

## Phase 2 Final Report on the Internationalized Domain Names Expedited Policy Development Process

07 October 2024

### Status of This Document

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This is the Phase 2 Final Report of the GNSO Expedited Policy Development Process on Internationalized Domain Names (EPDP-IDNs), covering topics related to second-level variant management. This Final Report has been submitted to the GNSO Council for its consideration.

### Preamble

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The objective of this Final Report is to document the EPDP Team's deliberations on Phase 2 charter questions and its twenty (20) final Outputs. This Final Report also documents the public comments received on its Phase 2 Initial Report and the EPDP Team's subsequent analysis, as well as other pertinent information that provides background, context, and rationales for its final Outputs.

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# 1 Executive Summary

## 1.1 Introduction

On 20 May 2021, the GNSO Council approved the initiation request for the Expedited Policy Development Process on Internationalized Domain Names (EPDP-IDNs) and adopted its charter.<sup>1</sup> The EPDP-IDNs Team (hereafter “the EPDP Team”) was responsible for developing policy recommendations that would allow for the introduction of variants at the top-level of gTLDs and the management of variants at the second-level. This builds on other policy work related to IDNs, specifically the Outputs produced by the GNSO Council’s New gTLD Subsequent Procedures (SubPro) Policy Development Process (PDP).

The work of the EPDP Team focused on filling the gaps<sup>2</sup> not addressed by the SubPro PDP, as the Outputs were developed considering previous work on IDNs and were already adopted by the ICANN Board. To further support the implementation planning of the SubPro PDP Outputs and facilitate the launch of the Next Round for the New gTLD, the EPDP Team bifurcated its work into two phases, which was approved by the GNSO Council in the form of a change request<sup>3</sup>:

- Phase 1 to cover topics related to top-level gTLD definition and variant management. (This report was completed and submitted to the GNSO Council on 08 November 2023.)
- Phase 2 to cover issues pertaining to second-level variant management.

For Phase 1, the EPDP Team finalized its sixty-nine (69) Outputs [fifty-eight (58) final recommendations and eleven (11) implementation guidance], pertaining to gTLD definition and variant management.<sup>4</sup> The GNSO Council approved all sixty-nine (69) Outputs on 21 December 2023, followed by the ICANN Board adopting fifty-six (56) of the fifty-eight (58) final recommendations by 7 September 2024.<sup>5</sup>

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<sup>1</sup> See the approved GNSO Council motion initiating the EPDP here:

<https://gnso.icann.org/en/council/resolutions/2020-current#202105>

<sup>2</sup> The gaps not addressed by the SubPro PDP were as follows: Applying SubPro PDP Outputs to existing gTLDs and second-level variant domains; Operationalizing SubPro PDP Outputs for gTLD variant labels through the New gTLD Program; and topics not discussed by SubPro PDP but identified in other previous work on IDNs.

<sup>3</sup> See details in the GNSO Council resolution that adopted the Project Change Request from the EPDP Team:

<https://gnso.icann.org/en/council/resolutions/2020-current#202211>; and EPDP Team’s updated project plan

(November 2022 version):

[https://community.icann.org/download/attachments/181306993/EPDP\\_IDN\\_Project\\_Plan\\_20221107.pdf?version=1&modificationDate=1668662265000&api=v2](https://community.icann.org/download/attachments/181306993/EPDP_IDN_Project_Plan_20221107.pdf?version=1&modificationDate=1668662265000&api=v2)

<sup>4</sup> See Phase 1 Final Report here: <https://gnso.icann.org/sites/default/files/policy/2023/correspondence/epdp-idns2-leadership-team-et-al-to-gnso-council-et-al-08nov23-en.pdf>

<sup>5</sup> On 8 June 2024, the ICANN Board took action to adopt fifty-two (52) recommendations from the Phase 1 Final Report and identified six (6) recommendations as pending. Four (4) of the pending recommendations were adopted on 7 September 2024, leaving two (2) pending recommendations as of the drafting of this Final Report. See the Board’s approved resolutions here: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-07-09-2024-en>

Phase 2 deliberations, including the identification of all charter questions that would impact the next Applicant Guidebook (AGB), commenced in April 2023. The EPDP Team met face-to-face in Kuala Lumpur in December 2023, to finalize its deliberation of the Phase 2 charter questions so work could commence on drafting the Initial Report. The Initial Report<sup>6</sup> was published for Public Comment in April 2024 for a forty-day (40-day) comment period.

In October 2024, the EPDP Team completed its substantive work, which included a comprehensive review of the public comments received, and resulted in fourteen (14) policy recommendations. Six (6) of the recommendations contain implementation guidance that is intended to be instructive for the Implementation Review Team (IRT). The expectation is that recommendations approved by the ICANN Board must be implemented, whereas strict adherence of the implementation guidance is discretionary for the IRT.<sup>7</sup>

The EPDP Leadership Team recommended “full consensus” designations for all Outputs. Following the ten-day (10-day) Consensus Call period, the designations were confirmed by the members of the EPDP Team.

Throughout this Final Report, the recommendations and implementation guidance, together, are referred to as “Outputs.”<sup>8</sup>

Meanwhile, the EPDP Team has continuously maintained communication with the ccPDP4, which is the PDP of the Country Code Names Supporting Organization (ccNSO) focused on IDN ccTLDs. The goal of this communication was to meet the ICANN Board’s request that the GNSO and the ccNSO keep each other informed of their respective progress in developing relevant policies and procedures to ensure a consistent solution for variant gTLDs and variant ccTLDs.

## 1.2 Final Outputs

In Phase 2 of the EPDP-IDNs, the EPDP Team was tasked to provide the GNSO Council with recommendations on the second-level variant management. The EPDP Team identified questions under the following topics in its charter to be addressed in Phase 2:

- Topic C: “Same entity” at the second-level and IDN Table harmonization
- Topic D: Adjustments in registry agreement, registry service, registry transition process, and other processes/procedures related to the domain name lifecycle (continuation from P1)
- Topic F: Adjustments in registration dispute resolution procedures and trademark protection mechanisms

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<sup>6</sup> See Phase 2 Initial Report here: <https://gns0.icann.org/sites/default/files/policy/2024/draft/epdp-idns-phase2-initial-report-final-11apr24.pdf>

<sup>7</sup> The EPDP Team strongly recommends the stated action in the implementation guidance, with a strong presumption that it will be implemented, but recognizes that there may exist valid reasons in particular circumstances to not take the recommended action exactly as described.

<sup>8</sup> The types of outputs follow the details set out in the SubPro PDP Final Report. See here: <https://gns0.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=3>

- Topic G: Process to update the IDN Implementation Guidelines

Most Outputs were finalized without substantive change following the EPDP Team’s consideration of the public comments received on the Initial Report. However, there were a number of issues that required further consideration by the EPDP Team and these are reflected in the Final Report as a change from the Initial Report. A number of these changes were substantive and have been highlighted below:

- Use of the term “grandfathered”

ICANN org raised concerns about the use of the term “grandfathered” throughout the Initial Report because of its deep-rooted racial history in the United States and suggested that the term be replaced with alternative language that was more inclusive, accurate, and respectful. The EPDP Team discussed this issue at length and noted that “grandfathered” is a term that is widely-used and prevalent in the existing domain name system policies and documents, including the recently adopted Phase 1 Final Report of the EPDP-IDNs. Nevertheless, the EPDP Team agreed to review its use in the Phase 2 Final Report with a view to replacing it with a less pejorative term. The EPDP Team agreed that there is no single word or phrase to allow for a global replacement throughout the document, and in the majority of instances agreed to the use of the terms, “exempted” or “excluded.” The use of these terms in the Final Report are intended to mean that there will be no change to the contractual and allocation status of existing variant domain names that do not conform to the “same entity” principle when the recommendations from this EPDP become policy. For more details, please see [Sections 3 \(Phase 2 Final Outputs\)](#) and [4 \(Glossary\)](#) under the entry, “exempted.”

- Harmonization of IDN Tables

Achieving harmonization for IDN Tables was a challenging topic for the EPDP Team. Discussions centered around finding an appropriate balance between leaving the harmonization of IDN Tables entirely to gTLD registry operators versus requiring the inclusion of variant code points identified by the script communities for second-level IDN Tables. Following the Public Comment review process, the EPDP Team agreed on a collaborative effort to develop the minimum set of IDN variant deployment requirements at the second-level. Consequently, the decision was made to combine [Preliminary Recommendation 6 and Implementation Guidance 7](#) into one recommendation - [Final Recommendation 6](#).<sup>9</sup>

- Mechanism in response to a domain name query

For the realization of the “same entity” principle<sup>10</sup>, the EPDP Team agreed that a mechanism needs to be in place to respond to a domain name query. The EPDP Team endeavored to find a balance between the interests of the contracted parties in providing the solution and the needs

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<sup>9</sup> The numbering convention of this Report is explained later in this section. For more details, please also see the [overview portion of Section 3](#) and [footnote 53](#).

<sup>10</sup> See more detailed explanation of this underlying principle in [Sections 3 \(Phase 2 Final Outputs\)](#) and [4 \(Glossary\)](#) within this Final Report.

of the requestors in accessing the appropriate information, all the while trying to avoid compromising any data privacy risks. After extensive deliberations, the EPDP Team separated [Final Recommendation 14](#) and [Implementation Guidance 15](#) with distinct purposes to ultimately ensure safe access to technical data in a user-friendly manner when complying to this rule.

The sequence of the outputs in the Final Report remain unchanged after the review of the comments received on the Initial Report. However, while [Final Recommendation 6](#) and [Implementation Guidance 7](#) were combined into one recommendation, [Implementation Guidance 7](#) remains without content to maintain continuity with the original numbering convention. Also, [Final Recommendation 20](#) was amended as a result of the Public Comment process to remove the ccNSO from the approval process; however, [Implementation Guidance 21](#) is intended to provide a role for the ccNSO Council in the GNSO Council's consideration of future versions of the IDN Implementation Guidelines.

Readers are encouraged to refer to the 'Glossary' provided in [Section 4](#), as this will greatly help the readers gain familiarity and understanding of the key terms and phrases frequently used throughout this document.

## 1.3 Conclusion and Next Steps

The Consensus Call on the Outputs contained in this Final Report, as required by the GNSO Working Group (WG) Guidelines, was carried out by the EPDP Team, as described in 'Annex B: Consensus Designations.' In summary, all of the twenty (20) Outputs received "full consensus" support from the EPDP Team. For further details about the decision-making methodology and consensus designation, please see 'Section VI: Decision Making Methodologies' in the EPDP Team charter, which is contained in Annex A within this Final Report.

For next steps, this Phase 2 Final Report will be submitted to the GNSO Council for consideration. If the Final Report is approved by the GNSO Council, it will be forwarded to the ICANN Board of Directors for consideration and potential action in accordance with the ICANN Bylaws.

## 1.4 Other Relevant Sections of this Report

The following sections are included within this Phase 2 Final Report:

- Explanation of the EPDP Team's methods and processes for achieving the final Outputs;
- Compilation of all Phase 2 final Outputs, some of which include corresponding implementation guidance, and their rationales;
- Glossary that provides definitions of the terms and phrases frequently used throughout this Report;
- Assessment of the differences that may exist between the deferred IDN Implementation Guidelines Version 4.0 and the Phase 2 final recommendations and implementation guidance;
- EPDP Team Charter;
- Consensus designations as a result of the EPDP Team's Consensus Call;

- EPDP Team’s high-level responses to Phase 2 charter questions;
- Background on the EPDP and issues under consideration;
- Documentation of who participated in the EPDP Team’s deliberations, including attendance records, and links to their Statements of Interest (SOI) as applicable;
- Documentation on the solicitation of community input through formal Supporting Organization (SO) / Advisory Committee (AC) and Stakeholder Group (SG) / Constituency (C) channels and responses.

## 2 EPDP Team Approach

This section provides an overview of the working methodology and approach of the Expedited Policy Development Process on Internationalized Domain Names (EPDP-IDNs) Team (hereafter “the EPDP Team”), focusing on the development of Phase 2. The points outlined below provide background information on the EPDP Team’s deliberations and processes, but do not represent the entirety of the efforts and deliberations of the EPDP Team.

### 2.1 Project Plan

One of the EPDP Team’s first deliverables was to produce a project plan, setting out the anticipated time frame for deliberations on the charter topics and target dates for key milestones. The project plan was provided to the GNSO Council for its consideration during the October 2021 Council meeting.<sup>11</sup>

In late 2022, the EPDP Team determined that in order to support implementation planning of the New gTLD Subsequent Procedures (SubPro) Policy Development Process (PDP) Outputs, it would be helpful to bifurcate its work into two phases, with Phase 1 covering topics related to top-level gTLD definition and variant management, and Phase 2 covering issues pertaining to second-level variant management. The EPDP Team recognized that this two-phased approach allowed for the Phase 2 work to provide appropriate guidance for the SubPro implementation, as many second-level-related charter questions may have impact on the New gTLD Program. The EPDP Team also determined that a timeline extension was necessary due to the diversity and complexity of variant issues, additional data collection needs, review of ICANN org input for draft recommendations, and Public Comment-related processes. The EPDP Team submitted a Project Change Request to the GNSO Council, which the Council adopted on 17 November 2022.<sup>12</sup> The EPDP Team updated the project plan accordingly, estimating the delivery of Phase 1 Final Report to the GNSO Council in November 2023 and the delivery of Phase 2 Final Report in November 2025.<sup>13</sup>

On 16 March 2023, the ICANN Board requested that the EPDP Team delivers an updated project plan by 15 June 2023 that identifies all charter questions that will impact the next Applicant Guidebook (AGB) of the New gTLD Program.<sup>14</sup> Following the publication of its Phase 1 Initial

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<sup>11</sup> Original project plan (September 2021 version):

[https://community.icann.org/download/attachments/181306993/EPDP\\_IDN\\_Project\\_Plan\\_20210928.pdf?version=1&modificationDate=1638415613000&api=v2](https://community.icann.org/download/attachments/181306993/EPDP_IDN_Project_Plan_20210928.pdf?version=1&modificationDate=1638415613000&api=v2)

<sup>12</sup> Project Change Request:

<https://community.icann.org/download/attachments/181306993/Project%20Change%20Request%20Form%20-%20IDNs%20EPDP.pdf?version=1&modificationDate=1668662322000&api=v2>. GNSO Council resolution to adopt the Project Change Request: <https://gns0.icann.org/en/council/resolutions/2020-current#202211>

<sup>13</sup> Updated project plan (November 2022 version):

[https://community.icann.org/download/attachments/181306993/EPDP\\_IDN\\_Project\\_Plan\\_20221107.pdf?version=1&modificationDate=1668662265000&api=v2](https://community.icann.org/download/attachments/181306993/EPDP_IDN_Project_Plan_20221107.pdf?version=1&modificationDate=1668662265000&api=v2)

<sup>14</sup> See the ICANN Board resolution for detail: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-16-03-2023-en>



Report<sup>15</sup> in April 2023 for Public Comment,<sup>16</sup> the EPDP Team conducted a thorough analysis of its charter questions and consulted with the relevant ICANN org department for input. On 25 May 2023, the EPDP Team reported to the GNSO Council that nearly all of its charter questions may have an impact on the next AGB. As such, the EPDP Team determined not to reorganize its work but continue its two-phased approach; the estimated timeline for project completion was unchanged.<sup>17</sup> In the meantime, the EPDP Team requested a dedicated face-to-face workshop (F2F Workshop) to expedite its Phase 2 deliberations; this request received support from the GNSO Council and ICANN org in June 2023. During ICANN77, the GNSO Council submitted the EPDP-IDNs project plan to the ICANN Board, noting the caveat that a further revised schedule would be delivered by taking into account several important factors that may shorten the EPDP's overall timeline.<sup>18</sup>

On 20 July 2023, the EPDP-IDNs Team provided the GNSO Council with a revised timeline after considering the following factors: 1) progress made on Phase 2 charter question deliberations while the Phase 1 Initial Report Public Comment was ongoing; 2) the breadth and quantity of Public Comment received; and 3) the approval of the dedicated F2F Workshop in December 2023.<sup>19</sup> While there was no change to the timeline for delivering the Phase 1 Final Report, the EPDP Team shortened the Phase 2 timeline by 13 months, with the estimated delivery date of the Phase 2 Final Report in October 2024. The GNSO Council submitted this updated timeline to the ICANN Board and ICANN org on 25 July 2023.<sup>20</sup>

## 2.2 Community Input

During the initial stage of the project in 2021, the EPDP Team sought written input on the charter topics from each Supporting Organization (SO), Advisory Committee (AC), and GNSO Stakeholder Group (SG) and Constituency (C) (hereafter "SG/C") in accordance with the GNSO EPDP requirements. For Phase 2, the charter topics that received input from the community were topics C ("same entity" at the second-level), D (adjustments in registry agreement related to the domain name lifecycle), and G (IDN Implementation Guidelines). The input received was incorporated into the EPDP Team's deliberations as each topic was discussed.<sup>21</sup> For charter topics where groups that provided written input also had representative members on the EPDP Team, those members were well positioned to respond to clarifying questions from other members about the written input as it was considered.

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<sup>15</sup> See Phase 1 Initial Report here: <https://itp.cdn.icann.org/en/files/internationalized-domain-names-idsn/phase-1-initial-report-internationalized-domain-names-expedited-policy-development-process-24-04-2023-en.pdf>

<sup>16</sup> See Phase 1 Initial Report Public Comment Proceeding here: <https://www.icann.org/en/public-comment/proceeding/phase-1-initial-report-on-the-internationalized-domain-names-epdp-24-04-2023>

<sup>17</sup> See EPDP-IDNs Team's presentation to the GNSO Council here: <https://gns0.icann.org/sites/default/files/policy/2023/presentation/epdp-idsn-p2-project-plan-timeline-25may23-en.pdf>; to learn more, check the [transcript](#) and [recording](#) of the GNSO Council meeting on 25 May 2023.

<sup>18</sup> See details in the GNSO Council deliverable submitted during ICANN77 here: <https://www.icann.org/en/system/files/correspondence/ducos-to-sinha-15jun23-en.pdf>

<sup>19</sup> See EPDP-IDNs Team's presentation to the GNSO Council here: <https://community.icann.org/download/attachments/240615630/20%20July%202023%20GNSO%20Council%20-%20EPDP-IDNs%20.pdf?version=1&modificationDate=1689606104000&api=v2>; to learn more, check the [transcript](#) and [recording](#) of the GNSO Council meeting on 20 July 2023.

<sup>20</sup> See the updated GNSO Council deliverable here: <https://www.icann.org/en/system/files/correspondence/ducos-to-sinha-25jul23-en.pdf>

<sup>21</sup> See the community early input received here: <https://community.icann.org/display/epdpidsn/Community+Input>

## 2.3 Methodology for Deliberations

The EPDP Team’s Phase 2 deliberations continued primarily through conference calls scheduled weekly, in addition to email exchanges on its mailing list. The EPDP Team held sessions during ICANN77, ICANN78, ICANN79, and ICANN80 public meetings for the progress of Phase 2. These sessions provided an opportunity for the broader community to contribute to the EPDP Team’s deliberations on the charter topics being discussed.

In particular, a special F2F Workshop took place in December 2023 in Kuala Lumpur, Malaysia, to accelerate the progress of Phase 2. Over three (3) days and eleven (11) sessions, the EPDP Team was able to expedite discussions on Phase 2 recommendations and guidance that would have taken at least three months longer if left to regular, synchronous online meetings and asynchronous discussion on the email list.

All of the EPDP Team’s work is documented on its wiki workspace.<sup>22</sup> It includes its meetings, meeting notes, deliberation summaries, mailing list, draft documents, background materials, Public Comment submissions and review tool, as well as early input received from ICANN community groups and ICANN org.<sup>23</sup>

The EPDP Team used a structured approach to deliberations and drafting for Phase 2. The charter questions were sorted and ordered based on anticipated dependencies between the topics. Due to the complexity of the subject matter, for each charter question, the ICANN org Support Staff (hereafter “staff”) first provided background and context to help frame the questions and enable deliberations. Subsequently, the EPDP Team deliberated on each charter question seeking high-level agreement. The EPDP Leadership Team, in collaboration with staff, then drafted the text in batches, including responses to the charter questions and recommendations, based on the high-level agreements. These draft sections of Phase 2 Initial Report were circulated to the EPDP Team for discussion. The EPDP Team members reviewed these drafts with their representative groups and provided comments and suggested revisions, where appropriate. The EPDP Team then conducted a second reading of each batch, making any necessary adjustments to the text. Following completion of these steps, a section of draft text was considered stable and ready to be included in the Initial Report.

After the Phase 2 Initial Report<sup>24</sup> was published for the Public Comment Proceeding on 11 April 2024,<sup>25</sup> the EPDP Team received community input which was thoroughly reviewed by the EPDP Team using the Public Comment Review Tool developed by the Policy Support Staff.<sup>26</sup> Upon the review through the Review Tool, the EPDP Team took into account each comment and finalized the outputs using the same drafting method, which was used during its development of preliminary outputs included in the Initial Report, as explained above.

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<sup>22</sup> Wiki space here: <https://community.icann.org/display/epdpidn/EPDP+on+IDNs+Home>

<sup>23</sup> Mailing list archives can be found at <https://lists.icann.org/hyperkitty/list/gnso-epdp-idn-team@icann.org/>

<sup>24</sup> See Phase 2 Initial Report here: <https://gnso.icann.org/sites/default/files/policy/2024/draft/epdp-idns-phase2-initial-report-final-11apr24.pdf>

<sup>25</sup> See Phase 2 Initial Report Public Comment Proceeding here: <https://www.icann.org/en/public-comment/proceeding/phase-2-initial-report-of-the-epdp-on-internationalized-domain-names-11-04-2024>

<sup>26</sup> The Phase 2 Initial Report Public Comment Review Tool on the wiki space can be found here: <https://community.icann.org/display/epdpidn/Phase+2+Initial+Report+-+Public+Comment>

For Phase 2, the most challenging topics for the EPDP Team were IDN Table harmonization and the appropriate mechanism in response to a domain name query for the realization of the “same entity” principle. With regard to the IDN Table harmonization, the members from the Registries Stakeholder Group (RySG) and ICANN org worked together prior to publishing the Initial Report for Public Comment to find an appropriate balance between leaving the harmonization of IDN Tables entirely to gTLD registry operators versus requiring the inclusion of variant code points identified by the script communities for second-level IDN Tables. During the course of developing the final recommendation for this topic after the Public Comment review process, the EPDP Team agreed to a collaborative effort to develop the minimum set of IDN variant deployment requirements at the second-level.

On finding a mechanism in response to a domain name query, the EPDP Team recognized several concerns raised by the community; leveraging and/or expansion of Registration Data Directory Service (RDDS), the need for access to variant domain name information, and data privacy risks. The EPDP Team discussed at length to find balance among the interests of the stakeholders, complexities of the operations, the need for access to the appropriate information, and risks associated with data privacy. The agreement was to ensure safe access to technical data in a user-friendly manner when complying to this rule. This would be achieved through the realization of a convenient communication mechanism as well as an effective utilization of the balancing test.

## 2.4 Use of Working Documents and Draft Output Documents

The EPDP Team used a series of working documents and draft output documents, organized per charter topic, to support deliberations and production of outputs. Archives of the documents are maintained on the EPDP Team’s wiki.<sup>27</sup>

Working documents captured summaries of the deliberations on each charter question. These documents were updated on an ongoing basis and served as a point of reference for the evolving discussions on each topic. Draft output documents captured draft responses to charter questions and draft recommendations and implementation guidance, as well as their rationale.

In the process of developing the Phase 2 Initial Report, the EPDP Team directly reviewed draft sections of the Initial Report that included preliminary Outputs proposed by the EPDP Leadership Team in collaboration with staff. This process allowed the EPDP Leadership Team and staff to enhance efficiencies by directly circulating draft sections of the Phase 2 Initial Report to the EPDP Team for discussion. This continued on for developing the Phase 2 Final Report, including the revisions that occurred for the final Outputs, following the Public Comment review process.

## 2.5 Data and Metrics

As required by the EPDP Team charter, the EPDP Team identified areas where data and metrics would help to inform its deliberations on particular charter questions. Where ICANN org was in

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<sup>27</sup> WG Documents on the Wiki space here: <https://community.icann.org/pages/viewpage.action?pageId=166265997>

a position to collect and analyze relevant data, subject matter experts from ICANN org assisted the EPDP Team with these tasks.<sup>28</sup>

To prepare for its deliberations on Phase 2 charter questions pertaining to second-level variant management, the EPDP Team engaged with the GNSO Contracted Parties House (CPH) TechOps team to gather relevant data.<sup>29</sup> The EPDP Team also drew on a research report that it requested and received from ICANN org on the languages and scripts used in the Trademark Clearing House (TMCH).<sup>30</sup>

## 2.6 ICANN Org and Board Interaction

To promote a smooth transition from policy development to eventual implementation of GNSO Council-adopted and ICANN Board-approved recommendations, the EPDP Team has been supported by early and ongoing engagement with ICANN org subject matter experts. Liaisons from ICANN org's Global Domains and Strategy (GDS) and IDN and UA Program regularly attended EPDP Team calls. The liaisons also provided input, where possible, while passing on EPDP Team's questions to ICANN org that required additional research or input.

In addition, the ICANN Board appointed two liaisons (the current liaisons are Edmon Chung and Alan Barrett; Akinori Maemura was a Board-appointed liaison until his term on the ICANN Board ended in September 2022) who regularly attended EPDP Team calls and acted as a conduit between the Board and the EPDP.

## 2.7 Coordination with ccNSO Policy Development Work on IDNs

Throughout its work, the EPDP Team has maintained lines of communication with the ccPDP4 Working Group (WG), which is conducting policy development work on IDN ccTLDs. These communications focus on common topics which appear in the charters of both the EPDP-IDNs and ccPDP4, namely the area of variant management and the IDN Implementation Guidelines. For Phase 2, the ccPDP4 WG and/or ccNSO Council provided input on the document process and approval step pertaining to the IDN Implementation Guidelines. The goal of this communication was to meet the ICANN Board's request that the GNSO and the ccNSO keep each other informed of the progress in developing the relevant policies and procedures to ensure a consistent solution for variant gTLDs and variant ccTLDs.

The use of liaisons between the groups (Dennis Tan Tanaka has been serving as the EPDP-IDNs liaison to ccPDP4 and Anil Jain as the ccPDP4 liaison to EPDP-IDNs) and bilateral meetings at key points in the work supported this coordination. As such, the two groups were able to recognize differences between draft outcomes as they were being developed, and to identify any potential issues if differences did exist.

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<sup>28</sup> Relevant data and metrics to help with the EPDP Team's deliberations on wiki space here:

<https://community.icann.org/display/epdpidn/EPDP+on+IDNs+Home>

<sup>29</sup> This interaction between the EPDP Team and the GNSO CPH TechOps is summarized in the EPDP Team's responses to [charter questions C3 and C3a under Section 3 of this Report](#). The meetings took place during ICANN78 through working sessions [#1-#2](#).

<sup>30</sup> This report is referred to under [footnote 110](#).

## 2.8 Accountability to the GNSO Council

The EPDP Team delivered monthly “project packages” to the GNSO Council to update the Council on the status and progress of its work. Details of the project schedule, attendance, and action items can be found in the monthly project packages. An archive of these packages is available on the wiki.<sup>31</sup>

The EPDP Leadership Team (Donna Austin as the Chair and Farell Folly [formerly Justine Chew] as the Vice-Chair) has been invited to speak to the GNSO Council when it is timely to share any important updates or significant changes. The GNSO Council Liaison (Manju Chen, formerly Farell Folly), as part of the EPDP Leadership Team, also served as an additional point of connection between the Council and the EPDP Team.

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<sup>31</sup> Wiki space here: <https://community.icann.org/pages/viewpage.action?pageId=181306993>

## 3 Phase 2 Final Outputs

For Phase 2 of the EPDP-IDNs, the EPDP Team was tasked to provide the GNSO Council with recommendations on second-level variant management. In its current project plan, the EPDP Team identified the questions under the following topics in its charter to be addressed in Phase 2<sup>32</sup>:

- Topic C: “Same entity” at the second-level and IDN Table harmonization
  - ⇒ Charter Questions C1, 2, 3, 3a, 4, 4a, 5, 6
- Topic D: Adjustments in registry agreement, registry service, registry transition process, and other processes/procedures related to the domain name lifecycle (Continuation of P1)
  - ⇒ Charter Questions D4, 5, 6, 6a, 7, 7a, 8
- Topic F: Adjustments in registration dispute resolution procedures and trademark protection mechanisms
  - ⇒ Charter Questions F1, 2
- Topic G: Process to update the IDN Implementation Guidelines
  - ⇒ Charter Questions G1, 1a

Following consideration and deliberation of the Phase 2 charter questions, the EPDP Team published the Phase 2 Initial Report<sup>33</sup> containing preliminary Outputs for Public Comment. Substantive comments were received on a number of topics, including the automatic allocation and activation process, appropriate mechanism in response to a domain name query for the realization of the “same entity” rule, and the process involved to update the IDN Implementation Guidelines. ICANN org also recommended that the EPDP Team replace the term “grandfathered” with a less pejorative term; and the RySG recommended that registry operator(s) be changed to gTLD registry operator(s). Following careful consideration of all the comments received by the EPDP Team, a number of changes were made and they appear in the Final Report.

The EPDP Team finalized twenty (20) Outputs, including fourteen (14) recommendations and six (6) implementation guidance. The recommendations set forth in this Final Report are expected to be approved by the ICANN Board, requiring that the action must take place, while the implementation guidance is a recommended action by the EPDP Team on how it should be implemented.<sup>34</sup> As also introduced in the Executive Summary, the recommendations and

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<sup>32</sup> EPDP Team’s current project plan (November 2022 version):

[https://community.icann.org/download/attachments/181306993/EPDP\\_IDN\\_Project\\_Plan\\_20221107.pdf?version=1&modificationDate=1668662265000&api=v2](https://community.icann.org/download/attachments/181306993/EPDP_IDN_Project_Plan_20221107.pdf?version=1&modificationDate=1668662265000&api=v2)

<sup>33</sup> See Phase 2 Initial Report here: <https://gns0.icann.org/sites/default/files/policy/2024/draft/epdp-idns-phase2-initial-report-final-11apr24.pdf>

<sup>34</sup> The EPDP Team strongly recommends the stated action in the implementation guidance, with a strong presumption that it will be implemented, but recognizes that there may exist valid reasons in particular circumstances to not take the recommended action exactly as described.

implementation guidance, together, are referred to as “Outputs” throughout this report.<sup>35</sup> The EPDP Team also determined that for certain charter questions (C3, C3a, C4a, C6, D5, D7, F1, G1a), no corresponding Output is necessary and a brief explanation from the EPDP Team is provided. See [Annex C](#) for the EPDP Team’s responses to all Phase 2 charter questions.

This Phase 2 Final Report states the level of consensus within the EPDP Team achieved for the different Outputs. In summary, all of the twenty (20) Outputs, including fourteen (14) recommendations and six (6) implementation guidance, received “full consensus” support from the EPDP Team. Please see the [‘Annex B: Consensus Designation’](#) section of this Final Report for details.

The charter questions and the corresponding final Outputs move in the sequence of underlying principles that guided the EPDP Team’s deliberations. Specifically in this Phase 2 Final Report, the numbering convention of the final Outputs generally aligns with the preliminary Outputs in the Initial Report. However, after the Public Comment process, [Final Recommendation 6](#) and [Implementation Guidance 7](#) were combined into one recommendation - [Final Recommendation 6](#). To maintain continuity with the original numbering convention and so as not to confuse the EPDP Team and/or community that have matched each Output number with the corresponding topic, [Implementation Guidance 7](#) remains without content. Moreover, [Final Recommendation 20](#) was amended as a result of the Public Comment process to remove the ccNSO from the approval process; However, an additional implementation guidance ([Implementation Guidance 21](#)) is intended to provide a role for the ccNSO in the GNSO’s consideration of any future versions of the IDN Implementation Guidelines.

Some underlying principles agreed upon by the EPDP Team and reflected in the final Outputs include the following:

- **Same entity:** A principle where at the domain name level, all allocatable variant domain names from the same variant domain set must be allocated or withheld for possible allocation only to the same registrant using the same sponsoring registrar. The goal of this principle is to minimize user confusion and security risks associated with variant domain names.
- **Integrity of the Set:** The relationship between a primary label and its allocatable and blocked variant labels shall not be infringed upon as long as the primary label exists.
- **Conservatism:** Adopt a more cautious approach in the gTLD policy development as a way to limit any potential security and stability risks associated with the variant label delegation.
- **Exempted:** There will be no change to the contractual and allocation status of existing variant domain names that do not conform to the “same entity” principle. In other words, such existing domains are exempted from this policy and will be referred to as “exempted” in the course of this document. This is a replacement for the term “grandfathered” that was used in the Phase 1 Final Report and the Phase 2 Initial Report. Other variations of

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<sup>35</sup> The types of outputs follow the details set out in the SubPro PDP Final Report. See here: <https://gns0.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=3>

“exempted” are presented as “exemption,” “exemption period,” and “excluded” based on the context throughout this document.<sup>36</sup>

The structure of the subsections that organize the final recommendations is as follows:

- **Section 3.1:** Charter Questions with Final Outputs
- **Section 3.2:** Charter Questions with No Final Outputs

Within the text of this document, the key words "MUST," "MUST NOT," "SHOULD," "SHOULD NOT," "SHALL," "SHALL NOT," "REQUIRED," and "MAY" are to be interpreted as described in RFC 2119.<sup>37</sup>

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<sup>36</sup> See more detailed explanation of these underlying principles in '[Section 4: Glossary](#)' of this Final Report.

<sup>37</sup> RFC 2119: <https://www.rfc-editor.org/rfc/rfc2119>



## 3.1 Charter Questions with Final Outputs

### C1 Charter Question:

*Both the SubPro PDP and the Staff Paper recommend that: 1) a given second-level label beneath each allocated variant TLD must have the “same entity”; and 2) all allocatable second-level IDN variant labels that arise from a registration based on a second-level IDN table must have the “same entity.”<sup>38</sup>*

*Should this recommendation be extended to existing second-level labels?*

### C1 Final Outputs:

**Final Recommendation 1:** The “same entity” principle applies to the allocation of future variant domain names at the second-level of gTLDs. This means that all allocatable variant domain names from a variant domain set must be allocated or withheld for possible allocation only to the same registrant. Additionally, all allocated domain names must be at the same sponsoring registrar.

**Implementation Guidance 2:** gTLD registry operators should take into account Recommendation 14 in SAC060, as well as language or script communities’ widely acceptable practices among Internet users and established conventions, and consider:<sup>39</sup>

- 2.1 setting a maximum number of allocatable variant domain names that can be allocated to the same registrant of the source domain name; and
- 2.2 limiting automatic activation of variant domain names to the extent possible, including in instances where the language-script community believes automatic allocation and activation is needed.

**Final Recommendation 3:** Immediately prior to the policy effective date of the “same entity” principle as set out in [Final Recommendation 1](#), the existing variant domain names that do not conform to the “same entity” principle must be exempted. This means that there will be no change to the contractual or allocation status of such existing variant domain names. The requirement of having the same registrant and the same sponsoring registrar will not be applied retroactively. gTLD registries must determine variant sets for each exempted label as

<sup>38</sup> See Recommendation 25.6 in the SubPro PDP Final Report, p.116:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=116>; Recommendation 3 in the Staff Paper, p.3:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=3>;

Recommendation 25.7 in the SubPro PDP Final Report, p.116: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=116>; Recommendation 4 in the Staff Paper, p.4: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=4>

<sup>39</sup> See Recommendation 14, SAC060, p.20: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=20>

if it is a source domain name and protect from registration all variant labels in all such variant sets in all variant gTLDs, as appropriate.

## C1 Rationale for Final Outputs:

**Rationale for Final Recommendation 1:** The EPDP Team deliberated charter questions C1 in conjunction with C2, as they both address the “same entity” principle at the second-level. The EPDP Team also reviewed the SubPro PDP Recommendations 25.6 and 25.7 relating to the “same entity” principle at the second-level that were adopted by the ICANN Board on 16 March 2023.<sup>40</sup> For consistency purposes as well as to minimize user confusion and security risks, the EPDP Team agreed to extend the SubPro PDP recommendations to existing domain names. This means that all of the allocatable variant domain names that arise from an existing domain name based on a harmonized IDN Table, as required by [Final Recommendation 5](#), must be allocated or withheld for possible allocation only to the same registrant of the existing domain name. The EPDP Team noted that some gTLD registry operators already enforce the same registrant rule, even though this is not a policy requirement at present.

Furthermore, the EPDP Team expanded on the “same entity” principle by explicitly requiring that all of the allocatable variant domain names from a variant domain set may only be allocated by the same sponsoring registrar. The EPDP Team learned that validating the same registrant is extremely difficult or impossible across registrar boundaries, as different registrars assign different contact objects to identify registrants. Having the same sponsoring registrar for the variant domain set will help ensure that the same registrant can be verified. In addition, having the same registrar is compatible with the existing requirements for activating IDN variant labels, which stipulate that “variant IDNs may be activated when requested by the sponsoring Registrar of the canonical name as described in the IDN Tables and IDN Registration Rules.”<sup>41</sup>

[Final Recommendation 1](#) is consistent with Guidelines 11-12 of the ICANN Board deferred guidelines from IDN Implementation Guidelines version 4.0. Please see [Section 5](#) of this Phase 2 Final Report for details.

**Rationale for Implementation Guidance 2:** The EPDP Team developed this implementation guidance following a review of Guideline 12 of the ICANN Board deferred guidelines from IDN Implementation Guidelines version 4.0, which states:

*“...In exceptional cases, i) to support a widely acceptable practice within Internet users of a language or script community, or ii) to abide by language or script established conventions, a TLD Registry may opt to activate a limited number of IDN Variant Labels at its discretion, according to its policies. In such cases, the TLD Registry must have a mechanism to limit automatic activation of IDN Variant Labels to a minimum.”*

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<sup>40</sup> See ICANN Board resolution here: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-16-03-2023-en>

<sup>41</sup> See Section 2.2 in the “Standard Amendment Language, Add Internationalized Domain Names (IDNs) - May Activate Variants” here: <https://www.icann.org/en/system/files/files/standard-amendment-language-add-idns-may-activate-variants-14jun19-en.pdf>

The EPDP Team learned that automatic activation of variant domain names is an acceptable practice for certain registries that support domain names in the Chinese script. For example, if a registrant registers a simplified Chinese domain name under a given gTLD, the traditional variant label is activated by the gTLD registry operator for the same registrant automatically. Furthermore, the EPDP Team learned that Guideline 12 stems from Recommendation 14 in SAC060, which recommends applying a conservative approach in order to avoid the potential permutation issues of variant labels both at the top-level and with combinations of the top-level and the second-level.

As such, the EPDP Team put forward this implementation guidance, suggesting that gTLD registry operators take into account Recommendation 14 in SAC060, as well as language or script communities' widely acceptable practices among Internet users and established conventions, and consider setting an upper limit of allocatable variant domain names that can be allocated to the same registrant. In addition, a gTLD registry operator should seek to limit automatic activation of variant domain names, even in instances where the script community believes it may be beneficial. The rationale for suggesting that automatic activation be limited is that variant domain names may be a novel concept for many registrants. However, a registrant that explicitly requests the activation of a variant domain name is more likely to be aware of the implications and uses for a variant domain name. Nevertheless, the EPDP Team fully understood that the decision of whether automatic activation is supported and what the upper limit of variant domain names can be allocated is at the gTLD registry operator's discretion and in accordance with its policy.

**Rationale for Final Recommendation 3:** Before the "same entity" principle comes into effect, it is possible that certain existing variant domain names from the same variant domain set are allocated to different registrants and/or at different sponsoring registrars. Similarly, before the IDN Table harmonization requirement comes into effect, it is possible that certain existing variant domain names, based on one IDN Table of a given gTLD, are calculated as non-variant domain names by another IDN Table of the same gTLD. This may consequently result in domain names from the same variant domain set being allocated to different registrants and/or at different sponsoring registrars. While it would be helpful to understand how many existing domain names fall into such a category, the EPDP Team recognized the difficulty to obtain such data. The EPDP Team also noted that this is unlikely to be a serious problem, given there are only about 1.5 million IDNs at the second-level across all gTLDs and the EPDP Team has not been informed of or discovered any major confusability concerns for these existing IDNs.

To maintain stability and provide safeguards for the relevant Internet stakeholders, such as registrants, registrars, resellers, registry operators, and end-users, the EPDP Team agreed that all such existing variant domain names that do not conform to the "same entity" principle and predate these requirements must be exempted. "Exempted" in this instance means that there will be no change to the contractual and allocation status of such existing variant domain names. The requirement of having the same registrant and the same sponsoring registrar will not be applied retroactively. The EPDP Team recognized that enforcing the "same entity" principle by removing a variant domain from one existing registrant in favor of another would impinge on the existing rights of the affected registrants, potentially leading to legal issues, operational complexity, and beyond. Therefore, such existing domains are exempted from this policy and will be referred to as "exempted" in the course of this document. Together with this, Final Recommendations 3-4 went beyond the ICANN Board deferred Guidelines 11-12 from IDN

Implementation Guidelines version 4.0, as presented in the rationale portion of [Final Recommendation 1](#) and [Implementation Guidance 2](#), especially in addressing the existing variant domain names that were registered prior to the future policy effective date of the “same entity” principle, which was not explicitly covered in Guidelines 11-12. Please see [Section 5](#) of this Phase 2 Final Report for details.

## C1 Public Comment Review:

**Wording Change:** For [Final Recommendation 1](#), the EPDP Team confirmed the assumption raised in the Public Comment, noting that the EPDP Team’s recommendation only applies to the second-level and not the third-level. The EPDP Team agreed that there is a clearer way to specify the language so that the recommendation is only intended for the second-level, thus adding the phrase, *“at the second-level of gTLDs.”* This detail has been added to the end of the first sentence.

**Significant Change:** As for the question on automatic activation and who decides on activating a variant domain name, language was updated within [Implementation Guidance 2](#) after the EPDP Team explored ways to suggest that automatic activation be driven by community needs, while still limiting it to the extent possible. The EPDP Team had already extensively discussed this topic when providing the original guidance but further discussed that an explicit guidance was necessary through the Output. In short, 2.2 was updated to: *“limiting automatic activation of variant domain names to the extent possible, including in instances where the language-script community believes automatic allocation and activation is needed.”*

In addition, the EPDP Team accepted the suggestion to replace the term, “registry operator(s),” to “gTLD registry operator(s)” for [Implementation Guidance 2](#). This replacement has been made throughout the report to avoid any confusion as to who is to implement the recommended policies, given that this is a GNSO sponsored PDP intended for gTLD registry operators.

**Wording Change:** The EPDP Team agreed to avoid using the term “grandfathered” in the report in response to concerns raised by ICANN org during the Public Comment period as explained in the Executive Summary. The EPDP Team updated each term to either “exempted” or “excluded” based on the context throughout this document. Here in [Final Recommendation 3](#), the term has been updated to “exempted” for each case.

Meanwhile, the EPDP Team also agreed to add a sentence at the end of the recommendation to provide further clarity on how to move forward with those existing variant domain names that were registered prior to the future policy effective date of the “same entity” principle. The following additional sentence ensures that the scope of variant domain names exempt from the requirements of [Final Recommendation 1](#) is not expanded: *“gTLD Registries must determine variant sets for each grandfathered label as if it is a source domain name and protect from registration all variant labels in all such variant sets in all variant gTLDs, as appropriate.”*

## C2 Charter Question:

*Currently Registry Operators may activate the IDN variant labels at the second-level when requested by the sponsoring Registrar of the canonical name as described in the IDN Tables and IDN Registration Rules<sup>42</sup>. Both the SubPro PDP and the Staff Paper recommend that at the second-level, the same entity definition can be achieved by ensuring that the registrant is the same.<sup>43</sup>*

*Should this recommendation be extended to the already activated IDN variant labels at the second-level? How does the “same entity” requirement impact the current rules for Registry Operators for activating IDN variant labels?*

## C2 Final Outputs:

**Final Recommendation 4:** Any allocatable variant domain names of exempted domain names pursuant to [Final Recommendation 3](#) cannot be allocated unless and until only one registrant and one sponsoring registrar remain for the exempted domain name(s) from the relevant variant domain set.

## C2 Rationale for Final Outputs:

**Rationale for Final Recommendation 4:** The EPDP Team agreed that the exemption approach, as set out in [Final Recommendation 3](#), is an exception to the rule and should be resolved as soon as possible. To minimize exceptions to the “same entity” principle, the EPDP Team agreed on no further allocation of any allocatable variant domain from the same variant domain set of an exempted domain. Further allocation is only allowed when one registrant and one sponsoring registrar remain for the variant domain set, which effectively marks the end of the exemption period.

