
DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the Latin Script Diacritics PDP Working Group call taking place on Wednesday, 6th of August 2025, at 13:15 UTC.

We have no apologies today. Statements of Interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. If you need assistance updating your Statements of Interest, please e-mail the GNSO secretariat.

All documentation and information can be found on the Latin Script Diacritics Wiki space. Recordings will be posted shortly after the end of the call. Please remember to state your name before speaking for the transcript, and please note all chat sessions are being archived. As a reminder, participation in ICANN, including this session, is governed by the ICANN Expected Standards of Behavior and the ICANN Community Anti-Harassment Policy. Thank you. And over to you, Michael. Please begin.

MICHAEL BAULAND:

Thanks, Devan. Hello, everybody, to our Meeting #15. Next slide, please.

Basically, we have the same agenda. Like the last time, we'll be working on the TBD items from Charter Question 3. Next slide, please.

Recap of last week's meeting. We continued filling the spreadsheet, looking at the TBD items, and consistent with the Phase 1 Rec 3.4, we decided to deal with potentially confusingly similar TLD set up front, prescribing a single application process. And regarding this topic, we'll

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revisit this with some more information based on some discussion we had in the leadership meeting last week. And yeah, key action items, we continue to review the TBD items. Next slide, please.

One of the questions or issues that came up last week was whether the single application up front would be okay with our charter, in particular, if people were able to apply for an ASCII string and the Latin diacritic string as a bundle, even in the case that these strings turn out to be not confusingly similar after the application go through all the pertinent steps. And for that, I would like to come back to the scope as it is written in our charter.

This PDP is limited to examining a single issue in circumstances where a base ASCII gTLD and the Latin script diacritic version of the gTLD are not variants of each other. That's always a given. We may not look at cases that are variants. What mechanism is needed in order to allow a single registry operator to simultaneously operate both the gTLDs. And now the important part to our topic is a presumption for this issue is that the ASCII and Latin script diacritics have a non-negligible—still have problems with that word—chance to be determined to be visually confusingly similar. So, in particular, the charter does not require those cases that the ASCII and Latin script diacritics are actually confusingly similar. There just has to be a non-negligible chance that they could be determined visually confusingly similar. And the objective of the PDP is to avoid user confusion, so that applicants don't have a situation where they apply for something and then, depending on some decisions, some delegations outcomes, they have one situation or another. We want to avoid user confusion when dealing with those limited circumstances where a base ASCII and Latin script version of a gTLD are non-variant

but potentially confusingly similar and how those can be simultaneously delegated. So the important point is that there's a need to provide clarity and certainty for potential applicants to operate this. Next slide, please.

To provide clarity and certainty to potential applicants on how to operate TLD prior to application while not getting rejected, we agreed that we want to be consistent with the IDN EPDP, namely that we allow for a single application bundle as a set for those non-variant, potentially confusingly similar ASCII, Latin diacritic gTLDs, and we will be dealing with those as a set up front. And this leaves us basically with two options. Next slide, please.

On the one hand, we have the existing process, which has the possibility of rejection. It means that both ASCII and Latin script TLDs are applied for separately via separate applications, and then, depending on the String Similarity Review outcome, if they are considered to be similar, then they will be in a contention set, and only one of those strings is possible to proceed. If the String Similarity Review turns out that those strings are not similar, then of course both strings are eligible to proceed. The problem with that is that there's no certainty for applicant and the possibility of rejection.

If we now use our exception process, then we get the certainty of non-rejection, namely, the applicant, they still have the chance to use the existing process. They don't have to use this exception process, but they can use the exception process. And if they use the exception process, they will apply for those domains in a single application, and then the String Similarity Review will consider those TLDs as a set. So it will still

check whether this set is in any contention with existing or other applied-for TLDs, but it will not reject this application because it's in contention, so to say, with itself because it's a single application, so there's no contention. Therefore, whether or not found similar, the application proceeds with the TLDs being considered and delegated as a set if declared up front.

