential that the marketplace and technical reviews are &gt;&gt;complete and considered by the community. These need to be part of the foundation of any discussion of &gt;&gt;whether or not to proceed with subsequent rounds of new gTLD applications.</i></p> <p>&gt;Indeed. <i>I am concerned about the way a lot of people seem to assume a subsequent round will happen. I feel we &gt;have to wait for the results of the reviews before making up our minds.</i></p> <p>The original policy actually defined that it wouldn't be a one-time event or an experimental process... it was defined as recurring and in rounds. The implementation foresaw a new round happening one year after the 2012-round, and it's possible that some parties factored that into their decision to apply or not... whether this was wise or not is up for discussion in two workgroups and two review efforts (besides ones already completed. In the particular question "should new subsequent procedures happen", consensus has already been achieved on them to happen, so in this case both existing policy and prospective policy are on the same page.</p> <p>See full comment: <a href="https://gns0.icann.org/mailling-lists/archives/council/msg19141.html">https://gns0.icann.org/mailling-lists/archives/council/msg19141.html</a></p>	Rubens Kuhl
10.	<p><i>(This email responds to Rubens Kuhl’s email.)</i></p>	Volker Greimann

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	<p>I am with Rubens on this. The question is not if but how and when there will be a next round. Policy decisions regarding the last round all have the assumption that there shall be a next round baked into them. If we want to change that or have a discussion whether or not there should be a next round, we first need to change all those prior policy decisions.</p> <p>Even the subsequent rounds WG currently ongoing is not focussed on considering the IF but rather on the question of HOW. There are studies that have to happen before there can be a next round, and there will likely be changes from how the last round was handled based on the learnings of that round, but the community has committed to this process.</p> <p>See full comment: <a href="https://gns0.icann.org/mailling-lists/archives/council/msg19145.html">https://gns0.icann.org/mailling-lists/archives/council/msg19145.html</a></p>	