By way of example, presume in a variant domain set there are four allocatable variant domain names, which are s1.T1, s1v1.T1, s1v2.T1, and s1v3.T1. The domain name s1.T1 is registered to Registrant A at Registrar X, and s1v1.T1 is registered to Registrant B at Registrar Y. In accordance with this recommendation, s1v2.T1 and s1v3.T1 must remain ineligible for allocation until only one registrant (i.e., either Registrant A or Registrant B, in this instance) and one corresponding sponsoring registrar remain for the variant domain set. One possible scenario is that Registrant B voluntarily transfers s1v1.T1 to Registrant A at Registrar X. As such, the “same entity” principle is achieved and the exemption situation is eliminated. Subsequently, Registrant A could request to allocate s1v2.T1 and/or s1v3.T1 at Registrar X at a later date. Another possible scenario is that the exemption situation is eliminated by the deletion of either s1.T1 or s1v1.T1. Consequently, the registrant of the remaining domain name could request allocation of s1v2.T1 and/or s1v3.T1 at the registrant’s sponsoring registrar.

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<sup>42</sup> See [footnote 41](#)

<sup>43</sup> See Rationale for Recommendation 25.6-25.8 in the SubPro PDP Final Report, pp.117-118: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtd-subsequent-procedures-pdp-02feb21-en.pdf#page=117>; Section 3.2.1 in the Staff Paper, p.7: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=7>

The EPDP Team agreed that as long as a variant domain set has more than one registrant and/or sponsoring registrar, permitting further allocation would perpetuate the exemption situation and constitute further violation of the “same entity” principle. It would also call into question who would adjudicate the rights regarding which registrant should get the additional allocatable variant domain, if there are competing registrants having variant domain names from the same variant domain set.

Other than restricting further allocation of additional allocatable variant domain names and preventing the enlargement of the total pool of variant domain names that would require exemption, the EPDP Team agreed not to prescribe any additional constraints that would potentially impinge on the existing rights of the registrants of exempted variant domain names. Therefore, the exempted variant domain names are excluded from requirements pursuant to [Final Recommendations 8-10](#) below. The EPDP Team believe that the instances that would require exemption are likely minimal, and it would be best to leave it to the discretion of the registrars and registry operators to decide on their specific measures regarding the lifecycle management of the exempted variant domain names.

## C2 Public Comment Review:

**Wording Change:** As described in the Public Comment Review section for [Final Recommendation 3](#), the EPDP Team agreed to avoid using the terms, “grandfathering” and “grandfathered,” in the report and they have been updated to “exemption,” “exempted,” “exemption period” or “excluded” based on the context of [Final Recommendation 4](#) and its rationale.

## C4 Charter Question:

*A registry TLD<sup>44</sup> may offer registrations using different IDN tables to support different languages or scripts. In case multiple IDN tables are offered, IDN tables should produce a consistent set of second-level variant labels to help achieve the security and usability goals for managing variant labels in a stable manner, promoting a good user experience.<sup>45</sup> As such, the Staff Paper recommends that IDN tables of variant TLDs be mutually coherent, i.e., any two code points (or sequences) that are variants in TLD ‘t1’ cannot be non-variants in variant TLD ‘t1v1’.<sup>46</sup> This recommendation also implies that any two code points (or sequences) that are variants in IDN Table A for TLD t2, which does not have any variant TLD, cannot be non-variants in another IDN*

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<sup>44</sup> Registry TLD refers to a single TLD in a RA, not the registry operator which may operate one or more TLDs.

<sup>45</sup> See “Motivation, Premises, and Framework” section of the Staff Paper:

<https://www.icann.org/en/system/files/files/idn-variant-%20tld-motivation-premises-framework-25jan19-en.pdf>

<sup>46</sup> The intent of the recommendation is that a given TLD’s IDN Tables be harmonized, not all of the registry operator’s IDN Tables for all the TLDs it operates, but with exception of variant TLDs that the registry operator also operates. See Recommendation 5 in the Staff Paper, p.4: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-%2025jan19-en.pdf#page=4>

Table B for the same TLD t2.<sup>47</sup>

Should the second-level IDN tables offered under a TLD, including IDN variant TLDs, be required to be mutually coherent? If yes, how should existing registrations which may not meet the “mutually coherent”<sup>48</sup> requirement of second-level IDN tables be addressed? Rationale must be clearly stated.

## C4 Final Outputs:

**Final Recommendation 5:** All of the existing and future IDN Tables for a given gTLD and its delegated gTLD variant label(s), if any, must be harmonized. This means that all of the IDN Tables for a gTLD and its delegated gTLD variant label(s) must produce a consistent variant domain set for a given second-level label registered under that gTLD or its delegated gTLD variant label(s).

## C4 Rationale for Final Outputs:

**Rationale for Final Recommendation 5:** To support its consideration of charter question C4, the EPDP Team received several background briefings on IDN Tables from ICANN org.<sup>49</sup> IDN Tables represent a registry operator’s second-level rules under a gTLD for validating IDN labels for registration, as well as calculating their variant labels and determining disposition values. Second-level variant labels, as defined in a registry operator’s IDN Tables and IDN Registration Rules, may be blocked or activated.<sup>50</sup> The EPDP Team understood that registry operators develop their IDN Tables and submit them to ICANN org for review of any significant security, stability, and competition issue considerations. A registry operator may use multiple IDN Tables covering a variety of languages and scripts for a gTLD it operates.

The EPDP Team had extensive discussion on the meaning and implication of IDN Table harmonization. The goal of harmonization is to ensure that all of the IDN Tables for a given gTLD must produce the consistent variant domain set that arises from a registration of the source domain name.<sup>51</sup> In other words, no matter which IDN Table for whatever language or script is used for a gTLD, the variant domain set produced for the source domain name must be consistent in all of the IDN Tables for that gTLD as well as its delegated gTLD variant label(s), if any.

The harmonization requirement is expected to avoid the situation where two (or more) domain names that are calculated as variant domain names using a certain IDN Table rule (e.g., IDN Table A) can be non-variants using another IDN Table rule (e.g., IDN Table B) under the same gTLD or its delegated variant label.

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<sup>47</sup> The Staff Paper does not explicitly make such a recommendation with respect to a given TLD that does not have variants, but the proposed IDN Implementation Guidelines 4.0 recommends such.

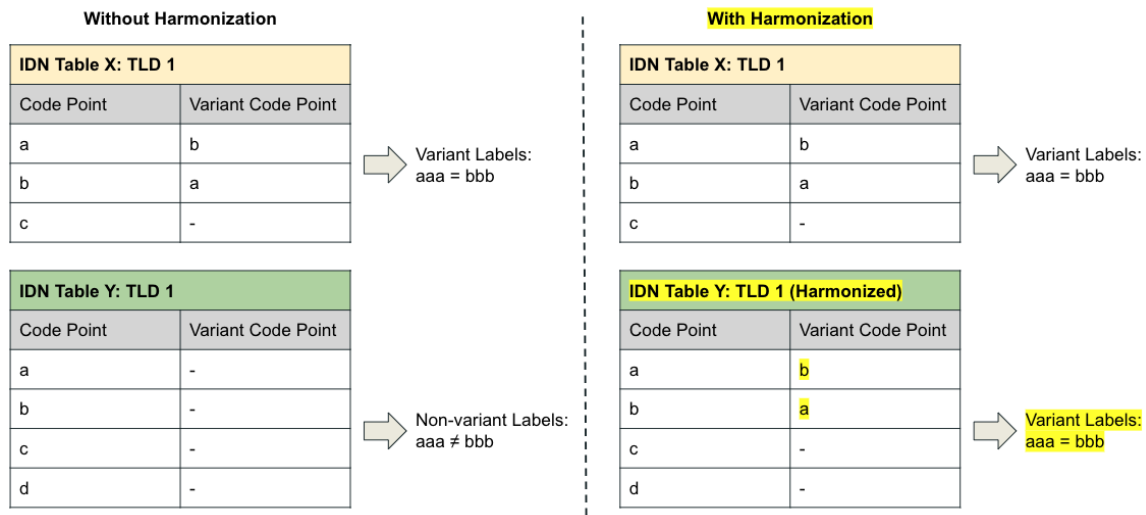
<sup>48</sup> Any two code points (or sequences) that are variants in TLD ‘t1’ cannot be non-variants in variant TLD ‘t1v1’. See [footnote 46](#) for more details.

<sup>49</sup> The IDN Table briefings were conducted during the EPDP Team [working session #2](#) during ICANN74 and its meetings [#80](#) and [#81](#).

<sup>50</sup> See Exhibit A of the Registry Agreement: <https://www.icann.org/en/system/files/files/standard-amendment-language-add-idns-may-activate-variants-14jun19-en.pdf>. See ‘[Section 4: Glossary](#)’ of this Final Report for the explanation of “activate.”

<sup>51</sup> See ‘[Section 4: Glossary](#)’ of this Final Report for more details about the “source domain name.”

- Illustration 1:** This is a visual representation of how IDN Table harmonization works and its impact. TLD 1 has two IDN Tables X and Y. Code points “a” and “b” are variant code points in Table X, but not in Table Y. Without the harmonization requirement, second-level labels “aaa” and “bbb” will be calculated as variant labels based on Table X, but non-variant labels based on Table Y. If harmonization is required, one option is to update Table Y to identify “a” and “b” as variant code points. As a result, “aaa” and “bbb” will be consistently calculated as variant labels no matter which IDN Table is used.



To address the security concerns, the EPDP Team agreed that all of the IDN Tables for a gTLD and its delegated gTLD variant label(s), if any, must be harmonized. For consistency purposes, this requirement applies to both existing IDN Tables already implemented, as well as future IDN Tables to be submitted to ICANN org for review. As an implication of this requirement, ICANN org will review all of the existing and future IDN Tables for a gTLD and its delegated gTLD variant label(s) in a holistic manner, ensuring that the variant domain set is consistently produced. Nevertheless, the EPDP Team agreed not to mandate any specific mechanism for harmonization, but to leave it to gTLD registry operators to decide. See more details through the EPDP Team’s deliberations on charter question C5.

### C4 Public Comment Review:

**Final Recommendation 5:** The EPDP Team received support from several commenters on this recommendation as written.



## C5 Charter Question:

*There is existing practice by registries to harmonize IDN tables, but there is no data on the various methods they may have used. The Staff Paper suggests maintaining a common set of harmonized second-level IDN tables for all IDN variant TLDs and then (a) choosing all these IDN tables to offer for all IDN variant TLDs, or (b) choosing a relevant different subset of IDN tables to offer for each different IDN variant TLD.<sup>52</sup>*

*The WG and the SubPro IRT to coordinate and consider the following question in order to develop a consistent solution: are the above suggested methods in the Staff Paper sufficient for IDN table harmonization purposes? Should any additional implementation guidance be provided for a registry?*

## C5 Final Outputs:

**Final Recommendation 6:** The baseline criteria for implementing IDNs at the second-level must be security and stability of the DNS. ICANN org and gTLD Registry operators shall be responsible for reaching mutual agreement on a minimum set of IDN variant deployment requirements, including, variant sets at the second-level. In developing the minimum set of IDN variant deployment requirements, ICANN org and the gTLD registry operators shall consult with other relevant stakeholders, including ICANN-accredited registrars and script communities.

**Implementation Guidance 7<sup>53</sup>:** N/A

## C5 Rationale for Final Outputs:

### **Rationale for Final Recommendation 6:**

The EPDP Team agreed not to recommend any specific mechanism to achieve harmonization for IDN Tables at a technical level. The EPDP Team understood that while there is currently no standard process for harmonizing IDN Tables, there is anecdotal evidence that gTLD registry operators as well as back-end registry service providers already harmonize IDN Tables.<sup>54</sup> In its preliminary deliberations, the EPDP Team agreed that how harmonization is achieved should be left to the gTLD registry operators to decide as the systems, platforms, and software used by gTLD registry operators vary and they will have to design appropriate technical solutions to

<sup>52</sup> See Section 3.5.1 in the Staff Paper, p.14: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-%20analysis-25jan19-en.pdf#page=14>

<sup>53</sup> During the Public Comment process for the Initial Report, Final Recommendation 6 and Implementation Guidance 7 were combined into one recommendation - Final Recommendation 6. This process is described in the Public Comment Review portion for Final Recommendation 6. To maintain continuity with the original numbering convention and so as not to confuse the EPDP-IDNs Team and/or the community that have matched each Output number with the corresponding topic, Implementation Guidance 7 remains without content.

<sup>54</sup> The EPDP Team learned about the existing harmonization practice by TANGO Registry Services during its meeting #81. For each requested second-level label under a given gTLD, TANGO calculates its “canonical” name based on all active IDN Tables of that gTLD. If the canonical name is the same as that of an already registered second-level label, the requested label will be blocked. In the same meeting, the EPDP Team also learned about the development and update process of the Chinese IDN Tables created by the Chinese Domain Name Consortium (CDNC).

meet the harmonization requirement. The EPDP Team considered the two proposals in the Staff Paper for harmonization mechanisms, and recognized these as viable options. The considerations included a discussion on how the transfer of TLDs from one gTLD registry operator to another would work if the gTLD registry operators have different mechanisms for harmonizing IDN Tables.

The EPDP Team also discussed whether an inconsistent approach to harmonization across gTLD registry operators at the second-level could increase security and stability risks to the DNS and considered whether minimum IDN variant deployment requirements should be developed. Some argued that these decisions should be left to the gTLD registry operator, which is consistent with the current practice of gTLD registry operators managing the second-level of their TLD and others argued that the existing work of the script communities should be utilized to help establish a baseline set of requirements that will mitigate potential security and stability risks of the DNS. Concerns were raised about relying on the variant code points identified in the Root Zone Label Generation Rules (RZ-LGR) for second-level IDN Tables when the RZ-LGR was created explicitly for TLDs and as such is conservative because of the low tolerance for risk at the top-level of the DNS.

The EPDP Leadership Team tasked its members from the RySG to work with ICANN org to find an appropriate balance between leaving harmonization to the discretion of gTLD registry operators versus requiring the inclusion of variant code points identified by the script communities for second-level IDN Tables.

The RySG members and ICANN org subsequently agreed that minimum IDN variant deployment requirements, including but not limited to variant sets, should be developed without prescribing at this time how that should be done. They agreed that adding a baseline requirement to the IDN Table harmonization requirement would provide common within-script and cross-script variant code point sets for all gTLDs, which will help mitigate DNS abuse and other security issues. They also agreed that while the RZ-LGR may not be appropriate to use at the second-level, the work of the script communities could be an important consideration in developing minimum IDN variant deployment requirements. In other words, further work is needed to establish the minimum IDN variant deployment requirements and this should be done collaboratively amongst ICANN org, gTLD registry operators, and other relevant parties. However, as stipulated in [Final Recommendation 6](#), ICANN org and the gTLD registry operators will be responsible for reaching mutual agreement on the minimum set of IDN variant deployment requirements, while other relevant stakeholders, including ICANN-accredited registrars and script communities, should also be consulted. This work should consider the appropriateness of the work undertaken by the script communities (i.e., reference LGRs, RZ-LGR), as well as other relevant sources of information, including but not limited to the IDNA2008<sup>55</sup>, IDN Implementation Guidelines<sup>56</sup>, and any future versions of these two documents, during the collaborative process. Current registry operational practices could also be considered during this process.

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<sup>55</sup> See IDNA2008 Documents here: <https://www.rfc-editor.org/rfc/rfc9233.html#name-idna2008-documents>; IDNA2008 information can also be found in the EPDP Team's wiki space: <https://community.icann.org/display/epdpidn/3.+Background+Documents>

<sup>56</sup> See IDN Implementation Guidelines here: <https://www.icann.org/resources/pages/implementation-guidelines-2012-02-25-en>

To avoid any confusion during the implementation stage and ensure subsequent interoperability while responding further to charter questions C3 and C3a,<sup>57</sup> the EPDP Team agreed that the mechanism to identify the registrant as the “same entity” at the second-level for future and existing labels should be uniform, to the extent possible. In some instances, a Registry Agreement requires the use of the Repository Object Identifiers (ROIDs), such as RDS output, data escrow, bulk registration data access (BRDA), Extensible Provisioning Protocol (EPP), and Trademark Database List of Registered Domain Names. The EPDP Team does not support ROID as the sole and unified mechanism to satisfy the “same entity” requirement and remained firm on not prescribing any specific mechanism. Hence, in response to comments received about the lack of recommendations for charter questions C3 and C3a, the EPDP Team reaffirmed their agreement not to prescribe requirements as it is the responsibility of the gTLD registry operator and sponsoring registrar to decide how the same registrant is identified, verified, and enforced based on a mutually agreed method. For avoidance of doubt, this means that a unified mechanism will be determined during the implementation stage, to the extent possible, by the gTLD registry operators and the sponsoring registrars, not that each entity will have a method of its own choosing. Nevertheless, the appropriate mechanism was again left for the Implementation Review Team (IRT) to address during the implementation stage, noting that the future work will be complex and require a multi-layered approach to ensure maximum interoperability when converging into one single model.

## C5 Public Comment Review:

**Significant Change:** The EPDP Team recognized comments from the Registrar Stakeholder Group (RrSG) about the importance of this recommendation, especially when considering the security risks that can further harm the stability of DNS. The EPDP Team also recognized the comments supporting the collaborative process that is necessary to develop a minimum set of IDN variant deployment requirements at the second-level, which is to move in the direction of an interoperable model, while addressing remaining security concerns in a manner that prioritizes usability and adoption of IDNs and their variants. No significant concerns were raised during the Public Comment process except for requests to change the wording to be consistent between [Preliminary Recommendation 6](#) and [Implementation Guidance 7](#), so that the requirements (compulsory vs. optional) and the relevant stakeholders (registry operators vs. gTLD registry operators) are aligned, and to make the language clearer (i.e., variant sets).

As a result of the comments received, leadership proposed to combine [Preliminary Recommendation 6](#) and [Implementation Guidance 7](#) into one recommendation - [Final Recommendation 6](#). In addition, the EPDP Team agreed to respond to public comments about charter questions C3 and C3a within the rationale portion of this recommendation. The EPDP Team did not agree to provide any specific guidance on how to uniquely identify a registrant to implement the “same entity” principle per the comments received.

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<sup>57</sup> The EPDP Team did not provide Outputs for charter questions C3 and C3a but its response to the public comments is presented here. The EPDP Team’s preliminary response to charter questions C3 and C3a can be found in [‘Section 3.2: Charter Questions with No Final Outputs.’](#)

Moreover, as described in the Public Comment Review section for [Implementation Guidance 2](#), the EPDP Team agreed to replace the term “registry operator(s)” to “gTLD registry operator(s).”

Subsequent to the Public Comment review process, ICANN org requested that the recommendation related to the harmonization of IDN Tables be stabilized as soon as possible to assist with the launch of the Registry Service Provider (RSP) Program in November of 2024. The preparatory work for these recommendations would have served as an input for ICANN org for the RSP Evaluation Program to potentially help lay the groundwork for the Next Round of the New gTLD. The EPDP Team agreed to prioritize their discussions in order to stabilize the recommendation so that implementation could begin prior to the Phase 2 Final Report being considered by the GNSO Council and ICANN Board. However, the GNSO Council raised various concerns about taking such an unprecedented action, which concluded in ICANN org withdrawing the request.

#### D4 Charter Question:

*Regarding second-level domain names, should a variant set behave as one unit, i.e., the behavior of one domain name is replicated across the other variant domain names? Or should each variant domain name have its own independent domain name lifecycle?<sup>58</sup> Consider the operational and legal impact of the “same entity” principle, if any, to all aspects of a domain name lifecycle, including but not limited to: ● Registration, including registration during the Sunrise Period, any Limited Registration Period, any Launch Program and during General Registration ● Update ● Renewal ● Transfer ● Lock ● Suspension ● Expiration ● Redemption ● Deletion.*

#### D4 Final Outputs:

**Final Recommendation 8:** A registrant and its sponsoring registrar must jointly determine the source domain name, which must be registered, for calculating the variant domain set under a given gTLD and its delegated gTLD variant label(s), if any. The registrants and sponsoring registrars of the exempted variant domain names pursuant to [Final Recommendation 3](#) are excluded from this requirement.

**Final Recommendation 9:** The “same entity” principle, as set out in [Final Recommendation 1](#), must be adhered to in all stages of the domain name lifecycle of the allocated variant domain names in the same variant domain set. The exempted variant domain names pursuant to [Final Recommendation 3](#) are excluded from this requirement.

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<sup>58</sup> One view is that if each variant allocation is simply a different domain name, it follows that names can be created and can expire at different times, despite the “same entity” rule. See Section 3.9.4 in the Staff Paper, p.22: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=22>. Another view is that if each variant allocation is supposed to be the same domain name, it follows that names should expire at the same time, however some registry operators may implement it differently and consider them billable transactions instead.

## D4 Rationale for Final Outputs:

### **Rationale for Final Recommendation 8:**

Based on common understanding, a domain name must have at least two labels separated by a dot – a top-level label and a second-level label, e.g., example.tld, where “example” is the second level and “tld” is the top-level label. A domain name’s status as a “variant” is determined by the source domain name. The source domain name is a registered domain name under a given gTLD that serves the essential role as the input for calculating the variant domain set under that gTLD and its delegated gTLD variant label(s), if any.

The variant domain set consists of variant label sets at both the second- and top-levels. The “set” at the second-level is enumerated from the second-level label of the source domain name, using the IDN Tables of the given gTLD. The “set” at the top-level is limited to the given gTLD and its delegated gTLD variant label(s), if any. To confirm, the composition of the second-level variant label set is the same under the given gTLD and its delegated gTLD variant label(s).

The variant domain names represent the combinations of variant labels at the second- and top-levels. The disposition values of variant domain names under a given gTLD are calculated by the IDN Table of the given gTLD based on the respective source domain name.<sup>59</sup>

The EPDP Team agreed that the source domain name must be identified between the registrant and the sponsoring registrar as a joint responsibility. The EPDP Team further agreed that the source domain name must be registered. Without the registration of the source domain name, it would be impossible to know which allocatable variant domain names, if any, can potentially be allocated.

In addition, the EPDP Team emphasized that there should be one source domain name per gTLD, even when that gTLD has delegated variant label(s). The reason is that a given gTLD and its delegated gTLD variant label(s) may use different IDN Tables, and the calculation of disposition values of variant domain names may change. In other words, the disposition values of variant domain names under a gTLD variant label cannot be calculated only based on the source domain name under the primary gTLD. If a registrant wishes to allocate one or more variant domain name(s) under a delegated gTLD variant label, that registrant must also select and register a source domain name from the same variant domain set under that gTLD variant label.

In some cases, the second-level label of the source domain name identified under a given gTLD may be invalid under delegated gTLD variant label(s) because it may be supported by different IDN Table rules (see Illustration 2 below). Nevertheless, the composition of the variant domain set still derives from the source domain name under the given gTLD, but the variant domain names under the delegated gTLD variant label(s) may be marked as “out-of-repertoire” variants, which are essentially the same as blocked.<sup>60</sup>

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<sup>59</sup> See more detailed explanation of the source domain name, variant domain set, variant domain name, and disposition values (i.e., allocatable, blocked) in [‘Section 4: Glossary’](#) of this Final Report.

<sup>60</sup> Learn more about the “out-of-repertoire” variants here: <https://www.icann.org/en/system/files/files/root-zone-lgr-repertoire-variants-25sep17-en.pdf>

- **Illustration 2:** Arabic label examples to explain why there should be one source domain name per gTLD

T1 and T1v1 are delegated gTLDs  
that are variant of each other

T1 - Persian IDN Table	T1v1 - Arabic IDN Table
Allowable Code Point	Allowable Code Point
ا	ا
ب	ب
ک	ك

Second level label **با = ا ب** is valid under both T1 and T1v1

However, second level label **بک ا = ا ب ک** is valid only under T1; **بک ا = ا ب ک** is valid only under T1v1 as these TLDs have Persian and Arabic IDN Tables respectively.

Furthermore, the EPDP Team also agreed that the sponsoring registrars have discretion to decide on their specific implementation of this joint responsibility with registrants. In practice, the source domain may likely be determined as the allocatable variant domain name in a variant domain set that is first registered under a given gTLD, and is presumed to be the default source domain name. Noting this, the EPDP Team discussed the scenario that a registrant may want to purposefully choose a specific domain name as the source domain name dependent upon its intended use, leading the EPDP Team to recognize that ICANN org may need to undertake education and outreach efforts to help registrars, registrants, as well as gTLD registry operators understand the concept of source domain name and its implications, especially pertaining to the compliance with “same entity” requirement as set out in [Final Recommendations 1, 9, and 10](#).

With respect to the exempted variant domain names pursuant to [Final Recommendation 3](#), the EPDP Team agreed that it is not required for their registrants and sponsoring registrars to identify the source domain names. A purpose for identifying the source domain name is to calculate which variant domain names are allocatable for future allocation. Since no further allocation of variant domain names of an exempted domain name is allowed until the exemption situation is resolved, as set out in [Final Recommendation 4](#), the identification of the source domain name would be unnecessary. It would also call into question who would adjudicate the “source domain name” status if two or more registrants have registered domain names from the same variant domain set. Nevertheless, once the exemption situation is rectified and only one registrant and one sponsoring registrar remain for the variant domain set, the source domain name identification requirement must come into effect.

The EPDP Team also had extensive discussion around whether the source domain name can be changed or deactivated. One member proposed that it should be possible to deactivate or change a source domain name as long as its allocated variant domain name(s) remain allocatable. The ultimate agreement among the EPDP team was not to prescribe any policy

recommendation pertaining to this matter. The EPDP Team understood that the specific details in the domain name lifecycle management are discretionary on part of registry operators and registrars, in accordance with their policies and practices. In addition, gTLD registry operators would not allow a situation where an allocated variant domain name becomes “blocked” due to the change or deactivation of the source domain name, as this would likely become a non-compliance issue with the IDN Table implementation. The exceptions to this statement from an operational standpoint will be pointed out below within the rationale for Final Recommendation 9.

**Rationale for Final Recommendation 9:** To support its consideration of charter question D4, the EPDP Team received a background briefing on the domain name lifecycle conducted by ICANN org during the ICANN77 Public Meeting.<sup>61</sup> The EPDP Team understood that from a technical standpoint, the domain name lifecycle concept is reflected in the EPP status codes, which indicate the specific status of a domain name.<sup>62</sup> The domain name lifecycle is generally summarized in five main stages, which are: 1) available, 2) active, 3) expiration, 4) redemption, and 5) pending deletion. In addition, a domain name, in its “active” stage, may experience one or more actions, including but not limited to renewal, update, transfer, lock, and suspension.

■ **Illustration 3:** General Stages of the Domain Name Lifecycle

**General Stages of Domain Name Lifecycle**



*Note: the time limitation in each stage is not ICANN policy, but a reflection of common practice*

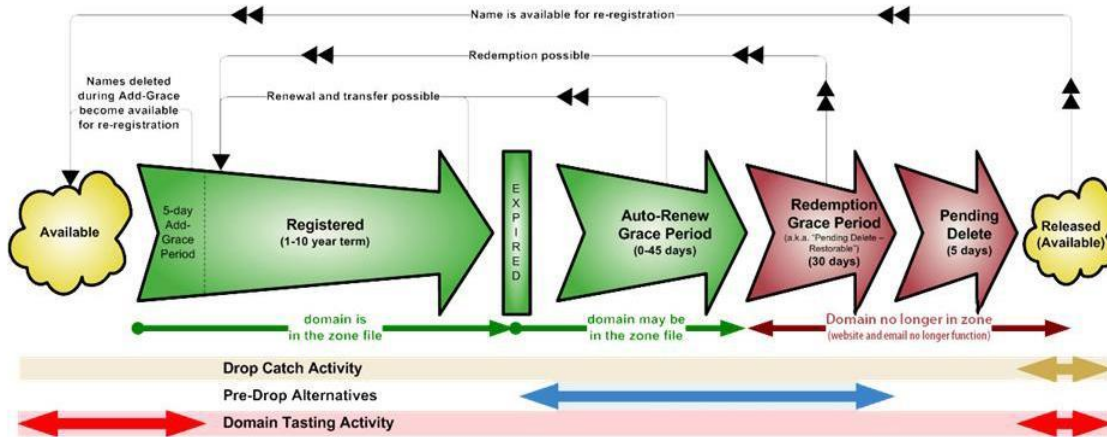
To consider the core question of whether all of the variant domain names from the same variant domain set should move in lockstep throughout the domain name lifecycle, the EPDP Team examined each of the five main stages and the various actions a domain name may experience, following the illustration above (Illustration 3). The EPDP Team came to the conclusion that each allocated variant domain should be allowed to have its own domain name lifecycle, which is

<sup>61</sup> See background briefing slides and recording during the ICANN77 EPDP Team working session [#1](#).

<sup>62</sup> Learn more about the EPP status codes here: <https://www.icann.org/resources/pages/epp-status-codes-2014-06-16-en>

independent from that of another allocated variant domain from the same variant domain set. The only restriction is to ensure that the “same entity” principle, as set out in Final Recommendation 1, is adhered to at all times for the variant domain set.

- **Illustration 4:** Chart on icann.org that illustrates the lifecycle of a typical gTLD domain name with additional details<sup>63</sup>



*(Some registrar activity post-expiration may not be reflected in the chart above)*

The EPDP Team further confirmed that the “same entity” principle is not about requiring the same EPP status across all of the variant domain names from the same variant domain set. It is about ensuring the same registrant and sponsoring registrar for the entire variant domain set. As far as policy is concerned, the EPDP Team believes that the “same entity” principle should suffice, and there is no need to further prescribe rules or constraints regarding domain name lifecycle management, with the exception of Final Recommendation 10 pertaining to the Transfer Policy and Final Recommendation 11 with respect to the transfer remedy of Uniform Domain Name Dispute Resolution Policy (UDRP). The EPDP Team also understood that the specific details in the lifecycle management are discretionary on the part of gTLD registry operators and registrars, in accordance with their policies and practices. There is a view that making further rules beyond the “same entity” principle may create undue operational complexity and the perception of overreach.

To help explain how this preliminary recommendation would work in the context of domain name lifecycle management, the EPDP Team agreed to include some examples with respect to the “same entity” principle’s implications in the various stages. The EPDP Team also noted the caveat that the requirements from gTLD registry operators and registrars, as well as other external factors such as court orders and local law enforcements, will also impact the lifecycle of domain names. As such, the examples included below should not be interpreted as absolute outcomes.

<sup>63</sup> Source: <https://www.icann.org/resources/pages/gtld-lifecycle-2012-02-25-en>



- **Activation:** A registrant may activate allocatable variant domain names from the same variant domain set at different times. See more discussion about variant domain name activation in the EPDP Team response to charter question D5.
- **Renewal:** Renewal of one domain name does not necessarily mean the other allocated variant domain names from the same variant domain set must be renewed as well.
- **Update:** Asynchronous update of registration data of allocated variant domain names from the same variant domain set should be allowed, as long as the “same entity” principle is upheld.
- **Transfer:** If one domain name is transferred to a different registrar, the other allocated variant domain names from the same variant domain set must be transferred together to the same gaining registrar. See more on Transfer in [Final Recommendation 10](#).
- **Lock:** Lock placed on one domain name does not necessarily mean the other allocated variant domain names from the same variant domain set have to be locked at the same time. However, the lock will likely disable transfer of the affected variant domain set, as set out in [Final Recommendation 10](#).
- **Suspension:** Suspension placed on one domain name does not necessarily mean the other allocated variant domain names from the same variant domain set have to be suspended as well.<sup>64</sup> However, suspension will likely disable transfer of the affected variant domain set, as set out in [Final Recommendation 10](#).
- **Expiration:** Allocated variant domain names from the same variant domain set should be allowed to have different expiration dates based on the time of their activation. An expired domain name cannot be registered by a different entity while the registrant still has allocated variant domain name(s) from the same variant domain set.
- **Redemption:** When a domain name enters the redemption stage, it should not have an impact on the other allocated variant domain names from the same variant domain set.
- **Pending Deletion:** In the event where separate life cycles of variant domain names are allowed and a non-source variant domain name enters the pending deletion stage, it should not have an impact on the other allocated variant domain names from the same variant domain set.
- **Deactivation:** The EPDP Team agreed not to prescribe any policy recommendation pertaining to the deactivation of source domain names but to leave it to the discretion of gTLD registry operators and registrars in accordance with their policies and practices. The EPDP Team understood that registry operators would not allow a situation where the change or deactivation of the source domain name, if permitted, renders its allocated variant domain name(s) “blocked” due to compliance requirement of IDN Table implementation.

From an operational standpoint, there are two exceptions that must be pointed out and accounted for within the domain name lifecycle management. It may seem obvious but the exception is that, while each variant domain name can have its own domain name lifecycle, the

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<sup>64</sup> This is consistent with the EPDP Team’s response to charter question D7.

end of “Pending Delete” for a source domain name does actually have a direct impact on all labels in its variant set in the gTLD for which it is the source domain name. Specifically, when a source domain name reaches the end of its “Pending Delete” and moves once again to being “Available,” at that point in time all variant labels in its variant set in the gTLD in which it is the source domain name must also be deleted and move to being “Available.” Further, when the Initial Source Domain Name reaches the end of its “Pending Delete,” in addition to all variant labels in its variant set in the gTLD in which it is the source domain being deleted, all other variant labels in all other TLDs in the corresponding gTLD variant set (if appropriate) must also be deleted. However, as stated above within the “Deactivation” bullet as well as within the rationale of [Final Recommendation 8](#), gTLD registry operators would generally not allow a situation where the change or deactivation of the initial source or source domain name allows for the allocated variant domain names to be “blocked” in reality, due to the complications that arise during implementation.

With respect to the exempted variant domain names pursuant to [Final Recommendation 3](#), the EPDP Team agreed that the “same entity” requirement does not apply to their lifecycle management, as these domain names have already been considered independent from one another and existing as such. The EPDP Team agreed not to impinge on the affected registrants’ rights to manage their exempted variant domain names. The goal of not worsening the exemption situation seems to be managed by not allowing further allocation of their allocatable variant domain names until such a time when exemptions are resolved, as set out in [Final Recommendation 4](#).

#### D4 Public Comment Review:

**Wording Change and Rationale Update:** As described in the Public Comment Review section for [Final Recommendation 3](#), the EPDP Team agreed to avoid using the terms, “grandfathering” and “grandfathered,” in the report and they have been updated to either “exemption” or “exempted” based on the context of [Final Recommendations 8-9](#) and their respective rationales.

The EPDP Team also agreed to reflect the exceptional operational use cases in the rationale of [Final Recommendation 9](#). It now covers the general cases where the allocated variant domains have their own domain name lifecycles, but also pointing out those exceptional cases where the initial source and source domain name both affect the variant labels in its variant set of the gTLD at the end of its “Pending Delete.” This is seldom practiced in reality.

#### D6 Charter Question:

*To ensure that the “same entity” principle is followed, the transfer of a domain name registration to a new entity -- voluntary or involuntary, and inter-registrants or inter-registrars -- should result in transfer of all variant domain names (i.e., if s1.t1 is to be transferred, s1.t1, s1.t1v1, s1v1.t1 and s1v1.t1v should all be transferred).*

*The WG, the Transfer Policy PDP, and the RPM PDP Phase 2 to coordinate and consider the following questions in order to develop a consistent solution: to what extent should the Transfer Policy be updated to reflect domain name relationships due to variants and the “same entity”*

requirement?

## D6 Final Outputs:

**Final Recommendation 10:** In the event an inter-registrar transfer process is initiated for a domain name, which is a member of a variant domain set, the process must encompass all of its allocated variant domain names, if any, together. The exempted variant domain names pursuant to [Final Recommendation 3](#) are excluded from this requirement.

## D6 Rationale for Final Outputs:

**Rationale for Final Recommendation 10:** The EPDP Team understood that “transfer” traditionally refers to inter-registrar transfer, which involves the change of sponsoring registrar for a domain name (and the registrant may or may not be changed in the process), whereas inter-registrant transfer is considered an “update” of the domain name registration data.<sup>65</sup> While the [Final Recommendation 9](#) serves as an overarching requirement for complying with the “same entity” principle in the domain name lifecycle management, the EPDP Team agreed that transfer is an important step to consider with regard to the sponsorship of a variant domain set. Therefore, developing an explicit policy recommendation was considered appropriate.

The EPDP Team agreed that to the extent a domain name were to change hands at any point after allocation, the other allocated variant domain names from the same variant domain set, if any, must remain linked contractually to the same registrant and at the same sponsoring registrar, and this should be considered a persistent requirement. To that end, the EPDP Team recommends that in the event of the inter-registrar transfer being initiated for a domain name, all the other allocated variant domain names from the same variant domain set, if any, must be included in the same process and transition together to the same gaining registrar, as well as the same gaining registrant, if changed. In other words, the entire variant domain set must stay together in the event of transfer. This requirement applies to both a voluntary transfer initiated by a registrant, as well as an involuntary transfer stemming from factors such as UDRP determinations (see [Final Recommendation 11](#)), registrars losing accreditation, etc.

Similar to the approach as set out in [Final Recommendation 9](#), the exempted variant domain names are exceptionally treated as independent domain names and they are excluded from this requirement.

With respect to involuntary transfer, the EPDP Team noted that there may be circumstances where the sponsoring registrar must deny an inter-registrar transfer per the requirements of the Transfer Policy, e.g., court order, pending UDRP proceeding, etc.<sup>66</sup> This may affect the registrar’s ability to transfer all of the allocated variant domain name(s) together from the same variant domain set.

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<sup>65</sup> Inter-registrant transfer refers to the change of sponsorship of a domain within the same registrar. Any material change to the registrant name, organization, email address, or administrative contact would constitute an inter-registrant transfer. See more details in the background briefing slides and recording during the ICANN77 EPDP Team working session [#1](#).

<sup>66</sup> For further information, please see Section I.A.3 of the Transfer Policy: <https://www.icann.org/resources/pages/transfer-policy-2016-06-01-en>

Meanwhile, as charter question D6 and [Final Recommendation 10](#) directly and indirectly reference the Transfer Policy, the EPDP Team consulted with the Transfer Policy Review WG (hereafter “TPR WG”)<sup>67</sup> on this recommendation, [Final Recommendation 11](#), and [Implementation Guidance 12](#). As a result, the TPR WG did not express any significant concerns with the Outputs as written, noting that they did not conflict with the TPR WG’s recommendations. The TPR WG did acknowledge, though, that an update to the Transfer Policy as part of implementation may be required.

## D6 Public Comment Review:

**Wording Change and Examination of Relevant Policy:** As described in the Public Comment Review section for [Final Recommendation 3](#), the EPDP Team agreed to avoid using the term, “grandfathered,” in the report. The terms “grandfathered” and “exempted” here have been updated to either “exempted” or “excluded” based on the context of [Final Recommendation 10](#) and its rationale.

In addition, taking the advice to examine relevant policies for the development of a consistent solution, the EPDP Team reached out to the TPR WG in order to seek assurance that [Final Recommendation 10](#) will not have a negative impact or contradict the work of TPR WG. This effort made by the EPDP Team is described within the rationale.

## D6a Charter Question:

*Should transfers ordered by the Uniform Domain-Name Dispute-Resolution Policy (UDRP) or any other dispute resolution mechanisms be treated the same way to follow the “same entity” requirement?<sup>68</sup>*

## D6a Final Outputs:

**Final Recommendation 11:** In the event a domain name is ordered to be transferred as a result of a Uniform Domain Name Dispute Resolution Policy (UDRP) administrative proceeding, the transfer process must include the domain name and all of its allocated variant domain names, if any, together. The exempted variant domain names pursuant to [Final Recommendation 3](#) are excluded from this requirement.

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<sup>67</sup> The TPR WG was formed in 2021 to review the existing Transfer Policy; The WG has been conducting policy development work on how to evolve and improve ICANN’s Transfer Policy, covering a wide range of gTLD transfer-related topics while proposing a variety of changes to the current Transfer Policy. This work has been published in the form of an [initial report](#) on 31 July, 2024, which opened for [Public Comment](#) on 01 August, 2024.

<sup>68</sup> See more details about the UDRP related discussions in Section 3.7 in the Staff Paper, pp.17-18: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=17>

## D6a Rationale for Final Outputs:

**Rationale for Final Recommendation 11:** The EPDP Team reviewed the background of the UDRP and recognized it to be the longest standing ICANN Consensus Policy that sets out the legal framework for the resolution of disputes between a domain name registrant and a third party over the abusive registration and use of a domain name in all gTLDs. The substantive ground for filing a UDRP administrative proceeding must meet the following criteria: (i) the disputed domain name registered by a domain name registrant is identical or confusingly similar to a trademark or service mark in which the complainant (the entity bringing the complaint) has rights; and (ii) the domain name registrant has no rights or legitimate interests in respect of the domain name in question; and (iii) the domain name has been registered and is being used in bad faith.<sup>69</sup> If the complainant prevails, there will be two possible outcomes as a result of the UDRP administrative proceeding: 1) the domain name be transferred to the prevailing complainant; or 2) the domain name be canceled.

The EPDP Team agreed that the “same entity” requirement should also apply in the transfer remedy of a UDRP, consistent with Final Recommendation 10. In other words, all of the disputed domain name’s allocated variant domain name(s), if any, must be transferred to the same prevailing complainant at the same sponsoring registrar of its choosing. Consistent with other final recommendations, the exempted variant domain names are exceptionally treated as independent domain names and are excluded from this requirement.

The EPDP Team noted that there may be circumstances affecting the registrar’s ability to transfer all of the allocated variant domain name(s) together from the same variant domain set, such as court order. In the case of UDRP, it is possible for a party to start a lawsuit before a proceeding is commenced, or after the proceeding is concluded, if it is not satisfied with the outcome. Theoretically, there could also be cases where two disputed domain names that belong to the same variant domain set are subject to two separate UDRP proceedings initiated by two different complainants. There may be complications in implementing the transfer remedy by following the “same entity” requirement if both complainants prevail. The EPDP Team recognized that the UDRP Policy and Rules currently do not account for variant domain names. Additional adjustments may be necessary to affect the “same entity” requirement in the transfer remedy as set out in Final Recommendation 11. Given these potential complications, the EPDP Team agreed that UDRP experts should be involved in the future IRT for implementing the EPDP-IDNs Phase 2 recommendations so as to review these issues and discuss whether and how the UDRP Policy and Rules should be adjusted to account for variant domain names.

As already mentioned above for Final Recommendation 10, the EPDP Team consulted with the TPR WG on Final Recommendations 10-11 and Implementation Guidance 12 to ensure that these Outputs would not contradict the work of the TPR WG and a consistent solution is developed for both Groups. Upon consultation, the WG did not express any significant concerns with the Outputs as written, noting that they did not conflict with the TPR WG’s recommendations. The TPR WG did acknowledge, though, that an update to the Transfer Policy as part of implementation may be required.

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<sup>69</sup> See UDRP Section 4a: <https://www.icann.org/resources/pages/policy-2012-02-25-en>

## D6a Public Comment Review:

**Wording Change and Examination of Relevant Policy:** As described in the Public Comment Review section for [Final Recommendation 3](#), the EPDP Team agreed to avoid using the term, “grandfathered,” in the report. Here in [Final Recommendation 11](#) and its rationale, “grandfathered” and “exempted” have been revised to either “exempted” or “excluded” based on the context.

In addition, taking the advice to examine relevant policies for the development of a consistent solution, the EPDP Team reached out to the TPR WG in order to seek assurance that [Final Recommendation 11](#) will not have a negative impact or contradict the work of TPR WG. This effort made by the EPDP Team is described within the rationale portion of this recommendation.

## D7a Charter Question:

*Should the suspensions ordered by the Uniform Rapid Suspension System (URS) or any other dispute resolution mechanisms be treated the same way to follow the “same entity” requirement?<sup>70</sup>*

## D7a Final Outputs:

**Implementation Guidance 12:** A Uniform Rapid Suspension System (URS) complainant is responsible for deciding whether to include allocated variant domain names, if any, of a disputed domain name as part of their URS complaint.

## D7a Rationale for Final Outputs:

**Rationale for Implementation Guidance 12:** Note, [Implementation Guidance 12](#) is independent of any [Recommendation](#) and accordingly, is not indented. The EPDP Team reviewed the background of the URS and understood it provides mark owners with a quick and low-cost process to act against the more clear-cut cases of intellectual property rights infringement. The URS complements the UDRP; the substantive grounds for filing a URS complaint are similar to the UDRP and include three standards: (i) the registered domain name is identical or confusingly similar to a word mark; (ii) the registrant has no legitimate right or interest to the domain name; and (iii) the domain was registered and is being used in bad faith.<sup>71</sup> The EPDP Team learned that a URS complaint may contain more than one disputed domain name, provided that the domain names are registered by the same registrant.<sup>72</sup> If the complainant prevails, the sole remedy is to suspend the disputed domain name(s) in question for the balance of the registration period. This means the website, email, and other services associated with the disputed domain name will stop working, and the domain name may resolve to an informational suspension page

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<sup>70</sup> See more details about the URS related discussions in Section 3.7 in the Staff Paper, p.18:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=18>

<sup>71</sup> See Section 8.1 in the URS: <https://newgtlds.icann.org/sites/default/files/procedure-01mar13-en.pdf#page=7>

<sup>72</sup> See URS Rules, Section 3(c): <https://newgtlds.icann.org/sites/default/files/rules-28jun13-en.pdf>

hosted by the registrar. However, the registrant remains unchanged during the suspension period. In addition, the complainant has the option to contact the registry operator and extend the suspension remedy for an additional year per URS Procedure.

The EPDP Team agreed that a URS complainant should take the variant domain set of a disputed domain name into full consideration when filing the URS complaint, given the “same entity” principle governing the allocation of future variant domain names, as set out in [Final Recommendation 1](#). If a disputed domain name has other allocated variant domain names that belong to the same registrant, and those variant domain names may (or may not) be visually similar to the disputed domain name, the complainant should be aware of them and consider identifying any or all that satisfy the aforementioned three standards. Therefore, in making a URS complaint, the EPDP Team agreed that the onus should be on the complainant to decide whether to include any or all of the other allocated variant domain name(s) of a disputed domain name in a URS complaint. In addition, the EPDP Team also put forward [Final Recommendation 13](#), requiring ICANN org to conduct outreach to various parties including mark owners to enhance their understanding of gTLD variant labels and variant domain names, in particular, their potential impact on the resolution proceeding.

The EPDP Team agreed that the URS suspension remedy should only apply to the disputed domain names against which the complainant specifically files a URS complaint and subsequently prevails. As noted in the rationale of [Final Recommendation 9](#), the suspension of one domain name does not necessarily mean the other allocated variant domain names from the same variant domain set have to be suspended as well. The “same entity” principle does not equate to the same behavior or status across variant domain names from the same variant domain set. Furthermore, the standard of proof required to succeed in URS proceeding is high as the complainant must satisfy all three standards by demonstrating clear and convincing evidence against the disputed domain names.<sup>73</sup> If the complainant seeks suspension remedy for the other allocated variant domain names of a disputed domain name, it must include those in the complaint and provide clear and convincing evidence to substantiate its claim.

Nevertheless, the EPDP Team realized that the specific details in the domain name lifecycle management are discretionary on the part of registry operators and registrars, in accordance with their policies and practices. Hence, the EPDP Team decided that the details remain open for the contracted parties to determine whether and how the suspension of one disputed domain name as a result of a URS proceeding would affect its other allocated variant domain names from the same variant domain set.

As also mentioned above, the EPDP Team consulted with the TPR WG on [Final Recommendations 10-11](#) and [Implementation Guidance 12](#) to ensure that these Outputs would not contradict the work of the TPR WG and a consistent solution is developed for both Groups. Upon consultation, the WG did not express any significant concerns with the Outputs as written, noting that they did not conflict with the TPR WG’s recommendations. The TPR WG did acknowledge, though, that an update to the Transfer Policy as part of implementation may be required.

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<sup>73</sup> See Section 8.1 in the URS: <https://newgtlds.icann.org/sites/default/files/procedure-01mar13-en.pdf#page=7>

## D7a Public Comment Review:

**Examination of Relevant Policy:** The EPDP Team reached out to the TPR WG following a public comment suggestion to examine relevant policies for the development of a consistent solution. They were reassured that Implementation Guidance 12 would not have a negative impact or contradict the work of TPR WG. This effort made by the EPDP Team is described within the rationale.

## F2 Charter Question:

*In order to ensure that the “same entity” principle is maintained, what are the additional operational and legal impacts to the following RPMs that are not considered in the above charter questions, which mostly concern the outcomes or remedies of dispute resolution procedures or trademark protection mechanisms?*

- TMCH and its Sunrise and Trademark Claims services
- URS
- TM-PDDRP
- UDRP

## F2 Final Outputs:

**Final Recommendation 13:** ICANN org must conduct outreach to dispute resolution providers, registries, registrars, registrants, and mark owners to enhance their understanding of gTLD variant labels and variant domain names, in particular, their potential impact on dispute resolution proceedings.

## F2 Rationale for Final Outputs:

**Rationale for Final Recommendation 13:** Following the EPDP Team’s deliberation on the UDRP as well as all rights protection mechanisms applicable to the New gTLD Program 2012 Round, the EPDP Team adopted several recommendations that take into account variant domain names and the “same entity” principle that governs their domain name lifecycle, namely, Final Recommendation 11 and Implementation Guidance 12. In addition, in its Phase 1 Final Report, the EPDP Team put forward Final Recommendation 7.11 pertaining to the reassignment of a gTLD and its allocated and delegated variant label(s) as a result of a Trademark Post-Delegation Dispute Resolution Procedure (TM-PDDRP) determination.<sup>74</sup>

The EPDP Team agreed that ICANN org must conduct outreach efforts to dispute resolution providers (e.g., UDRP, URS, and TM-PDDRP providers), registries, registrars, registrants, and

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<sup>74</sup> EPDP Phase 1 Final Recommendation 7.11: In the event a gTLD is reassigned as a result of a TM-PDDRP determination, that reassignment must include all allocated and delegated variant label(s) of the gTLD, if any, at the same time. See pp.86-87 of the EPDP Phase 1 Final Report:  
<https://mm.icann.org/pipermail/council/attachments/20231108/fcbce142/Phase1FinalReportontheInternationalizedDomainNamesExpeditedPolicyDevelopmentProcess-0001.pdf#page=86>



mark owners to enhance their understanding of gTLD variant labels and variant domain names, as well as their potential impact on dispute resolution proceedings, particularly the remedies of UDRP and TM-PDDRP. If a disputed domain name has variant domain name(s) that are allocated to the same registrant, a complainant should take them into full consideration when filing a complaint. Providers, mark owners, registrants, registries, registrars, and other impacted parties should understand the consequence of the “same entity” principle and how it impacts the transfer of a disputed domain name or the reassignment of a gTLD, if the disputed domain name or the gTLD in question has other allocated variant label(s).

While the EPDP Team did not recommend any change to the matching rules of the TMCH and the criteria for the Sunrise and Trademark Claims services, it agreed that ICANN org’s outreach efforts should also apply to the TMCH. One aspect of this outreach is to ensure that registries that have established variant policies, understand they have the option, as set out in Sections 2.4.2, 4.1.2, and 4.1.3 in the Trademark Clearinghouse Rights Protection Mechanism Requirements, to extend protection to the variant labels of verified marks.<sup>75</sup> Another aspect of this outreach is to encourage mark owners to take variant domain names into account when considering the use of existing mandatory RPMs to seek protections for their verified legal rights in the DNS, as well as seeking extended protections via additional marketplace RPMs.

## F2 Public Comment Review:

**Final Recommendation 13:** The EPDP Team received support from several commenters on this recommendation as written.

## D8 Charter Question:

*What additional updates to the Registry Agreement are necessary to ensure the labels under variant TLDs follow the “same entity” rule? For example, the Staff Paper recommends that the following requirements must be included in the Registry Agreement; some of the charter questions are also related to those topics:<sup>76</sup>*

- Subordinate names allocated by the Registry Operator in the TLD be treated as an atomic set. This is true irrespective of whether any of the names is actually activated in the DNS, and whether any of the variants is actually registered. [related to questions c1, d4, d5]
- All the different IDN tables being used by the IDN gTLD and its variant gTLDs be harmonized. [related to questions c4, c5]
- All the IDN variant TLDs be implemented through the same registry service provider, to promote a consistent and stable implementation across all such variant TLDs. [related to questions b2, b4]

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<sup>75</sup> See <https://newgtlds.icann.org/sites/default/files/rpm-requirements-14may14-en.pdf>

<sup>76</sup> Section 3.6 in the Staff Paper, p.16: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=16>

*Are there any additional updates that need to be considered that are not included in this list?*

## D8 Final Outputs:

**Final Recommendation 14:** To account for the "same entity" principle and its implications for variant domain names, gTLD registry operators should work with ICANN-accredited registrars to determine a mechanism to communicate between each other to facilitate the registration and management of variant domain names, including an indication of the source domain name(s) and initial source domain name of the variant domain set.

**Implementation Guidance 15:** In order to allow a requestor to discover the allocated variant domain names for a given domain name, corresponding sponsoring registrars should accept requests for disclosure of this information and unless there are data privacy concerns, the information should be granted. In considering whether to disclose the information, the corresponding sponsoring registrars should balance the interest of the requestor with those of the data subject, where such balancing is required by applicable law.

**Final Recommendation 16:** If two or more delegated gTLDs belong to the same variant label set in accordance with RZ-LGR calculation, the Root Zone Database on iana.org must denote, in a transparent manner, their variant relationship and indicate which one serves as the primary gTLD for calculating the variant label set.

**Implementation Guidance 17:** gTLD registry operators should publish policies, in a transparent manner, that reflect their implementation of the EPDP-IDNs Phase 2 recommendations. In particular, such policies should reflect the implementation of [Final Recommendations 1, 3-6, 14](#) and [Implementation Guidance 2](#).

## D8 Rationale for Final Outputs:

**Rationale for Final Recommendation 14 and Implementation Guidance 15:** The EPDP Team agreed that to account for the "same entity" principle and its implications for variant domain names, a mechanism must be established to discover the allocated variant domain names for a given domain name, including an indication of the source domain name(s) of the variant domain set. The EPDP Team believes that contracted parties must have visibility into all of the allocated domain names from the same variant domain set, in order to enable compliance with "same entity" requirements and their impact on the domain name lifecycle. Some also believe it is within the public interest for end users to have access to relevant and/or additional information, provided that the public disclosure of allocated variant domain names held by the same registrant would not cause any data privacy concerns. In particular, in light of its deliberations on the UDRP and URS (See Outputs; [Final Recommendations 10-11](#) and [Implementation Guidance 12](#)), the EPDP Team agreed that it is essential for all interested parties to know whether a disputed domain name has other allocated variant domain names, and if so, what they are, in order to consider their impact on the proceedings and potential outcomes. The EPDP Team discussed this issue at length and agreed to separate Outputs with distinct purposes that take into account the potential interests, operational complexities, and data

privacy risks. First, the contracted parties need a mechanism to communicate between themselves about the registration and management of variant domain names to ensure primarily that the “same entity” requirement is adhered to. Accordingly, Final Recommendation 14 requires the gTLD registry operators and the ICANN-accredited registrars to develop a communication mechanism and enable the returned response to include all allocated variant domain name(s) and the source domain name, if any, for the given domain. Secondly, a requestor (e.g., registrant, security researcher, an end user, etc.) that is seeking information about allocated variant domain names (e.g., interest in registering a domain name or filing a URS complaint) needs a mechanism to do this. Hence, Implementation Guidance 15 focuses on how the requestor can gain access to such information, without compromising the registrant’s privacy. Specifically, the corresponding sponsoring registrars may need to conduct a balancing test when responding to a request to reduce the risks associated with processing personal data, while also determining the purpose and legitimacy of the request. This balancing test will inform whether to provide the requested information but if there are no data privacy concerns, the corresponding sponsoring registrars should accept the request and grant access to the requested information. The corresponding sponsoring registrars should be able to retrieve the requested information conveniently through the mechanism established in Final Recommendation 14. The overall intent of both Outputs is to enable access to technical data so the management of IDNs and variant domain names will be feasible when adhering to the “same entity” principle, especially for DNS managers.

Though it was noted through previous Team discussions that some contracted parties have already implemented practices to provide visibility into allocated variant domain names in their response,<sup>77</sup> the RrSG suggested in their Public Comment submission<sup>78</sup> that this could be achieved through a technical solution such as EPP. Through extensive discussions, the technical solution and its details were undetermined and left for the implementation stage. However, the EPDP Team did specifically oppose leveraging and/or enhancing RDDS as an option to this solution, due to its characteristics and service limits.

**Rationale for Final Recommendation 16:** The EPDP Team agreed that the Root Zone Database on [iana.org](https://iana.org), which represents the delegation details of top-level domains, must denote, in a transparent manner, the variant relationship between the delegated gTLDs if they belong to the same variant label set in accordance with RZ-LGR calculation.<sup>79</sup> In addition, the primary gTLD that calculates the variant label set must also be clearly indicated in the Root Zone Database. This requirement was developed in a similar vein as Final Recommendation 14, requiring visibility into the delegated gTLDs that have variant relationships with one another. Similarly, this requirement is to reflect and reinforce the “same entity” principle as well as the “integrity of the set” principle from the data transparency perspective.<sup>80</sup> In addition, in light of EPDP-IDNs

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<sup>77</sup> Members demonstrated examples (domain name queries under .cat) from the CORE Association during the Day 1 PM sessions in the EPDP-IDNs F2F workshop on 6 Dec 2023. See recordings and notes here:

<https://community.icann.org/x/o4AJEQ>

<sup>78</sup> See the Public Comment submission by RrSG here: <https://www.icann.org/en/public-comment/proceeding/phase-2-initial-report-of-the-epdp-on-internationalized-domain-names-11-04-2024/submissions/wyld-sarah-21-05-2024>

<sup>79</sup> See the Root Zone Database here: <https://www.iana.org/domains/root/db>

<sup>80</sup> See the explanations of “same entity” principle and the “integrity of the set” principle that governs the top-level variant labels in ‘Section 3: Glossary’ of the EPDP-IDNs Phase 1 Final Report here:

<https://gnso.icann.org/sites/default/files/policy/2023/correspondence/epdp-idns2-leadership-team-et-al-to-gnso-council-et-al-08nov23-en.pdf#page=13>

Phase 1 Final Recommendation 7.11 pertaining to the TM-PDDRP, it is essential for impacted parties to know if a gTLD subject to a TM-PDDRP proceeding also has the other allocated gTLD variant labels.

The EPDP Team agreed not to prescribe any specific manner for displaying the variant relationships between delegated gTLDs and indicating the primary gTLDs, but to leave it to IANA's discretion to implement this requirement.

**Rationale for Implementation Guidance 17:** For the sake of clarity, Implementation Guidance 17 is not subject to Final Recommendation 16; accordingly, Implementation Guidance 17 is not indented. The guidance is presented here as a response to the charter question D8 in relation to “additional updates that need to be considered.” The EPDP Team developed this implementation guidance when reviewing the ICANN Board deferred guidelines from IDN Implementation Guidelines version 4.0. Specifically, Guideline 18 states the following:

*“TLD Registries should publish IDN policies or guidance related to registration of IDN labels at publicly accessible location on the TLD Registry’s website. In addition to general policies or guidance on IDN registrations, these should include the following:*

- (a) A timeline related to resolution of transitional matters, if applicable*
- (b) IDN Variant Label allocation policy, if applicable*
- (c) IDN Variant Label automatic activation policy, if applicable*
- (d) Policy for minimizing Whole-Script Confusables and data sources used, if applicable*
- (e) IDN Table as per Guideline 6 above”.*

At a high level, the EPDP Team agreed with Guideline 18 that gTLD registry operators should publish policies, in a transparent manner, that reflect their implementation of variant management at the second-level in accordance with the EPDP-IDNs Phase 2 Outputs. To align with elements in Guideline 18, the specific policies that EPDP Team agreed should be published are with respect to the “same entity” principle for the allocation of variant domain names [align with item (b)] and the automatic activation of variant domain names (if applicable) [align with item (c)]. The EPDP Team also agreed that the gTLD registry operators should publish additional policies reflecting the implementation of IDN Table harmonization, exempted variant domain name management (if applicable), and response to domain name query. Hence, Final Recommendations 1, 3-6, 14 and Implementation Guidance 2 are highlighted in this implementation guidance. The EPDP Team fully understood that the decision of whether and how to publish those policies is at the gTLD registry operator's discretion.

Since Guideline 18 was published in May 2018, EPDP-IDNs deliberations and Outputs have overtaken certain elements, namely item (e) with respect to “IDN Table as per Guideline 6.” The EPDP Team agreed not to recommend the machine-readable XML format, as specified in RFC 7940, to be the required format for IDN Tables. This is contrary to the deferred guideline 6(a) in version 4.0. For more details, see EPDP Team response to charter question C6.

Finally, the EPDP Team noted that item (a) is related to Guidelines 3-4 and item (d) is related to Guideline 17 in versions 4.0 and 4.1.<sup>81</sup> Guidelines 3-4 and 17 have already been adopted by the

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<sup>81</sup> See details in version 4.1 here: <https://www.icann.org/en/system/files/files/idn-guidelines-22sep22-en.pdf>

ICANN Board and implementation effort is underway. Hence, the EPDP Team did not see the need to further deliberate on these items.

## D8 Public Comment Review:

**Significant Change:** As a result of the Public Comment review process, the EPDP Team recognized the significant concerns raised by various groups on [Preliminary Recommendation 14 and Implementation Guidance 15](#). Accordingly, the EPDP Team went through extensive deliberations to find a middle ground that balanced the interests of the stakeholders, complexities of the operations, the need for access to the appropriate information, and risks associated with data privacy. Specifically, as requested through the comments, leveraging and/or expansion of RDDS was removed by the EPDP Team. Other technical solutions remained undetermined. The EPDP Team also addressed privacy concerns when considering disclosure of variant domain names, having been cautioned by the Legal Function at ICANN org. As described in the rationale, the EPDP Team determined the future work development of contracted parties for the management of variant domain names, while also providing a mechanism in which the requestors could gain access to the necessary information.

During this process, the EPDP Team also acknowledged the importance of some practical questions raised by the RrSG for [Preliminary Recommendation 1](#), which will need to be considered during the implementation stage. The entirety of the comment is as follows: *“How does a registrar know that a domain is an IDN variant? How is a registrar to know that a source or variant domain is already registered with another registrar? When an IDN source or variant domain is registered, can the registrar access a list of other variants which are available at that time? These questions may all be answered with a technical solution such as an EPP extension.”*

Meanwhile, during the revision of the Outputs, the term “grandfathered” was removed from [Final Recommendation 14](#).

**Final Recommendation 16:** The EPDP Team received support from several commenters on this recommendation as written.

**Wording Change for Implementation Guidance 17:** [Implementation Guidance 17](#) is to include all those EPDP-IDNs Phase 2 policies that pertain to gTLD registry operators, especially those that need to be published on the registries’ websites and implemented accordingly. While the inclusion of [Final Recommendation 14](#) was debated during the Public Comment review process, it remains in the list as the recommendation pertains to the contracted parties, including the gTLD registry operators and the ICANN-accredited registrars. Further, [Final Recommendation 6](#) was newly included through this process as it refers to the implementation of IDN Table harmonization, which clearly concerns the gTLD registry operators.

## G1 Charter Question:

What should be the proper vehicle to update the IDN Implementation Guidelines?<sup>82</sup>

## G1 Final Outputs:

**Final Recommendation 18:** The existing process for developing and updating the IDN Implementation Guidelines, that includes establishing a working group of community experts and ICANN org staff, under the governance of ICANN Board, must be maintained.

The process for developing and updating the IDN Implementation Guidelines must be formalized and documented to enhance its predictability, transparency, rigor, efficiency, and effectiveness.

The ICANN Board will be responsible for documenting the process, in consultation with the ICANN community.

The documented process must be approved by the ICANN Board, in consultation with the GNSO Council and ccNSO Council.

**Implementation Guidance 19:** As part of documenting the process as set out in [Final Recommendation 18](#), consideration should be given to establishing a formal charter or similar standalone document for subsequent IDN Implementation Guidelines Working Group that includes, but is not limited to the following:

19.1 Purpose and scope;

19.2 Membership including the structure and roles, required expertise, selection process, and lengths of membership term;

19.3 Working methods including the circumstance(s) that would lead to the convening of the working group, the type of outputs the working group is expected to produce, and checkpoints for awareness building and input gathering from affected parties.

**Final Recommendation 20:** Any future versions of the IDN Implementation Guidelines must be approved by the GNSO Council prior to consideration by the ICANN Board.

**Implementation Guidance 21:** The GNSO Council should consult with the ccNSO Council prior to taking action on any future versions of the IDN Implementation Guidelines.

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<sup>82</sup> The process to update the RDAP Profiles is being developed by the contracted parties and ICANN org as part of their ongoing contractual negotiations. A DT member suggested that once that is finalized, the EPDP WG may want to consider that as a model for updating the IDN Guidelines.

## G1 Rationale for Final Outputs:

**Rationale for Final Recommendation 18:** The EPDP Team conducted a thorough background review of the IDN Implementation Guidelines (hereinafter referred to as “Guidelines”).<sup>83</sup> The EPDP Team understood that the Guidelines serve as a mix of policy and technical standards for registries and registrars that deploy IDN registration policies. The Guidelines aim to minimize the risk of cybersquatting<sup>84</sup> and consumer confusion while respecting the interests of communities using local languages and scripts. From a security and stability standpoint, it contains a strong technical component that reflects protocol updates and technical requirements from the Internet Engineering Task Force (IETF). It also contains policy elements intended to provide a coordinated approach to registration practices and the usages of IDNs at the second-level under both gTLDs and ccTLDs. The EPDP Team agreed that the Guidelines serve an important purpose and are a crucial vehicle for consistent IDN deployment.

Since its inception, the Guidelines has been a compulsory document for the ICANN contracted parties (gTLD registries and registrars offering IDN registrations) to adhere to.<sup>85</sup> The contractual obligations were formalized as part of the 2012 New gTLD Program and memorialized in the 2013 version of the Registry Agreement and its subsequent versions, as well as the 2013 Registrar Accreditation Agreement.<sup>86</sup> However, for ccTLD managers that deploy IDN registration policies, they are expected but not required to be guided by the IDN Implementation Guidelines.<sup>87</sup> The EPDP Team noted that calling the document “Guidelines” when it represents contractual obligations may be inappropriate but recognized that renaming the document may not be simple.

The EPDP Team reviewed all seven versions (versions 1.0, 2.0, 2.1, 2.2, 3.0, 4.0, and 4.1) of the Guidelines published between 2003 and 2022, and gained an understanding of the catalysts for

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<sup>83</sup> For more details, see the recording and notes captured for the EPDP-IDNs F2F Workshop Day 2 AM and PM sessions here: <https://community.icann.org/x/o4AJEQ>

<sup>84</sup> A form of misuse in which a party intentionally registers a domain name that coincides with a commercial trademark or the name of a well-known person. See more details here: <https://www.icann.org/en/icann-acronyms-and-terms?page=1&search=cybersquatting>

<sup>85</sup> When the IDN Implementation Guidelines v1.0 was published, there was a series of letters issued by ICANN org to registry operators, requiring their commitment to adhere to the guidelines. Example here: <https://www.icann.org/resources/pages/twomey-to-karp-2004-01-20-en>

<sup>86</sup> **Registry Agreement, Specification 6, Section 1.4:** “IDN. If the Registry Operator offers Internationalized Domain Names (“IDNs”), it shall comply with RFCs 5890, 5891, 5892, 5893 and their successors. Registry operator shall comply with the ICANN IDN Guidelines at <<http://www.icann.org/en/topics/idn/implementation-guidelines.htm>>, as they may be amended, modified, or superseded from time to time. Registry operator shall publish and keep updated its IDN Tables and IDN Registration Rules in the IANA Repository of IDN Practices as specified in the ICANN IDN Guidelines.” **Registrar Accreditation Agreement, Additional Registrar Operation Specification, Clause 3:** “If the Registrar offers Internationalized Domain Name (“IDN”) registrations, all new registrations must comply with RFCs 5890, 5891, 5892, 5893 and their successors. Registrar shall also comply with the IDN Guidelines at <http://www.icann.org/en/topics/idn/implementation-guidelines.htm> which may be amended, modified, or superseded from time to time. Registrar must use the IDN Tables published by the relevant registry.”

<sup>87</sup> **IDN ccTLD Fast Track Process:** “...Commitments of [IDN ccTLD SO]. [IDN ccTLD SO] shall use its best endeavors to: c. Adherence to relevant IDN standards and guidelines: register IDN domain names in accordance with its publicly available registration policy which shall comply on an ongoing basis...with the IDN guidelines as updated and published from time to time on the ICANN website, all subject to and within the limits of relevant applicable national law and public policy. This includes, but is not limited to, adherence to RFCs 3490, 3491 3492, 3454 and their successors.”

updates and the WG mechanisms being used. The EPDP Team understood that a subset of the ICANN Board, formerly its Variant WG and currently the IDN-UA WG, provided governance and oversight in the development of the Guidelines. The Board engaged with the community and identified when updates were necessary. Some of the past triggers were related to changes to relevant technical protocols from the IETF as well as experience gained as IDN deployment proceeded.

For developing each version, the Board directed ICANN org to form a WG consisting of community experts. From versions 1.0 to 3.0, the community contributors were limited to a small number of gTLD and ccTLD registries with IDN experience, which was reflective of the DNS industry and IDN deployment landscape at the time. For developing version 4.0, the membership extended to the At-Large Advisory Committee (ALAC) and Security and Stability Advisory Committee (SSAC) in order to include additional expertise. A call for volunteers was issued, detailing member allocation from each group as well as required expertise.<sup>88</sup> At the request from the GNSO Council, the final number of participants from the GNSO increased from three (3) to six (6).

While the ICANN Board, in consultation with ICANN org, initially identified areas of focus for each version update, the WG did not have a strict charter. The onus was on the WG members to conduct the scoping effort and establish a set of issues as a first step. The subsequent milestones in the process included the Public Comment proceeding on the draft version, and the Board consideration and adoption of the final version. Following the Board adoption, implementation of the latest version would fall on ICANN org. Typically, ICANN org would issue an implementation notice and identify an effective date with gTLD contracted parties, and coordinate with them through the implementation process.

The EPDP Team recognized that this process encountered challenges, particularly in version 4, which, in fact, served as the context of charter question G1. This update to the version was triggered by the significant experience accumulated on IDN implementation following the 2012 New gTLD Program, as well as new IETF technical requirements, development of the RZ-LGR and Reference LGR, and the publication of SAC60 focusing on variants. After three years of effort, the proposed final version 4.0 was published for Board consideration in May 2018. However, this version encountered pushback from the GNSO community, particularly the RySG. The GNSO Council requested the Board to defer the consideration of version 4.0, on the basis that some of the guidelines were policy requirements with significant contractual implications, and a PDP should have been the appropriate vehicle to develop these requirements. In May 2021, the GNSO Council chartered the EPDP-IDNs, which covers topics that overlap with the Guidelines version 4.0. After a series of correspondence between the GNSO Council and the ICANN Board, in September 2022, the ICANN Board approved the deferral of GNSO Council identified Guidelines 6a, 11, 12, 13, and 18 in version 4.0 until the completion of EPDP-IDNs, and adopted the remaining guidelines for implementation as version 4.1.<sup>89</sup>

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<sup>88</sup> See call for volunteers here: <https://www.icann.org/en/announcements/details/call-for-community-experts-to-review-the-idn-implementation-guidelines-20-7-2015-en>

<sup>89</sup> See details here: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-22-09-2022-en#2.d>



In reviewing the challenges surrounding version 4.0, the EPDP Team discussed whether the existing process for updating the Guidelines should be replaced by something else, such as a GNSO PDP, a Cross Community Working Group (CCWG), an Expert Working Group (EWG), or direct contractual negotiation. The EPDP Team observed that the other options have serious drawbacks. While the GNSO PDP is a well-established mechanism for policy development and can be open and inclusive, its main purpose is to develop consensus policy recommendations for gTLD contracted parties and is under the management of GNSO Council. Considering that ccTLD registries are the other stakeholder that may be impacted by the Guidelines, it would be inappropriate to have future versions developed solely through a GNSO PDP. With respect to CCWGs, they are not mandated to develop policy requirements and have no operating principles or procedures documented in the ICANN Bylaws. An EWG seems to be an ad hoc setup with top-down direction, and the EPDP Team members recalled that the concept was not well-received by the community. Finally, contractual negotiations are effective for amending contractual requirements between gTLD contracted parties and ICANN org, but the need to also involve ccTLD registries would make this mechanism limiting.

Toward the end of this discussion, the EPDP Team agreed that the existing method for developing and updating the Guidelines, that includes establishing a WG of community experts and ICANN org staff, under the governance of ICANN Board IDN-UA WG (or its relevant successor in the future), for developing and updating the Guidelines should be maintained. This established process has worked for over two decades, and the EPDP Team did not believe there was a better alternative available. Nevertheless, the EPDP Team agreed that this process must be formalized and documented to enhance the predictability, transparency, rigor, efficiency, and effectiveness of the process.

However, in accordance with the Public Comment input, the EPDP Team decided that the ICANN Board overall will have the ultimate oversight responsibility and be charged with developing and updating the Guidelines, rather than through its subset or its relevant successor, in consultation with the ICANN community. The documented process must be conducted in consultation with the GNSO Council and the ccNSO Council, prior to the approval by the ICANN Board.

As directed by the ICANN Board, the EPDP Team sought input from the ccPDP4 WG<sup>90</sup> as well as the ccNSO Council on this recommendation and [Implementation Guidance 19](#). During the Initial Report stage, they did not express significant concerns about the ccNSO's obligation envisioned in the Outputs and provided input to help clarify the language. After the Public Comment review process, the ccNSO Council underlined that the documented process must be approved by the ICANN Board, after the GNSO Council and ccNSO Council have been consulted with respect to the process, which aligned with the EPDP Team's agreement.

**Rationale for Implementation Guidance 19:** With respect to specific enhancements, the EPDP Team observed that in the instance of version 4.0, the lack of rigorous scoping effort and charter development may have caused the group to extend beyond its remit and end up developing guidelines that should have been PDP recommendations. In addition, the fact that the back-and-

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<sup>90</sup> ccPDP4 refers to the Country Code Names Supporting Organization's PDP4 on the (de-)Selection of IDN ccTLD Strings. The ccPDP4 Working Group is conducting PDP on IDN ccTLDs, including in the area of variant management and string similarity review.

forth between the GNSO Council and ICANN Board only came after the proposed final version 4.0 was ready for Board consideration seems to indicate the lack of adequate checkpoints with impacted parties where the potential issues could have been identified early on. As a result, the adoption of the non-deferred guidelines in version 4.0 was delayed for more than four years.

After referencing some of the best practices and lessons learned from GNSO PDPs, the EPDP Team agreed as part of documenting the process as set out in [Final Recommendation 18](#), a consideration should be given to establishing a formal charter or similar standalone document that helps the subsequent IDN Implementation Guidelines WG focus on its remit and tackle the set of issues identified through issue scoping. The EPDP Team suggested that the charter of ICANN's Customer Standing Committee (CSC) may serve as a useful reference, but agreed not to prescribe any specific model that this charter should follow.<sup>91</sup> The charter or a similar standalone document should include, but not limited to the following elements:

1. **Purpose and scope:** This section will help the WG understand, in an early stage of the process, which elements may be within scope for guideline development (e.g., obligations tied to strict compliance to Internet Standards, such as those from the IETF), and which elements may be appropriate for policy development or contractual negotiation. An idea for clarifying the purpose and scope may be that ICANN org develops an 'issue report,' akin to a GNSO PDP Issue Report, to help narrow the scope for future version updates, and publishes it for Public Comment to solicit community feedback. The EPDP Team also envisioned that the purpose and scope does not necessarily need to include a detailed list of issues or tasks that the WG is required to address for each version update to the Guidelines. This list can still be defined by the working group as part of its project plan development, in accordance with the purpose and scope as set out in the charter.
2. **Membership:** This section will clarify, among other elements, the membership structure and roles, required expertise for members, how members are selected, as well as their terms of service. The EPDP Team had additional discussion regarding the points below:
  - a. With respect to the membership structure, the EPDP Team observed that the Governmental Advisory Committee (GAC), Root Server System Advisory Committee (RSSAC), and some other community groups have not participated in the past version development. Given the highly technical nature of the Guidelines, the membership structure may be widened to include relevant technical expertise from other community groups to support the work.
  - b. Regarding the selection process, the call for volunteers should be tailored to clearly identify the required knowledge and expertise.<sup>92</sup> The EPDP Team also agreed that maintaining adequate representation from gTLD contracted parties and ccTLD registries is important, as they are the main impacted parties of the Guidelines.
  - c. In terms of roles, the EPDP Team suggested liaison roles from the ICANN Board, GNSO Council, and ccNSO Council. Establishing liaisons has recently been a common practice among PDP working groups in both GNSO and ccNSO. Liaisons act as a conduit between their appointing organizations and the WG. They can

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<sup>91</sup> See: [https://www.icann.org/iana\\_imp\\_docs/41-csc-charter-v-v1](https://www.icann.org/iana_imp_docs/41-csc-charter-v-v1)

<sup>92</sup> GNSO PDP 3.0 Improvement #3 Working Group Member Skill Guide may be a helpful reference: <https://gns0.icann.org/sites/default/files/file/field-file-attach/pdp-3-3-wg-member-skills-guide-10feb20-en.pdf>

provide input, raise issues, and contribute subject matter expertise via ongoing engagement. Given that this WG is under the governance of the ICANN Board and requires key participation from the GNSO and ccNSO, assigning liaisons from these groups seems beneficial.

3. **Working Method:** This section will specify, among other elements, the circumstance(s) that would lead to the convening of the WG, the type of outputs the WG is expected to produce, as well as the checkpoints for awareness building and input gathering for affected parties. The EPDP Team had additional discussion regarding the checkpoints:
  - a. Throughout the development process of the Guidelines, the members and liaisons should have opportunities to check with their appointing organizations regarding the draft language of guidelines, raising issues proactively. This would be similar to the practice in many GNSO PDP WGs where members solicit input and feedback from their respective groups for draft policy recommendations before their inclusion in Initial Report and Final Report. Waiting until the Public Comment proceeding to gather input may be too late. The WG should consider establishing early and frequent checkpoints to address issues to the extent possible, and avoid surprises when the proposed final version is ready for Board consideration.

The EPDP Team believes these incremental enhancements will help improve the future update process of the Guidelines, enabling to preserve a stable and predictable contractual and procedural environment for impacted parties. Additional enhancements may also be considered during implementation.

**Rationale for Final Recommendation 20 and Implementation Guidance 21:** Though the ICANN Board has ownership of the documented process for developing and updating the Guidelines, as set out in Final Recommendation 18, the EPDP Team agreed that moving forward, any future versions of the Guidelines must be approved by the GNSO Council prior to consideration by the ICANN Board. This is a significant procedural change from the existing practice. As the Guidelines is a compulsory document for ICANN contracted parties (gTLD registries and registrars offering IDN registration) and contains contractual obligations, seeking GNSO Council's approval of any new future version prior to the ICANN Board consideration is of critical importance. This will also help mitigate the challenging situation that had incurred when the proposed final version 4.0 was published for Board consideration, as explained in the rationale for Final Recommendation 18.

Further, while ccTLD managers are not contractually required to adhere to the Guidelines, they are expected to be guided by it. Thus, seeking ccNSO Council's consideration during the approval process will also ensure that the other impacted party aligns with the proposed changes or updates in the future versions prior to Board consideration, ultimately ensuring consistency at the second-level. This determination resulted in the creation of a new Implementation Guidance 21.

The update to the Final Outputs (Final Recommendation 20 and Implementation Guidance 21) was also supported by the ccNSO Council. Recognizing that the ccTLDs that register IDNs at the

second-level<sup>93</sup> will be affected by the Guidelines and are expected to abide by them, the ccNSO Council agreed that a consultation mechanism stipulated in [Implementation Guidance 21](#) will ensure that the ccNSO Council is involved and the ccTLDs are informed throughout the whole process.

## G1 Public Comment Review:

**Wording Change:** For [Final Recommendation 18](#), The EPDP Team took into account a suggestion raised through the Public Comment to remove the ICANN Board sub-structure, namely IDN-UA WG, as it is not a permanent structure of the ICANN Board. The EPDP Team made the change, aiming to sufficiently reflect the intent of the recommendation which was to have the Board oversight during the process.

In addition, the EPDP Team agreed to maintain a role for the ccNSO within the recommendations, but revising the language so that they are consulted throughout the whole process, both during the documentation and approval stages, prior to ICANN Board consideration. For avoidance of doubt, the language was updated so that the documented process would proceed in consultation with the GNSO Council and ccNSO Council, under the supervision of the ICANN Board. The argument was to follow ICANN Board's request that the GNSO and ccNSO need to keep each other informed of their respective progress in developing relevant policies and procedures, without the work dictating or limiting ccNSO's actions.

**Implementation Guidance 19:** The EPDP Team received support from several commenters on this guidance as written.

**Wording Change and an Addition of a new Output:** Though there was a request to remove [Final Recommendation 20](#) because it was considered unnecessary, the EPDP Team decided to leave it as is, as this recommendation will provide guidance for the approval phase in the future, to be detailed in the procedural steps established via [Final Recommendation 18](#). Instead, the ccNSO Council's role has been removed from the recommendation and determined in [Implementation Guidance 21](#), following the EPDP Team's discussion with the ccNSO. The details are explained in the rationale of [Final Recommendation 20](#) and [Implementation Guidance 21](#).

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<sup>93</sup> ASCII (American Standard Code for Information Interchange) and IDN ccTLDs

## 3.2 Charter Questions with No Final Outputs

### C3 Charter Question:

*The WG and the SubPro IRT to coordinate and consider the following question in order to develop a consistent solution: what is the appropriate mechanism to identify the registrant as the “same entity” at the second-level for future and existing labels?*

*The Staff Paper recommends using ROID to ensure that the same label beneath all variant labels is allocated to the same entity.<sup>94</sup> However, some registrars in practice may not reuse contact objects for different registrations by the same registrant, and there is no existing data on the number/percentage of ICANN accredited registrars that reuse contact ROID.<sup>95</sup>*

*Is ROID a reasonable mechanism to determine the same registrant at the second-level for both future and existing labels? If not, what mechanism/functional definition can be used to ensure the second-level variant labels are allocated to the same entity for both current and future TLDs? Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.*

### C3 EPDP Team Response:

The EPDP Team agreed not to prescribe any specific mechanism to identify the same registrant in order to enforce the “same entity” principle as set out in [Final Recommendation 1](#). The EPDP Team believed that how the same registrant is identified, verified, and enforced should be determined by the gTLD registry operator and the sponsoring registrar, based on the agreed method of their choosing.

The EPDP Team understood that the Staff Paper recommends ROID, a globally unique identifier assigned by a registry operator to a registry object (i.e., domain contact or host) at the time of its creation, and considered whether the ROID was a suitable mechanism to identify the same registrant.

The EPDP Team identified some specific drawbacks of ROID based on feedback from registry and registrar representatives. ROID seems to be a “throw-away” identifier that is not reusable. The Registry Agreement only requires unique-per-object ROID; different ROIDs may be assigned to the same registrant across gTLDs managed by the gTLD registry operator, and the registrars may generate unique contact objects for different domain names of the same registrant. Furthermore, operators of ‘thin registries’ are not required to generate ROID, as they only include technical data sufficient to identify the sponsoring registrars, status of the registrations, and creation and expiration dates for each registration in its WHOIS data store.<sup>96</sup>

<sup>94</sup> Besides ROID, the Staff Paper also includes additional options to achieve the “same entity” requirement: having all the registrant fields be the same (without considering the ROID) for both names; having a core subset of the registrant fields be the same (without considering the ROID) for both names; or requiring a cryptographic probe that both registrants are indeed the same. See Section 3.2.1 in the Staff Paper, p.7:  
<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=7>

<sup>95</sup> If a large portion of registrars do not reuse contact objects (ROID) for registrant, then changing the status quo would be a major development undertaking for a potentially small market for variants. Note that for interoperability virtually all registrars would need to support the same “glue” method to support inter-registrar transfers.

<sup>96</sup> More information: <https://whois.icann.org/en/what-are-thick-and-thin-entries>

In addition, ROID may be excluded from the minimum data set in accordance with registration data policy as a result of the General Data Protection Regulation (GDPR). The EPDP Team also noted that gTLD registry operators and registrars cannot be forced to uniformly use ROID for the purpose of identifying the same registrant.<sup>97</sup>

During its deliberation, the EPDP Team solicited input from ICANN Contracted Party House (CPH) TechOps group regarding possible alternative mechanisms to identify the same registrant, as there has been ongoing discussion about this topic in this group. During the EPDP Team's ICANN78 working session, members from TechOps shared two possible models they discussed:

- **Model 1 - registry and registrar enforce same registrant:** gTLD registry operator enforces that the registrar allocated a variant domain name for the same registrant of the source domain name. The registrant is defined by the gTLD registry operator's policy using mechanisms such as contact handle, registrant ROID, or other data value pre-determined by the gTLD registry operator.
- **Model 2 - registry and registrar split the responsibility:** gTLD registry operator enforces variant domain names are allocated by the same sponsoring registrar; in turn, the sponsoring registrar enforces the variant domain names are allocated to the same registrant. In other words, the gTLD registry operator will not enforce the same registrant, but will only enforce the same registrar. Registrar will enforce that a variant domain name is allocated to the same registrant defined by registrar policy.

After discussion of these possible models, the EPDP Team understood that many moving parts involving different parties make it hard to recommend a singular way to enforce the "same entity" principle. Consequently, the EPDP Team agreed to concentrate on the goal of "same entity," but leave the details to implementation by the gTLD registry operators and registrars.

### C3 Public Comment Review:

#### **No Final Outputs and Further Response Updated within the Rationale for Final**

**Recommendation 6:** The EPDP Team considered the public comment submissions requesting a detailed method on how to implement the "same entity" principle. However, no specific guidance was provided other than that the mechanism to identify the registrant as the "same entity" at the second-level should be uniform. The EPDP Team also noted that many layers need to be considered during implementation and that the suitable mechanism will be left for ICANN org and the IRT. A more detailed response to this can be seen in the rationale section of [Final Recommendation 6](#).

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<sup>97</sup> For detailed discussions about ROID, check the recording of EPDP Team's meeting [#84](#) and ICANN78 working sessions ([1](#), [2](#)).

### C3a Charter Question:

*If the Working Group determines to use ROID as the mechanism to identify the registrant as the “same entity” at the second-level, are there additional requirements to ensure the “same entity” principle is followed?<sup>98</sup>*

### C3a EPDP Team Response:

Since the EPDP Team agreed not to recommend ROID as the sole and uniform mechanism to identify the same registrant in order to enforce the “same entity” principle as set out in Final Recommendation 1, this conditional question is moot.

### C3a Public Comment Review:

#### **No Final Output and Further Response Updated within the Rationale for Final**

**Recommendation 6:** As indicated earlier through the response presented in charter question C3, the EPDP Team decided not to prescribe any specific mechanism, leaving it to the gTLD registry operators and the sponsoring registrars to determine. The EPDP Team noted, though, that the mechanism should be uniform. Additionally, the EPDP Team did not support ROID as the sole and unified mechanism to satisfy the “same entity” requirement. A more detailed response is presented in the rationale section of Final Recommendation 6.

### C4a Charter Question:

*Notwithstanding that IDN tables need to be mutually coherent, the SubPro PDP and the Staff Paper recommend that the set of allocatable or activated second-level variant labels may not be identical across the activated IDN variant TLDs. Meaning, their behavior/disposition can be different.<sup>99</sup>*

*Under the conditions above, may the set of allocatable or activated second-level variant labels not behave identically under an individual TLD, which does not have any variant TLD label?*

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<sup>98</sup> If the same contact ROID or functional equivalent is used to identify registrants, no registrant metadata syncing is needed, as the registrant metadata is automatically the same for all registrants of every allocated variant based on ROID. This also means that issues around privacy and proxy services are addressed, because the privacy or proxy service must still generate a contact ROID (or its functional equivalent) for the registrant. However, the Staff Paper notes that if a registration system does not use contact objects, a requirement about registrant metadata syncing will be needed to ensure the “same entity” rule. See Section 3.9.1 in the Staff Paper, p.22:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=22>

<sup>99</sup> See Recommendation 25.8 in the SubPro PDP Final Report, p.116:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=116>; Recommendation 6 in the Staff Paper, p.4:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=4>

## C4a EPDP Team Response:

The EPDP Team agreed that this question should not be a sub question under charter question C4 regarding IDN Table harmonization. Instead, it is closely linked to charter question D4 with regard to variant domain name lifecycle management.

The EPDP Team noted that this charter question was developed to consider a possible gap in SubPro Recommendation 25.8 because it does not explicitly address the behavior of variant domain names under an individual gTLD, which does not have variant gTLD labels.

While the EPDP Team was not convinced that there is a gap in SubPro Recommendation 25.8, they considered there was value in addressing the concern. Consistent with SubPro Recommendation 25.8 that addressed the behavior of second-level domain names under variant gTLDs, the EPDP Team agreed that variant domain names under any gTLD should not be required to act, behave, or be perceived as identical. In other words, variant domain names under any individual gTLD are not required to act, behave, or be perceived as identical, no matter whether the gTLD, under which the variant domain names are allocated, has any top-level variant label(s) or not, or is itself a gTLD variant label.

This is also consistent with the EPDP Team's rationale for [Final Recommendation 9](#) which supports the conclusion that each allocated variant domain should be allowed to have its own domain name lifecycle, which is independent from that of another allocated variant domain from the same variant domain set.

## C6 Charter Question:

*To facilitate the harmonization of IDN tables, the Staff Paper recommends that IDN tables for the second-level be formatted in the machine readable LGR format specified in RFC 7940, Representing Label Generation Rulesets Using XML.<sup>100</sup> However, each Registry Operator can harmonize the IDN tables today via software development solutions or are already in the process of doing so.*

*The WG and the SubPro IRT to coordinate and consider the following question in order to develop a consistent solution: should Registry Operators be required to use the machine readable LGR format as specified in RFC 7940 for their second-level IDN tables? Or should Registry Operators have the flexibility to resolve the harmonization issue so long as it can predictably and consistently produce the same variant labels, albeit with different disposition values, across the same-script IDN tables? Consider this question by taking into account the data*

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<sup>100</sup> See RFC 7940 here: <https://www.rfc-editor.org/info/rfc7940>; Section 3.3.1 in the Staff Paper, pp.9-10: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=9>



to be collected in the “Data and Metric Requirements” section of this charter.

## C6 EPDP Team Response:

The EPDP Team agreed to not recommend the machine-readable XML format, as specified in RFC 7940, as the required format for IDN Tables. Existing and future gTLD registry operators should have the flexibility to determine the appropriate format of their IDN Tables. The EPDP Team reviewed the evolution of IDN Table formats as recommended by relevant RFCs and understood that there are different ways to represent the second-level rules under gTLDs.<sup>101</sup> A published IDN Table is an artifact and a plain output exported by a gTLD registry operator to meet ICANN requirements. It does not necessarily drive the logic of the system, platform, and software that a gTLD registry operator uses to implement the second-level rules at a technical level.

The EPDP Team understood that the Staff Paper recommends the XML format in the context of the IDN Table harmonization mechanism. Some EPDP Team members remarked that such a machine-readable format may help gTLD registry operators, who use the XML format, to harmonize their IDN Tables via an automated process enabled by the LGR processing tools, leaving a smaller chance of misinterpretation.<sup>102</sup> However, since the EPDP Team had already agreed to not recommend any specific IDN Table harmonization mechanism, that also meant gTLD registry operators would be free to decide whether to use the XML format or not.

In addition, the EPDP Team noted that the vast majority of existing IDN Tables are not using the XML format.<sup>103</sup> If the XML format were required, it would mean that gTLD registry operators would have to build out technical solutions to export the IDN Tables in the XML format and parse the rules. These efforts will likely be a significant undertaking. Furthermore, it is not possible to conclude that using the XML format is a way to ensure IDN Table harmonization. The EPDP Team also understood the RFCs, as outputs from the IETF, are recommendations for standards. It is up to the businesses to decide whether to adopt these recommendations. Therefore, some members expressed concerns that considering adoption of the XML format as specified in the RFC 7940 may be outside the scope of the EPDP.

During its deliberation, the EPDP Team also reviewed the Board deferred guidelines from IDN Implementation Guidelines version 4.0. Specifically, Guideline 6a states the following:

*“Except as applicable in 6(b) below, registries must use RFC 7940: Label Generation Ruleset (LGR) Using XML format to represent an IDN Table”.*

As the EPDP Team agreed not to recommend the machine-readable XML format as the required format for IDN Tables, Guideline 6a is contrary to the EPDP Team’s agreement.

<sup>101</sup> See slides and recording of Meeting #81 for more details: <https://community.icann.org/x/W4ZXDg>

<sup>102</sup> Learn more about the LGR processing tools, check the recordings of EPDP Team meetings [#81](#) and [#82](#).

<sup>103</sup> As of 5 October 2021, the IDN Tables stored in the IANA Repository have the following formats: TXT (12,985 tables), XML (1,113 tables), HTML (61 tables), and PDF (1 table).

## C6 Public Comment Review:

**No Final Output but Suggestion Considered for the Future:** The EPDP Team appreciated the public comment submission suggesting that a standards-based approach for IDN Table harmonization, which is machine-readable, would be forward looking. The commenter fully understood the effort, time, and funding that would be required for this transition to take place and did not insist on an immediate plan to conversion. However, the commenter requested for a guidance be in place so that the registries could eventually transition into a standard format, slowly moving away from the multiple approaches taken at present. The expectation was that such transition would make the IDN variant system more resilient while improving manageability in establishing consistency for IDN Tables across TLDs and across registries, ultimately reducing confusion and improving user experience.

During the Public Comment review process, the RySG introduced to the EPDP Team the three current standards that are available to represent IDN Tables, namely RFC 3743, RFC 4290, and RFC 7940. RFC 7940 is the latest machine-readable XML format and refers to IDN tables as LGRs, which is machine-processable and less open to interpretation, thus preferred by ICANN org. However, the text-based formats, such as RFC 3743 and RFC 4290, are also considered as current standards and ICANN org accepts all three approaches.

## D5 Charter Question:

*For reporting and fee accrual purposes, should each variant domain name be considered an independent registration? Or should such variant labels be considered as an atomic set (irrespective of whether any of the names is actually activated in the DNS, and whether any of the variants is actually registered)? Rationale for such definition must be clearly stated. Should any specific implementation guidance be provided? For example, what would be the impact to the registration payment at the Registry Operator level and at ICANN org?*

## D5 EPDP Team Response:

The EPDP Team understood this charter question specifically pertains to the \$0.18 mandatory transaction-based fee that ICANN org charges for each year of registration, renewal, or transfer of domain names. In EPDP-IDNs Phase 1, the EPDP team has already developed Final Recommendation 7.5 pertaining to the registry-level transaction fee.<sup>104</sup>

The EPDP Team discussed the question of whether a registrant must pay ICANN org the \$0.18 mandatory transaction-based fee for each activated variant domain name of its registered

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<sup>104</sup> EPDP-IDNs Phase 1 Final Recommendation 7.5 states the following: “The calculation of the registry-level transaction fee must be based on the cumulative number of domain name registrations of the combined delegated gTLD label(s) from a variant label set.” For more details about this recommendation and its rationale, please see pp.83-84 of the EPDP-IDNs Phase 1 Final Report: <https://mm.icann.org/pipermail/council/attachments/20231108/fcbce142/Phase1FinalReportontheInternationalizedDomainNamesExpeditedPolicyDevelopmentProcess-0001.pdf#page=83>

source domain name. The EPDP Team agreed not to prescribe any specific recommendation in this regard.

The EPDP Team learned that two models of variant domain name activation currently exist – a variant domain name may be activated via the “EPP Create” command or the “EPP Update” command. Activation via the “EPP Create” command leads to the registration of the variant domain name independent from its source domain name, whereas activation via the “EPP Update” command leads to the creation of a variant domain name as a “child domain name” of its source domain name. The “child domain name” is an attribute of the source domain name and is not treated as an independent registration. Once the source domain name is deleted, the “child domain name” is also deleted. Variant domain name activation via “EPP Create” would incur the annual fee paid to ICANN org, but “EPP Update” would not. In other words, how the variant domain name is activated results in whether the annual fee is charged based on the respective registry operator’s policy.

The EPDP Team agreed not to dictate either model of variant domain name activation as well as the associated annual fee expectation in order not to impinge on the existing rights of gTLD registry operators in accordance with their policies and contractual agreements with sponsoring registrars.

## D5 Public Comment Review:

**No Final Output:** The EPDP Team recognized the great attention the community drew to this charter question, having received various suggestions from multiple commenters on this topic. Some commenters asked for guidance related to the variant domain name activation model and the associated annual fee expectation, requesting a specific model (either EPP Create or EPP Update) to be prescribed. Some commented that the “EPP Update” command should be prescribed for operational ease and cost reduction purposes. The commenters believed that the end-users should be up-to-date with this information and as the cost is mainly to affect the under-represented regions, that it should be kept as low as possible. Other commenters understood this issue to be out of scope for the EPDP Team and may need to be considered during implementation. A commenter further opposed the idea of dictating a model and price, stating that this realm is under the purview of the registries and how they handle their business.

The EPDP Team concluded to leave the response as is, agreeing not to provide any specific Outputs at this time.

## D7 Charter Question:

*Should the policies and procedures related to domain name suspension be updated to ensure that the “same entity” principle is followed for all variant domain names (i.e., if s1.t1 is to be suspended, s1.t1v1, s1v1.t1 and s1v1.t1v1 should all be suspended)? In other words, if one domain label is suspended, either voluntarily or involuntarily, should all the variant labels related to that domain be suspended?*

## D7 EPDP Team Response:

The EPDP Team agreed that as long as the “same entity” principle is maintained, suspension placed on one domain name does not necessarily mean the other allocated variant domain names from the same variant domain set, if any, have to be suspended as well. However, suspension will likely disable transfer of the affected variant domain set, as set out in [Final Recommendation 10](#). The EPDP Team also agreed that no specific recommendation is needed with respect to suspension, as the overarching requirement of the “same entity” principle has addressed this aspect. See details explained in [Final Recommendation 9](#).

## F1 Charter Question:

Trademark Clearinghouse (TMCH) mechanism functions include authenticating information from rights holders and providing this information to registries and registrars. Recording a trademark with the TMCH provides a rights holder with access to Sunrise registration periods in new gTLD registries and the Trademark Claims services. If Registry Operator has implemented IDN variant registration policies for the TLD, Registry Operator MAY allocate or register IDN variant labels generated from a label included in a valid SMD file during the Sunrise Period, provided that (i) such IDN variant registration policies are based on the Registry Operator’s published IDN tables for the TLD and (ii) such policies are imposed consistently in the Sunrise Period, any Limited Registration Period, any Launch Program and during General Registration.<sup>105</sup>

The Review of All Rights Protection Mechanisms (RPMs) in All gTLDs PDP Phase 1 recommends maintaining the TMCH’s current “exact match” rules, the current availability of Sunrise registrations only for identical matches, and the current exact matching criteria for the Claims Notice.<sup>106</sup>

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<sup>105</sup> See section 2.4.2 of the TMCH Rights Protection Mechanism (RPM) Requirements:

<http://newgtlds.icann.org/en/about/trademark-clearinghouse/rpm-requirements-30sep13-en.pdf>

<sup>106</sup> See RPM Phase 1 Final Report, TMCH Final Recommendation #2, Sunrise Final Recommendation #4, and Trademark Claims Final Recommendation #4 on pp.35-36, 44, and 52-53 here:

<https://gnso.icann.org/sites/default/files/file/field-file-%20attach/rpm-phase-1-proposed-24nov20-en.pdf>

In considering the information above, are there any adjustments to the TMCH and its Sunrise and Trademark Claims services needed?<sup>107</sup> Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.

## F1 EPDP Team Response:

The EPDP Team affirmed the Phase 1 recommendations from the Review of All RPMs in All gTLDs PDP and agreed that the current matching rules of the TMCH, as well as the criteria for the Sunrise and Trademark Claims services should be maintained.<sup>108</sup>

The EPDP Team reviewed the background of the TMCH and its mandatory Sunrise and Trademark Claims services. The EPDP Team understood that the TMCH provides protection for certain types of verified marks in the DNS. The domain name labels submitted by the mark holders to the TMCH that are eligible for the Sunrise and Trademark Claims services must correspond to the verified marks and be generated based on TMCH’s matching rules, which are generally “exact match” with additional criteria for “transformation.”<sup>109</sup> The EPDP Team also learned that the TMCH records mark data and their corresponding domain name labels from all over the world in various scripts.<sup>110</sup> Nevertheless, the TMCH does not calculate variant labels of domain name labels and the transformation rules do not apply to the creation of variant labels (e.g., if a trademark in traditional Chinese characters is recorded in the TMCH, the matching rules do not define a process for calculating variant labels in simplified Chinese characters).

The EPDP Team discussed the recommendation in SAC060 with respect to extending protection to the variant labels of a mark, which are not the ‘exact match’ of a mark, via the Sunrise and Trademark Claims services.<sup>111</sup> The EPDP Team disagreed with expanding the

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<sup>107</sup> SAC060 points out that in the current design of RPMs related to the TMCH process, there is a risk of homographic attacks. From a security and operations perspective, domain names that contain variants of a mark must be protected during the Sunrise and Claims Period. SSAC advises two ways to handle variants and TMCH to achieve such protections; each has benefits and downsides: 1) variant calculation at the registry level, and checking TMCH for the existence of marks for variants in the calculated variant set; 2) variant calculation and checking inside the TMCH in addition to the already defined matching algorithm TMCH uses. See more information in SAC060, recommendation 10 on pp.16-18: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=16> SAC060 further argues that the “exact match” as defined by TMCH is not really an identical match as in “bit-by-bit” or “character-by-character comparison” as a transformation stage is included before the actual matching. From a technical standpoint, the transformation stage currently as specified from is unclear and does not take non-ASCII based scripts into account. See SAC060, Recommendation 12, pp.19-20: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=19>. The SSAC also advises that during the Trademark Claims service, a name registered under a TLD that has variant TLDs should trigger trademark holder notifications for the registration of the name in the TLD and all its allocated variant TLDs. See SAC060, Recommendation 13, p.20: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=20>

<sup>108</sup> See the TMCH Final Recommendation #2, Sunrise Final Recommendation #4, and Trademark Claims Final Recommendation #4 in the Review of All Rights Protection Mechanisms in All gTLDs PDP Phase 1 Final Report: <https://gnso.icann.org/sites/default/files/file/field-file-attach/rpm-phase-1-proposed-24nov20-en.pdf>

<sup>109</sup> Exact match: when all and only the complete and identical textual elements exist in both the trademark and the label. Transformations: when certain elements contained in a trademark that cannot be represented in the DNS are transformed. Learn more: <https://newgtlds.icann.org/sites/default/files/matching-rules-14jul16-en.pdf>

<sup>110</sup> Learn more in the “ICANN org Report on Languages and Scripts in the TMCH”:  
<https://mm.icann.org/pipermail/gnso-epdp-idn-team/attachments/20231122/8a67bbff/FinalDraftReport-TMCHIDNVariantResearchReport-0001.pdf>

<sup>111</sup> See Recommendation 10 in SAC060 here: <https://itp.cdn.icann.org/en/files/security-and-stability-advisory-committee-ssac-reports/sac-060-en.pdf#page=16>

matching rules of the TMCH to include variant labels corresponding to a verified mark. If the TMCH was responsible for calculating variant labels, it would be effectively expanding the role of the TMCH by allowing it to make determinations concerning the scope of rights of mark holders and whether/which variant label would qualify for the same right, potentially resulting in conflict with trademark laws.

### G1a Charter Question:

*Given that the contracted parties are contractually bound to adhere to the IDN Implementation Guidelines, is there a need for a separate legal mechanism specifically for the implementation of IDNs among gTLDs, as well as a general guideline for any registry (including ccTLD registries) that wishes to implement IDNs?*

### G1a EPDP Team Response:

Given that the EPDP Team supports the continuation of IDN Implementation Guidelines and recommends maintaining a WG method for future version updates, as explained in the rationale for [Final Recommendation 18](#), the EPDP Team agreed that this charter question is moot.

## 4 Glossary

The table below lists the key terms and phrases that are used throughout this Phase 2 Final Report, covering topics related to variant management at the second-level. The meanings are developed based on the EPDP Team’s understanding of the existing body of work related to IDNs and its use of the terms in the context of the Phase 2 charter question deliberations. Additional notes present the common usage of certain terms and phrases in this Report.

The EPDP Team appreciates that some readers may consider the meaning of the terms as reflected in this glossary to be imprecise from a technical perspective. It is for this reason that a definition has not been provided, but rather the ‘meaning’ of the term as used and commonly understood by the EPDP Team.

The terms in this glossary are organized in alphabetical order. Some terms are cross-referenced in multiple places within this glossary and they are *italicized* to facilitate reference.

Term	Meaning	Additional Notes on Usage
Activate / Activation / Activated	Activate refers to the activation or enablement of a <i>domain name</i> . After activation, a <i>domain name</i> is visible in the Domain Name System and activated for use (e.g., its associated website and/or email services are active). <sup>112</sup> Activation of a <i>domain name</i> does not necessarily require <i>registration</i> , especially for <i>variant domain names</i> .	During the Phase 2 deliberation, the EPDP Team members emphasized the distinction between “activate” and “register.” Depending on the registry model, a registry operator may use “EPP Create” (i.e., register) to activate a <i>variant domain name</i> as an independent registration, but may also use other methods (e.g., “EPP Update” to create a “child domain name” as an attribute to the <i>source domain name</i> ) for activating a variant domain name.  Its associated adjective “activated” is sometimes used interchangeably with “active.”
Allocatable	This is a valid <i>variant domain name</i> derived from a <i>source domain name</i> that is eligible for allocation under a given gTLD. An allocatable variant domain name	This term is used to describe a <i>variant domain name’s disposition value</i> . It usually appears in the phrase “allocatable variant domain

<sup>112</sup> The original definition of “activated” can be found in RFC 7940: <https://datatracker.ietf.org/doc/html/rfc7940#section-7.3>

	<p>should be reserved for use by the same registrant of the <i>source domain name</i> but not automatically allocated for use.<sup>113</sup> At the second-level, the allocatable status is determined by the <i>IDN Table</i> managed by the registry operator of the given gTLD.</p>	<p>name(s).” The other possible disposition value is “blocked.”</p>
<p>Allocate / Allocation / Allocated</p>	<p>Allocate refers to the administrative association or assignment of a domain name to the entity who has requested it.<sup>114</sup> The allocated state of a <i>domain name</i> means it is reserved for use by its <i>registrant</i>. After a <i>domain name</i> is <i>registered</i> and/or <i>activated</i>, it is allocated. Allocation typically indicates the start of the <i>domain name lifecycle</i>, as noted in the rationale for <a href="#">Final Recommendation 9</a>.</p> <p>When a domain enters the “Redemption” or “Pending Deletion” stage of the <i>domain name lifecycle</i>, it is regarded as “deactivated” but still allocated as long as it is not deleted from the Domain Name System.</p>	<p>This term is frequently mentioned throughout the EPDP-IDNs Phase 2 Final Report, as it is associated with the “<i>same entity</i>” principle, the cornerstone requirement developed during the EPDP Team’s deliberation. Once a <i>variant domain name</i> has been <i>allocated</i>, it must remain linked to the same <i>registrant</i> of the <i>source domain name</i> and at the same sponsoring <i>registrar</i>. This should be considered a persistent requirement in all stages of its <i>domain name lifecycle</i>. It does not matter whether the <i>variant domain name</i> is <i>activated</i> or not. As long as it is still allocated, the “<i>same entity</i>” principle must be upheld.</p>
<p>American Standard Code for Information Interchange (ASCII)</p>	<p>A common character-encoding standard that computers use to store, transmit, and print English (or “Latin”) text.</p> <p>After many decades of use, the acronym ASCII (pronounced AS-KEE) is more well-known and more frequently used than its full name (American Standard Code for</p>	<p>This term frequently appeared in the EPDP-IDNs Phase 1 deliberations, focusing on the top-level variant management, when dealing with gTLD strings, including all ASCII and IDN strings.</p> <p>For the Phase 2 Final Report, this term is mentioned in the context of charter question G1,</p>

<sup>113</sup> This explanation referenced the definition of “allocatable” in the RFC 7940: <https://www.rfc-editor.org/rfc/rfc7940.html#section-7.2.1>

<sup>114</sup> This explanation is derived from the definition of “allocation” and “allocated” in the IDN Implementation Guidelines version 4.0. See Annex B here: <https://www.icann.org/en/system/files/files/idn-guidelines-22sep22-en.pdf#page=7>



	Information Interchange). <sup>115</sup>	when referring to ccTLDs that include ASCII and IDN ccTLDs.
Blocked	This is a valid <i>variant domain name</i> derived from a <i>source domain name</i> that is ineligible for <i>allocation</i> under a given gTLD. A blocked variant domain name should be blocked from <i>allocation</i> . This would typically apply to a derived <i>variant domain name</i> that is undesirable due to having no practical use for some other domain name. <sup>116</sup> At the second-level, the blocked status is determined by the <i>IDN Table</i> managed by the <i>registry operator</i> of the given gTLD.	This term is used to describe a <i>variant domain name's disposition value</i> . The other possible <i>disposition value</i> is " <i>allocatable</i> ."
Canonical	For a code point in a second-level label registered under a given gTLD, its "canonical" code point is typically the variant code point of the lowest unicode number, as described in all of the active <i>IDN Tables</i> for that gTLD. For example, code point U+0127 has variant code points U+0068 and U+0125; U+0068 is the canonical code point. The "canonical" name is the combination of canonical code points of a given second-level label. <sup>117</sup>	This term usually appears in the phrase "canonical name," which is a key element in the current rules for <i>registry operators</i> to <i>activate</i> variant labels at the second-level. See Section 2.2 in the "Standard Amendment Language, Add Internationalized Domain Names (IDNs) - May Activate Variants". <sup>118</sup> In addition, some <i>registry operators</i> use the canonical name as a way to achieve <i>harmonization</i> , ensuring that a consistent <i>variant domain set</i> will be produced for any domain across all of the <i>IDN Tables</i> for their respective gTLDs. Learn more in the EPDP Team response to charter question C5.
ccPDP4	The abbreviation of the Country Code Names Supporting Organization (ccNSO) Policy	The ccPDP4 WG conducted policy development work on IDN ccTLDs, including in the area of

<sup>115</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage: <https://www.icann.org/en/icann-acronyms-and-terms/ascii-en>

<sup>116</sup> This explanation referenced the definition of "blocked" in the RFC 7940: <https://www.rfc-editor.org/rfc/rfc7940.html#section-7.3>

<sup>117</sup> This explanation was developed based on commentaries from an EPDP Team member during meeting #81.

<sup>118</sup> <https://www.icann.org/en/system/files/files/standard-amendment-language-add-idns-may-activate-variants-14jun19-en.pdf>

	<p>Development Process 4 on the (de-)Selection of IDN ccTLD Strings.</p>	<p>variant management and string similarity review. Section 5 of Phase 1 Final Report focused on recommendations for the topics covered by both EPDP-IDNs and ccPDP4, pointing out where the differences existed.</p> <p>For Phase 2, the EPDP Team consulted ccPDP4 on developing and updating the Outputs related to IDN Implementation Guidelines. This was in the context of charter question G1. The EPDP Team made an effort to maintain communication with ccPDP4 and meet the ICANN Board’s request for the GNSO and the ccNSO to keep each other informed of their respective progress in developing relevant policies and procedures. This is ultimately to ensure a consistent solution for variant gTLDs and variant ccTLDs.</p>
<p>Disposition Value</p>	<p>The disposition value of a <i>variant domain name</i>, as calculated by an IDN Table based on its <i>source domain name</i>, can be either <i>allocatable</i> or <i>blocked</i>.</p>	<p>N/A</p>
<p>Domain Name</p>	<p>A unique identifier that forms the basis of the Uniform Resource Locators (URLs) that people use to find resources on the Internet (e.g., web pages, email servers, images, and videos). The domain name itself identifies a specific address on the Internet that belongs to an entity such as a company, organization, institution, or individual. For example, in the URL <a href="https://www.icann.org/public-comments">https://www.icann.org/public-comments</a>, the domain name “icann.org” directs a browser to the ICANN organization’s domain. The rest of the URL directs the</p>	<p>Since Phase 2 of EPDP-IDNs focus on second-level variant management issues, the term “domain name” is frequently used in the Outputs and their rationales. It often appears in phrases including “<i>variant domain name(s)</i>,” “<i>source domain name(s)</i>,” “<i>domain name lifecycle</i>,” and “<i>domain name system</i>,” etc.</p>

	<p>browser to a specific resource on the www server within ICANN’s domain (in this case, the Public Comments page on the ICANN org website). A domain name consists of two or more textual segments (also referred to as “labels”) separated by dots. For example, in the domain name “icann.org,” the first part of the name, “icann,” represents a second-level domain under the top-level domain “org.” Domain names can also have more than two labels, as in bbc.co.uk. In this example, “bbc” represents a subdomain under the second-level domain “co,” which resides under the top-level domain “uk.”<sup>119</sup></p>	
Domain Name Lifecycle	<p>From a technical standpoint, the domain name lifecycle concept is reflected in the <i>EPP status codes</i>, which indicate the specific status of a <i>domain name</i>. The domain name lifecycle is generally summarized in five main stages, which are: 1) available, 2) active, 3) expiration, 4) redemption, and 5) pending deletion.<sup>120</sup> A <i>domain name</i> may not go through all five main stages of the domain name lifecycle.</p>	<p>The management of <i>variant domain names</i> throughout their domain name lifecycle was extensively considered by the EPDP Team in the context of charter questions D4, D6, and D7.</p>
EPDP	<p>The abbreviation of Expedited Policy Development Process. It differs from the <i>Policy Development Process (PDP)</i>, mainly in that an Issue Report and the associated Public Comment process are not needed. The EPDP itself is described in Annex 4 of the GNSO Operating Procedures.<sup>121</sup></p>	<p>This term usually appears in the phrases “EPDP-IDNs,” “the EPDP Team,” and “the EPDP Leadership Team.”</p>

<sup>119</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage:

<https://www.icann.org/en/icann-acronyms-and-terms/domain-name-en>

<sup>120</sup> To learn more, see background briefing slides and recording during the ICANN77 EPDP Team working session [#1](#).

<sup>121</sup> See Annex 4 of the GNSO Operating Procedure here: <https://gns0.icann.org/sites/default/files/file/field-file-attach/annex-4-epdp-manual-15mar23-en.pdf>

<p>Exempted</p>	<p>A provision in which an immediate previous rule continues to apply to some existing situations while a new rule will apply to all future cases. This is a condition that should be resolved in time.</p>	<p>This topic was extensively considered by the EPDP Team in the context of charter questions C1, C2, D4, D6, and D8.</p> <p>“Exempted” has been used in many instances throughout this Final Report as a replacement for the term “grandfathered” and its variations that had been used in the Phase 2 Initial Report. The EPDP Team agreed to change the term in response to concerns raised by ICANN org during the Public Comment period.<sup>122</sup></p> <p>In the context of <i>variant domain name</i> management for EPDP-IDNs, “exempted” means that there will be no change to the contractual and allocation status of existing variant domain names that do not conform to the “<i>same entity</i>” principle, as recommended by the EPDP-IDNs Team. The requirement of having the same <i>registrant</i> and the same sponsoring <i>registrar</i> will not be applied retroactively. Appropriately, the exempted <i>variant domain names</i> are also excluded from the additional requirements relating to the “<i>same entity</i>” principle. This also implies that the “exemption period” will end when one <i>registrant</i> and one sponsoring <i>registrar</i> remain for the <i>variant domain set</i>, which would effectively allow for further allocation.</p>
<p>Extensible Provisioning Protocol</p>	<p>The EPP domain status code, also called domain name status code,</p>	<p>This term is relevant in the discussion of <i>domain name</i></p>

<sup>122</sup> See the Phase 2 Initial Report Public Comment submissions and Review Tool on wiki here: <https://community.icann.org/display/epdpidn/Phase+2+Initial+Report+-+Public+Comment>

(EPP) Domain Status Code	<p>indicates the status of a <i>domain name</i>. Every domain has at least one status code, but it can also have more than one. There are 17 standardized EPP domain status codes, plus the Registry Grace period status code. See the EPP Status Codes webpage on <a href="https://www.icann.org">icann.org</a> for more information.<sup>123</sup></p>	<p><i>lifecycle</i> management, which is the focus of charter question D4.</p>
Harmonization	<p>The process of making different situations compatible and consistent with one another.</p>	<p>This topic was deliberated extensively by the EPDP Team in the context of charter questions C4, C5, and C5 regarding <i>IDN Table harmonization</i>.</p> <p>In the <i>IDN Table</i> context, the goal of <i>harmonization</i> is to ensure that all of the <i>IDN Tables</i> for a given gTLD must produce a consistent <i>variant domain set</i> that arises from a registration at the second-level. Moreover, another piece of <i>harmonization</i> is related to the <i>IDN Table harmonization</i> requirement. The EPDP Team’s agreement was that minimum IDN variant deployment requirements (i.e., variant code point sets) should be developed, as by adding a baseline requirement to the <i>IDN Table</i> harmonization mechanism, a common within-script and cross-script <i>variant</i> code point sets for all gTLDs would be provided, which will help mitigate DNS abuse and other security issues.</p>
Internationalized Domain Name (IDN)	<p>A <i>domain name</i> which contains at least one character other than ASCII letters, digits, or hyphens. Because IDNs support the use of Unicode characters, they can include characters from local languages and scripts. For</p>	<p>Since Phase 2 of EPDP-IDNs focus on second-level variant management issues, this term is frequently mentioned in the context of IDN second-level <i>domain names</i>, as well as <i>IDN Tables</i>.</p>

<sup>123</sup> Learn more: <https://www.icann.org/resources/pages/epp-status-codes-2014-06-16-en>

	example, [실례.테스트] is a <i>domain name</i> composed entirely of Hangeul characters. <sup>124</sup>	
IDN Implementation Guidelines	A list of general standards for IDN registration policies and practices that are designed to minimize the risk of cybersquatting and consumer confusion, and respect the interests of local languages and character sets. Registries seeking to deploy <i>IDNs</i> under their agreements with ICANN have been authorized to do so on the basis of the IDN Implementation Guidelines. <sup>125</sup> IDN Implementation Guidelines has been a compulsory document for the ICANN contracted parties (gTLD registries and registrars offering IDN registrations) to adhere to. For ccTLD managers that deploy IDN registration policies, they are expected but not required to be guided by the IDN Implementation Guidelines.	This topic was extensively considered by the EPDP Team in the context of charter questions G1 and G1a.
IDN Table	A specification that defines the permitted characters and rules for combining characters to form <i>labels</i> in the languages and scripts applicable to the second-level under a gTLD. The terms IDN table and Label Generation Rules are synonymous. <sup>126</sup> IDN Tables represent a <i>registry operator's</i> second-level rules for its respective gTLD(s) regarding IDN second-level labels.	This topic was thoroughly examined by the EPDP Team in the context of charter questions C4, C5, and C5 regarding IDN Table <i>harmonization</i> . <i>Registry operators</i> develop their IDN Tables and submit them to ICANN org for review of any significant security, stability, and competition issue considerations. <sup>127</sup>
Initial Source Domain Name	The Initial Source Domain Name refers to the first <i>source domain</i>	In this Phase 2 Final Report, this term is newly inserted to

<sup>124</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage:

<https://www.icann.org/en/icann-acronyms-and-terms/internationalized-domain-name-en>

<sup>125</sup> This explanation is reproduced verbatim from the IDN Implementation Guidelines webpage on icann.org. Learn more: <https://www.icann.org/resources/pages/implementation-guidelines-2012-02-25-en>

<sup>126</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage:

<https://www.icann.org/en/icann-acronyms-and-terms/internationalized-domain-name-table-en>

<sup>127</sup> Learn more, check the IDN Table briefings conducted during the EPDP Team [working session #2](#) during ICANN74 and its meetings [#80](#) and [#81](#).

	<i>name</i> registered from a variant domain set under any TLD in the gTLD variant label set. See “ <i>Source Domain Name</i> ” within the glossary section for additional context.	provide additional context to the <i>source domain name</i> within the <i>domain name lifecycle</i> in response to a suggestion raised by the RySG during the Public Comment period. <sup>128</sup>
Label	The segments that are separated by dot characters in a <i>domain name</i> . For example, the <i>domain name</i> , gns0.icann.org consists of three labels: gns0, icann, and org. <sup>129</sup>	In this Phase 2 Final Report, this term usually appears in the phrase “variant label(s)” and it can refer to variants at both the top- and second-levels. This term is also interchangeable with “string,” particularly in the top-level context.
PDP	The abbreviation of Policy Development Process. The Policy Development Process itself is described in Annex A of the ICANN Bylaws. <sup>130</sup>	N/A
Register / Registration / Registered	<i>Domain name</i> registration is the process of creating a <i>domain name</i> , typically via the “EPP Create” command, and acquiring it for a certain period of time. The registration of a <i>domain name</i> indicates a billable transaction. A registered <i>domain name</i> exists in the Shared Registry System (SRS) and is visible in the WHOIS <sup>131</sup> . However, it does not necessarily mean a registered <i>domain name</i> must be <i>activated</i> for use. For example, defensive registration is a widely accepted practice.	During the Phase 2 deliberation, EPDP Team members emphasized the distinction between “activate” and “register.” Depending on the registry model, a registry operator may use “EPP Create” (i.e., register) to activate a <i>variant domain name</i> as an independent registration, but may also use other methods (e.g., “EPP Update” to create a “child domain name” as an attribute to the <i>source domain name</i> ) for activating a <i>variant domain name</i> .  However, the <i>source domain name</i> must be registered, as set out in <u>Final Recommendation 8</u> .

<sup>128</sup> See the Phase 2 Initial Report Public Comment submissions and Review Tool on wiki here: <https://community.icann.org/display/epdpidn/Phase+2+Initial+Report+-+Public+Comment>

<sup>129</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage: <https://www.icann.org/en/icann-acronyms-and-terms/label-en>

<sup>130</sup> See Annex A of ICANN Bylaws here: <https://www.icann.org/resources/pages/governance/bylaws-en/#annexA>

<sup>131</sup> The Registration Data Access Protocol (RDAP) is intended to replace the WHOIS protocol for all gTLDs in 2025, at which point support for WHOIS will be dropped.

		<p><i>Domain names</i> can be registered through many different <i>registrars</i> that compete with one another. The <i>registrar</i> a <i>registrant</i> chooses will request various contact and technical information that make up the registration. The <i>registrar</i> will then keep records of the contact information and submit the technical information to a central directory known as the <i>registry</i>. The <i>registry</i> provides the information necessary to send the <i>registrant</i> emails or to find the associated website. A <i>registrant</i> will also be required to enter a registration contract with the <i>registrar</i>, which sets forth the terms under which the registration is accepted and will be maintained.<sup>132</sup></p>
<p>Registrant</p>	<p>An individual or entity who registers a <i>domain name</i>.</p>	<p>Registrant is one of the key parties for fulfilling the “<i>same entity</i>” principle and related requirements for second-level variant management. This term frequently appears in the <i>EPDP</i> Team recommendations.</p> <p>Upon registration of a <i>domain name</i>, a registrant enters into a contract with a <i>registrar</i>. The contract describes the terms under which the <i>registrar</i> agrees to register and maintain the requested name. After registration, registrants manage their <i>domain name</i> settings through their <i>registrar</i>. To modify a setting, a registrant submits the changes to the <i>registrar</i>, and the <i>registrar</i> sends the change to the <i>registry</i></p>

<sup>132</sup> This explanation is reproduced verbatim from General Questions on icann.org: <https://www.icann.org/resources/pages/faqs-84-2012-02-25-en#2>



		<i>operator</i> . <sup>133</sup>
Registrar	An organization through which individuals and entities ( <i>registrants</i> ) register <i>domain names</i> .	Registrar is another key party for fulfilling the “ <i>same entity</i> ” principle and related requirements for second-level variant management. The term “sponsoring registrar” also frequently appears in the Phase 2 Final Report. It refers to the registrar authorized by the <i>registrant</i> to register and manage its domain name. During the registration process, a registrar verifies that the requested <i>domain name</i> meets registry requirements, and submits the name to the appropriate <i>registry operator</i> . Registrars are also responsible for collecting required information from <i>registrants</i> and making the information available through WHOIS <sup>134</sup> . After registration, <i>registrants</i> can make updates to their <i>domain name</i> settings through their registrars. In the context of charter question D8, “corresponding sponsoring registrar” describes the registrar through which the <i>registrant</i> must seek to discover the <i>allocated variant domain names</i> for a given <i>domain name</i> . Also, a registrar that has entered into a Registrar Accreditation Agreement with ICANN is referred to as an ICANN-accredited registrar. <sup>135</sup>
Registration Data Access Protocol (RDAP)	An HTTP-based protocol that provides access to information about current <i>domain name</i>	This topic was extensively considered by the EPDP Team in the context of charter question

<sup>133</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage:

<https://www.icann.org/en/icann-acronyms-and-terms/registrar-en>

<sup>134</sup> See [footnote 131](#)

<sup>135</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage:

<https://www.icann.org/en/icann-acronyms-and-terms/registrar-en>

	<p><i>registrations</i> and Internet Protocol address <i>allocations</i>. RDAP was designed as a replacement for the WHOIS protocol. Advantages of RDAP include secure data transmission via HTTPS, support for internationalization, and the ability to limit access to certain information about a registration.<sup>136</sup></p>	D8.
Registry Operator	<p>The organization that maintains the master database (registry) of all <i>domain names</i> registered in a particular top-level domain (TLD). ROs receive requests from <i>registrars</i> to add, delete, or modify <i>domain names</i>, and they make the requested changes in the registry. An RO also operates the TLD’s authoritative name servers and generates the zone file. This information enables recursive name servers across the Internet to translate <i>domain names</i> into Internet Protocol (IP) addresses, so devices on the Internet can connect to one another.<sup>137</sup></p>	<p>In the Phase 2 Final Report, “registry operator(s)” has been replaced by “gTLD registry operator(s),” as appropriate, in response to the request made by the RySG to avoid any confusion as to who is intended to be impacted by the implementation of the recommended policies. Given that this is a GNSO sponsored PDP intended for gTLD registry operators, the EPDP Team agreed to the new term.<sup>138</sup></p>
Repository Object Identifier (ROID)	<p>ROID is a globally unique identifier assigned by a <i>registry operator</i> to a registry object (i.e., domain contact or host) when the object is created. An operator of ‘thick <i>registry</i>’ generates a ROID using its repository, which can encompass one or multiple gTLDs managed by the registry operator.<sup>139</sup></p> <p>A ROID may look like this: Local identifier for a contact object +</p>	<p>This topic was extensively considered by the EPDP Team in the context of charter questions C3 and C3a regarding the mechanism of identifying the same <i>registrant</i> to comply with the “<i>same entity</i>” principle.</p> <p>Registry Agreement requires the use of ROIDs for some instances, such as RDS output, data escrow, bulk registration data</p>

<sup>136</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage: <https://www.icann.org/en/icann-acronyms-and-terms?page=1&search=RDAP>

<sup>137</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage: <https://www.icann.org/en/icann-acronyms-and-terms/registry-operator-en>

<sup>138</sup> See the Phase 2 Initial Report Public Comment submissions and Review Tool on wiki here: <https://community.icann.org/display/epdpidn/Phase+2+Initial+Report+-+Public+Comment>

<sup>139</sup> More information about the ‘thick registry’: <https://whois.icann.org/en/what-are-thick-and-thin-entries>

	hyphen + registry’s repository identifier (e.g., 5372809-EXAMPLE).	access (BRDA), <i>EPP</i> , Trademark Database List of Registered Domain Names. ROIDs are stored in the Shared Registry System (SRS), which is maintained by the <i>registry operators</i> and supports business functions of a domain registration service by <i>registrars</i> .
Rights Protection Mechanism (RPM)	A mechanism that helps safeguard intellectual property rights in the Domain Name System. RPMs include the <i>Uniform Domain Name Dispute Resolution Policy (UDRP)</i> , <i>Uniform Rapid Suspension (URS)</i> , and <i>Trademark Post-Delegation Dispute Resolution Procedure (Trademark PDDRP)</i> .	This topic was extensively considered by the EPDP Team in the context of charter questions D6, D6a, D7a, F1, and F2.
Rights Protection Mechanism (RPM) PDP Working Group (WG)	The RPM PDP WG was tasked to consider whether or not all the <i>RPMs</i> in all gTLDs collectively fulfill the purposes for which they were created, or whether additional policy recommendations are needed, including to clarify and unify the policy goals. This work was divided into two phases, with Phase 1 focusing on a review of all the <i>RPMs</i> that were developed for the 2012 New gTLD Program, specifically <i>URS</i> , <i>TMCH</i> , The Sunrise and Trademark Claims services offered through the <i>TMCH</i> , and The Trademark PDDRP, and Phase 2 to focus on reviewing the <i>UDRP</i> . As a result, the Phase 1 Final Report presented thirty five (35) consensus recommendations, all of which were approved by the GNSO Council and the ICANN Board by January 2022, with implementation of the recommendations following. Also see the “ <i>RPM</i> ” entry above within the glossary section for additional context.	The <i>RPM</i> topic was extensively considered by the EPDP Team related to charter question D6 in order to ensure that a consistent solution will be developed for Phase 2 of <i>RPM PDP</i> .

<p>Root Zone Label Generation Rules (RZ-LGR)</p>	<p>A set of rules that determine valid top-level domain labels, their variant labels, and disposition values of the variant labels. The RZ-LGR includes a list of permissible code points and variant code point mappings (if any) along with a set of rules that act on these code points and mappings.<sup>140</sup> For the latest version of the RZ-LGR, visit the Root Zone Label Generation Rules webpage.<sup>141</sup></p>	<p>This topic is more relevant in the EPDP-IDNs Phase 1 deliberations, focusing on the top-level variant management. The EPDP Team affirmed RZ-LGR as the sole source to determine valid strings as gTLDs and calculate variant labels and their <i>disposition values</i>. In the context of Phase 2 deliberation, its relevance is in the calculation <i>variant domain set</i>, which includes variant labels at both the top- and second-levels.</p>
<p>Same Entity</p>	<p>A principle agreed upon by the EPDP Team where at the <i>domain name</i> level, all <i>allocatable variant domain names</i> from the same <i>variant domain set</i> must be <i>allocated</i> or withheld for possible <i>allocation</i> only to the same <i>registrant</i> at the same sponsoring <i>registrar</i>. In other words, all of the <i>allocated variant domain names</i> from the same <i>variant domain set</i> must remain linked contractually to the same <i>registrant</i> and at the same sponsoring <i>registrar</i>, and this should be considered a persistent requirement.</p>	<p>The “<i>same entity</i>” principle is a cornerstone requirement developed during the deliberation of the EPDP-IDNs. This principle is reflected in a number of recommendations and the term is frequently mentioned throughout this Final Report.</p> <p>The goal of the “<i>same entity</i>” principle is to minimize user confusion and security risks associated with <i>variant domain names</i>.</p>
<p>Source Domain Name</p>	<p>In the context of this Phase 2 Final Report, a source domain name is a registered <i>domain name</i> under a given gTLD that determines the composition of <i>variant domain set</i> under that gTLD and its delegated gTLD variant label(s), if any. The source domain name also determines the <i>disposition values</i> of <i>variant domain names</i> under a given gTLD from the <i>variant domain set</i>. The EPDP Team</p>	<p>This key concept was developed during the EPDP Team deliberation on charter question D4, which the <u>Final Recommendation 8</u> was derived from.</p> <p>In the EPDP-IDNs Phase 1 deliberation, the EPDP Team used the term “primary” when referring to the top-level label/string that serves as the</p>

<sup>140</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage: <https://www.icann.org/en/icann-acronyms-and-terms/root-zone-label-generation-rules-en>

<sup>141</sup> Learn more: <https://www.icann.org/resources/pages/root-zone-lgr-2015-06-21-en>

	<p>recommends that the source domain name must be identified between the <i>registrant</i> and the sponsoring <i>registrar</i> as a joint responsibility pursuant to <u>Final Recommendation 8</u>. Also see “<i>Initial Source Domain Name</i>” within the glossary section.</p>	<p>source for calculating variant label set and determining <i>allocatable</i> and <i>blocked</i> variant labels at the top-level, in accordance with <i>RZ-LGR</i>.<sup>142</sup> To differentiate from the top-level context, the EPDP Team therefore elected to use the term “source” when referring to the second-level label that has a similar role for calculating the <i>variant domain set</i> and determining the <i>variant domain names’ disposition values</i>.</p>
Staff Paper	<p>A shorthand reference for the “IDN TLD Variant Management” paper developed by ICANN org.<sup>143</sup> The Staff Paper includes a set of recommendations and supporting documentation on the mechanism for variant management at the top- and second-levels. The ICANN Board approved these recommendations in March 2019 and requested that the GNSO and ccNSO take them into account while developing their respective policies to define and manage IDN variant TLDs for the current TLDs and future TLD applications.</p>	<p>This term is referenced in various charter questions, as the ICANN Board directed the GNSO to develop recommendations by taking into account the recommendations and analysis in the Staff Paper. Some of the EPDP Team recommendations are consistent with the Staff Paper recommendations, whereas some differ.</p>
Subsequent Procedures (SubPro)	<p>An abbreviation of the New gTLD Subsequent Procedures <i>PDP</i>. The SubPro PDP WG was tasked to consider when and how to expand the number of generic top-level domains. The WG evaluated the 2012 application round to identify areas where additional policy development might be needed before launching another application round. It completed its deliberations and submitted its</p>	<p>This term is referenced in various charter questions, as this EPDP Team is expected to develop recommendations by building on the existing work of the SubPro PDP and addressing gaps. However, only a limited number of SubPro PDP Outputs concern the variant management at the second-level. Those Outputs were referenced in the EPDP Team’s</p>

<sup>142</sup> Learn more about explanation of the “primary (label)” in ‘Section 3: Glossary’ of the EPDP-IDNs Phase 1 Final Report: <https://mm.icann.org/pipermail/council/attachments/20231108/fcbce142/Phase1FinalReportontheInternationalizedDomainNamesExpeditedPolicyDevelopmentProcess-0001.pdf#page=21>

<sup>143</sup> Read the Staff Paper here: <https://www.icann.org/resources/pages/idn-variant-tld-implementation-2018-07-26-en>

	Final Report to the GNSO Council on 18 February 2021. <sup>144</sup> The Final Report includes hundreds of Outputs on 42 topics related to the future of the New gTLD Program. Topic 25 of the Final Report focuses on <i>IDNs</i> . Most of the Topic 25 Outputs are pertaining to the definition and variant management mechanism of future gTLDs.	deliberation on charter questions C1, C2, and C4a.
Trademark Clearinghouse (TMCH)	A mechanism of the New gTLD Program designed to help protect the rights of trademark holders. The Trademark Clearinghouse verifies and records rights information from all over the world. This verified information is used during <i>domain name</i> registration processes, especially when new gTLDs launch. <sup>145</sup>	This topic was extensively considered by the EPDP Team in the context of charter questions F1 and F2.
Uniform Domain Name Dispute Resolution Policy UDRP (UDRP)	A policy for resolving disputes arising from alleged abusive registrations of domain names (for example, cybersquatting). The UDRP allows trademark holders to initiate expedited administrative proceedings by filing a complaint with an approved Dispute Resolution Service Provider. The UDRP is one of the <i>Rights Protection Mechanisms</i> that help safeguard intellectual property rights in the Domain Name System. <sup>146</sup>	This topic was extensively considered by the EPDP Team in the context of charter questions D6a and F2.
Uniform Rapid Suspension (URS)	An expedited administrative procedure that rights holders can initiate for certain types of domain name disputes. The URS procedure is a tool for quickly addressing clear-cut cases of	This topic was extensively considered by the EPDP Team in the context of charter questions D7a and F2.

<sup>144</sup> SubPro PDP Final Report can be found here: <https://gns0.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf>

<sup>145</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage: <https://www.icann.org/en/icann-acronyms-and-terms/trademark-clearinghouse-en>

<sup>146</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage: <https://www.icann.org/en/icann-acronyms-and-terms/uniform-domain-name-dispute-resolution-policy-en>

	<p>trademark infringement. The URS is one of the <i>Rights Protection Mechanisms</i> that helps safeguard intellectual property rights in the Domain Name System.<sup>147</sup></p>	
Variant	<p>This term is used generally to identify different types of linguistic situations where different code points or labels are considered to be the same as one another.<sup>148</sup> In the context of EPDP-IDNs deliberations with respect to variant management, variants refer to the different code points or labels considered the same in accordance with the <i>RZ-LGR</i> at the top-level and registries' <i>IDN Tables</i> at the second-level.</p>	<p>Due to the wide-ranging understanding of the term and to avoid confusion, "variant" is not used on its own, and more specific terms such as "<i>variant domain name</i>," "<i>variant domain set</i>," "variant label," and "variant code point" are used throughout this Phase 2 Final Report.</p> <p>For <u>Final Recommendation 6</u>, the "variant set" is used to help understand the IDN variant deployment requirements, but specifically refers to "variant code point sets" as mentioned in the rationale.</p>
Variant Domain Name	<p>A variant domain name is a <i>domain name</i> derived from the <i>source domain name</i>. It represents the combination of variant labels of the source domain name at both the second- and top-levels. Its second-level label is calculated as a variant of the source domain name's second-level label based on a given <i>IDN Table</i> of a given gTLD. Its top-level label can be the <i>source domain name's</i> gTLD or its delegated gTLD variant label(s), if any.</p> <p>A variant domain name under a given gTLD may have the <i>disposition value</i> of either <i>allocatable</i> or <i>blocked</i>, as</p>	<p>Since Phase 2 of EPDP-IDN's focus on second-level variant management issues, the <i>variant domain name</i> is a key concept that is mentioned in almost all Final Outputs, as well as EPDP Team's responses to Phase 2 charter questions.</p> <p>By way of example, a <i>registrant</i> registered the <i>source domain name</i> "名称.网站" in the simplified Chinese form at both top- and second-levels. The Chinese <i>IDN Table</i> of ".网站" generated a variant of the <i>source domain name's</i> second-level label, and it is "名稱" in the traditional Chinese form. In addition, the gTLD ".网站" has a</p>

<sup>147</sup> This explanation is reproduced verbatim from the ICANN Acronyms and Terms webpage: <https://www.icann.org/en/icann-acronyms-and-terms/uniform-rapid-suspension-en>

<sup>148</sup> This explanation referenced the definition of "variants" in the IDN Implementation Guidelines version 4.1, see p.12: <https://www.icann.org/en/system/files/files/idn-guidelines-22sep22-en.pdf#page=12>

	<p>calculated by a given <i>IDN Table</i> of that gTLD.</p> <p>However, the <i>disposition values of variant domain names</i> under a given gTLD’s delegated gTLD variant label(s) cannot be calculated based on the <i>source domain name</i> under the primary gTLD, as different <i>IDN Tables</i> may be used. As such, the calculation of <i>disposition values of variant domain names</i> under a delegated gTLD variant label requires the identification and registration of a <i>source domain name</i> under that gTLD variant label.</p>	<p>delegated variant gTLD “.網站” in the traditional Chinese form. The same Chinese <i>IDN Table</i> is used by “.網站” (for simplicity of explanation). As a result, the <i>source domain name</i> “名称.网站” theoretically could have three <i>variant domain names</i>: “名称.网站,” “名称.網站,” and “名称.網站.” In reality, whether these <i>variant domain names</i> are <i>allocatable</i> has to be determined by the Chinese <i>IDN Table</i>, as well as the variant registration rules set by the <i>registry operator</i> (e.g., the RO of “.网站”/“.網站” may set the rule that both top- and second-level labels of <i>allocatable domain names</i> must be either simplified Chinese or traditional Chinese, and cannot be a mix).</p>
<p>Variant Domain Set</p>	<p>The set of <i>variant domain names</i> that is derived from and also includes the <i>source domain name</i>. The <i>variant domain set</i> consists of variant label sets at both the second- and top-levels. The “set” at the second-level is enumerated from the second-level label of the <i>source domain name</i>, using the <i>IDN Tables</i> of the given gTLD. The “set” at the top-level is limited to a given gTLD and its delegated gTLD variant label(s), if any. To confirm, the composition of the second-level variant label set is the same under the given gTLD and its delegated gTLD variant label(s).</p> <p>In short, the variant domain set consists of: <i>source domain name</i> + variant domain(s) across a given gTLD and all of its delegated variant gTLDs.</p>	<p>This is a key concept relating to the <i>IDN Table harmonization</i> requirement, “<i>same entity</i>” principle, and the lifecycle management of <i>variant domain names</i>. As such, this term is frequently mentioned in a number of recommendations. By way of example, assume there is a registered <i>source domain name</i> s1.T1. T1 has a variant label T1v1 that has been delegated. According to the relevant <i>IDN Table</i> for T1, the second-level label s1 has an <i>allocatable</i> variant label s1v1, and a blocked variant label s1v2. Under T1v1, the second-level variant label set also consists of s1, s1v1, and s1v2. However, their disposition values under T1v1 are unknown unless and until a <i>source domain name</i> under T1v1 is identified.</p>



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		<p>In summary, the variant domain set derived from the <i>source domain name</i> is comprised of the following six <i>domain names</i>:</p> <ul style="list-style-type: none"><li>● <i>Source domain name</i>: s1.T1</li><li>● <i>Variant domain name</i> under T1: s1v1.T1 (<i>allocatable</i>), s1v2.T1 (<i>blocked</i>)</li><li>● <i>Variant domain names</i> under T1v1: s1.T1v1, s1v1.T1v1, s1v2.T1v1</li></ul>
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## 5 Preliminary Assessment of Deferred Guidelines from IDN Implementation Guidelines Version 4.0

### 5.1 Background

The IDN Implementation Guidelines (hereinafter referred to as “Guidelines”) serve as a mix of policy and technical standards for registries and registrars that deploy IDN registration policies.<sup>149</sup> Between 2003 and 2022, a total of seven versions (versions 1.0, 2.0, 2.1, 2.2, 3.0, 4.0, and 4.1) of the Guidelines were published. The proposed final version 4.0 was published for Board consideration in May 2018.<sup>150</sup> However, following a request from the GNSO Council, the Board agreed to defer consideration of version 4.0, on the basis that some of the guidelines were policy requirements with significant contractual implications, and as such a PDP is the more appropriate vehicle for developing these requirements.<sup>151</sup>

In May 2021, the GNSO Council chartered the EPDP-IDNs, which includes topics that overlap with the Guidelines v.4.0, specifically Guidelines 6a, 11, 12, 13, and 18 as identified by the GNSO Council.<sup>152</sup> Subsequently, the Board agreed to defer approving these specific guidelines pending consideration of these topics by the EPDP-IDNs and adopted the remaining guidelines for implementation as the Guidelines version 4.1.<sup>153</sup>

As part of its deliberations, the EPDP Team conducted a preliminary assessment on whether the deferred guidelines are consistent with the outputs from the EPDP Team’s deliberations on the corresponding charter questions.<sup>154</sup> This assessment is provided below and may aid the Board’s further consideration of these deferred guidelines after the completion of EPDP-IDNs.

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<sup>149</sup> See rationale of [Final Recommendation 18](#) for more background and details about the IDN Implementation Guidelines.

<sup>150</sup> See IDN Implementation Guidelines version 4.0 here: <https://www.icann.org/en/system/files/files/idn-guidelines-10may18-en.pdf>

<sup>151</sup> See GNSO Council’s first letter to the ICANN Board on 30 April 2019, requesting deferral of Guidelines version 4.0 here: <https://gns0.icann.org/sites/default/files/file/field-file-attach/drazek-to-chalaby-30apr19-en.pdf>

<sup>152</sup> See GNSO Council’s letter to the ICANN Board on 21 January 2022 here: <https://www.icann.org/en/system/files/correspondence/fouquart-et-al-to-botterman-21jan22-en.pdf>.

<sup>153</sup> See Board resolution on 22 September 2022 here: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-22-09-2022-en#2.d>

<sup>154</sup> The mapping between the guidelines and corresponding EPDP-IDNs charter questions was done by the GNSO Council in January 2022. As the EPDP Team progressed in its deliberation, this mapping may not precisely reflect all the relevant EPDP Team outputs that correspond to the guidelines, as the Outputs developed under a different charter question may also be relevant. Nevertheless, all the relevant EPDP Team outputs are mentioned in the table under the Preliminary Assessment section below.

## 5.2 Preliminary Assessment of Deferred Guidelines in Version 4.0

No.	Deferred Guidelines	EPDP-IDNs Charter Question
1	<p><b>6a:</b> Except as applicable in 6(b) below, registries must use RFC 7940: Label Generation Ruleset (LGR) Using XML format to represent an IDN Table.</p>	<p><b>C6:</b> Should Registry Operators be required to use the machine readable LGR format as specified in RFC 7940 for their second-level IDN tables? Or should Registry Operators have the flexibility to resolve the harmonization issue so long as it can predictably and consistently produce the same variant labels, albeit with different disposition values, across the same-script IDN tables?</p>
<p><b>Summary of EPDP-IDNs Output:</b> The EPDP Team did not develop a final Output on this topic and specifically, agreed not to recommend the machine-readable XML format, as specified in RFC 7940, as the required format for IDN Tables. Existing and future gTLD registry operators should have the flexibility to determine the appropriate format of their IDN Tables. The EPDP Team reviewed the evolution of IDN Table formats as recommended by relevant RFCs and understood that there are different ways to represent the second-level rules under gTLDs.</p>		
<p><b>Assessment:</b> The EPDP Team considered Guideline 6a to be <i>contrary</i> to its output, which is its response to charter question C6. Details of the rationale can be found in the EPDP Team’s response.</p>		
2	<p><b>11:</b> IDN Variant Labels generated by an IDN Table must be either (a) allocatable only to the same registrant as the primary IDN label, or (b) blocked from registration.</p>	<p><b>C1:</b> Both the SubPro PDP and the Staff Paper recommend that: 1) a given second-level label beneath each allocated variant TLD must have the “same entity”; and 2) all allocatable second level IDN variant labels that arise from a registration based on a second-level IDN table must have the “same entity”. Should this recommendation be extended to existing second-level labels?</p> <p><b>C2:</b> Currently Registry Operators may activate the IDN variant labels at the second-level when requested by the sponsoring Registrar of the canonical name as described in the IDN Tables and IDN Registration Rules. Both the SubPro PDP and the Staff Paper recommend that at the second-level, the same entity definition can be achieved by ensuring that the registrant is the same. Should</p>

No.	Deferred Guidelines	EPDP-IDNs Charter Question
		<p>this recommendation be extended to the already activated IDN variant labels at the second-level? How does the “same entity” requirement impact the current rules for Registry Operators for activating IDN variant labels?</p> <p><b>Summary of EPDP-IDNs Output:</b> The EPDP Team put forward <a href="#">Final Recommendation 1</a> with respect to applying the “same entity” principle to the allocation of future variant domain names. In addition, the EPDP Team put forward <a href="#">Final Recommendations 3-4</a> with respect to the exemption of existing variant domain names that do not conform to the “same entity” principle, as well as the requirement that no further allocation of variant domain names of an exempted domain name is allowed until the exemption situation is resolved. The aforementioned Outputs are reproduced below:</p> <ul style="list-style-type: none"> <li>● <b>Final Recommendation 1:</b> The “same entity” principle applies to the allocation of future variant domain names at the second-level of gTLDs. This means that all allocatable variant domain names from a variant domain set must be allocated or withheld for possible allocation only to the same registrant. Additionally, all allocated domain names must be at the same sponsoring registrar.</li> <li>● <b>Final Recommendation 3:</b> Immediately prior to the policy effective date of the “same entity” principle as set out in <a href="#">Final Recommendation 1</a>, the existing variant domain names that do not conform to the “same entity” principle must be exempted. This means that there will be no change to the contractual or allocation status of such existing variant domain names. The requirement of having the same registrant and the same sponsoring registrar will not be applied retroactively. gTLD registries must determine variant sets for each exempted label as if it is a source domain name and protect from registration all variant labels in all such variant sets in all variant gTLDs, as appropriate.</li> <li>● <b>Final Recommendation 4:</b> Any allocatable variant domain names of exempted domain names pursuant to <a href="#">Final Recommendation 3</a> cannot be allocated unless and until only one registrant and one sponsoring registrar remain for the exempted domain name(s) from the relevant variant domain set.</li> </ul> <p><b>Assessment:</b> The EPDP Team considered Guideline 11 <i>consistent</i> with its <a href="#">Final Recommendation 1</a>. In addition, the EPDP Team’s <a href="#">Final Recommendations 3-4</a> went beyond Guideline 11 in addressing the existing variant domain names that were registered prior to the future policy effective date of the “same entity” principle. This aspect was not explicitly covered in Guideline 11.</p>
3	<p><b>12:</b> TLD Registries may activate an IDN Variant Label, provided that i) such IDN Variant Label is requested by the same registrant or corresponding registrar as the Primary IDN Label, ii) such IDN Variant</p>	<p><b>C2:</b> Currently Registry Operators may activate the IDN variant labels at the second-level when requested by the sponsoring Registrar of the canonical name as described in the IDN Tables and</p>

No.	Deferred Guidelines	EPDP-IDNs Charter Question
	<p>Label is registered to the registrant of the Primary IDN Label, and iii) such IDN Variant Label conforms with the registry policy and IDN Tables.</p> <p>In exceptional cases, i) to support a widely acceptable practice within Internet users of a language or script community, or ii) to abide by language or script established conventions, a TLD Registry may opt to activate a limited number of IDN Variant Labels at its discretion, according to its policies. In such cases, the TLD Registry must have mechanism to limit automatic activation of IDN Variant Labels to a minimum. Also see 18(c) and Additional Note I.</p> <p><b>Additional Note:</b> I. For example, automatic activation may be considered acceptable practice for Chinese language.</p>	<p>IDN Registration Rules. Both the SubPro PDP and the Staff Paper recommend that at the second-level, the same entity definition can be achieved by ensuring that the registrant is the same. Should this recommendation be extended to the already activated IDN variant labels at the second-level? How does the “same entity” requirement impact the current rules for Registry Operators for activating IDN variant labels?</p>
<p><b>Summary of EPDP-IDNs Output:</b> The EPDP Team put forward <a href="#">Final Recommendations 1, 3-4</a> with respect to applying the “same entity” principle to the allocation of future variant domain names with additional considerations of the exempted variant domain names. In addition, the EPDP Team put forward <a href="#">Final Recommendation 8</a>, requiring that a source domain name must be identified and registered in order to necessitate the future allocation of variant domain names, if any. Lastly, the EPDP Team developed <a href="#">Implementation Guidance 2</a> to specifically address the automatic activation of variant domain names after Guideline 12 was reviewed. The aforementioned Outputs are reproduced below:</p> <ul style="list-style-type: none"> <li>● <b>Final Recommendation 1:</b> The “same entity” principle applies to the allocation of future variant domain names at the second-level of gTLDs. This means that all allocatable variant domain names from a variant domain set must be allocated or withheld for possible allocation only to the same registrant. Additionally, all allocated domain names must be at the same sponsoring registrar.</li> <li>● <b>Final Recommendation 3:</b> Immediately prior to the policy effective date of the “same entity” principle as set out in <a href="#">Final Recommendation 1</a>, the existing variant domain names that do not conform to the “same entity” principle must be exempted. This means that there will be no change to the contractual or allocation status of such existing variant domain names. The requirement of having the same registrant and the same sponsoring registrar will not be</li> </ul>		

No.	Deferred Guidelines	EPDP-IDNs Charter Question
	<p>applied retroactively. gTLD registries must determine variant sets for each exempted label as if it is a source domain name and protect from registration all variant labels in all such variant sets in all variant gTLDs, as appropriate.</p> <ul style="list-style-type: none"> <li>● <b>Final Recommendation 4:</b> Any allocatable variant domain names of exempted domain names pursuant to <a href="#">Final Recommendation 3</a> cannot be allocated unless and until only one registrant and one sponsoring registrar remain for the exempted domain name(s) from the relevant variant domain set.</li> <li>● <b>Final Recommendation 8:</b> A registrant and its sponsoring registrar must jointly determine the source domain name, which must be registered, for calculating the variant domain set under a given gTLD and its delegated gTLD variant label(s), if any. The registrants and sponsoring registrars of the exempted variant domain names pursuant to <a href="#">Final Recommendation 3</a> are excluded from this requirement.</li> <li>● <b>Implementation Guidance 2:</b> gTLD registry operators should take into account Recommendation 14 in SAC060, as well as language or script communities’ widely acceptable practices among Internet users and established conventions, and consider: <ul style="list-style-type: none"> <li>2.1 setting a maximum number of allocatable variant domain names that can be allocated to the same registrant of the source domain name; and</li> <li>2.2 limiting automatic activation of variant domain names to the extent possible, including in instances where the language-script community believes automatic allocation and activation is needed.</li> </ul> </li> </ul>	<p><b>Assessment:</b> The EPDP Team considered Guideline 12 <i>consistent</i> with its output. Specifically, the EPDP Team believed its <a href="#">Final Recommendations 1 and 8</a> and <a href="#">Implementation Guidance 2</a> collectively addressed and aligned with all elements of Guideline 12. In addition, the EPDP Team’s <a href="#">Final Recommendations 3-4</a> went beyond Guideline 12 in addressing the existing variant domain names that were registered prior to the future policy effective date of the “same entity” principle. This aspect was not explicitly covered in Guideline 12.</p>
4	<p><b>13:</b> TLD registries must ensure that all applicable IDN Tables with an IDN variant policy for a particular TLD have uniform IDN variant code points that properly account for symmetry and transitivity properties of all IDN variant code point sets across these IDN Tables. Exceptions to this guideline vis-à-vis symmetry and transitivity properties should be clearly documented in the TLD registries’ public policy. At the same time, TLD registries shall reevaluate potential variant relationships that may require to create new IDN variant code point sets due to the</p>	<p><b>C4:</b> Should the second-level IDN tables offered under a TLD, including IDN variant TLDs, be required to be mutually coherent? If yes, how should existing registrations which may not meet the “mutually coherent” requirement of second-level IDN tables be addressed? Rationale must be clearly stated.</p>

No.	Deferred Guidelines	EPDP-IDNs Charter Question
	<p>introduction of additional IDN Tables by the TLD registry. Also see Additional Notes II and III.</p> <p><b>Additional Notes:</b></p> <p>II. The use of “uniform” here means that (i) two IDN variant code points or IDN variant code point sequences in one IDN Table cannot be non-IDN-variant code points or non-IDN-variant code point sequences in another IDN Table implemented under the same TLD, and (ii) all code points in all the IDN Tables under the same TLD must be collectively considered for analysis of IDN variants of code points for each of these IDN Tables. These two measures are suggested to prevent cases of IDN Variant Labels being generated by different IDN Tables under the same TLD to be allocated to different registrants.</p> <p>III. Registries may use relevant work for the Root Zone LGR and other sources to determine the IDN variant code point sets.</p>	
	<p><b>Summary of EPDP-IDNs Output:</b> The EPDP Team put forward <a href="#">Final Recommendation 5</a> with respect to properly accounting for symmetry and transitivity properties of all IDN variant code point sets across IDN Tables in a given gTLD and across its delegated gTLD variant labels. The aforementioned Output is reproduced below:</p> <ul style="list-style-type: none"> <li>● <b>Final Recommendation 5:</b> All of the existing and future IDN Tables for a given gTLD and its delegated gTLD variant label(s), if any, must be harmonized. This means that all of the IDN Tables for a gTLD and its delegated gTLD variant label(s) must produce a consistent variant domain set for a given second-level label registered under that gTLD or its delegated gTLD variant label(s).</li> </ul> <p>In addition, the EPDP Team put forward <a href="#">Final Recommendation 6</a> to establish a minimum IDN variant deployment requirements, including but not limited to variant sets. The aforementioned Output is reproduced below:</p> <ul style="list-style-type: none"> <li>● <b>Final Recommendation 6:</b> The baseline criteria for implementing IDNs at the second-level must be security and stability of the DNS. ICANN org and gTLD registry operators shall be responsible for reaching mutual agreement on a minimum set of IDN variant deployment requirements, including, variant sets</li> </ul>	

No.	Deferred Guidelines	EPDP-IDNs Charter Question
	<p>at the second-level. In developing the minimum set of IDN variant deployment requirements, ICANN org and the gTLD registry operators shall consult with other relevant stakeholders, including ICANN-accredited registrars and script communities.</p>	
5	<p><b>18.</b> TLD Registries should publish IDN policies or guidance related to registration of IDN labels at publicly accessible location on the TLD Registry’s website. In addition to general policies or guidance on IDN registrations, these should include the following:</p> <ul style="list-style-type: none"> <li>(a) A timeline related to resolution of transitional matters, if applicable</li> <li>(b) IDN Variant Label allocation policy, if applicable</li> <li>(c) IDN Variant Label automatic activation policy, if applicable</li> <li>(d) Policy for minimizing Whole-Script Confusables and data sources used, if applicable</li> <li>(e) IDN Table as per Guideline 6 above</li> </ul>	<p>Related to deliberation of charter questions <b>C1, C2, C4, and C6</b></p>
	<p><b>Summary of EPDP-IDNs Output:</b> The EPDP Team put forward <u>Implementation Guidance 17</u> with respect to gTLD registry operators publishing policies, in a transparent manner, that reflect their implementation of variant management at the second-level in accordance with EPDP-IDNs Phase 2 Outputs. This implementation guidance was specifically developed after the EPDP Team reviewed Guideline 18. The aforementioned Output is reproduced below:</p> <ul style="list-style-type: none"> <li>● <b>Implementation Guidance 17:</b> gTLD registry operators should publish policies, in a transparent manner, that reflect their implementation of the EPDP-IDNs Phase 2 recommendations. In particular, such policies should reflect the implementation of <u>Final Recommendations 1, 3-6, 14 and Implementation Guidance 2.</u></li> </ul>	
	<p><b>Assessment:</b> The EPDP Team considered Guideline 18 <b>generally consistent</b> with its output. The EPDP Team developed its <u>Implementation Guidance 17</u> to align with the elements in Guideline 18, specifically items (b) and (c). The EPDP Team also agreed that gTLD registry operators should publish additional policies reflecting the implementation of IDN Table harmonization, exempted variant domain name management (if applicable), and response to domain name query. Hence,</p>	



No.	Deferred Guidelines	EPDP-IDNs Charter Question
	<p><u>Implementation Guidance 17</u> went beyond the elements mentioned in Guideline 18 by including other relevant EPDP-IDNs Outputs, specifically <u>Final Recommendations 3-6 and 14</u>.</p> <p>Since Guideline 18 was published in May 2018, EPDP-IDNs deliberations and final Outputs have overtaken certain elements, namely item (e) with respect to “IDN Table as per Guideline 6.” The EPDP Team agreed not to recommend the machine-readable XML format, as specified in RFC 7940, as the required format for IDN Tables (see EPDP Team response to charter question C6). This is <b>contrary</b> to the Deferred Guideline 6(a) in IDN Implementation Guidelines version 4.0, as previously mentioned.</p> <p>Finally, the EPDP Team noted that item (a) is related to Guidelines 3-4 and item (d) is related to Guideline 17 in the IDN Implementation Guidelines versions 4.0 and 4.1.<sup>155</sup> Guidelines 3-4 and 17 have already been adopted by the ICANN Board and implementation effort is underway. Hence, the EPDP Team did not see the need to further deliberate on these items.</p>	

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<sup>155</sup> See details in version 4.1 here: <https://www.icann.org/en/system/files/files/idn-guidelines-22sep22-en.pdf>

## 6 Next Steps

### 6.1 Outcome

The EPDP-IDNs Team developed twenty (20) Outputs, including fourteen (14) recommendations and six (6) implementation guidance. Annex B provides the consensus designations for the Outputs included in this Phase 2 Final Report. In summary, all of the twenty (20) Outputs received “full consensus” support from the EPDP Team.

### 6.2 Next Steps

The Phase 2 Final Report will be submitted to the GNSO Council for consideration. If the Final Report is approved by the GNSO Council, it will be forwarded to the ICANN Board of Directors for consideration and potential action in accordance with the ICANN Bylaws.

## 7 Annex A – EPDP Team Charter

# ICANN | GNSO

Generic Names Supporting Organization

<b>WG Name:</b>	TBD	
<b>Section I: Working Group Identification</b>		
<b>Chartering Organization(s):</b>	Generic Names Supporting Organization (GNSO) Council	
<b>Charter Approval Date:</b>	<Enter Approval Date>	
<b>Name of WG Leadership:</b>	<Enter Elected WG Leadership>	
<b>Name(s) of Appointed Liaison(s):</b>	<Enter Liaison>	
<b>WG Workspace URL:</b>	<Enter Active Project URL from GNSO Site>	
<b>WG Mailing List:</b>	<Enter Mailman archive link>	
<b>GNSO Council Resolution:</b>	<b>Title:</b>	Initiation of the Expedited Policy Development Process (EPDP) on the Internationalized Domain Names (IDNs)
	<b>Ref # &amp; Link:</b>	<Enter Resolution link>
<b>Important Document Links:</b>	<p><b>Procedural Documents:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">Annex A-1: GNSO Expedited Policy Development Process</a></li> <li>• <a href="#">Expedited GNSO Policy Development Process Manual</a></li> <li>• <a href="#">GNSO Working Group Guidelines</a></li> </ul> <p><b>Non-Exhaustive List of Substantive Documents:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">GNSO New gTLD Subsequent Procedures Policy Development Process Final Report</a></li> <li>• <a href="#">IDN Variant TLD Implementation Staff Paper</a></li> <li>• <a href="#">Recommendations for the Technical Utilization of the RZ-LGR</a></li> <li>• <a href="#">RZ-LGR Project</a></li> <li>• <a href="#">Final Proposed Draft v. 4.0 of IDN Implementation Guidelines</a></li> <li>• <a href="#">Mapping Document - Charter Questions, SubPro Recommendations, and Prior IDN Efforts</a></li> <li>• <a href="#">GNSO Council IDN Scoping Team Final Report</a></li> </ul>	
<b>Section II: Mission, Purpose, and Deliverables</b>		
<b>Mission &amp; Scope:</b>		

## Background

On 14 March 2019, the ICANN Board approved a [set of recommendations](#) developed by ICANN org on how to allocate IDN variant TLD labels. The ICANN Board requested that the GNSO and ccNSO take into account those IDN variant TLD recommendations while developing their respective policies to define and manage IDN variant TLDs for the current TLDs and future TLD applications. The ICANN Board further requested that the GNSO and ccNSO keep each other informed of the progress in developing the relevant details of their policies and procedures to ensure a consistent solution for IDN variant gTLDs and IDN variant ccTLDs.

On 15 August 2019, the GNSO Council IDN Variants [Scoping Team](#) started to develop recommendations for the GNSO Council's consideration on how to address the IDN variant TLD recommendations. In addition, the Scoping Team also considered issues in the [Final Proposed Draft version 4.0 of Internationalized Domain Name \("IDN"\) Implementation Guidelines](#) ("IDN Guidelines v. 4.0"), for which the ICANN Board had [agreed](#) to the GNSO Council [request](#) to defer its adoption. Those issues pertain to the process/mechanism of updating the IDN Implementation Guidelines in general, as well as specific requirements within the IDN Guidelines v. 4.0. On 26 January 2020, the ICANN Board approved the [Recommendations for the Technical Utilization of the RZ-LGR](#) on how to employ the [RZ-LGR](#) to determine valid IDN TLDs and their variant labels. The ICANN Board requested that the GNSO and ccNSO take into account those RZ-LGR Technical Utilization recommendations while developing their respective policies to define and manage IDN variant TLDs for the current TLDs and future TLD applications.

At its meeting on 23 January 2020, the GNSO Council discussed the [Final Report](#) from the Scoping Team, which suggested tackling IDN related issues in two tracks: Operational Track and Policy Track. The Policy Track has two main objectives: i) to deliberate on the [definition](#) and [management](#) of IDN variant TLDs, and ii) to deliberate on the change process of the IDN Guidelines and any policy issues related to the IDN Guidelines v. 4.0 identified by the Operational Track Team (consisted of members in the GNSO Contracted Parties House) and agreed upon by the IDN Guidelines Working Group.

In considering the mechanism in carrying out the Policy Track work on IDNs, the GNSO Council agreed with the Scoping Team's suggestion that an Issue Report is likely not needed in order to initiate the work, and an EPDP is the desired approach. Hence, during its meeting on 21 October 2020, the GNSO Council agreed to establish a [Drafting Team](#) to develop both a draft charter and an Initiation Request for an EPDP on IDNs. The Drafting Team kicked off its meetings on 8 December 2020 and submitted the draft EPDP charter and the Initiation Request for the GNSO Council's consideration on 10 May 2021.

At its meeting on 20 May 2021, the GNSO Council resolved to initiate an Expedited Policy Development Process ("EPDP") on IDNs and adopted this charter for the EPDP Team to deliberate the Policy Track issues outlined below.

## Scope & Charter Questions

This EPDP is expected to provide the GNSO Council with policy recommendations on:

- i) the definition of all TLDs and the management of variant labels to facilitate the delegation of variant gTLDs in the root zone while achieving the security and usability goal of variant labels in a stable manner; and
- ii) how the IDN Implementation Guidelines, which Contracted Parties are required to comply with, should be updated in the future.

Notwithstanding the former and subject to GNSO Council approval, the mission and scope of this EPDP may be expanded specifically as a result of the Operational Track. This EPDP is expected to provide the GNSO Council with recommendations to resolve issues for policy considerations in the IDN Implementation Guideline 4.0, IF and WHEN such issues are identified by the Operational Track Team and agreed to by the IDN Guidelines Working Group.

The WG is expected to develop its recommendations by building on the existing body of policy work, research, and analysis on the IDN subject, with a focus on the [GNSO New gTLD Subsequent Procedures \(SubPro\) PDP recommendations](#) under Topic 25 on IDNs and other relevant topics, which have been adopted by the GNSO Council in February 2021 and forwarded to the ICANN Board for adoption.

The SubPro PDP recommendations were developed by taking into account other previous policy work on IDNs, including the [IDN Variant TLD Implementation staff paper](#) (“Staff Paper”) and [Recommendations for the Technical Utilization of the Root Zone Label Generation Rules \(RZ-LGR\)](#) (“TSG recommendations”). See more information about the previous work on IDNs in [Appendix B](#) of the IDN Variants Scoping Team Final Report.

As a result, the charter questions were developed based on the following principles and framework:

- This WG should not revisit SubPro recommendations in the context of future new gTLDs, but will consider questions asking whether such recommendations should be extended to existing gTLDs;
- Where SubPro does not have a recommendation that corresponds to the Staff Paper/TSG recommendation, the charter will include questions about the impact of such recommendations on both future and existing gTLDs;
- The SubPro Implementation Review Team (IRT) and this WG (including its future IRT) should coordinate on addressing implementation issues to achieve, to the extent possible, consistent solutions for new and existing gTLDs. To be clear, coordination does not mean that this WG cannot independently consider certain question that impact both future and existing TLDs or arrive at its own conclusion, but means that whichever group is first to develop a solution or recommendation for such question, such group should inform the other group to ensure a consistent implementation can be developed to the extent possible.

To see whether/how the SubPro PDP recommendations map to the recommendations developed in previous policy work on IDNs, reference the [mapping document](#), which also provides context to the corresponding charter questions.

This charter recognizes that the existing policy efforts seek to address the challenge of achieving security and usability goals for IDN variants in a stable manner. As such, the SubPro PDP, Staff Paper, and TSG designed their recommendations to be conservative and to find a balance to permit delegation of TLD variant labels that meet end user needs but block TLD variant labels that pose a security risk to end users.

This charter also recognizes the processes established by the SubPro PDP and the inclusion of questions related to the SubPro PDP’s recommendations is not intended to amend the structure or framework of those processes but rather, to ensure that they are able to properly accommodate variant domain names and incorporate the same entity principle for existing and future gTLDs.

As part of this determination, the WG is, at a minimum, expected to consider the following elements and answer the following charter questions.

### **TLD Label Validation and Variant Label(s) Calculation**

#### **A. Consistent definition and technical utilization of RZ-LGR:**

*The Charter recognizes that RZ-LGR related recommendations that the following questions seek to address were*

*developed with the aim to achieve the security and usability goals for variant labels in a stable manner and were designed to be conservative, with the view that the IDN variant TLDs are being implemented for the first time.*

**a1)** Evaluating all TLDs using RZ-LGR as the one and only authoritative source allows for a consistent approach for reviewing current and future TLDs. The SubPro PDP, the Staff Paper, and the Study Group on Technical Use of RZ-LGR (“TSG”) recommend that compliance with RZ-LGR (RZ-LGR-4, and any future RZ-LGR versions) must be required for the validation of all future gTLDs (including IDN and ASCII labels) and the calculation of their variant labels as a matter of policy, including the determination of whether the disposition of the label should be blocked or allocatable.<sup>156</sup>

For existing delegated gTLD labels, does the WG recommend using the RZ-LGR as the sole source to calculate the variant labels and disposition values?

**a2)** Before the proposed RZ-LGR mechanism, applications for IDN gTLDs have asked the applicant to identify and list any variant labels (based on their own calculations) corresponding to the applied-for string. The self-identified “variant” labels do not have legal standing, as “[d]eclaring variant strings is informative only and will not imply any right or claim to the declared variant strings.”<sup>157</sup> The TSG recommends that the self-identified “variant” labels which are also variant labels calculated by RZ-LGR will need to be assigned a variant disposition based on RZ-LGR calculation, as discussed in **a1)**.

If some self-identified “variant” TLD labels by the former gTLD applicants are not found consistent with the calculation of the RZ-LGR, but have been used to certain extent (e.g., used to determine string contention sets), how should such labels be addressed in order to conform to the LGR Procedure and RZ-LGR calculations? Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.

**a3)** SubPro PDP recommends that ICANN establish a mechanism that allows specific parties to challenge or appeal certain types of actions or inactions that appear to be inconsistent with the Applicant Guidebook.<sup>158</sup> SubPro PDP recommends that such a limited challenge/appeal mechanism applies to several types of evaluations and formal objections decisions, including the DNS Stability aspect of evaluation/challenge procedures. Previously, both the SSAC and TSG also recommended a challenge process for resolving disagreement with the RZ-LGR calculation on certain strings.<sup>159</sup>

If an applied-for TLD label, whose script is supported by the RZ-LGR, is determined to be “invalid”, is there a reason NOT to use the evaluation challenge processes recommended by SubPro? If so, rationale must be clearly stated. If SubPro’s recommendation on the evaluation challenge process should be used, what are the criteria for filing such a challenge? Should any additional specific implementation guidance be provided, especially pertaining to the challenge to the LGR calculation as it can have a profound, decimating impact on the use of RZ-LGR?<sup>160</sup>

**a4)** For future gTLD applications, the SubPro PDP proposes an implementation guidance that if a script is not yet integrated into the RZ-LGR, applicants should be able to apply for a string in that script, and it should be processed up to but not including contracting.<sup>161</sup> Applicants under such circumstances should be warned of the possibility that the applied-for string may never be delegated and they will be responsible for any additional evaluation costs. The burden in this case is on the applicant, who may have to wait for an indeterminate amount of time but is not aware of any other serious concerns. The SubPro PDP developed this implementation guidance by taking into consideration the TSG recommendation that the application should remain on-hold (or other appropriate status) until the relevant script is integrated into the RZ-LGR.<sup>162</sup>

The WG and the SubPro IRT to coordinate and consider the following questions in order to develop a consistent solution: should the SubPro recommendation be extended to existing TLDs that apply for a variant TLD label whose script is not yet supported by the applicable version of the RZ-LGR? Consider this question in tandem with **b4)** and by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter. If not, what should be the process for an existing TLD registry who wishes to apply for a variant TLD label whose script is not yet supported by the applicable version of the RZ-LGR?

**a5)** SAC060 notes that variant code points in LGR may introduce a “permutation issue”, possibly creating a large number of variant domain names, which “presents challenges for the management of variant domains at the registry, the registrar and registrant levels.”<sup>163</sup> SAC060 advises that “ICANN should ensure that the number of strings that are activated is as small as possible.” The TSG agreed with this SSAC advice.<sup>164</sup> Appendix C of the Staff Paper reviewed the factors causing numerous variant labels and suggested measures to address this issue.<sup>165</sup>

Should there be a ceiling value or other mechanism to ensure that the number of delegated top-level variant labels remains small, understanding that variant labels in the second level may compound the

<sup>156</sup> See Recommendation 25.2 and Implementation Guidance 26.10 in the SubPro Final Report, pp.115, 119: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=115>; Recommendation 1 in the Staff Paper, p.3: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=3>; Recommendation 1 in the TSG report, p.5: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=5>

<sup>157</sup> For more details see *gTLD Applicant Guidebook*, version 2012-06-04, section 1.3.3 IDN Variant TLDs, p.1-35: <https://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf>

<sup>158</sup> See Recommendation 32.1 in the SubPro Final Report, pp.154-155: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=154>

<sup>159</sup> Disagreement with the LGR calculator may arise due to circumstances including but not limited to: an invalid label due to choice of "letter" not included in the repertoire, albeit being IDNA2008 protocol-valid; an invalid label due to a contextual or whole label evaluation rule imposed by either integration or generation panels' variant; labels differ because of different assumptions. SAC060 proposed a straw man process to resolve disputes to the RZ-LGR results. The TSG recommended several technical inputs be considered when developing the resolution mechanism. See Recommendation 2, SAC060, p.9: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=9>; see Recommendation 4 in the TSG Report, pp.6-7: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=6>

<sup>160</sup> Any changes in RZ-LGR brought about by a process outside the LGR Procedure would invalidate the RZ-LGR and thus the definition of the variant TLD, as stated in the LGR Procedure. TSG suggests how to address such a challenge by remaining within the LGR Procedure.

<sup>161</sup> See Implementation Guidance 25.3 in the SubPro Final Report, p.115: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=115>

<sup>162</sup> It is important to recognize that the RZ-LGR can be updated to include additional scripts as long as it is done in compliance with the LGR Procedure. The practical limitation, however, is that the time to create an LGR script proposal varies greatly (i.e., months or years). See Recommendation 5 in the TSG report, p.7: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=7>; for additional context and rationale, see Appendix A of the Recommendations for Technical Utilization of RZ-LGR, pp.11-12: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=11>

<sup>163</sup> See Recommendation 14, SAC060, p. 20: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=20>

<sup>164</sup> See Recommendation 6 in the TSG report, p.7: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=7>

<sup>165</sup> See Appendix C of the IDN Variant TLD Implementation: Appendices, pp. 12-29: <https://www.icann.org/en/system/files/files/idn-variant-tld-appendices-25jan19-en.pdf#page=12>

situation? Should additional security and stability guidelines be developed to make variant domains manageable at the registry, registrar, and registrant levels?<sup>166</sup>

**a6)** Since RZ-LGR can be updated over time, the WG needs to consider the implications for existing TLD labels and their variant labels (if any), including any potential changing of status or disposition value.<sup>167</sup> The TSG further recommends that the Generation Panel (GP) must call out the exception where an existing TLD is not validated by their proposed solution during the public comment period and explain the analysis and reasons for not supporting the existing TLD in their script LGR proposal.<sup>168</sup> This will allow the community and the GP to review such a case to confirm that an exception is indeed warranted.

Does the WG agree with TSG's suggested approach? If so, to what extent should the TLD policies and procedures be updated to allow an existing TLD and its variants (if any), which are not validated by a script LGR, to be grandfathered? If not, what is the recommended approach to address changes to the current version of the RZ-LGR that assign different disposition values to existing TLDs? Consider this question by taking into account the data to be collected in the "Data and Metric Requirements" section of this charter.

**a7)** The SubPro PDP recommends that single character gTLDs may be allowed for limited script/language combinations where a character is an ideograph (or ideogram) and do not introduce confusion risks that rise above commonplace similarities, consistent with SAC052 and Joint ccNSO-GNSO IDN Workgroup (JIG) report.<sup>169</sup>

What mechanism or criteria should be used to identify the scripts/languages appropriate for single-character TLDs? Once those scripts/languages are identified, what mechanism or criteria should be used to identify a specific list of allowable characters which can be used as a single-character TLD within such scripts/languages? Should any specific implementation guidance be provided? Furthermore, should the relevant GP tag these code points in the RZ-LGR for a consistent analysis and to ease their identification and algorithmic calculation?<sup>170</sup>

**a8)** What additional aspects of gTLD policies and procedures, which are not considered in the above charter questions, need to be updated to ensure that the validation of existing TLD labels and

<sup>166</sup> One of the security and stability concerns is that some scripts can generate large numbers of variants based on the way the LGR works. The RZ-LGR Procedure manages such numbers by minimizing allocatable variant labels and maximizing blocked variant labels. However, though this approach is optimal in most cases, the outcome may be worse for a specific label in some cases.

<sup>167</sup> See Recommendation 7 in the TSG report, p.8: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=8>

<sup>168</sup> See Recommendation 12 in the TSG report, p.9: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=9>

<sup>169</sup> See Recommendation 25.4 in the SubPro PDP Final Report, p.115: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-dp-02feb21-en.pdf#page=115>; Recommendation 1 in SAC052, p.8: <https://www.icann.org/en/system/files/files/sac-052-en.pdf#page=8>; the SubPro PDP does not believe it has the relevant expertise to make this determination and would welcome the identification of the limited set of scripts and languages and potentially a specific list of allowable single-characters (e.g., during implementation), which will substantially increase the predictability of what will likely still remain a case-by-case, manual process. See Rationale for Recommendation 25.4 in the SubPro PDP Final Report, pp.116-117: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-dp-02feb21-en.pdf#page=116>

<sup>170</sup> See Annex B of the Recommendations for the Technical Utilization of the RZ-LGR, p.13: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf#page=13>



calculation of variant labels depend exclusively on the RZ-LGR in a consistent manner?

**a9)** A given label in an Internationalized Domain Label (IDL) set may be in one of the following non-exhaustive status: delegated, withheld-same-entity, blocked, allocated, rejected. The WG and the SubPro IRT to coordinate and develop a consistent definition of variant label status in the IDL set.

**a10)** Individual labels in an IDL set may go through the following possible status transformations:

- **from “withheld-same-entity” to “allocated”**: Allocation only to the same entity as another label in the IDL set. This change happens if a variant was not initially requested for allocation and later is. Allocating withheld labels would be the application process for a variant TLD.
- **from “blocked” to “withheld-same-entity”**: A later LGR may broaden the available labels in the IDL set. Such possible labels automatically become withheld-same-entity.
- **from “allocated” to “delegated”**: Happens when name servers are added. (Not new.)
- **from “delegated” to “allocated”**: If a domain is removed from the DNS, the allocation can remain in place anyway. Rare in the root zone, but not new.
- **from “rejected” to “withheld-same-entity”**: Every Rejected label is automatically Withheld-same-entity as well. If the Rejected status comes off, the label can be handled as any other Withheld-same-entity label.

Note that an allocated or withheld-same-entity label cannot become blocked unless a new version of the LGR makes this possible.

The WG and the SubPro IRT to coordinate and consider the following questions in order to develop a consistent solution: what is the procedure to change the label status for individual variant labels?

### **IDN Variant TLD Management**

#### **B. “Same entity” at the top-level**

**b1)** Both the SubPro PDP and the Staff Paper recommend that variant TLDs that ICANN delegates must have the “same entity” as the sponsoring organization and the “Registry Operator” be used as the definition of the “same entity” at the top-level.<sup>171</sup>

Should this recommendation be extended to existing TLDs?

**b2)** Both the SubPro PDP and the Staff Paper recommend that variant TLDs be operated by the same back-end registry service provider, the organization providing one or more registry services (e.g., DNS, DNSSEC, RDDS, EPP) for a registry operator.<sup>172</sup>

Should this recommendation be extended to existing TLDs and their variant TLD labels?

**b3)** Beyond having the same Registry Operator and same back-end registry service provider, as referenced in b1) and b2), is there a need for additional constraints for the same entity requirement for the top-level?<sup>173</sup> If so, the rationale must be clearly stated.

**b4)** The policy recommendation advises that variant TLD labels be allocated to the same entity, however a process to apply for a variant TLD does not exist. The WG and the SubPro IRT to coordinate and consider the following questions in order to develop a consistent solution: what should an application process look like in terms of timing and sequence for an existing and future Registry Operator with respect to applying or activating their allocatable variant TLD labels?

**b4a)** For the variant labels with status “withheld for the same entity” (i.e., not requested for allocation in the application process), what role do they play?

**B5)** Do restrictions that apply to a TLD (e.g., community TLDs, 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?

**C. “Same entity” at the second-level:**

**c1)** Both the SubPro PDP and the Staff Paper recommend that: 1) a given second-level label beneath each allocated variant TLD must have the “same entity”; and 2) all allocatable second-level IDN variant labels that arise from a registration based on a second-level IDN table must have the “same entity”.<sup>174</sup> Should this recommendation be extended to existing second-level labels?

**C2)** Currently Registry Operators may activate the IDN variant labels at the second-level when requested by the sponsoring Registrar of the canonical name as described in the IDN Tables and IDN Registration Rules.<sup>175</sup> Both the SubPro PDP and the Staff Paper recommend that at the second-level, the same entity definition can be achieved by ensuring that the registrant is the same.<sup>176</sup> Should this recommendation be extended to the already activated IDN variant labels at the second-level? How does the “same entity” requirement impact the current rules for Registry Operators for activating IDN variant labels?

<sup>171</sup> See Recommendation 25.5 in the SubPro PDP Final Report, p.115:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=115>; Recommendation 2 in the Staff Paper, p.3:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=3>;

rationale for Recommendation 25.5 in the SubPro PDP Final Report, p.117:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=117>; Section 3.2 in the Staff Paper, pp.6-7: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=6>

<sup>172</sup> See Recommendation 25.5 in the SubPro PDP Final Report, p.115:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=115>; Recommendation 7 in the Staff Paper, p.4:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=4>

<sup>173</sup> The initial set of IDN variant TLD management recommendations proposed for public comment also required that the IDN variant TLDs be implemented using the same nameservers, unless otherwise justified. However, that recommendation is now removed based on the feedback received by the community asking for more operational flexibility in the implementation of IDN variant TLDs.

<sup>174</sup> See Recommendation 25.6 in the SubPro PDP Final Report, p.116:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=116>; Recommendation 3 in the Staff Paper, p.3:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=3>;

Recommendation 25.7 in the SubPro PDP Final Report, p.116: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=116>; Recommendation 4 in the Staff Paper, p.4: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=4>

<sup>175</sup> See Section 2.2 in the “Standard Amendment Language, Add Internationalized Domain Names (IDNs) - May

Activate Variants” here: <https://www.icann.org/en/system/files/files/standard-amendment-language-add-idns-may-activate-variants-14jun19-en.pdf>

<sup>176</sup> See Rationale for Recommendation 25.6-25.8 in the SubPro PDP Final Report, pp.117-118:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=117>; Section 3.2.1 in the Staff Paper, p.7: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=7>

**C3)** The WG and the SubPro IRT to coordinate and consider the following question in order to develop a consistent solution: what is the appropriate mechanism to identify the registrant as the “same entity” at the second-level for future and existing labels?

The Staff Paper recommends using ROID to ensure that the same label beneath all variant labels is allocated to the same entity.<sup>177</sup> However, some registrars in practice may not reuse contact objects for different registrations by the same registrant, and there is no existing data on the number/percentage of ICANN accredited registrars that reuse contact ROID.<sup>178</sup>

Is ROID a reasonable mechanism to determine the same registrant at the second-level for both future and existing labels? If not, what mechanism/functional definition can be used to ensure the second-level variant labels are allocated to the same entity for both current and future TLDs? Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.

**C3a)** If the Working Group determines to use ROID as the mechanism to identify the registrant as the “same entity” at the second-level, are there additional requirements to ensure the “same entity” principle is followed?<sup>179</sup>

**C4)** A registry TLD may offer registrations using different IDN tables to support different languages or scripts.<sup>180</sup> In case multiple IDN tables are offered, IDN tables should produce a consistent set of second-level variant labels to help achieve the security and usability goals for managing variant labels in a stable manner, promoting a good user experience.<sup>181</sup>

As such, the Staff Paper recommends that IDN tables of variant TLDs be mutually coherent, i.e., any two code points (or sequences) that are variants in TLD ‘t1’ cannot be non-variants in variant TLD ‘t1v1’.<sup>182</sup> This recommendation also implies that any two code points (or sequences) that are variants

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<sup>177</sup> Besides ROID, the Staff Paper also includes additional options to achieve the “same entity” requirement: having all the registrant fields be the same (without considering the ROID) for both names; having a core subset of the registrant fields be the same (without considering the ROID) for both names; or requiring a cryptographic probe that both registrants are indeed the same. See Section 3.2.1 in the Staff Paper, p.7:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=7>

<sup>178</sup> If a large portion of registrars do not reuse contact objects (ROID) for registrant, then changing the status quo would be a major development undertaking for a potentially small market for variants. Note that for interoperability virtually all registrars would need to support the same “glue” method to support inter-registrar transfers.

<sup>179</sup> If the same contact ROID or functional equivalent is used to identify registrants, no registrant metadata syncing is needed, as the registrant metadata is automatically the same for all registrants of every allocated variant based on ROID. This also means that issues around privacy and proxy services are addressed, because the privacy or proxy service must still generate a contact ROID (or its functional equivalent) for the registrant. However, the Staff Paper notes that if a registration system does not use contact objects, a requirement about registrant metadata syncing will be needed to ensure the “same entity” rule. See Section 3.9.1 in the Staff Paper, p.22:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=22>

<sup>180</sup> Registry TLD refers to a single TLD in a RA, not the Registry Operator which may operate one or more TLDs.

<sup>181</sup> See “Motivation, Premises, and Framework” section of the Staff Paper:

<https://www.icann.org/en/system/files/files/idn-variant-tld-motivation-premises-framework-25jan19-en.pdf>

<sup>182</sup> The intent of the recommendation is that a given TLD’s IDN tables be harmonized, not all of the Registry Operator’s IDN tables for all the TLDs it operates, but with exception of variant TLDs that the Registry Operator also operates. See Recommendation 5 in the Staff Paper, p.4: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=4>

in IDN Table A for TLD t2, which does not have any variant TLD, cannot be non-variants in another IDN Table B for the same TLD t2.<sup>183</sup>

Should the second-level IDN tables offered under a TLD, including IDN variant TLDs, be required to be mutually coherent? If yes, how should existing registrations which may not meet the “mutually coherent” requirement of second-level IDN tables be addressed? Rationale must be clearly stated.

**c4a)** Notwithstanding that IDN tables need to be mutually coherent, the SubPro PDP and the Staff Paper recommend that the set of allocatable or activated second-level variant labels may not be identical across the activated IDN variant TLDs. Meaning, their behavior/disposition can be different.<sup>184</sup>

Under the conditions above, may the set of allocatable or activated second-level variant labels not behave identically under an individual TLD, which does not have any variant TLD label?

**c5)** There is existing practice by registries to harmonize IDN tables, but there is no data on the various methods they may have used. The Staff Paper suggests maintaining a common set of harmonized second-level IDN tables for all IDN variant TLDs and then (a) choosing all these IDN tables to offer for all IDN variant TLDs, or (b) choosing a relevant different subset of IDN tables to offer for each different IDN variant TLD.<sup>185</sup>

The WG and the SubPro IRT to coordinate and consider the following question in order to develop a consistent solution: are the above suggested methods in the Staff Paper sufficient for IDN table harmonization purposes? Should any additional implementation guidance be provided for a registry?

**c6)** To facilitate the harmonization of IDN tables, the Staff Paper recommends that IDN tables for the second-level be formatted in the machine readable LGR format specified in RFC 7940, Representing Label Generation Rulesets Using XML.<sup>186</sup> However, each Registry Operator can harmonize the IDN tables today via software development solutions or are already in process of doing so. The WG and the SubPro IRT to coordinate and consider the following question in order to develop a consistent solution: should Registry Operators be required to use the machine readable LGR format as specified in RFC 7940 for their second-level IDN tables? Or should Registry Operators have the flexibility to resolve the harmonization issue so long as it can predictably and consistently produce the same variant labels, albeit with different disposition values, across the same-script IDN tables? Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.

<sup>183</sup> The Staff Paper does not explicitly make such recommendation with respect to a given TLD that does not have variants, but the proposed IDN Implementation Guidelines 4.0 recommends such.

<sup>184</sup> See Recommendation 25.8 in the SubPro PDP Final Report, p.116: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=116>; Recommendation 6 in the Staff Paper, p.4: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=4>

<sup>185</sup> See Section 3.5.1 in the Staff Paper, p.14: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=14>

<sup>186</sup> See RFC 7940 here: <https://www.rfc-editor.org/info/rfc7940>; Section 3.3.1 in the Staff Paper, pp.9-10: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=9>

**D. Adjustments in registry agreement, registry service, registry transition process, and other processes/procedures related to the domain name lifecycle:**

**d1)** The same entity principle for variant TLDs -- having the same registry operator and the same back-end registry service provider for gTLD and its variant labels at the top-level -- needs to be effectuated legally and operationally.

From a legal standpoint there will be a binding document(s) between ICANN and the registry operator (e.g., Registry Agreement), which should memorialize the relationship between each allocated TLD and its variant labels, as well as the obligations to maintain such condition during the life of the contract(s). From an operational standpoint, an application process, testing of registry services, fee structure, and other aspects need to be defined and developed.

The EPDP should discuss and develop the proper legal and operational framework in order to strike a balance between conservatism, innovation, adoption and other aspects of the IDN implementation. The WG and the SubPro IRT to coordinate and consider the following questions in order to develop a consistent solution:

**d1a)** A TLD is subject to a Registry Agreement with ICANN. In case of IDN variant TLDs, ICANN would execute the Registry Agreement with the same entity but potentially diverge in future Registry Agreement amendments, addendums, and renewals. Should each TLD label be the subject of a separate Registry Agreement with ICANN?<sup>187</sup> If not, should each TLD label along with its variant labels be subject to one Registry Agreement with the same entity? Rationale for such definition must be clearly stated along with the answer, including goals and motivations.

**d1b)** What should be the process by which an existing registry operator could apply for, or be allocated, a variant for its existing gTLD? What should be the process by which an applicant applying for a new IDN gTLD could seek and obtain any allocatable variant(s)? What should be the associated fee(s), including the application fees and annual registration fees for variant TLDs? Should any specific implementation guidance be provided?<sup>188</sup>

**d2)** In order to ensure that the same entity principle is maintained for a gTLD and its allocated variant TLD labels, what are the operational and legal impacts to the:

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<sup>187</sup> Based on the premise that an IDN variant TLD label is a TLD label with its status indistinguishable from any other TLD label in the root zone, the Staff Paper recommends that each variant TLD would be the subject of a separate Registry Agreement with ICANN, as each variant TLD is, in effect, one a TLD. See Section 3.6 in the Staff Paper, p.15: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=15>

<sup>188</sup> SubPro PDP did not have substantive discussion about this question. Some SubPro PDP members believe that allocatable variant TLDs should be made available to IDN gTLD registry operators and applicants, with only limited procedures and costs in place. As these deliberations arose late in the SubPro PDP's life cycle, the group elected to only recommend the "same entity" principle for variant TLDs but refrained from providing recommendations on how variant TLDs can be obtained. However, SubPro includes in its recommendation that the "same entity" policy for the top-level must be captured in the relevant Registry Agreement. See Rationale for Recommendation 25.5 in the SubPro PDP Final Report, p.117: <https://gns0.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=117> and Recommendation 25.5 in the SubPro PDP Final Report, p.115: <https://gns0.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=115>

- Registry Transition Process or Change of Control in the Registry Agreement;<sup>189</sup>
- Emergency Back-End Registry Operator (EBERO) provisions; and
- Reassignment of the TLD as a result of the Trademark Post-Delegation Dispute Resolution Procedure (TM-PDDRP)?<sup>190</sup>

**d3)** In order to ensure that the same entity principle is maintained, what are the operational and legal impacts to the data escrow policies, if any.<sup>191</sup>

**d4)** Regarding second-level domain names, should a variant set behave as one unit, i.e., the behavior of one domain name is replicated across the other variant domain names? Or should each variant domain name have its own independent domain name life cycle?<sup>192</sup> Consider the operational and legal impact of the “same entity” principle, if any, to all aspects of a domain name lifecycle, including but not limited to:

- Registration, including registration during the Sunrise Period, any Limited Registration Period,

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<sup>189</sup> The Staff Paper recommends that each set of registry agreement(s) must contain provisions requiring all the labels in the Internationalized Domain Label (IDL) set to follow the same process in the event of any registry transition via a Registry Transition Process or Change of Control. In no event, should the composition of the allocated and delegated set of variant TLDs be allowed to change at the same time as the change of the Registry Operator. The SubPro PDP also agrees that to the extent that the TLD were to change hands at any point after delegation, the variant TLDs must remain linked contractually, which should be considered a persistent requirement (e.g., this would impact gTLD registry transition procedures). See Section 3.6 in the Staff Paper, p.15:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=15> and Rationale for Recommendation 25.5 in the SubPro PDP Final Report, p.117:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=117>

<sup>190</sup> The Staff Paper recommends that an emergency transition of a TLD to an EBERO must trigger an emergency transition of all variant TLDs to the EBERO. In addition, the SubPro PDP also agrees that EBERO would be impacted due to the persistent requirement of ensuring that variant TLDs must remain linked contractually. See Section 3.6 in the Staff Paper, p.16: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=16> and Rationale for Recommendation 25.5 in the SubPro PDP Final Report, p.117:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=117>. In the case where a Registry Agreement is terminated as a result of a TM-PDDRP

determination, this would trigger the Registry Transition Procedure and various outcomes could apply. The Staff Paper notes that in the case of a reassignment of the TLD, the “same entity” rule should continue to apply so that the variant TLDs would be assigned to the same entity together. See Section 3.7 in the Staff Paper, p.18:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=18>

<sup>191</sup> Data escrow is the act of storing data with a neutral third party in case of registry or registrar failure, accreditation termination, or accreditation relapse without renewal. ICANN requires all registrars and gTLD registries to contract with a data escrow provider in order to safeguard registrants. Because each variant of the IDL set is just another registration, data escrow policies for TLDs apply individually to each. The Staff Paper notes that the data escrow requirements are automatically satisfied for variant TLDs. See Section 3.9.2 in the Staff Paper, p.22:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=22>

<sup>192</sup> One view is that if each variant allocation is simply a different registration, it follows that names can be created and can expire at different times, despite the “same-entity” rule. See Section 3.9.4 in the Staff Paper, p.22:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=22>.

Another view is that if each variant allocation is supposed to be the same registration, it follows that names should expire at the same time, however some registry operators may implement it differently and consider them billable transactions instead.

any Launch Program and during General Registration

- Update
- Renewal
- Transfer
- Lock
- Suspension
- Expiration
- Redemption
- Deletion

**d5)** For reporting and fee accrual purposes, should each variant domain name be considered an independent registration? Or should such variant labels be considered as an atomic set (irrespective of whether any of the names is actually activated in the DNS, and whether any of the variants is actually registered)? Rationale for such definition must be clearly stated. Should any specific implementation guidance be provided? For example, what would be the impact to the registration payment at the Registry Operator level and at ICANN org?

**d6)** To ensure that the “same entity” principle is followed, the transfer of a domain name registration to a new entity – voluntary or involuntary, and inter-registrants or inter-registrars – should result in transfer of all variant domain names (i.e., if s1.t1 is to be transferred, s1.t1, s1.t1v1, s1v1.t1 and s1v1.t1v should all be transferred).

The WG, the Transfer Policy PDP, and the RPM PDP Phase 2 to coordinate and consider the following questions in order to develop a consistent solution: to what extent should the Transfer Policy be updated to reflect domain name relationships due to variants and the “same entity” requirement?

**D6a)** Should transfers ordered by the Uniform Domain-Name Dispute-Resolution Policy (UDRP) or any other dispute resolution mechanisms be treated the same way to follow the “same entity” requirement?<sup>193</sup>

**D7)** Should the policies and procedures related to domain name suspension be updated to ensure that the “same entity” principle is followed for all variant domain names (i.e., if s1.t1 is to be suspended, s1.t1v1, s1v1.t1 and s1v1.t1v1 should all be suspended)? In other words, if one domain label is suspended, either voluntarily or involuntarily, should all the variant labels related to that domain be suspended?

**D7a)** Should the suspensions ordered by the Uniform Rapid Suspension System (URS) or any other dispute resolution mechanisms be treated the same way to follow the “same entity” requirement?<sup>194</sup>

**D8)** What additional updates to the Registry Agreement are necessary to ensure the labels under variant TLDs follow the “same entity” rule? For example, the Staff Paper recommends that the following requirements must be included in the Registry Agreement; some of the charter questions are also related to those topics:<sup>195</sup>

- Subordinate names allocated by the Registry Operator in the TLD be treated as an atomic set. This is true irrespective of whether any of the names is actually activated in the DNS, and whether any of the variants is actually registered. **[related to questions c1, d4, d5]**

- All the different IDN tables being used by the IDN gTLD and its variant gTLDs be harmonized. **[related to questions c4, c5]**
- All the IDN variant TLDs be implemented through the same registry service provider, to promote a consistent and stable implementation across all such variant TLDs. **[related to questions b2, b4]**

Are there any additional updates that need to be considered that are not included in this list?

**E. Adjustments to objection process, string similarity review, string contention resolution, reserved strings, and other policies and procedures:**

*This Charter recognizes the processes established by the SubPro PDP and the inclusion of questions here is not to amend the structure or framework of those processes but rather, to ensure that they are able to properly accommodate variants and follow the same entity principle for existing and future gTLDs.*

**E1)** In considering the conclusion(s) with respect to question **b4a)**, what role, if any, do TLD labels “withheld for possible allocation” or “withheld for the same entity” play vis-a-vis:

- objection process; and
- string similarity review Process?

**e2)** Under the rules of the most recent gTLD application round, there are four criteria for objections to a string (see *gTLD Applicant Guidebook*, version 2012-06-04, section 3.2.1).<sup>196</sup> The SubPro PDP has also affirmed the continuation of these four criteria for objections to a string, while proposing recommendations and implementation guidance to enhance/adjust these criteria.<sup>197</sup>

The WG and the SubPro IRT to coordinate to ensure consistency in the implementation of the **objection** process for the variant label applications of existing and future TLDs.

**e3)** In the Initial Evaluation for new gTLD applications, a proposed applied-for TLD is checked against several criteria as part of the string similarity review process (see *gTLD Applicant Guidebook*, version 2012-06-04, section 2.2.1.1.1).<sup>198</sup> The SubPro PDP affirmed these standards, while proposing recommendations and implementation guidance to enhance the process.<sup>199</sup>

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<sup>193</sup> See more details about the UDRP related discussions in Section 3.7 in the Staff Paper, pp.17-18:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=17>

<sup>194</sup> See more details about the URS related discussions in Section 3.7 in the Staff Paper, p.18:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=18>

<sup>195</sup> Section 3.6 in the Staff Paper, p.16: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=16>:

<sup>196</sup> The four criteria are: String Confusion Objection; Legal Rights Objection; Limited Public Interest Objection; and Community Objection.

<sup>197</sup> See “Topic 31: Objections” in the SubPro PDP Final Report, pp.145-154:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=145>

<sup>198</sup> These criteria are: existing TLDs and reserved names; other applied-for strings; strings requested as IDN ccTLDs; and applied-for 2-character IDN gTLD strings against every other single character and any other 2-character ASCII string.

<sup>199</sup> See “Topic 24: String Similarity Evaluations” in the SubPro PDP Final Report, pp.108-114:

<https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=108>



The WG and the SubPro IRT to coordinate to ensure consistency in the implementation of the **string similarity review** procedure for variant label applications of existing and future GTLDs.<sup>200</sup>

**e3a)** After a requested variant string is rejected as a result of a string similarity review, should the other variant strings in the same variant set remain allocatable? Should individual labels be allowed to have different outcomes/actions (e.g., some labels be blocked and some be allowed to continue with an application process)?<sup>201</sup>

**e4)** Under current procedures, resolution of string contention for applied for gTLD strings may include components such as a settlement between the parties, a community priority evaluation (if a community-based applicant in a contention set elects this option), and an auction. SubPro PDP affirmed these components while proposing recommendations and implementation guidance to enhance the mechanisms for string contention resolution.<sup>202</sup>

The WG and the SubPro IRT to coordinate to ensure consistency in the implementation of the **string contention resolution** mechanism for variant label applications of existing and future new gTLDs.<sup>203</sup>

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<sup>200</sup> The Staff Paper recommends that the string similarity process to compare strings under consideration not just against all allocated or applied-for strings, but also all variants of those strings (including allocatable, withheld-same-entity, and blocked). For example, if a string is merely withheld-same-entity and a second string is visually similar, then allocating the second string undermines the predictability of the outcome of variant processing from the RZ-LGR. Similarly, if a string is blocked under the RZ-LGR, but a visually similar string is allocatable, then the second (visually similar) string might become a “work around” for the blocked string. This approach is maximally conservative. It is nevertheless worth noting that this expands considerably the number of strings that might need to be considered; the entire similarity review process will consequently probably become more expensive to operate. See Section 3.8 Adjustments in String Similarity Process in the Staff Paper, pp.18-19: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=18>

Staff Paper further recommends that in the event that two or more applied-for variant strings are visually similar, they may only be allocated if they are associated with the same variant set and are being requested by the same entity. In case of such conflicts across variants, the entire IDL set gets processed as one contention set; if one of the labels is already allocated, the contention is resolved in favor of the current operator. The Staff Paper recommends that it is necessary to perform the visual similarity checks for every requested-to-be-allocated variant in any given set against all the possible variants in every other set. This is because such an available variant could be requested at any time in the future. See Section 3.8.1 in the Staff Paper, pp.20-21: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=20>

<sup>201</sup> The Staff Paper recommends that the following outcomes may be considered: 1) only the variant string requested for delegation is rejected. For example, the requested variant t1v2 of top-level label t1 will get rejected while t1v1 and t1v3 from the same variant set continue to remain allocatable; or 2) the entire variant set is rejected. For example, the requested variant t1v2 of top-level label t1 will get rejected including t1v1 and t1v3 from the same variant set as t1v2. This outcome appears to be difficult to justify, though an applicant could decide that, if it cannot receive t1v2 then it does not wish to proceed with the application. See Section 3.8.2 in the Staff Paper, pp.21:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=21>  
<sup>202</sup> See “Topic 35” in the SubPro PDP Final Report, pp. 173-182: <https://gns0.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=173>

<sup>203</sup> For contention issues that involve the same entity, the Staff Paper suggests that the following resolution options may be considered, with a preference to the second option: 1) When the requested variant strings are placed in a contention set for later evaluation, the applicant is notified of the contention set and has the opportunity to establish that both applications are from the same entity. 2) It may be more efficient to establish early on in the string similarity review that the variant strings are being requested by the same entity prior to reaching the contention phase. See Section 3.8.2 in the Staff Paper, p. 21: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=21>

**e5)** The WG and the SubPro IRT to coordinate and consider the following questions in order to develop a consistent solution: should the **reserved strings** ineligible for delegation for existing and future gTLDs be updated to include any possible variant labels? Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.

**e6)** The WG and the SubPro IRT to coordinate and consider the following questions in order to develop a consistent solution: is there any reason to permit the registration of gTLDs consisting of decorated two-character Latin labels which are not variant labels of any two-letter ASCII labels?<sup>204</sup> If so, rationale must be clearly stated.

**e7)** Besides the objection process, string similarity review, and string contention resolution, what other ICANN policies and procedures should be updated to enforce the “same entity” rule and the use of RZ-LGR as the sole source to calculate the variant Labels and disposition values?<sup>205</sup> See the list of ICANN Consensus Policies here: <https://www.icann.org/resources/pages/registrars/consensus-policies-en>

#### **F. Adjustments in registration dispute resolution procedures and trademark protection mechanisms:**

**f1)** Trademark Clearinghouse (TMCH) mechanism functions include authenticating information from rights holders and providing this information to registries and registrars. Recording a trademark with the TMCH provides a rights holder with access to Sunrise registration periods in new gTLD registries and the Trademark Claims services. If Registry Operator has implemented IDN variant registration policies for the TLD, Registry Operator MAY allocate or register IDN variant labels generated from a label included in a valid SMD file during the Sunrise Period, provided that (i) such IDN variant registration policies are based on the Registry Operator’s published IDN tables for the TLD and (ii) such policies are imposed consistently in the Sunrise Period, any Limited Registration Period, any Launch Program and during General Registration.<sup>206</sup>

The Review of All Rights Protection Mechanisms (RPMs) in All gTLDs PDP Phase 1 recommends maintaining the TMCH’s current “exact match” rules, the current availability of Sunrise registrations only for identical matches, and the current exact matching criteria for the Claims Notice.<sup>207</sup>

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<sup>204</sup> The ccTLD labels in the root depend on an external registry (ISO 3166) that allocates alphabetic codes to countries. In order to ensure that no conflicts with future assignments by ISO can happen, ICANN has traditionally also maintained a restriction against the use of two-letter TLDs for all Latin script letters; no variants should be generated for ccTLDs based on the ISO3166 codes. This principle is also reaffirmed by the SubPro PDP. See Recommendation 21.6 in the SubPro Final Report, p.95: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=95>

<sup>205</sup> IDN Variant TLD Implementation Staff Paper: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jul18-en.pdf>

<sup>206</sup> See section 2.4.2 of the Trademark Clearinghouse Rights Protection Mechanism Requirements: <http://newgtlds.icann.org/en/about/trademark-clearinghouse/rpm-requirements-30sep13-en.pdf>

<sup>207</sup> See RPM Phase 1 Final Report, TMCH Final Recommendation #2, Sunrise Final Recommendation #4, and Trademark Claims Final Recommendation #4 on pp.35-36, 44, and 52-53 here: <https://gnso.icann.org/sites/default/files/file/field-file-attach/rpm-phase-1-proposed-24nov20-en.pdf>

In considering the information above, are there any adjustments to the TMCH and its Sunrise and Trademark Claims services needed?<sup>208</sup> Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.

**f2)** In order to ensure that the “same entity” principle is maintained, what are the additional operational and legal impacts to the following RPMs that are not considered in the above charter questions, which mostly concern the outcomes or remedies of dispute resolution procedures or trademark protection mechanisms?

- TMCH and its Sunrise and Trademark Claims services
- URS
- TM-PDDRP
- UDRP

### **IDN Implementation Guideline**

#### **G. Process to update the IDN Implementation Guidelines**

**g1)** What should be the proper vehicle to update the IDN Implementation Guidelines?<sup>209</sup>

**g1a)** Given that the contracted parties are contractually bound to adhere to the IDN Implementation Guidelines, is there a need for a separate legal mechanism specifically for the implementation of IDNs among gTLDs, as well as a general guideline for any registry (including ccTLD registries) that wishes to implement IDNs?

#### **Deliverables:**

The WG shall respect the timelines and deliverables as outlined in [Annex A](#) and Annex A-1 of the ICANN Bylaws, the [EPDP Manual](#), and the [PDP Manual](#).

For the avoidance of doubt, the following sections of the PDP Manual shall not apply to an EPDP:

- Section 2 (Requesting an Issue Report);
- Section 4 (Recommended Format of Issue Report Requests);
- Section 5 (Creation of the Preliminary Issue Report);

<sup>208</sup> SAC060 points out that in the current design of RPMs related to the TMCH process, there is a risk of homographic attacks. From a security and operations perspective, domain names that contain variants of a mark must be protected during the Sunrise and Claims Period. SSAC advises two ways to handle variants and TMCH to achieve such protections; each has benefits and downsides: 1) variant calculation at the registry level, and checking TMCH for the existence of marks for variants in the calculated variant set; 2) variant calculation and checking inside the TMCH in addition to the already defined matching algorithm TMCH uses. See more information in SAC060, recommendation 10 on pp.16-18: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=16> SAC060 further argues that the “exact match” as defined by TMCH is not really an identical match as in “bit-by-bit” or “character-by-character comparison” as a transformation stage is included before the actual matching. From a technical standpoint, the transformation stage currently as specified from is unclear and does not take non-ASCII based scripts into account. See SAC060, Recommendation 12, pp.19-20: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=19>. The SSAC also advises that during the Trademark Claims service, a name registered under a TLD that has variant TLDs should trigger trademark holder notifications for the registration of the name in the TLD and all its allocated variant TLDs. See SAC060, Recommendation 13, p.20: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=20>

<sup>209</sup> ccPDP4 refers to the Country Code Names Supporting Organization’s Policy Development Process on the Selection and Deselection of IDN ccTLD Strings. The process to update the RDAP Profiles is being developed by the Contracted Parties and ICANN org as part of their ongoing contractual negotiations. A DT member suggested that once that is finalized, the EPDP Working Group may want to consider that as a model for updating the IDN Guidelines.

- Section 6 (Public Comment on the Preliminary Issue Report); and
- Section 7 (Initiation of the PDP)

Except as otherwise expressly modified or excluded herein, all other provisions of the PDP Manual shall apply in full to an EPDP, including without limitation the publication of an Initial Report for public comments. In the event of a conflict in relation to an EPDP between the provisions of the PDP Manual and the specific provisions in the EPDP Manual, the provisions herein shall prevail.

As its first deliverable, the WG is expected to deliver to the GNSO Council a **work plan**, in addition to other project management products that help plan, guide, track, and report the progress of the WG from start to finish, and include the necessary data and information to help the GNSO Council assess the progress of the WG. See more details in Section III. of this charter.

At the minimum, the WG shall complete the following deliverables:

- An **Initial Report** which includes preliminary recommendations that stem from the charter questions as noted in the “Mission and Scope” section of this Charter, as well as other items that were considered and deliberated upon by the WG.
- A **Final Report** following review of public comment for the Initial Report.

The WG has the discretion to produce additional outputs or deliverables for public comment opportunities as it deems appropriate.

Furthermore, the WG should identify a **set of metrics** to measure the effectiveness of the policy recommendations. The identification, attainment, and analysis of metrics/data should be based on how they address the challenge of achieving security and usability goals for IDN variants in a stable manner. Current state baselines of the policy and initial benchmarks shall also be identified. Metrics may include but not limited to:

- ICANN Compliance data;
- Industry metric sources;
- Community input via public comment;
- Surveys or studies.

If the WG concludes with **any recommendations**, the WG should also provide a high-level framework or **implementation guidance** to the subsequent policy Implementation Review Team for their consideration when implementing the recommendations after the ICANN Board adoption.

#### Data and Metric Requirements:

The WG may consider collecting the following suggested data and metrics as a starting point to assist its deliberations. However, the WG has the discretion to determine what specific data and metrics it wishes to collect to meet the purposes below.

1. Determine a set of questions which, when answered, provide the insight necessary to achieve the policy goals.  
See all the questions under “scope & charter questions” of Section II: Mission, Purpose, and Deliverables

2. Determine whether certain data is required to help understand a specific issue or answer a charter question (charter question numbers are indicated next to the data points).

- Using the latest version of the RZ-LGR determine the variant labels of the 2012 New gTLD Round and determine whether the list of calculated variants match those that were identified by the applicant (a2)
- Time needed to create an LGR script proposal and frequency a RZ-LGR is updated (a4, a6)
- Methods used to establish the same entity at the second-level by the same Registrar and across different Registrars (c3, c3a)<sup>210</sup>
- Number of registries that use the machine readable LGR format specified in RFC 7940 for second-level IDN tables (c6)
- Using the latest version of the RZ-LGR determine the variant labels, if any, of i) all delegated gTLDs, and ii) all ICANN reserved TLD labels. Determine whether the calculation is consistent with reality or whether any exceptions need to be considered (e5)
- Breakdown of the scripts/languages represented in a validated and active trademark in the TMCH (f1)

3. Determine a set of data and metrics which can be collected and analyzed to help answer the specific question.

See data points under item 2 above.

10. 4. Submit a Working Group Metrics Request Form (see GNSO Working Group Guidelines Section 4.5), if data gathering at the charter drafting phase or during the working phase is deemed necessary.

At the charter drafting phase, no metrics request is deemed necessary. WG leaders shall review the [Checklist: Criteria to Evaluate Request for Data Gathering](#) to understand the need for performing due diligence before submitting a data gathering request to the GNSO Council.

## Section III: Project Management

### Work Product Requirement:

The WG leadership, in collaboration with the WG support staff and GNSO Council liaison, shall use a standard set of project management work products that help plan, guide, track, and report the progress of the WG from start to finish, and include the necessary data and information to assess the progress of the WG. These work products include but not limited to:

- Work Plan
- Summary Timeline
- Project Situation Report
- Project Plan

<sup>210</sup> At the charter drafting phase, no extensive survey requiring budget allocation or potential third party involvement was envisioned to collect the suggested data point. The GNSO Council Charter Drafting Team envisioned that a questionnaire may be developed by the WG and distributed to the contracted parties via ICANN org. Nevertheless, the WG has the discretion to determine what specific data and metrics it wishes to collect and what methods to collect them.

- Action Items

See the full suite of work products in the [GNSO Project Work Product Catalog](#).

Specifically, the WG is expected to deliver its work plan to the GNSO Council as its first deliverable. The work plan is expected to include a proposed sequence to address the topics covered in this charter, as well as a map of dependencies among these topics.

The WG may choose to conduct its work in one, two, or multiple phase(s) based on the sequence of topics that it identifies. Consequently, the WG has the discretion to produce additional outputs or deliverables for public comment opportunities as it deems appropriate.

The WG's last Final Report is expected to be delivered to the GNSO Council for its consideration no later than 12 months after the WG convenes for its first meeting.

#### **Project Status & Condition Assessment:**

The WG leadership, in collaboration with the WG support staff and the GNSO Council liaison, shall assess the Status and Condition of the project at least once a month. Such frequency is required in preparation for the GNSO Council monthly meeting, where At-Risk or In-Trouble projects are subject to review by GNSO Council leadership, and in some instances may be deliberated by the full GNSO Council.

The WG leadership, in collaboration with the WG support staff and the GNSO Council Liaison, shall use an [escalation procedure](#), which defines specific conditions that trigger the execution of a repeatable mitigation plan. The objective of this exercise is to return the project to an acceptable state ultimately achieving its planned outcomes.

#### **Project Change Request:**

The WG shall submit a [Project Change Request \(PCR\) Form](#) to the GNSO Council when its deliverable and baseline delivery date are revised. The PCR shall include a rationale for why these changes were made, their impacts on the overall timeframe of the PDP or any other interdependencies, and a proposed remediation plan.

The use of the PCR mostly occurs when primary deliverable dates are changed due to unforeseen or extreme circumstances. However, it can also be used to document changes in the deliverable requirements that may not have been identified in the chartering process.

When the PCR is required, it should be completed by the WG Chair and it will likely be presented to the GNSO Council for approval.

#### **Resources Tracking:**

The purpose for resource tracking is to deliver its work according to the work plan and be responsible for managing these resources.

For projects where dedicated funds are provided outside of budgeted policy activities, the WG shall provide regular budget versus actual expense reporting updates using a GNSO approved tool to allow for a better tracking of the use of resources and budget.

## Section IV: Formation, Staffing, and Organization

### Working Group Model:

**Working Group Model:** Representative + Open Model (Members + Participants + Observers)

**Rationale:** The “Representative + Open Model” is chosen to enable the WG to conduct and conclude its work in an efficient/effective manner while satisfying the outreach purpose to have an inclusive community participation.

A limited number of ICANN community members have prerequisite knowledge, background, or expertise in the subject matter. As a result, a limited number of Members appointed by specified community groups, who must possess a level of expertise as detailed in the “Membership Criteria” section in this charter, should drive the deliberations of the WG and participate in the consensus designation process for final recommendations.

Nevertheless, as the IDN topic is of interest to the broader ICANN community and impacts various stakeholders, the WG welcomes anyone to join as a Participant, who can attend and actively participate in all WG meetings, with the exception of the consensus designation process. Participants are encouraged to possess similar levels of expertise as Members and continuously engage in the WG deliberation throughout its lifecycle in order to effectively participate and contribute input.

### Membership Structure:

**Role Descriptions:** All persons actively participating in the Working Group (i.e., Members and Participants) are expected to abide by the Statement of Participation, which is enforceable by the WG Chair and GNSO Council Leadership Team. See Section V. for details.

- **Members:** Members are expected to participate during the course of deliberations and in any WG consensus calls. Members are expected to represent the view of their appointing organization, and may be called on to provide the official position of their appointing organization. Members are required to have a level of expertise in IDN issues, ICANN policies and procedures as they relate to IDNs, and registry/registrar services and domain name life cycle. See “Membership Criteria” section of this charter for more details.

In the event a GNSO SG/C or SO/AC is unable to nominate a member, at least one Participant should be responsible for keeping their respective group informed of milestones and potential recommendations that may affect the group

- **Participants:** Participants may be from a GNSO SG/C or SO/AC, or may be self-appointed and derive from within the ICANN or broader community. Participants will be able to actively participate in and attend all WG meetings. Participants are encouraged to participate in the WG deliberation throughout its lifecycle and are expected to keep up with all relevant WG deliberations to ensure they remain

informed and can contribute when needed. However, Participants do not participate in the consensus designation process.

Participants are encouraged to possess similar levels of expertise as Members with respect to IDN issues, ICANN policies and procedures, and registry/registry registrar services in order to contribute to the deliberations effectively.

No upper limit of participants are expected to be set at the chartering phase. However, the WG leadership may decide, in consultation with the WG, whether new Participants can be accepted after the start of the WG effort. See details in the “B. Joining of New Members After Project Launch” in this charter.

- **Observers:** Anyone interested in this EPDP may join as an observer. Observers are provided with read-only access to the mailing list and are not invited to attend meetings.

**GNSO Council Liaison:** The GNSO Council shall appoint one (1) Liaison who is accountable to the GNSO. The GNSO Council Liaison must be a member of the Council, and the Council recommends that the Liaison should be a Council member and be able to serve during the life of this WG. See detailed description in the “GNSO Council Liaison” sect

- ion below.

**ccNSO Liaison:** The Country Code Names Supporting Organization (ccNSO) shall appoint one (1) Liaison to monitor the deliberation of this WG. This is to fulfill ICANN Board’s request that the GNSO coordinates with the ccNSO to ensure a consistent solution is developed for IDN variant TLDs and IDN variant ccTLDs. ccNSO has the option to appoint its Liaison also as its Member who represents the ccNSO in this EPDP WG. Any person from the ccNSO may participate as a Participant

- in the WG.

**ICANN Org Liaison(s):** The ICANN Org Global Domains & Strategy (GDS) department shall appoint at least one (1) Liaison, who is expected to provide timely input on issues that may require ICANN Org input such as implementation-related queries and issues requiring subject matter expertise in IDNs. The ICANN Staff Liaison(s) is not expected to advocate for any position and/or participate in any EPDP Team consensus calls.

**Membership Structure:**

Some groups may choose not to appoint any Members to the WG. The table below indicates the maximum number of Members that groups may appoint.

Group	Member (up to)	Liaison
RySG	3	
RrSG	3	



IPC	3	
BC	3	
ISPCP	3	
NCSG	3	
ccNSO	3	1*
ALAC	3	
GAC	3	
SSAC	3	
RSSAC	3	
GNSO Council		1
ICANN Org GDS		At least 1

*\*ccNSO has the option to appoint its liaison also as one of its Member(s) who represent the ccNSO in this EPDP WG.*

The GNSO Secretariat is expected to circulate a “Call For Volunteers” in accordance with the group structure determined by the GNSO Council:

- Publication of announcement on relevant ICANN web sites including but not limited to the GNSO and other Supporting Organizations and Advisory Committee web pages; and
- Distribution of the announcement to GNSO Stakeholder Groups, Constituencies and other ICANN Supporting Organizations and Advisory Committees

**Membership Criteria:**

**10. A. Expected Skills for Working Group Members**

WG members shall review the full text of the [Working Group Member Skills Guide](#) to understand the responsibilities and skills that they are expected to have in order to fully participate in the WG activities.

Collectively as a group, the WG Members MUST possess:

- Technical knowledge of IDNs, including but not limited to: IDN related SubPro PDP recommendations, RZ-LGR, IDN variant definition and management, IDN tables, IDN implementation guidelines, SSAC advices as they relate to IDNs, and other policy efforts listed in the [Annex B](#) of the GNSO Council IDN Scoping Team Final Report; direct experiences in ICANN’s IDN policy efforts is strongly preferred;
- Technical, legal, and/or operational knowledge of ICANN policies and procedures as they relate to IDNs, including but not limited to: processes and procedures created for the 2012 New gTLD program, registration dispute resolution procedures and trademark protection mechanisms;
- Technical knowledge of registry/registrar services and domain name life cycle as they relate to IDNs;
- Familiarity with GNSO policy development processes; direct experience is strongly preferred;

- Commitment to participating in Working Group meetings on a regular and ongoing basis;
- Highly effective oral, written, and interpersonal communication skills (in simple, comprehensible English);
- Ability to create factual, relevant and easily understandable messages, and able to succinctly deliver them to the Working Group;
- Research skills with the ability to discern factual, factually relevant, and persuasive details and sources;
- Commitment to manage a diverse workload, while collaborating with a Working Group of individuals with different backgrounds and interests in driving objectives;
- Knowledge of Working Group discussions, actions taken at meetings, and deliverables;
- Understanding of the perspectives and interests of the members' own stakeholder group or constituency;
- Understanding of what consensus means and how consensus-building process works;
- Commitment to facilitate consensus by listening, explaining, mediating, proposing clear actions, and helping other members;
- Commitment to avoid blocking consensus by looking beyond the stakeholder group or constituency affiliation of other Working Group members and judging proposals/positions on their merits;
- Commitment to avoid re-litigating closed issues or deliberate obfuscation;
- Commitment to review the [Consensus Playbook](#) and attend potential training related to the Playbook, facilitate consensus building by employing the tools and techniques as detailed in the playbook;
- Maintain high personal levels of ethical conduct and integrity, including transparency of affiliation in the SOI, in treatment of others and respecting the professional reputation of all in the ICANN community.

Participants are encouraged to possess the aforementioned qualifications.

### **B. Joining of New Members After Project Launch**

New Members will only join after the launch of the PDP if a current Member is no longer able to continue in its membership. New WG Members should be mindful that, once input/comment periods have been closed, discussions or decisions should not be resurrected unless there is group consensus that the issue should be revisited in light of new information that has been introduced. If the reopening is perceived as abusive or dilatory, a WG member may appeal to the WG leadership.

Anyone can join a WG as a Participant at any point as long as they get up to speed and do not reopen previously closed topics, unless they provide new information. Nonetheless, the WG leadership may decide, in consultation with the WG and in reference of [Criteria for Joining of New Members](#) guidance, whether new Participants can be accepted after the start of the WG effort.

The WG could decide to suspend new Participants for several reasons, including but not limited to:

- The Working Group has produced its Initial Report, analyzed public comments, and is in the midst of a consensus process for its Final Report;
- The Working Group is nearing the end of a complex and lengthy policy development process and although it has not produced a Final Report, the status of the work is that the Working Group is too close to finalize its work such that new members would not be able to meaningfully contribute;
- Someone wishes to join as a participant in a sub-team of the Working Group, but that sub-team has completed its work and passed its recommendations to the full Working Group.

### **C. Expert Contributors**

The WG has flexibility/discretion to invite participation of the expert contributors in specific fields (e.g., rights protection mechanism related topics) as it deems necessary.

Expert contributors are not expected to participate in any consensus designation process, but provide perspective/expertise/knowledge to the PDP WG.

Based on the WG's determination, the Council may be able to use an independent evaluation process (e.g., GNSO Council Standing Selection Committee) to confirm whether those individuals have demonstrated the expertise/knowledge/perspective.

### **Leadership Structure:**

#### **One (1) Chair + One (1) Vice Chair**

The GNSO Council will appoint one (1) qualified, independent Chair (neutral, not counted as from the WG membership/participants) for the WG.

The WG, once formed, may select one (1) Vice Chair to assist the Chair. The Vice Chair can be selected among the WG's Members and Participants. However, if a Member is selected as the Vice Chair, this person shall change his/her Member status to Participant, and his/her appointing organization may appoint a new Member as a replacement.

Should at any point a Vice Chair need to step into the role of Chair, the same expectations with regards to fulfilling the role of Chair as outlined in this charter will apply.

### **Leadership Criteria:**

#### **Expectations for the WG Leadership (Chair + Vice Chair):**

The WG leadership is expected to carry out the role and responsibilities and meet the qualification as detailed in the [Expectations for Working Group Leaders & Skills Checklist](#).

In short, the WG leadership is expected to:

- Lead with neutrality and impartiality;
- Encourage representational balance;
- Ensure WG documents represent the diversity of views;
- Balance working group openness with effectiveness;
- Make time commitment;
- Contribute ideas and knowledge to working group discussions;
- Oversee project management of the WG deliberations;
- Build consensus;
- Make consensus designation on working group recommendations;
- Enforce compliance with Statement of Participation;
- Enforce compliance with ICANN's Expected Standards of Behavior;
- Ensure compliance with Community Anti-Harassment Policy;
- Be versed in GNSO Operating Procedures; and
- Handle working group complaint process.

**Expectation for the WG Chair:**

As outlined in the GNSO Working Group Guidelines, the purpose of a Chair is to call meetings, preside over working group deliberations, manage the process so that all participants have the opportunity to contribute, and report the results of the Working Group to the Chartering Organization. These tasks require a dedicated time commitment as each week calls have to be prepared, the agenda concretized, and relevant material reviewed. The Chair shall be neutral. While the Chair may be a member of any group which also has representation on the Working Group, the Chair shall not act in a manner which favors such group. The Chair shall not be a member of the Working Group for purposes of consensus calls.

In addition, it is expected – that interested candidates shall have considerable experience in chairing working groups, and direct experience with at least one GNSO Policy Development Process throughout its lifecycle. Familiarity with the functioning of a Working Group is important to understand the various leadership skills that are necessary to employ during a WG’s lifecycle. For example, a Chair has to ensure that debates are conducted in an open and transparent manner and that all interests are equally and adequately represented within the Group’s discussions. During the later stages of a WG when recommendations are drafted, a Chair will benefit from understanding the viewpoints of various participants to ensure that an acceptable and effective outcome – ideally in the form of consensus – can be achieved.

The WG Chair is specifically expected to carry out the following responsibilities, including but not limited to:

- Attend all EPDP Working Group meetings to assure continuity and familiarity with the subject matter and the ongoing discussions;
- Prepare meetings by reading all circulated materials;
- Be familiar with the subject matter and actively encourage participation during the calls;
- Be active on the EPDP mailing list and invite EPDP WG members and liaisons to share their viewpoints;
- Drive the progress forward and assure that discussions remain on point;
- Work actively towards achieving policy recommendations that ideally receive full consensus;
- Ensure that particular outreach efforts are made when community reviews are done of the group's output;
- Underscore the importance of achieving overall representational balance on any sub-teams that are formed;
- Enforce Statement of Participation, ICANN’s Standards of Behavior, and Community Anti-Harassment Policy;
- Coordinate with staff and ensure that the WG is supported as effectively as possible; and
- Conduct consistent, adequate, and timely reporting to the GNSO Council on the progress of the PDP.

The WG Chair is expected to meet most of the following qualifications:

- Direct experience in consensus building processes and preferably direct experience in GNSO PDPs;
- Knowledge of and preferably direct experience in IDN related work at ICANN;
- Knowledge of ICANN policies and procedures as they relate to IDNs;
- Understanding of registry/registrar services and domain name life cycle as they relate to IDNs;
- Project management skills: including facilitating goal-oriented Working Group meetings, agenda setting and adherence, time management, encouraging collaboration, driving the completion of action items and achieving milestones in accordance with the WG timeline and work plan, keeping the Working Group’s actions, discussions and meetings focused on serving its ultimate goals and deliverables;
- Ability to enforce compliance with the Statement of Participation, ICANN’s Expected Standards of Behavior, and Community Anti-harassment Policy;
- Ability to determine when outreach is necessary and to undertake it;

- Ability to identify the diversity of views within the Working Group, if applicable;
- Knowledge of and ability to designate consensus on Working Group recommendations based on the level of agreement;
- Ability to help Working Group members understand that a consensus is a decision that is collaboratively reached and that the Working Group members can “live with”; accordingly, it may not be a perfect or unanimous decision;
- Commitment to review the [Consensus Playbook](#) and attend potential training related to the Playbook, facilitate consensus building by employing the tools and techniques as detailed in the playbook;
- Ability to refrain from promoting a specific agenda and ensuring fair, objective treatment of all opinions within the Working Group;
- Ability to distinguish between Working Group participants offering genuine dissent and those raising irrelevant or already closed issues merely to block the Working Group’s progress toward its goal;
- Ability to halt disruption and, in extreme cases, exclude a Working Group member from a discussion per Section 3.5 of the GNSO Working Group Guidelines on Rules of Engagement;
- Ability to ensure that closed Working Group decisions are not revisited, unless there is a consensus to do so (usually in light of new information brought to the Working Group’s attention);
- Ability to commit the time required to perform the WG Chair’s responsibilities;
- Knowledge of topics in other policy efforts that have relations to or dependencies with the EPDP working group topics;
- Ability to create factual, relevant and easily understandable messages, and able to clearly deliver them to the Working Group
- Ability to deliver a point clearly, concisely, and in a friendly way
- Exhibit agility and confidence in evolving situations and is able to swiftly transition from topic to topic
- Highly effective oral, written, and interpersonal communication skills (in simple, comprehensible English);
- Excellent research skills with the ability to discern factual, factually relevant, and persuasive details and sources;
- Commitment to manage a diverse workload, while collaborating with a Working Group of individuals with different background and interests in driving objectives; and
- Able to effectively build a course of action, analyze trade-offs, and make recommendations even in ambiguous situations; and
- Knowledge of and ability to participate in the Working Group complaint process, commitment to review the [Clarification to Complaint Process in GNSO Working Group](#) Guidelines Section 3.7.

**Expressions of Interest for the WG Chair:**

Staff is expected to publish a request for Expressions of Interest for the role of Chair. The GNSO Council leadership and Standing Selection Committee leadership will jointly review the responses and will propose a Chair to the GNSO Council which will then either affirm the selection or reject the selection and send the process back to the GNSO Council leadership and Standing Selection Committee leadership.

The Expression of Interest should address the following issues, including but not limited to:

- What is the applicant’s interest in this position?
- What particular skills and attributes does the applicant have that will assist him/her in chairing the WG and facilitating consensus building?
- What is the applicant’s knowledge of and/or experience in IDN related work at ICANN?
- What is the applicant’s knowledge of ICANN policies and procedures?
- What is the applicant’s understanding of registry/registrar services and domain name life cycle as they relate to IDNs?

- What is the applicant’s experience with the GNSO Policy Development Process?
- What is the applicant’s experience with consensus building involving various stakeholders, as well as familiarity with the [Consensus Playbook](#)?
- Is the applicant able to commit the time required and necessary work needed to chair the EPDP?
- Does the applicant have any affiliation with or involvement in any organization or entity with any financial or non-financial interest in the subject matter of this EPDP?
- Also expected to be included:
  - A link to an up-to-date Statement of Interest (SOI) - <https://community.icann.org/x/c4Lg>
  - A statement confirming commitment and ability to act neutrally.

#### **Expectations for the Vice Chair:**

Finally, as also pointed out in the GNSO Working Group Guidelines, the Vice Chair may facilitate the work of the Chair by ensuring continuity in case of absence, sharing of workload, and allowing the Chair to become engaged in a particular debate. As a result, similar responsibilities and qualifications are expected from the Vice Chair, although the overall workload may be reduced as a result of being able to share this with the Chair.

#### **Leadership Review:**

The review of WG leadership provides a regular opportunity for the GNSO Council to check in with WG leadership and Council Liaison to identify resources or input that Council may need to provide, as well as opportunities for the leadership team to improve. The review also enables the GNSO Council to work with the WG leadership and Council Liaison to develop and execute a plan to address possible issues/opportunities identified.

The GNSO Council leadership and/or the Council Liaison may initiate the WG leadership review in response to circumstances indicating that a review is necessary.

The WG leadership shall review the full text of [Regular Review of Working Group Leadership](#) document to understand the regular review of WG leadership performance by the GNSO Council, as well as the [member survey](#) that feeds into the review. This leadership review may be conducted alongside the [WG self-assessment](#), or be integrated as part of the WG self-assessment based on the GNSO Council’s further improvement of the review mechanism.

#### **GNSO Council Liaison**

The GNSO Council shall appoint one (1) Liaison who is accountable to the GNSO. The Liaison must be a member of the Council, and the Council recommends that the Liaison should be a Council member and be able to serve during the life of this WG.

The complete description of role & responsibilities for GNSO Council Liaison is described in the [GNSO Council Liaison Supplemental Guidance](#). In short, the GNSO Council Liaison is expected to:

- Fulfill liaison role in a neutral manner
  - Importantly, the liaison is expected to fulfil his/her role in a neutral manner. This means that everything the liaison does during his/her tenure, including but not limited to participating in WG calls, reporting status, conveying information, and escalating issues, should be done in that neutral manner.
- Serve as an interim WG Chair until a Chair is named

- Be a regular participant of WG meetings
- Participate in regular meetings with WG Chair
- Report to Council on the WG progress
- Convey to Council on WG communications, questions, concerns
- Inform WG Chair about Council activities impacting the WG
- Refer to Council questions related to WG Charter
- Assist or engage when WG faces challenges
- Assist in case of abuse of ICANN's Expected Standards of Behavior and Community Anti-Harassment Policy
- Assist with knowledge of WG processes and practices
- Facilitate when there is disagreement regarding consensus designation
- Facilitate when a Section 3.7 Complaint Process is invoked
- Initiate the WG leadership review in response to circumstances indicating that a review is necessary

The liaison shall complete the following actions for onboarding purposes:

- Review the [GNSO Council liaison to the WGs - Role Description](#);
- Review the [New Liaison Briefing and Liaison Handover](#) document to understand the actions the liaison needs to take for onboarding purposes.
- Consult the [supplemental guidance](#) developed to provide more precision in their responsibilities and the frequency in which they must be carried out;
- Familiarize with the provisions of the GNSO Operating Procedures relevant to liaisons;
- Subscribe to the EPDP mailing lists and relevant sub teams;
- Subscribe to the EPDP Leadership mailing list(s), if applicable. In addition, add o the PDP Leadership Skype chat (or other communication channel) if applicable;
- Consider requesting a catch up call with the relevant GNSO policy support staff. This call should clarify the role of the liaison in terms of PDP conference call attendance, expected responsibilities and an update as to the current status of the PDP if already in operation (milestones and anticipated hurdles);
- Review links to the wiki workspaces and mailing list archives via email;
- (If the EPDP is already in operation) Consider requesting that EPDP Leadership and the outgoing liaison(s) share relevant briefing documents specific to the EPDP, to highlight the scope of the PDP charter, current status, timeline, milestones, problem areas/challenges, anticipated hurdles, etc;
- (If the EPDP is already operational) Participate in an onboarding conference call with the incoming and outgoing liaisons as well as EPDP Leadership; GNSO policy support staff will also be present on the call.

### Support Staff:

The ICANN Staff assigned to the WG will fully support the work of the Working Group as requested by the Chair including meeting support, document drafting, editing and distribution and other substantive contributions when deemed appropriate.

Staff assignments to the Working Group:

- ICANN policy staff members
- GNSO Secretariat

In addition, regular participation of and consultation with other ICANN Org departments such as the GDS is anticipated to ensure timely input on issues that may require ICANN org input such as implementation-related

queries and issues requiring subject matter expertise in IDNs. As such, the ICANN Org GDS is expected to appoint at least one (1) Liaison to the WG, as specified in the “Membership Structure” section above.

Furthermore, additional policy staff resources are available to assist the WG leadership for consensus building purposes.

## Section V: Rules of Engagement

### Statements of Interest (SOI) Guidelines:

Each member of the WG is required to submit an SOI in accordance with Section 5 of the GNSO Operating Procedures.

### Statement of Participation:

Each Member and Participant of the WG must acknowledge and accept the Statement of Participation (as provided below), including ICANN’s Expected Standards of Behavior, before he/she can participate in the WG.

#### Statement of Participation

As a Member or Participant of the Internationalized Domain Names Expedited Policy Development Process Working Group:

- I agree to genuinely cooperate with fellow Members and Participants of the Working Group to deliberate the issues outlined in the Charter. Where there are areas of disagreement, I will commit to work with others to reach a compromise position to the extent that I am able to do so;
- I acknowledge the remit of the GNSO to develop consensus policies for generic top level domains. As such, I will abide by the recommended working methods and rules of engagement as outlined in the Charter, particularly as it relates to rules in [GNSO Working Group Guidelines](#);
- I will treat all Members/Participants of the Working Group with civility both face-to-face and online, and I will be respectful of their time and commitment to this effort. I will act in a reasonable, objective, and informed manner during my participation in this Working Group and will not disrupt the work of the Working Group in bad faith;
- I will make best efforts to regularly attend all scheduled meetings and send apologies in advance when I am unable to attend. I will take assignments allocated to me during the course of the Working Group seriously and complete these within the requested timeframe.
- I agree to act in accordance with [ICANN Expected Standards of Behavior](#), particularly as they relate to:
  - Acting in accordance with, and in the spirit of, ICANN’s mission and core values as provided in [ICANN’s Bylaws](#);
  - Listening to the views of all stakeholders and working to build consensus; and
  - Promoting ethical and responsible behavior;
- I agree to adhere to any applicable conflict of interest policies and the Statement of Interest (SOI) Policy within the [GNSO Operating Procedures](#), especially as it relates to the completeness, accuracy, and timeliness of the initial completion and maintenance of my SOI; and



- I agree to adhere to the [ICANN Community Anti-Harassment Policy and Terms of Participation and Complaint Procedures](#).

As a Member of the IDN EPDP Working Group:

- I understand reaching consensus does not mean that I am unable to fully represent the views of myself or the organization I represent. I will abide by the recommended working methods and rules of engagement as outlined in the Charter, particularly as it relates to designating consensus in [GNSO Working Group Guidelines](#).

I acknowledge and accept that this Statement of Participation, including ICANN’s Expected Standards of Behavior, is enforceable and any individual serving in a Chair role (such as Chair, Co-Chair, or Acting Chair or Acting Co-Chair) of the Working Group and GNSO Council Leadership Team have the authority to restrict my participation in the Working Group in the event of non-compliance with any of the above.

#### **Problem/Issue Escalation & Resolution Process:**

The problem/issue escalation & resolution process within the WG is provided in Sections 3.4 and 3.5 of the Working Group Guidelines. WG members should also reference the [Guidelines Concerning ICANN Org Resources for Conflict Resolution and Mediation](#).

#### **Formal Complaint Process:**

The formal complaint process within the WG is provided in Section 3.7 of the Working Group Guidelines. Further details regarding the formal complaint process are included in the [Clarification to Complaint Process in GNSO Working Group Guidelines](#) document.

The formal complaint process may be modified by the GNSO Council at its discretion.

## **Section VI: Decision Making Methodologies**

#### **Consensus Designation Process:**

Section 3.6 of the GNSO Working Group Guidelines, as included below, provides the standard consensus-based methodology for decision making in GNSO WGs.

For consensus building purposes, the WG Leadership, WG Members, and GNSO Council Liaison are expected to review the [Consensus Playbook](#) which provides practical tools and best practices to bridge differences, break deadlocks, and find common ground within ICANN processes; potential training related to the Consensus Playbook may be provided for WG Leadership, Members, and GNSO Council Liaison.

#### **3.6 Standard Methodology for Making Decisions**

The Chair will be responsible for designating each position as having one of the following designations:

- **Full consensus** - when no one in the group speaks against the recommendation in its last readings. This is also sometimes referred to as **Unanimous Consensus**.

- **Consensus** - a position where only a small minority disagrees, but most agree. *[Note: For those that are unfamiliar with ICANN usage, you may associate the definition of 'Consensus' with other definitions and terms of art such as rough consensus or near consensus. It should be noted, however, that in the case of a GNSO PDP originated Working Group, all reports, especially Final Reports, must restrict themselves to the term 'Consensus' as this may have legal implications.]*
- **Strong support but significant opposition** - a position where, while most of the group supports a recommendation, there are a significant number of those who do not support it.
- **Divergence** (also referred to as **No Consensus**) - a position where there isn't strong support for any particular position, but many different points of view. Sometimes this is due to irreconcilable differences of opinion and sometimes it is due to the fact that no one has a particularly strong or convincing viewpoint, but the members of the group agree that it is worth listing the issue in the report nonetheless.
- **Minority View** - refers to a proposal where a small number of people support the recommendation. This can happen in response to a **Consensus**, **Strong support but significant opposition**, and **No Consensus**; or, it can happen in cases where there is neither support nor opposition to a suggestion made by a small number of individuals.

In cases of **Consensus**, **Strong support but significant opposition**, and **No Consensus**, an effort should be made to document that variance in viewpoint and to present any **Minority View** recommendations that may have been made. Documentation of **Minority View** recommendations normally depends on text offered by the proponent(s). In all cases of **Divergence**, the WG Chair should encourage the submission of minority viewpoint(s).

The recommended method for discovering the consensus level designation on recommendations should work as follows:

- i. After the group has discussed an issue long enough for all issues to have been raised, understood and discussed, the Chair, or Co-Chairs, make an evaluation of the designation and publish it for the group to review.
- ii. After the group has discussed the Chair's estimation of designation, the Chair, or Co-Chairs, should reevaluate and publish an updated evaluation.
- iii. Steps (i) and (ii) should continue until the Chair/Co-Chairs make an evaluation that is accepted by the group.
- iv. In rare case, a Chair may decide that the use of polls is reasonable. Some of the reasons for this might be:
  - A decision needs to be made within a time frame that does not allow for the natural process of iteration and settling on a designation to occur.
  - It becomes obvious after several iterations that it is impossible to arrive at a designation. This will happen most often when trying to discriminate between **Consensus** and **Strong support but Significant Opposition** or between **Strong support but Significant Opposition** and **Divergence**.

Care should be taken in using polls that they do not become votes. A liability with the use of polls is that, in situations where there is **Divergence** or **Strong Opposition**, there are often disagreements about the meanings of the poll questions or of the poll results.

Based upon the WG's needs, the Chair may direct that WG participants do not have to have their name explicitly associated with any Full Consensus or Consensus view/position. However, in all other cases and in

those cases where a group member represents the minority viewpoint, their name must be explicitly linked, especially in those cases where polls were taken.

Consensus calls should always involve the entire Working Group and, for this reason, should take place on the designated mailing list to ensure that all Working Group members have the opportunity to fully participate in the consensus process. It is the role of the Chair to designate which level of consensus is reached and announce this designation to the Working Group. Member(s) of the Working Group should be able to challenge the designation of the Chair as part of the Working Group discussion. However, if disagreement persists, members of the WG may use the process set forth below to challenge the designation.

If several participants<sup>211</sup> in a WG disagree with the designation given to a position by the Chair or any other consensus call, they may follow these steps sequentially:

1. Send email to the Chair, copying the WG explaining why the decision is believed to be in error.
2. If the Chair still disagrees with the complainants, the Chair will forward the appeal to the CO liaison(s). The Chair must explain his or her reasoning in the response to the complainants and in the submission to the liaison. If the liaison(s) supports the Chair's position, the liaison(s) will provide their response to the complainants. The liaison(s) must explain their reasoning in the response. If the CO liaison disagrees with the Chair, the liaison will forward the appeal to the CO. Should the complainants disagree with the liaison support of the Chair's determination, the complainants may appeal to the Chair of the CO or their designated representative. If the CO agrees with the complainants' position, the CO should recommend remedial action to the Chair.
3. In the event of any appeal, the CO will attach a statement of the appeal to the WG and/or Board report. This statement should include all of the documentation from all steps in the appeals process and should include a statement from the CO<sup>212</sup>.

#### **Who Can Participate in Consensus Designation:**

Consensus calls or decisions are limited to Members who may consult as appropriate with their respective appointing organizations. However, for the purpose of assessing consensus, groups that do not fulfil their maximum membership allowance should not be disadvantaged.

The WG Chair shall ensure that all perspectives are appropriately taken into account in assessing Consensus designations on the final recommendations.

Unless otherwise specified in this Charter, the GNSO Working Group Guidelines apply in full and Consensus designations are therefore the responsibility of the Work Group Chair and are to be made in accordance with the consensus levels described in Section 3.6 of the Working Group Guidelines.

<sup>211</sup> Any Working Group member may raise an issue for reconsideration; however, a formal appeal will require that a single member demonstrates a sufficient amount of support before a formal appeal process can be invoked. In those cases where a single Working Group member is seeking reconsideration, the member will advise the Chair and/or liaison of their issue and the Chair and/or liaison will work with the dissenting member to investigate the issue and to determine if there is sufficient support for the reconsideration to initial a formal appeal process.

<sup>212</sup> It should be noted that ICANN also has other conflict resolution mechanisms available that could be considered in case any of the parties are dissatisfied with the outcome of this process.

**Termination or Closure of Working Group:**

Typically, the WG will close upon the delivery of its last Final Report, unless assigned additional tasks or follow-up by the GNSO Council.

The GNSO Council may terminate or suspend the WG prior to the publication of its last Final Report for significant cause such as changing or lack of community volunteers, the planned outcome for the project can no longer be realized, or when it is clear that no consensus can be achieved.

The WG Chair, in collaboration with the WG support staff and the GNSO Council Liaison, shall use an [escalation procedure](#), which helps define the health of the WG and informs the GNSO Council’s decision on whether the WG should be terminated or suspended.

**Section VII: Change History**

**Section VIII: Charter Document History**

Version	Date	Description
1.0	10 May 2021	

<b>Staff Contact:</b>	Ariel Liang	<b>Email:</b>	<a href="mailto:Policy-Staff@icann.org">Policy-Staff@icann.org</a>
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**Translations: If translations will be provided please indicate the languages below:**

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## 8 Annex B – Consensus Designations

Below is the EPDP-IDNs Leadership Team’s designation as to the level of consensus on each recommendation in this Phase 2 Final Report. These designations were made following the process as outlined in the message to the EPDP Team mailing list on 20 September 2024, and in accordance with ‘Section 3.6 - Standard Methodology for Making Decisions’ of the GNSO Working Group Guidelines.<sup>213</sup> By 2 October 2024, no objection was received from EPDP members to the Leadership Team’s Proposed Consensus Designations.<sup>214</sup>

Recommendation #	Leadership Team’s Proposed Designation
<b>Section 3.1 Charter Questions with Final Outputs</b>	
Final Recommendation 1	Full Consensus
Implementation Guidance 2	Full Consensus
Final Recommendation 3	Full Consensus
Final Recommendation 4	Full Consensus
Final Recommendation 5	Full Consensus
Final Recommendation 6	Full Consensus
Implementation Guidance 7	N/A
Final Recommendation 8	Full Consensus
Final Recommendation 9	Full Consensus
Final Recommendation 10	Full Consensus
Final Recommendation 11	Full Consensus
Implementation Guidance 12	Full Consensus
Final Recommendation 13	Full Consensus
Final Recommendation 14	Full Consensus
Implementation Guidance 15	Full Consensus

<sup>213</sup> See the message sent by Support Staff on behalf of the EPDP Leadership Team here: [Initiating the Consensus Call - Message to the EPDP Team](#); See the GNSO Working Group Guidelines here: [ANNEX 1: GNSO Working Group Guidelines](#)

<sup>214</sup> See the message sent by Support Staff on behalf of the EPDP Leadership Team here: [Closing the Consensus Call - Message to the EPDP Team](#)

Final Recommendation 16	Full Consensus
Implementation Guidance 17	Full Consensus
Final Recommendation 18	Full Consensus
Implementation Guidance 19	Full Consensus
Final Recommendation 20	Full Consensus
Implementation Guidance 21	Full Consensus

## 9 Annex C – Responses to Phase 2 Charter Questions

This annex documents the brief responses agreed by the EPDP Team to all of the Phase 2 charter questions. The final Outputs were derived from these responses.

#	Charter Question	EPDP Team Agreed to the Following:
C1	<p>Both the SubPro PDP and the Staff Paper recommend that: 1) a given second-level label beneath each allocated variant TLD must have the “same entity”; and 2) all allocatable second- level IDN variant labels that arise from a registration based on a second-level IDN table must have the “same entity”.<sup>215</sup></p> <p>Should this recommendation be extended to existing second-level labels?</p>	<ul style="list-style-type: none"> <li>• The “same entity” principle applies to the allocation of future variant domain names at the second-level of gTLDs. This means that all allocatable variant domain names from a variant domain set must be allocated or withheld for possible allocation only to the same registrant. Additionally, all allocated domain names must be at the same sponsoring registrar.</li> <li>• gTLD registry operators should take into account Recommendation 14 in SAC060, as well as language or script communities’ widely acceptable practices among Internet users and established conventions, and consider<sup>216</sup>: 1) setting a maximum number of allocatable variant domain names that can be allocated to the same registrant of the source domain name; and 2) limiting automatic activation of variant domain names to the extent possible, including in instances where the language-script community believes automatic allocation and activation is needed.</li> </ul>

<sup>215</sup> See Recommendation 25.6 in the SubPro PDP Final Report, p.116: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=116>; Recommendation 3 in the Staff Paper, p.3: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=3>; Recommendation 25.7 in the SubPro PDP Final Report, p.116: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=116>; Recommendation 4 in the Staff Paper, p.4: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=4>

<sup>216</sup> See Recommendation 14, SAC060, p.20: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=20>

#	Charter Question	EPDP Team Agreed to the Following:
		<ul style="list-style-type: none"> <li>Immediately prior to the policy effective date of the “same entity” principle as set out in <u>Final Recommendation 1</u>, the existing variant domain names that do not conform to the “same entity” principle must be exempted. This means that there will be no change to the contractual or allocation status of such existing variant domain names. The requirement of having the same registrant and the same sponsoring registrar will not be applied retroactively. gTLD registries must determine variant sets for each exempted label as if it is a source domain name and protect from registration all variant labels in all such variant sets in all variant gTLDs, as appropriate.</li> </ul>
C2	<p>Currently Registry Operators may activate the IDN variant labels at the second-level when requested by the sponsoring Registrar of the canonical name as described in the IDN Tables and IDN Registration Rules.<sup>217</sup> Both the SubPro PDP and the Staff Paper recommend that at the second-level, the same entity definition can be achieved by ensuring that the registrant is the same.<sup>218</sup></p> <p>Should this recommendation be extended to the already activated IDN variant labels at the second-level? How does the “same entity” requirement impact the current rules for Registry Operators for activating IDN variant labels?</p>	<ul style="list-style-type: none"> <li>Any allocatable variant domain names of exempted domain names pursuant to <u>Final Recommendation 3</u> cannot be allocated unless and until only one registrant and one sponsoring registrar remain for the exempted domain name(s) from the relevant variant domain set.</li> </ul>

<sup>217</sup> See [footnote 41](#)

<sup>218</sup> See Rationale for Recommendation 25.6-25.8 in the SubPro PDP Final Report, pp.117-118: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=117>; Section 3.2.1 in the Staff Paper, p.7: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=7>



#	Charter Question	EPDP Team Agreed to the Following:
C3	<p>The WG and the SubPro IRT to coordinate and consider the following question in order to develop a consistent solution: what is the appropriate mechanism to identify the registrant as the “same entity” at the second-level for future and existing labels?</p> <p>The Staff Paper recommends using ROID to ensure that the same label beneath all variant labels is allocated to the same entity.<sup>219</sup> However, some registrars in practice may not reuse contact objects for different registrations by the same registrant, and there is no existing data on the number/percentage of ICANN accredited registrars that reuse contact ROID.<sup>220</sup></p> <p>Is ROID a reasonable mechanism to determine the same registrant at the second-level for both future and existing labels? If not, what mechanism/functional definition can be used to ensure the second-level variant labels are allocated to the same entity for both current and future TLDs? Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.</p>	<p>No need to prescribe any specific mechanism to identify the same registrant in order to enforce the “same entity” principle as set out in <a href="#">Final Recommendation 1</a>. The EPDP Team believed that how the same registrant is identified, verified, and enforced should be determined by the gTLD registry operator and the sponsoring registrar, based on the agreed method of their choosing.</p> <p>The EPDP Team understood that the Staff Paper recommends ROID, a globally unique identifier assigned by a registry operator to a registry object (i.e., domain contact or host) at the time of its creation, and considered whether the ROID was a suitable mechanism to identify the same registrant.</p> <p>The EPDP Team identified some specific drawbacks of ROID based on feedback from registry and registrar representatives. ROID seems to be a “throw-away” identifier that is not reusable. The Registry Agreement only requires unique-per-object ROID; different ROIDs may be assigned to the same registrant across gTLDs managed by the gTLD registry operator, and the registrars may generate unique contact objects for different domain names of the same registrant. Furthermore, operators of ‘thin registries’ are not required to generate ROID, as they only include technical data sufficient to identify the sponsoring</p>

<sup>219</sup> Besides ROID, the Staff Paper also includes additional options to achieve the same entity requirement: having all the registrant fields be the same (without considering the ROID) for both names; having a core subset of the registrant fields be the same (without considering the ROID) for both names; or requiring a cryptographic probe that both registrars are indeed the same. See Section 3.2.1 in the Staff Paper, p.7: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=7>

<sup>220</sup> If a large portion of registrars do not reuse contact objects (ROID) for registrant, then changing the status quo would be a major development undertaking for a potentially small market for variants. Note that for interoperability virtually all registrars would need to support the same “glue” method to support inter-registrar transfers.

#	Charter Question	EPDP Team Agreed to the Following:
		<p>registrars, status of the registrations, and creation and expiration dates for each registration in its WHOIS data store.<sup>221</sup> In addition, ROID may be excluded from the minimum data set in accordance with registration data policy as a result of the General Data Protection Regulation (GDPR). The EPDP Team also noted that gTLD registry operators and registrars cannot be forced to uniformly use ROID for the purpose of identifying the same registrant.<sup>222</sup></p> <p>During its deliberation, the EPDP Team solicited input from ICANN Contracted Party House (CPH) TechOps group regarding possible alternative mechanisms to identify the same registrant, as there has been ongoing discussion about this topic in this group. During the EPDP Team’s ICANN78 working session, members from TechOps shared two possible models they discussed:</p> <ul style="list-style-type: none"> <li>● <b>Model 1 - registry and registrar enforce same registrant:</b> gTLD registry operator enforces that the registrar allocated a variant domain name for the same registrant of the source domain name. The registrant is defined by the gTLD registry operator’s policy using mechanisms such as contact handle, registrant ROID, or other data value pre-determined by the gTLD registry operator.</li> <li>● <b>Model 2 - registry and registrar split the responsibility:</b> gTLD registry operator enforces variant domain names are allocated by the same sponsoring registrar; in turn, the sponsoring registrar</li> </ul>

<sup>221</sup> More information: <https://whois.icann.org/en/what-are-thick-and-thin-entries>

<sup>222</sup> For detailed discussions about ROID, check the recording of EPDP Team’s meeting #84 and ICANN78 working sessions (1, 2).

#	Charter Question	EPDP Team Agreed to the Following:
		<p>enforces the variant domain names are allocated to the same registrant. In other words, the gTLD registry operator will not enforce the same registrant, but will only enforce the same registrar. Registrar will enforce that a variant domain name is allocated to the same registrant defined by registrar policy.</p> <p>After discussion of these possible models, the EPDP Team understood that many moving parts involving different parties make it hard to recommend a singular way to enforce the “same entity” principle. Consequently, the EPDP Team agreed to concentrate on the goal of “same entity,” but leave the details to implementation by the gTLD registry operators and registrars.</p> <p>Following the Initial Report Public Comment process, the EPDP Team reaffirmed their agreement not to prescribe any specific mechanism as it is the responsibility of the gTLD registry operator and sponsoring registrar to decide how the same registrant is identified, verified, and enforced based on a mutually agreed method. However, to avoid any confusion during the implementation stage and ensure subsequent interoperability, the EPDP Team agreed that the mechanism to identify the registrant as the “same entity” at the second-level for future and existing labels should be uniform, to the extent possible. For avoidance of doubt, this means that a unified mechanism will be determined during the implementation stage, to the extent possible, by the gTLD registry operators and the sponsoring registrars, not that each entity will have a method of its own choosing. Ultimately, the EPDP Team left the appropriate</p>

#	Charter Question	EPDP Team Agreed to the Following:
		<p>mechanism for the IRT to address during the implementation stage, noting that the future work will be complex and require a multi-layered approach to ensure maximum interoperability when converging into one single model.</p>
C3a	<p>If the Working Group determines to use ROID as the mechanism to identify the registrant as the “same entity” at the second-level, are there additional requirements to ensure the “same entity” principle is followed?<sup>223</sup></p>	<p>Since the EPDP Team agreed not to recommend ROID as the sole and uniform mechanism to identify the same registrant in order to enforce the “same entity” principle as set out in <u>Final Recommendation 1</u>, this conditional question is moot. The EPDP Team maintained this position after the Public Comment.</p>
C4	<p>A registry TLD may offer registrations using different IDN tables to support different languages or scripts.<sup>224</sup> In case multiple IDN tables are offered, IDN tables should produce a consistent set of second-level variant labels to help achieve the security and usability goals for managing variant labels in a stable manner, promoting a good user experience.<sup>225</sup> As such, the Staff Paper recommends that IDN tables of variant TLDs be mutually coherent, i.e., any two code points (or sequences) that are variants in TLD ‘t1’ cannot be non-variants in variant TLD ‘t1v1’.<sup>226</sup> This</p>	<ul style="list-style-type: none"> <li>• All of the existing and future IDN Tables for a given gTLD and its delegated gTLD variant label(s), if any, must be harmonized. This means that all of the IDN Tables for a gTLD and its delegated gTLD variant label(s) must produce a consistent variant domain set for a given second-level label registered under that gTLD or its delegated gTLD variant label(s).</li> </ul>

<sup>223</sup> If the same contact ROID or functional equivalent is used to identify registrants, no registrant metadata syncing is needed, as the registrant metadata is automatically the same for all registrants of every allocated variant based on ROID. This also means that issues around privacy and proxy services are addressed, because the privacy or proxy service must still generate a contact ROID (or its functional equivalent) for the registrant. However, the Staff Paper notes that if a registration system does not use contact objects, a requirement about registrant metadata syncing will be needed to ensure the “same entity” rule. See Section 3.9.1 in the Staff Paper, p.22:

<https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=22>

<sup>224</sup> Registry TLD refers to a single TLD in a RA, not the registry operator which may operate one or more TLDs.

<sup>225</sup> See “Motivation, Premises, and Framework” section of the Staff Paper:

<https://www.icann.org/en/system/files/files/idn-variant-%20tld-motivation-premises-framework-25jan19-en.pdf>

<sup>226</sup> The intent of the recommendation is that a given TLD’s IDN Tables be harmonized, not all of the registry operator’s IDN Tables for all the TLDs it operates, but with exception of variant TLDs that the registry operator also operates. See Recommendation 5 in the Staff Paper, p.4: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-%2025jan19-en.pdf#page=4>

#	Charter Question	EPDP Team Agreed to the Following:
	<p>recommendation also implies that any two code points (or sequences) that are variants in IDN Table A for TLD t2, which does not have any variant TLD, cannot be non-variants in another IDN Table B for the same TLD t2.<sup>227</sup></p> <p>Should the second-level IDN tables offered under a TLD, including IDN variant TLDs, be required to be mutually coherent? If yes, how should existing registrations which may not meet the “mutually coherent” requirement of second-level IDN tables be addressed? Rationale must be clearly stated.</p>	
C4a	<p>Notwithstanding that IDN tables need to be mutually coherent, the SubPro PDP and the Staff Paper recommend that the set of allocatable or activated second-level variant labels may not be identical across the activated IDN variant TLDs. Meaning, their behavior/disposition can be different.<sup>228</sup></p> <p>Under the conditions above, may the set of allocatable or activated second-level variant labels not behave identically under an individual TLD, which does not have any variant TLD label?</p>	<p>This question should not be a sub question under charter question C4 regarding IDN Table harmonization. Instead, it is closely linked to charter question D4 with regard to variant domain name lifecycle management.</p> <p>The EPDP Team noted that this charter question was developed to consider a possible gap in SubPro Recommendation 25.8 because it does not explicitly address the behavior of variant domain names under an individual gTLD, which does not have variant gTLD labels.</p> <p>While the EPDP Team was not convinced that there is a gap in SubPro Recommendation 25.8, they considered there was value in addressing the concern. Consistent with SubPro Recommendation 25.8 that addressed the behavior of second-level domain names under variant</p>

<sup>227</sup> The Staff Paper does not explicitly make such a recommendation with respect to a given TLD that does not have variants, but the proposed IDN Implementation Guidelines 4.0 recommends such.

<sup>228</sup> See Recommendation 25.8 in the SubPro PDP Final Report, p.116: <https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=116>; Recommendation 6 in the Staff Paper, p.4: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=4>

#	Charter Question	EPDP Team Agreed to the Following:
		<p>gTLDs, the EPDP Team agreed that variant domain names under any gTLD should not be required to act, behave, or be perceived as identical. In other words, variant domain names under any individual gTLD are not required to act, behave, or be perceived as identical, no matter whether the gTLD, under which the variant domain names are allocated, has any top-level variant label(s) or not, or is itself a gTLD variant label.</p> <p>This is also consistent with the EPDP Team’s rationale for <u>Final Recommendation 9</u> which supports the conclusion that each allocated variant domain should be allowed to have its own domain name lifecycle, which is independent from that of another allocated variant domain from the same variant domain set.</p>
C5	<p>There is existing practice by registries to harmonize IDN tables, but there is no data on the various methods they may have used. The Staff Paper suggests maintaining a common set of harmonized second-level IDN tables for all IDN variant TLDs and then (a) choosing all these IDN tables to offer for all IDN variant TLDs, or (b) choosing a relevant different subset of IDN tables to offer for each different IDN variant TLD.<sup>229</sup></p> <p>The WG and the SubPro IRT to coordinate and consider the following question in order to develop a consistent solution: are the above suggested methods in the Staff Paper sufficient for IDN table harmonization purposes? Should any additional implementation guidance be provided for a registry?</p>	<ul style="list-style-type: none"> <li>The baseline criteria for implementing IDNs at the second-level must be security and stability of the DNS. ICANN org and gTLD Registry operators shall be responsible for reaching mutual agreement on a minimum set of IDN variant deployment requirements, including, variant sets at the second-level. In developing the minimum set of IDN variant deployment requirements, ICANN org and the gTLD registry operators shall consult with other relevant stakeholders, including ICANN-accredited registrars and script communities.</li> </ul>

<sup>229</sup> See Section 3.5.1 in the Staff Paper, p.14: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-%20analysis-25jan19-en.pdf#page=14>

#	Charter Question	EPDP Team Agreed to the Following:
C6	<p>To facilitate the harmonization of IDN tables, the Staff Paper recommends that IDN tables for the second-level be formatted in the machine readable LGR format specified in RFC 7940, Representing Label Generation Rulesets Using XML.<sup>230</sup> However, each Registry Operator can harmonize the IDN tables today via software development solutions or are already in the process of doing so.</p> <p>The WG and the SubPro IRT to coordinate and consider the following question in order to develop a consistent solution: should Registry Operators be required to use the machine readable LGR format as specified in RFC 7940 for their second-level IDN tables? Or should Registry Operators have the flexibility to resolve the harmonization issue so long as it can predictably and consistently produce the same variant labels, albeit with different disposition values, across the same-script IDN tables? Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.</p>	<p>No need to recommend the machine-readable XML format, as specified in RFC 7940, as the required format for IDN Tables. Existing and future gTLD registry operators should have the flexibility to determine the appropriate format of their IDN Tables. The EPDP Team reviewed the evolution of IDN Table formats as recommended by relevant RFCs and understood that there are different ways to represent the second-level rules under gTLDs.<sup>231</sup> A published IDN Table is an artifact and a plain output exported by a gTLD registry operator to meet ICANN requirements. It does not necessarily drive the logic of the system, platform, and software that a gTLD registry operator uses to implement the second-level rules at a technical level.</p> <p>The EPDP Team understood that the Staff Paper recommends the XML format in the context of the IDN Table harmonization mechanism. Some EPDP Team members remarked that such a machine-readable format may help gTLD registry operators, who use the XML format, to harmonize their IDN Tables via an automated process enabled by the LGR processing tools, leaving a smaller chance of misinterpretation.<sup>232</sup> However, since the EPDP Team had already agreed to not recommend any specific IDN Table harmonization mechanism, that also meant gTLD registry operators would be free to decide whether to use the XML format or not.</p> <p>In addition, the EPDP Team noted that the vast majority of existing IDN Tables are not</p>

<sup>230</sup> See RFC 7940 here: <https://www.rfc-editor.org/info/rfc7940>; Section 3.3.1 in the Staff Paper, pp.9-10: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=9>

<sup>231</sup> See slides and recording of Meeting #81 for more details: <https://community.icann.org/x/W4ZXDg>

<sup>232</sup> Learn more about the LGR processing tools, check the recordings of EPDP Team meetings [#81](#) and [#82](#).

#	Charter Question	EPDP Team Agreed to the Following:
		<p>using the XML format.<sup>233</sup> If the XML format were required, it would mean that gTLD registry operators would have to build out technical solutions to export the IDN Tables in the XML format and parse the rules. These efforts will likely be a significant undertaking. Furthermore, it is not possible to conclude that using the XML format is a way to ensure IDN Table harmonization. The EPDP Team also understood the RFCs, as outputs from the IETF, are recommendations for standards. It is up to the businesses to decide whether to adopt these recommendations. Therefore, some members expressed concerns that considering adoption of the XML format as specified in the RFC 7940 may be outside the scope of the EPDP.</p> <p>During its deliberation, the EPDP Team also reviewed the Board deferred guidelines from IDN Implementation Guidelines version 4.0. Specifically, Guideline 6a states the following:</p> <p style="padding-left: 40px;"><i>“Except as applicable in 6(b) below, registries must use RFC 7940: Label Generation Ruleset (LGR) Using XML format to represent an IDN Table”.</i></p> <p>As the EPDP Team agreed not to recommend the machine-readable XML format as the required format for IDN Tables, Guideline 6a is contrary to the EPDP Team’s agreement.</p> <p>Following the Public Comment review process, the EPDP Team reaffirmed its stance not to recommend the machine-readable XML format. However, the EPDP Team acknowledged the request for a</p>

<sup>233</sup> As of 5 October 2021, the IDN Tables stored in the IANA Repository have the following formats: TXT (12,985 tables), XML (1,113 tables), HTML (61 tables), and PDF (1 table).



#	Charter Question	EPDP Team Agreed to the Following:
		standards-based approach to be implemented for IDN Table harmonization, through which is machine-readable and forward looking. Though ICANN org currently prefers the machine-readable approach (RFC 7940), it also accepted all three standards that are currently available to represent IDN Tables, including the text-based formats such as the RFC 3743 and RFC 4290.
D4	Regarding second-level domain names, should a variant set behave as one unit, i.e., the behavior of one domain name is replicated across the other variant domain names? Or should each variant domain name have its own independent domain name lifecycle? <sup>234</sup> Consider the operational and legal impact of the “same entity” principle, if any, to all aspects of a domain name lifecycle, including but not limited to: ● Registration, including registration during the Sunrise Period, any Limited Registration Period, any Launch Program and during General Registration ● Update ● Renewal ● Transfer ● Lock ● Suspension ● Expiration ● Redemption ● Deletion.	<ul style="list-style-type: none"> <li>● A registrant and its sponsoring registrar must jointly determine the source domain name, which must be registered, for calculating the variant domain set under a given gTLD and its delegated gTLD variant label(s), if any. The registrants and sponsoring registrars of the exempted variant domain names pursuant to <u>Final Recommendation 3</u> are excluded from this requirement.</li> <li>● The “same entity” principle, as set out in <u>Final Recommendation 1</u>, must be adhered to in all stages of the domain name lifecycle of the allocated variant domain names in the same variant domain set. The exempted variant domain names pursuant to <u>Final Recommendation 3</u> are excluded from this requirement.</li> </ul>
D5	For reporting and fee accrual purposes, should each variant domain name be considered an independent registration? Or should such variant labels be considered as an atomic set (irrespective of whether any of the names is actually	This charter question specifically pertains to the \$0.18 mandatory transaction-based fee that ICANN org charges for each year of registration, renewal, or transfer of domain names. In EPDP-IDNs Phase 1, the EPDP Team has already developed <u>Final</u>

<sup>234</sup> One view is that if each variant allocation is simply a different domain name, it follows that names can be created and can expire at different times, despite the “same-entity” rule. See Section 3.9.4 in the Staff Paper, p.22: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=22>. Another view is that if each variant allocation is supposed to be the same domain name, it follows that names should expire at the same time, however some registry operators may implement it differently and consider them billable transactions instead.

#	Charter Question	EPDP Team Agreed to the Following:
	<p>activated in the DNS, and whether any of the variants is actually registered)? Rationale for such definition must be clearly stated. Should any specific implementation guidance be provided? For example, what would be the impact to the registration payment at the Registry Operator level and at ICANN org?</p>	<p><u>Recommendation 7.5</u> pertaining to the registry-level transaction fee.<sup>235</sup></p> <p>The EPDP Team discussed the question of whether a registrant must pay ICANN org the \$0.18 mandatory transaction-based fee for each activated variant domain name of its registered source domain name. The EPDP Team agreed not to prescribe any specific recommendation in this regard.</p> <p>The EPDP Team learned that two models of variant domain name activation currently exist – a variant domain name may be activated via the “EPP Create” command or the “EPP Update” command. Activation via the “EPP Create” command leads to the registration of the variant domain name independent from its source domain name, whereas activation via the “EPP Update” command leads to the creation of a variant domain name as a “child domain name” of its source domain name. The “child domain name” is an attribute of the source domain name and is not treated as an independent registration. Once the source domain name is deleted, the “child domain name” is also deleted. Variant domain name activation via “EPP Create” would incur the annual fee paid to ICANN org, but “EPP Update” would not. In other words, how the variant domain name is activated results in whether the annual fee is charged based on the respective registry operator’s policy.</p>

<sup>235</sup> EPDP-IDNs Phase 1 Final Recommendation 7.5 states the following: “The calculation of the registry-level transaction fee must be based on the cumulative number of domain name registrations of the combined delegated gTLD label(s) from a variant label set.” For more details about this recommendation and its rationale, please see pp.83-84 of the EPDP-IDNs Phase 1 Final Report: <https://mm.icann.org/pipermail/council/attachments/20231108/fcbce142/Phase1FinalReportontheInternationalizedDomainNamesExpeditedPolicyDevelopmentProcess-0001.pdf#page=83>

#	Charter Question	EPDP Team Agreed to the Following:
		<p>The EPDP Team agreed not to dictate either model of variant domain name activation as well as the associated annual fee expectation in order not to impinge on the existing rights of gTLD registry operators in accordance with their policies and contractual agreements with sponsoring registrars.</p> <p>Following the Public Comment review process, the EPDP Team maintained their position to leave the response as is, without providing any specific Outputs. However, the EPDP Team recognized the great attention the community drew to this charter question, having received various suggestions from multiple commenters on this topic. This issue will need to be determined during the implementation stage.</p>
D6	<p>To ensure that the “same entity” principle is followed, the transfer of a domain name registration to a new entity -- voluntary or involuntary, and inter-registrants or inter-registrars -- should result in transfer of all variant domain names (i.e., if s1.t1 is to be transferred, s1.t1, s1.t1v1, s1v1.t1 and s1v1.t1v should all be transferred).</p> <p>The WG, the Transfer Policy PDP, and the RPM PDP Phase 2 to coordinate and consider the following questions in order to develop a consistent solution: to what extent should the Transfer Policy be updated to reflect domain name relationships due to variants and the “same entity” requirement?</p>	<ul style="list-style-type: none"> <li>• In the event an inter-registrar transfer process is initiated for a domain name, which is a member of a variant domain set, the process must encompass all of its allocated variant domain names, if any, together. The exempted variant domain names pursuant to <a href="#">Final Recommendation 3</a> are excluded from this requirement.</li> </ul>
D6a	<p>Should transfers ordered by the Uniform Domain-Name Dispute-Resolution Policy (UDRP) or any other dispute resolution</p>	<ul style="list-style-type: none"> <li>• In the event a domain name is ordered to be transferred as a result of a Uniform Domain Name Dispute Resolution Policy (UDRP) administrative proceeding, the transfer process must include the</li> </ul>

#	Charter Question	EPDP Team Agreed to the Following:
	mechanisms be treated the same way to follow the “same entity” requirement? <sup>236</sup>	domain name and all of its allocated variant domain names, if any, together. The exempted variant domain names pursuant to <u>Final Recommendation 3</u> are excluded from this requirement.
D7	Should the policies and procedures related to domain name suspension be updated to ensure that the “same entity” principle is followed for all variant domain names (i.e., if s1.t1 is to be suspended, s1.t1v1, s1v1.t1 and s1v1.t1v1 should all be suspended)? In other words, if one domain label is suspended, either voluntarily or involuntarily, should all the variant labels related to that domain be suspended?	The EPDP Team agreed that as long as the “same entity” principle is maintained, suspension placed on one domain name does not necessarily mean the other allocated variant domain names from the same variant domain set, if any, have to be suspended as well. However, suspension will likely disable transfer of the affected variant domain set, as set out in <u>Final Recommendation 10</u> . The EPDP Team also agreed that no specific recommendation is needed with respect to suspension, as the overarching requirement of the “same entity” principle has addressed this aspect. See details explained in <u>Final Recommendation 9</u> .
D7a	Should the suspensions ordered by the Uniform Rapid Suspension System (URS) or any other dispute resolution mechanisms be treated the same way to follow the “same entity” requirement? <sup>237</sup>	<ul style="list-style-type: none"> <li>• A Uniform Rapid Suspension System (URS) complainant is responsible for deciding whether to include allocated variant domain names, if any, of a disputed domain name as part of their URS complaint.</li> </ul>
D8	What additional updates to the Registry Agreement are necessary to ensure the labels under variant TLDs follow the “same entity” rule? For example, the Staff Paper recommends that the following requirements must be included in the Registry Agreement; some of the charter questions are also related to those	<ul style="list-style-type: none"> <li>• To account for the "same entity" principle and its implications for variant domain names, gTLD registry operators should work with ICANN-accredited registrars to determine a mechanism to communicate between each other to facilitate the registration and management of variant domain names, including an indication of the</li> </ul>

<sup>236</sup> See more details about the UDRP related discussions in Section 3.7 in the Staff Paper, pp.17-18: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=17>

<sup>237</sup> See more details about the URS related discussions in Section 3.7 in the Staff Paper, p.18: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=18>

#	Charter Question	EPDP Team Agreed to the Following:
	<p>topics:<sup>238</sup></p> <ul style="list-style-type: none"> <li>● Subordinate names allocated by the Registry Operator in the TLD be treated as an atomic set. This is true irrespective of whether any of the names is actually activated in the DNS, and whether any of the variants is actually registered. [related to questions c1, d4, d5]</li> <li>● All the different IDN tables being used by the IDN gTLD and its variant gTLDs be harmonized. [related to questions c4, c5]</li> <li>● All the IDN variant TLDs be implemented through the same registry service provider, to promote a consistent and stable implementation across all such variant TLDs. [related to questions b2, b4]</li> </ul> <p>Are there any additional updates that need to be considered that are not included in this list?</p>	<ul style="list-style-type: none"> <li>● source domain name(s) and initial source domain name of the variant domain set.</li> <li>● In order to allow a requestor to discover the allocated variant domain names for a given domain name, corresponding sponsoring registrars should accept requests for disclosure of this information and unless there are data privacy concerns, the information should be granted. In considering whether to disclose the information, the corresponding sponsoring registrars should balance the interest of the requestor with those of the data subject, where such balancing is required by applicable law.</li> <li>● If two or more delegated gTLDs belong to the same variant label set in accordance with RZ-LGR calculation, the Root Zone Database on iana.org must denote, in a transparent manner, their variant relationship and indicate which one serves as the primary gTLD for calculating the variant label set.</li> <li>● gTLD registry operators should publish policies, in a transparent manner, that reflect their implementation of the EPDP-IDNs Phase 2 recommendations. In particular, such policies should reflect the implementation of <u>Final Recommendations 1, 3-6, 14 and Implementation Guidance 2.</u></li> </ul>
F1	<p>Trademark Clearinghouse (TMCH) mechanism functions include authenticating information from rights holders and providing this information to registries and registrars. Recording a trademark with the TMCH provides a rights holder with access to Sunrise</p>	<p>Affirming the Phase 1 recommendations from the Review of All RPMs in All gTLDs PDP and agreed that the current matching rules of the TMCH, as well as the criteria for the Sunrise and Trademark Claims</p>

<sup>238</sup> Section 3.6 in the Staff Paper, p.16: <https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=16>

<p>registration periods in new gTLD registries and the Trademark Claims services. If Registry Operator has implemented IDN variant registration policies for the TLD, Registry Operator MAY allocate or register IDN variant labels generated from a label included in a valid SMD file during the Sunrise Period, provided that (i) such IDN variant registration policies are based on the Registry Operator’s published IDN tables for the TLD and (ii) such policies are imposed consistently in the Sunrise Period, any Limited Registration Period, any Launch Program and during General Registration.<sup>239</sup></p> <p>The Review of All Rights Protection Mechanisms (RPMs) in All gTLDs PDP Phase 1 recommends maintaining the TMCH’s current “exact match” rules, the current availability of Sunrise registrations only for identical matches, and the current exact matching criteria for the Claims Notice.<sup>240</sup></p> <p>In considering the information above, are there any adjustments to the TMCH and its Sunrise and Trademark Claims services needed?<sup>241</sup> Consider this question by taking into account the data to be collected in the “Data and Metric Requirements” section of this charter.</p>	<p>services should be maintained.<sup>242</sup></p> <p>The EPDP Team reviewed the background of the TMCH and its mandatory Sunrise and Trademark Claims services. The EPDP Team understood that the TMCH provides protection for certain types of verified marks in the DNS. The domain name labels submitted by the mark holders to the TMCH that are eligible for the Sunrise and Trademark Claims services must correspond to the verified marks and be generated based on TMCH’s matching rules, which are generally “exact match” with additional criteria for “transformation.”<sup>243</sup> The EPDP Team also learned that the TMCH records mark data and their corresponding domain name labels from all over the world in various scripts.<sup>244</sup> Nevertheless, the TMCH does not calculate variant labels of domain name labels and the transformation rules do not apply to the creation of variant labels (e.g., if a trademark in traditional Chinese characters is recorded in the TMCH, the matching rules do not define a process for calculating variant labels in simplified Chinese characters).</p> <p>The EPDP Team discussed the recommendation in SAC060 with respect to extending protection to the variant labels of a mark, which are not the ‘exact match’ of a mark, via the Sunrise and Trademark Claims services.<sup>245</sup> The EPDP Team disagreed with expanding the matching rules of the TMCH to include variant labels corresponding to a verified mark. If the TMCH was responsible for calculating variant labels, it would be effectively expanding the role of the TMCH by allowing it to make determinations concerning the scope of rights of mark holders and whether/which variant label would qualify for the same right, potentially resulting in conflict with trademark laws.</p>
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#	Charter Question	EPDP Team Agreed to the Following:
F2	<p>In order to ensure that the “same entity” principle is maintained, what are the additional operational and legal impacts to the following RPMs that are not considered in the above charter questions, which mostly concern the outcomes or remedies of dispute resolution procedures or trademark protection mechanisms?</p> <ul style="list-style-type: none"> <li>● TMCH and its Sunrise and Trademark Claims services</li> <li>● URS</li> <li>● TM-PDDRP</li> <li>● UDRP</li> </ul>	<ul style="list-style-type: none"> <li>● ICANN org must conduct outreach to dispute resolution providers, registries, registrars, registrants, and mark owners to enhance their understanding of gTLD variant labels and variant domain names, in particular, their potential impact on dispute resolution proceedings.</li> </ul>

<sup>239</sup> See section 2.4.2 of the Trademark Clearinghouse Rights Protection Mechanism Requirements: <http://newgtlds.icann.org/en/about/trademark-clearinghouse/rpm-requirements-30sep13-en.pdf>

<sup>240</sup> See RPM Phase 1 Final Report, TMCH Final Recommendation #2, Sunrise Final Recommendation #4, and Trademark Claims Final Recommendation #4 on pp.35-36, 44, and 52-53 here: <https://gns0.icann.org/sites/default/files/file/field-file-%20attach/rpm-phase-1-proposed-24nov20-en.pdf>

<sup>241</sup> SAC060 points out that in the current design of RPMs related to the TMCH process, there is a risk of homographic attacks. From a security and operations perspective, domain names that contain variants of a mark must be protected during the Sunrise and Claims Period. SSAC advises two ways to handle variants and TMCH to achieve such protections; each has benefits and downsides: 1) variant calculation at the registry level, and checking TMCH for the existence of marks for variants in the calculated variant set; 2) variant calculation and checking inside the TMCH in addition to the already defined matching algorithm TMCH uses. See more information in SAC060, recommendation 10 on pp.16-18: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=16> SAC060 further argues that the “exact match” as defined by TMCH is not really an identical match as in “bit-by-bit” or “character-by-character comparison” as a transformation stage is included before the actual matching. From a technical standpoint, the transformation stage currently as specified from is unclear and does not take non-ASCII based scripts into account. See SAC060, Recommendation 12, pp.19-20: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=19>. The SSAC also advises that during the Trademark Claims service, a name registered under a TLD that has variant TLDs should trigger trademark holder notifications for the registration of the name in the TLD and all its allocated variant TLDs. See SAC060, Recommendation 13, p.20: <https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=20>

<sup>242</sup> See the TMCH Final Recommendation #2, Sunrise Final Recommendation #4, and Trademark Claims Final Recommendation #4 in the Review of All Rights Protection Mechanisms in All gTLDs PDP Phase 1 Final Report: <https://gns0.icann.org/sites/default/files/file/field-file-attach/rpm-phase-1-proposed-24nov20-en.pdf>

<sup>243</sup> Exact match: when all and only the complete and identical textual elements exist in both the trademark and the label. Transformations: when certain elements contained in a trademark that cannot be represented in the DNS are transformed. Learn more: <https://newgtlds.icann.org/sites/default/files/matching-rules-14jul16-en.pdf>

<sup>244</sup> Learn more in the “ICANN org Report on Languages and Scripts in the TMCH”: <https://mm.icann.org/pipermail/gns0-epdp-idn-team/attachments/20231122/8a67bbff/FinalDraftReport-TMCHIDNVariantResearchReport-0001.pdf>

<sup>245</sup> See Recommendation 10 in SAC060 here: <https://itp.cdn.icann.org/en/files/security-and-stability-advisory-committee-ssac-reports/sac-060-en.pdf#page=16>

#	Charter Question	EPDP Team Agreed to the Following:
G1	What should be the proper vehicle to update the IDN Implementation Guidelines? <sup>246</sup>	<ul style="list-style-type: none"> <li>● The existing process for developing and updating the IDN Implementation Guidelines, that includes establishing a working group of community experts and ICANN org staff, under the governance of ICANN Board, must be maintained.</li> <li>● The process for developing and updating the IDN Implementation Guidelines must be formalized and documented to enhance its predictability, transparency, rigor, efficiency, and effectiveness.</li> <li>● The ICANN Board will be responsible for documenting the process, in consultation with the ICANN community.</li> <li>● The documented process must be approved by the ICANN Board, in consultation with the GNSO Council and ccNSO Council.</li> <li>● As part of documenting the process as set out in <u>Final Recommendation 18</u>, consideration should be given to establishing a formal charter or similar standalone document for subsequent IDN Implementation Guidelines Working Group that includes, but is not limited to the following: 1) Purpose and scope; 2) Membership including the structure and roles, required expertise, selection process, and lengths of membership term; 3) Working methods including the circumstance(s) that would lead to the convening of the working group, the type of outputs the working group is expected to produce, and checkpoints for awareness building and input gathering from affected parties.</li> </ul>

<sup>246</sup> ccPDP4 refers to the Country Code Names Supporting Organization’s Policy Development Process on the Selection and Deselection of IDN ccTLD Strings. The process to update the RDAP Profiles is being developed by the Contracted Parties and ICANN org as part of their ongoing contractual negotiations. A DT member suggested that once that is finalized, the EPDP Working Group may want to consider that as a model for updating the IDN Guidelines.



#	Charter Question	EPDP Team Agreed to the Following:
		<ul style="list-style-type: none"><li>• Any future versions of the IDN Implementation Guidelines must be approved by the GNSO Council prior to consideration by the ICANN Board.</li><li>• The GNSO Council should consult with the ccNSO Council prior to taking action on any future versions of the IDN Implementation Guidelines.</li></ul>
G1a	Given that the contracted parties are contractually bound to adhere to the IDN Implementation Guidelines, is there a need for a separate legal mechanism specifically for the implementation of IDNs among gTLDs, as well as a general guideline for any registry (including ccTLD registries) that wishes to implement IDNs?	This charter question is moot given that the EPDP Team supports the continuation of IDN Implementation Guidelines and recommends maintaining a WG method for future version updates, as explained in the rationale for <a href="#">Final Recommendation 18</a> , the EPDP Team agreed that this charter question is moot.

## 10 Annex D – Background

This section summarizes key milestones related to the introduction of IDNs and their variant labels at the top and second-levels. While variant management is an important concept related to IDNs and therefore this section focuses on the background of IDNs, most of the EPDP-IDNs Phase 1 (with the exception of [Final Recommendations 3.14-3.15](#)) and Phase 2 Outputs apply to all gTLD variant labels, including both ASCII and IDNs.

### 2003: IDN Registrations at the Second-Level

In 2003, the Internet Engineering Task Force (IETF) developed IDNA2003, the standard which first enabled domain names to contain non-ASCII Unicode characters. In the same year, ICANN and leading IDN registries collaboratively developed IDN Implementation Guidelines version 1.0, which were then endorsed by the ICANN Board.<sup>247</sup> ICANN subsequently began authorizing registries, having agreements with ICANN to deploy IDNs at the second-level according to the provisions of the Guidelines. The Guidelines required registries to work collaboratively with relevant and interested stakeholders to develop language-specific registration policies (including, where the registry determines appropriate, character variant tables), with the goal of achieving consistency in IDN implementation efforts for the benefit of DNS users worldwide.

### 2007: Groundwork for IDN gTLDs at the Top-Level

In 2007, the GNSO's Final Report on Introduction of New Generic Top-Level Domains included the following outputs on IDNs, laying the groundwork for the introduction of IDN gTLDs:<sup>248</sup>

- Principle B: Some new generic top-level domains should be internationalized domain names (IDNs) subject to the approval of IDNs being available in the root.
- Principle C: The reasons for introducing new top-level domains include that there is demand from potential applicants for new top-level domains in both ASCII and IDN formats.
- Recommendation 18: If an applicant offers an IDN service, then ICANN's IDN Guidelines must be followed.

### 2009: Introduction of IDN ccTLDs at the Top-Level

In 2009, the ICANN Board approved the Final Implementation Plan for the ccTLD Fast Track Process, which was based on a proposal produced by the Internationalized Domain Names

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<sup>247</sup> IDN Implementation Guidelines version 1.0: <https://www.icann.org/resources/pages/idn-guidelines-2003-06-20-en>; ICANN Board resolution that endorsed the IDN Implementation Guidelines: <https://www.icann.org/en/board-activities-and-meetings/materials/minutes-regular-meeting-of-the-board-rio-de-janeiro-27-03-2003-en#InternationalizedDomainNames>

<sup>248</sup> Final Report on Introduction of New Generic Top-Level Domains: <https://gnso.icann.org/en/issues/new-gtlds/pdp-dec05-fr-part08aug07.htm>

Working Group (INDC WG).<sup>249</sup> The Fast Track Process enabled countries and territories to submit requests to ICANN for IDN ccTLDs representing their respective country or territory names in scripts other than Latin, introducing IDNs to the top level for the first time. To date, 61 IDN ccTLDs have been delegated.

## 2010: No Top-Level Variant gTLDs Delegated in the New gTLD Program

In 2010, as preparations were underway for the launch of the New gTLD Program, the ICANN Board resolved that “...no variants of gTLDs will be delegated through the New gTLD Program until appropriate variant management solutions are developed.”<sup>250</sup> The Board directed ICANN’s CEO to develop an issues report “identifying what needs to be done with the evaluation, possible delegation, allocation and operation of gTLDs containing variant characters IDNs as part of the new gTLD process in order to facilitate the development of workable approaches to the deployment of gTLDs containing variant characters IDNs.”<sup>251</sup>

## 2012: “Gaps” with Respect to IDN Variant TLDs

In 2012, the IDN Variant Issues Project produced A Study of Issues Related to the Management of IDN Variant TLDs (Integrated Issues Report), which collated issues associated with the possible inclusion in the DNS root zone of IDN variant TLDs.<sup>252</sup> The study identified two gaps:

1. No definition of IDN variant TLDs.
2. No IDN variant TLD management mechanism.

## 2012: New gTLD Program 2012 Round: IDNs at the Top-Level

Also in 2012, the New gTLD Program launched, providing the first opportunity to apply for IDN gTLDs. A total of 116 IDN gTLD applications were received during the 2012 application round. Ninety-two (92) IDN gTLDs were ultimately delegated. While variant gTLDs were not delegated as part of the 2012 round, applicants were invited to declare any variants of the applied-for string in the application. Declaring variant strings was for information purposes only and did not imply any right or claim to the declared variant strings.

## 2013: Procedure for Developing Root Zone Label Generation Rules

In 2013, the ICANN Board resolved to implement the procedure for developing RZ-LGR, which aimed to address the previously identified gap 1 that there was no definition of IDN variant

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<sup>249</sup> Final Implementation Plan for the ccTLD Fast Track Process: <https://www.icann.org/en/system/files/files/idn-ccTld-implementation-plan-16nov09-en.pdf>; ICANN Board resolution that approved the Fast Track Process implementation plan: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-of-directors-seoul-30-10-2009-en#2>; INDC WG: <https://ccnso.icann.org/en/workinggroups/idncwg.htm>

<sup>250</sup> ICANN Board resolution regarding gTLD variant labels: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-special-meeting-of-the-board-of-directors-25-09-2010-en#2.5>

<sup>251</sup> Ibid.

<sup>252</sup> Integrated Issues Report: <https://www.icann.org/en/system/files/files/idn-vip-integrated-issues-final-clean-20feb12-en.pdf>

TLDs.<sup>253</sup> Generation Panels started developing proposals for script-specific LGR that define a set of parameters that determine valid IDN labels and their variants for the root zone.<sup>254</sup>

## 2019: Recommendations for Variant TLD Management

In 2019, to address that there was no IDN variant management mechanism the previously identified gap 2, ICANN org published Recommendations for Managing Internationalized Domain Name Variant Top-Level Domains (“Staff Paper”), which the Board subsequently approved.<sup>255</sup> In its resolution approving the Staff Paper, the Board requested “that the ccNSO and GNSO take into account the Variant TLD Recommendations while developing their respective policies to define and manage the IDN variant TLDs for the current TLDs as well as for future TLD applications.”

## 2020: Recommendations for the Technical Utilization of the RZ-LGR

In addition, to further address the gap 2 that there was no IDN variant management mechanism, the ICANN Board asked the ICANN community to study and recommend how to technically apply the RZ-LGR in a harmonized way to all TLDs. The RZ-LGR Technical Study Group (TSG) developed Recommendations for the Technical Utilization of the RZ-LGR, which the Board approved in 2020.<sup>256</sup>

## 2021: Recommendations for Future Rounds of the New gTLD Program

In February 2021, the GNSO New gTLD SubPro PDP WG published its Final Report, which includes hundreds of Outputs on 42 topics related to the future of the New gTLD Program.<sup>257</sup> IDNs were addressed in Topic 25 of the Final Report.

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<sup>253</sup> Procedure for developing the RZ-LGR: <https://www.icann.org/en/system/files/files/lgr-procedure-20mar13-en.pdf>; ICANN Board resolution that adopted the procedure: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-of-directors-11-04-2013-en#2.a>

<sup>254</sup> Learn more about the Generation Panels here: <https://www.icann.org/resources/pages/generation-panel-2015-06-21-en>

<sup>255</sup> Staff Paper: <https://www.icann.org/resources/pages/idn-variant-tld-implementation-2018-07-26-en>; Board resolution that adopted the recommendations in the Staff Paper: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-14-03-2019-en#2.a>

<sup>256</sup> Recommendations for the Technical Utilization of the RZ-LGR: <https://www.icann.org/en/system/files/files/rz-lgr-technical-utilization-recs-07oct19-en.pdf>; ICANN Board resolution that adopted the recommendations: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-open-session-of-board-workshop-los-angeles-regular-meeting-of-the-icann-board-26-01-2020-en#1.c>; TSG: <https://community.icann.org/display/croscomlgrprocedure/Study+Group+on+Technical+Use+of+RZ-LGR>

<sup>257</sup> SubPro PDP Final Report: <https://gns0.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf>

## 2021: Policy Development Related to IDN Variant TLDs

In May 2021, the GNSO approved the charter of the EPDP on IDNs,<sup>258</sup> which was expected to develop recommendations by building on the existing body of policy work, research, and analysis on the IDN subject. The EPDP Team began meeting in August 2021. The EPDP Team also established a small group dedicated to the deliberation on String Similarity Review-related charter questions.

In August 2021, the ccNSO Council approved the charter for the ccPDP4,<sup>259</sup> which was tasked to recommend a policy for the selection and deselection of IDN ccTLD strings. The outcomes of the ccPDP4 are expected to eventually replace the IDN ccTLD Fast Track Process. The ccPDP was chartered to include a sub-group specifically focused on variant management of IDN ccTLD strings, as well as a sub-group focused on the review of confusingly similar strings. Those topics overlap with the topics specified in the EPDP-IDNs charter.

Per the ICANN Board's request that the GNSO and the ccNSO keep each other informed of their respective progress in developing the relevant details of and policies and procedures on IDN variant TLD management, the EPDP Team and ccPDP4 appointed liaisons to each other.<sup>260</sup> Both groups have met periodically to discuss the alignment of their draft recommendations.

## 2022: ICANN Published RZ-LGR Version 5 and IDN Implementation Guidelines Version 4.1

In May 2022, ICANN published the RZ-LGR version 5, which covers 26 scripts: Arabic, Armenian, Bangla, Chinese (Han), Cyrillic, Devanagari, Ethiopic, Georgian, Greek, Gujarati, Gurmukhi, Hebrew, Japanese (Hiragana, Katakana, and Kanji [Han]), Kannada, Khmer, Korean (Hangul and Hanja [Han]), Lao, Latin, Malayalam, Myanmar, Oriya, Sinhala, Tamil, Telugu, and Thai.<sup>261</sup>

In November 2022, ICANN published IDN Implementation Guidelines version 4.1 after approval by the ICANN Board.<sup>262</sup> The ICANN Board deferred implementation of guidelines 6a, 11, 12, 13, 18 in version 4.0 as they overlapped with ongoing work through the EPDP Team.<sup>263</sup> The ICANN Board then directed ICANN org to publish the non-deferred guidelines in 4.0 as version 4.1.

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<sup>258</sup> EPDP-IDNs charter:

<https://gnso.icann.org/sites/default/files/policy/2021/presentation/CharterGNSOIDNsEPDPWorkingGroup20May21.pdf>

<sup>259</sup> ccPDP4 charter:

<https://community.icann.org/download/attachments/138969190/Draft%20Charter%20ccPDP4%20WG.pdf?version=1&modificationDate=1592141220002&api=v2>

<sup>260</sup> ICANN Board resolution that requested coordination between GNSO and ccNSO on the IDN related policy development: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-14-03-2019-en#2.a>

<sup>261</sup> RZ-LGR version 5: <https://www.icann.org/resources/pages/root-zone-lgr-2015-06-21-en>

<sup>262</sup> IDN Implementation Guidelines version 4.1: <https://www.icann.org/en/system/files/files/idn-guidelines-22sep22-en.pdf>; ICANN Board resolution that approved the IDN Implementation Guidelines version 4.1:

<https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-22-09-2022-en#2.d>

<sup>263</sup> Proposed IDN Implementation Guidelines version 4.0: <https://www.icann.org/en/system/files/files/idn-guidelines-10may18-en.pdf>

## 2023: ICANN Board Kicked Off SubPro Implementation

In March 2023, during the ICANN76 Public Meeting, the ICANN Board adopted a substantial portion of the Outputs in the SubPro PDP Final Report and officially kicked off implementation efforts to prepare for launching the next application round of the New gTLD Program.<sup>264</sup> The Outputs adopted by the ICANN Board include all the IDN recommendations in Topic 25 of the SubPro PDP Final Report. At the same time, the ICANN Board requested the EPDP Team to deliver an updated project plan by the last day of the ICANN77 Public Meeting (15 June 2023) that identifies all charter questions that will impact the next AGB of the New gTLD Program, as well as a timeline for the EPDP Team's delivery of relevant recommendations to the GNSO Council. The GNSO Council submitted this deliverable to the ICANN Board during ICANN77 and provided an updated timeline in July 2023.<sup>265</sup> The EPDP-IDNs Team projected to complete its two phases of work by October 2024.

## 2024: ICANN Board Kicked Off IDN Sub-track Implementation

The GNSO Council adopted all sixty-nine (69) Outputs from the Phase 1 Final Report on 21 December 2023, recommending that the ICANN Board adopt all fifty-eight (58) final recommendations. On 8 June 2024, the ICANN Board adopted fifty-two (52) recommendations, directing the creation of an EPDP-IDNs IRT as a sub-track of the existing SubPro IRT to commence the process of implementing the adopted recommendations in coordination with the Next Round Work for the New gTLD Program. On 7 September 2024, the Board adopted four (4) of the pending recommendations, which were previously deferred as they directly related to the ongoing fee structure work for the Next Round, and has now directed ICANN org to incorporate them into the existing implementation work; two (2) pending recommendations remain to be considered by the ICANN Board at the time of the drafting of this Final Report. The implementation of this work will include coordination with the existing SubPro IRT.

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<sup>264</sup> ICANN Board resolution that partially adopted the SubPro PDP Outputs: <https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-16-03-2023-en>

<sup>265</sup> See details in the GNSO Council deliverable submitted during ICANN77 here: <https://www.icann.org/en/system/files/correspondence/ducos-to-sinha-15jun23-en.pdf>; See the updated GNSO Council deliverable here: <https://www.icann.org/en/system/files/correspondence/ducos-to-sinha-25jul23-en.pdf>

## 11 Annex E– EPDP Team Membership and Attendance

The EPDP Team uses a “Representative + Open Model,” consisting of members, participants, and observers. For details of the role descriptions, please refer to the ‘Membership Structure’ section in the EPDP Team Charter included in Annex A of this Report.

The members, participants, and liaisons are listed below, along with their SOIs and attendance metrics. Note that this list was accurate as of the publication of this Report. Some members and participants who initially joined the EPDP Team after it began meeting left during its deliberations. These figures represent attendance and statistics for Phase 1 and Phase 2 combined.

### Plenary Meetings:

- 122 Plenary calls (with 14 cancelled) for 189.5 hours
- 62.1% attendance rate for plenary calls

### String Similarity Review Small Group Meetings:

- 14 Small Group calls for 13.5 call hours

### Leadership Meetings:

- 146 Leadership calls (with 17 cancelled) for 146 hours

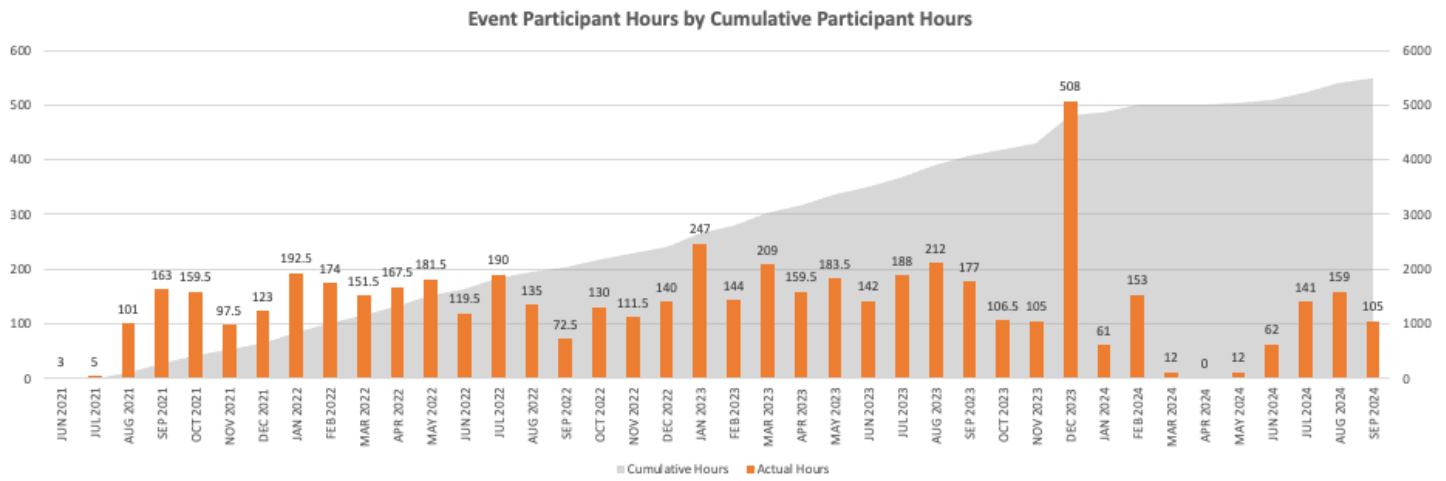
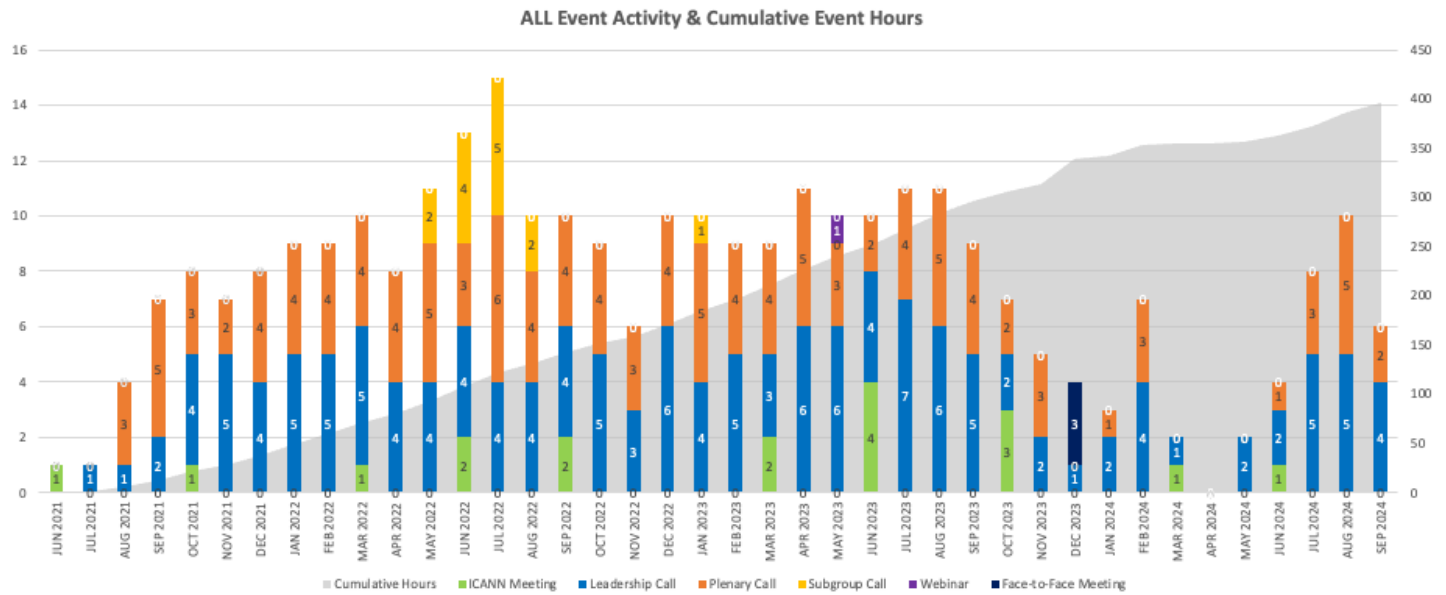
### Overall Meeting Activities:

- 282 total calls (with 31 cancelled) for a total of 395.5 meeting hours and 5504 cumulative participant hours
- 18 total sessions at ICANN Public Meetings
- 3 days of F2F Workshop sessions

ICANN org Staff Support for the EPDP Team are listed below:

Substantive Support	Secretariat Support	ICANN Org Liaisons
Steve Chan	Terri Agnew	Sarmad Hussain
Daniel Gluck	Julie Bisland	Michael Karakash
Saewon Lee	Michelle DeSmyter	Pitinan Koormornpatana
Ariel Liang	Nathalie Peregrine	
	Devan Reed	

EPDP Team Activity Metrics:





**EPDP Team Membership and Attendance:**

Members of the EPDP Team, as well as liaisons from the GNSO Council and ICANN Board, are:

	Invited	Attended	Percent	Role	SOI	Start Date	Depart Date
<b>Member</b>	<b>2824</b>	<b>2067</b>	<b>73.2%</b>				
<b>ALAC</b>	<b>553</b>	<b>504</b>	<b>91.1%</b>				
Abdulkarim Oloyede	110	91	82.7%		<a href="#">SOI</a>	25.05.2021	
Hadia Elminiawi	110	102	92.7%		<a href="#">SOI</a>	14.07.2021	
Justine Chew	215	209	97.2%	Vice-chair	<a href="#">SOI</a>	25.05.2021	09.11.2023
Satish Babu	111	100	90.1%		<a href="#">SOI</a>	25.05.2021	
Wael Nasr	7	2	28.6%		<a href="#">SOI</a>	09.06.2022	
<b>BC</b>	<b>34</b>	<b>2</b>	<b>5.9%</b>				
Mark William Datysgeld	34	2	5.9%		<a href="#">SOI</a>	25.05.2021	12.05.2022
<b>GNSO Council</b>	<b>400</b>	<b>306</b>	<b>76.5%</b>				
Donna Austin	262	246	93.9%	Chair	<a href="#">SOI</a>	10.08.2021	
Farell Folly	98	29	29.6%	Vice-chair	<a href="#">SOI</a>	27.07.2021	
Manju Chen	40	31	77.5%	Liaison	<a href="#">SOI</a>	11.07.2023	
<b>GAC</b>	<b>216</b>	<b>86</b>	<b>39.8%</b>				
Nigel Hickson	111	65	58.6%		<a href="#">SOI</a>	12.07.2021	
SANTHOSH THAMPY	105	21	20.0%		<a href="#">SOI</a>	25.05.2021	
<b>ICANN Board</b>	<b>200</b>	<b>161</b>	<b>80.5%</b>				
Akinori MAEMURA	36	29	80.6%	Liaison	<a href="#">SOI</a>	18.11.2021	22.09.2022
Alan Barrett	40	34	85.0%	Liaison	<a href="#">SOI</a>	16.03.2023	
Edmon Chung	124	98	79.0%	Liaison	<a href="#">SOI</a>	27.07.2021	
<b>IPC</b>	<b>119</b>	<b>46</b>	<b>38.7%</b>				
Brian King	13	10	76.9%		<a href="#">SOI</a>	25.05.2021	08.11.2021
Jeffrey Neuman	106	36	34.0%		<a href="#">SOI</a>	25.05.2021	
<b>ICANN</b>	<b>225</b>	<b>221</b>	<b>98.2%</b>				
Michael Karakash	108	106	98.1%	Liaison	-	25.05.2021	
Sarmad Hussain	117	115	98.3%	Liaison	-	25.05.2021	
<b>ISPCP</b>	<b>135</b>	<b>69</b>	<b>51.1%</b>				
Christian Dawson	104	43	41.3%		<a href="#">SOI</a>	12.07.2021	
Nitin Walia	31	26	83.9%		<a href="#">SOI</a>	31.05.2023	
<b>NCSG</b>	<b>314</b>	<b>139</b>	<b>44.3%</b>				
Emmanuel Elo Agbenonwossi	71	42	59.2%		<a href="#">SOI</a>	13.07.2022	
Farell Folly	111	74	66.7%	Vice-chair	<a href="#">SOI</a>	27.07.2021	
Grace Githaiga	25	1	4.0%		<a href="#">SOI</a>	26.07.2023	
Taiwo Akinremi	107	22	20.6%		<a href="#">SOI</a>	15.07.2021	
<b>RrSG</b>	<b>222</b>	<b>197</b>	<b>88.7%</b>				
Duowei Chen	16	11	68.8%		<a href="#">SOI</a>	26.09.2021	13.02.2022
Michael Bauland	122	105	86.1%		<a href="#">SOI</a>	25.05.2021	

Zhang Zuan	84	81	96.4%		<a href="#">SOI</a>	14.02.2022	
<b>RySG</b>	<b>406</b>	<b>336</b>	<b>82.8%</b>				
Edmon Chung	8	8	100.0%	Liaison	<a href="#">SOI</a>	27.07.2021	
Jennifer Chung	108	83	76.9%		<a href="#">SOI</a>	25.05.2021	
Joseph Chiu-Kit Yee	74	59	79.7%		<a href="#">SOI</a>	06.07.2021	02.05.2023
MAXIM Alzoba	109	87	79.8%		<a href="#">SOI</a>	25.05.2021	
Dennis Tan	107	99	92.5%		<a href="#">SOI</a>	25.05.2021	

Participants of the EPDP Team are:

	Invited	Attended	Percent	Role	SOI	Start Date	Depart Date
<b>Participant</b>	<b>1174</b>	<b>414</b>	<b>35.3%</b>				
<b>ALAC</b>	<b>36</b>	<b>16</b>	<b>44.4%</b>				
Gopal Tadepalli	24	6	25.0%		<a href="#">SOI</a>	25.05.2021	21.03.2022
Hadia Elminiawi	12	10	83.3%		<a href="#">SOI</a>	14.07.2021	
<b>GAC</b>	<b>109</b>	<b>68</b>	<b>62.4%</b>				
Amina Ramallan	27	10	37.0%		<a href="#">SOI</a>	20.07.2023	
Hamza Onoruoiza							
Salami	82	58	70.7%		<a href="#">SOI</a>	25.05.2021	20.07.2023
<b>Independent</b>	<b>806</b>	<b>217</b>	<b>26.9%</b>				
Abdalmonem Galila	105	5	4.8%		<a href="#">SOI</a>	25.05.2021	
Abdulnasir Roba	21	4	19.0%		<a href="#">SOI</a>	22.08.2023	
Anil Kumar Jain	108	75	69.4%		<a href="#">SOI</a>	30.07.2021	
Lei Gao	104	1	1.0%		<a href="#">SOI</a>	25.05.2021	
MD IMRAN HOSEN	85	23	27.1%		<a href="#">SOI</a>	04.11.2021	
Nabil Benamar	104	0	0.0%		<a href="#">SOI</a>	25.05.2021	
Quoc Pham	103	12	11.7%		<a href="#">SOI</a>	13.08.2021	
Shuo Liang	107	97	90.7%		<a href="#">SOI</a>	25.05.2021	
Wael Nasr	69	0	0.0%		<a href="#">SOI</a>	09.06.2022	
<b>RySG</b>	<b>223</b>	<b>113</b>	<b>50.7%</b>				
Jerry Sen	118	110	93.2%		<a href="#">SOI</a>	25.05.2021	
Wei (Wesley) Wang	105	3	2.9%		<a href="#">SOI</a>	13.07.2021	

As of the publication of this Report, there are a total of 22 observers to the EPDP Team.

## 12 Annex F– Community Input

### 12.1 Request for Input

According to the GNSO’s PDP Manual, a PDP WG should formally solicit statements from each GNSO SG/C at an early stage of its deliberations. A PDP WG is also encouraged to seek the opinion of other ICANN SOs and ACs who may have expertise, experience, or an interest in the issue.

As a result, the EPDP Team reached out to all ICANN SOs and ACs as well as all GNSO SG/Cs with requests for input at the start of the EPDP-IDNs PDP. In response, statements were received from the:

- RySG
- SSAC
- ccNSO (specifically its ccPDP4 Variant Management Subgroup)

As mentioned in [‘Section 2.2: Community Input,’](#) the above groups provided input on topics C (“same entity” at the second-level), D (adjustments in registry agreement related to the domain name lifecycle), and G (IDN Implementation Guidelines) that pertain to Phase 2. Their full statements can be found here: [Community Input - EPDP on IDNs - Global Site](#)

Community input was also sought through Public Comment on the EPDP Team’s Phase 2 Initial Report. Input received can be found here: [Phase 2 Initial Report - Public Comment - EPDP on IDNs - Global Site](#)

### 12.2 Review of Input Received

All of the early input statements received were added to the relevant working documents and considered by the EPDP Team as part of its deliberations on each topic.

The Public Comment submissions for the Initial Report were reviewed thoroughly by the EPDP Team at ICANN80 and regular meetings through a Public Comment Review Tool developed by the Policy Support Staff.<sup>266</sup> The EPDP Team incorporated the suggestions when developing the final Outputs, as appropriate.

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<sup>266</sup> See the Public Comment Review Tool here: [EPDP-IDNs Phase 2 Initial Report Public Comment Review Tool](#)