Why are we revisiting this? This is because last week we said that there needs to be the possibility for the applicant to, even though they applied for the TLD via a single application, they need to have the option to split that application depending on the outcome of the String Similarity Review. And we have discussed a bit this topic and we are asking you, the group, to reconsider this, maybe. Is this requirement to separate this really necessary? Because that, again, introduces uncertainty in the process. So the applicant does not know what and how their application will be handled after all in the end. So if we don't have that, we say at the point in time where you make the application, you have to decide whether you want to use a standard process with the possibility of rejection and the possibility to run those TLDs separately, or you can use the exception process where there is absolute certainty that non-rejection at least with regards to the strings to each other. Of course, there's always a possibility of rejection due to other reasons and comparison with other TLDs. But for that, you have the certainty that you will be able to run those TLDs and they have to be run as a set, as a bundle. Any thoughts, comments about this? Bill, please?

BILL JOURIS:

I think the concern about uncertainty is probably best addressed by making sure that the Applicant Guidebook is very, very clear about how the process is going to work, just so that the applicant knows what her options are and can make an informed choice. I see that as the biggest issue is making sure that whoever is applying is aware and is very clear about what their options are on that. Thank you.

MICHAEL BAULAND:

Thanks. That's a good point. I can definitely do some outreach and depth context and make applicants aware of this exception process, which is available, once it is available, what the consequences of that exception process is, what the benefits are, what the drawbacks are. You have to run them as a bundle, as a drawback, kind of, but the benefit is you won't get rejected because they are similar to each other. Yeah, that should definitely be a thing that ICANN has to do prior to the application and make this clear in the Applicant Guidebook that these are the choices and what are the consequences of those choices.

Another reason why we think that allowing the applicant to separate the application at a later stage might not be the best approach apart from the problem that this, again, makes a process a bit more uncertain about the outcome. It's also that this might turn out to be contractually or legally very problematic that if suddenly you separate one application into multiple application, and that would complicate the process for everybody, for ICANN, for the applicant, and probably it will also make this PDP longer because the rules how this separation should be done/ could be done, would have to be created, and that might take quite a lot of time. And for that reason, the suggestion is that we just leave it

with this, say, you have the choice between the standard process and the exception process, but if you use the exception process, then the TLDs will be handled as a bundle independently of the String Similarity Review.

I think Sarmad raised the concern last week that this might be not within our charter to then have a bundle of two TLDs which are not confusingly similar, but as we just saw in the charter, I think this is not a problem because the charter clearly doesn't require those strings to be confusingly similar. They just have to have a non-negligible chance to be confusingly similar. I think this is the case for all Latin diacritic versions. They all have a chance to be considered confusingly similar. If they wouldn't have the chance, I think we wouldn't need the PDP here.

Satish, please.

SATISH BABU:

Thanks, Michael. I think you're actually spot on when you say that we should discover issues up front earlier than later. So it makes a lot of sense to kind of not have a split later down the process and have any rejection early on so that applicants can benefit and there is no cost. I mean, there's some benefits and costs and so on. So I agree with your second model, that we should probably do that. But I have a question when you compare with the EPDP Phase 1, the variant set is not arbitrarily created by the applicant. It is a output of the tool which tells us which are the variants and the disposition values. But here, when you say both ASCII and LD TLDs are considered as a set up front, what's considered a set and what prevents any applicant from putting arbitrary

values, which are not connected at all, either by diacritics or by any other. So I see the lack of a test here which qualifies two or more labels to be a set under this. Thanks.

MICHAEL BAULAND:

Thanks, Satish. Before I go to Edmon, I just quickly want to respond to Satish. Thanks for your support for that. Regarding your question, I think we actually have the same or a similar situation as for the variant, because for the variant you said the set is known up front, defined by the LGR. But so here, the list of Latin diacritic characters is also known up front. There was a script written by—yes, I’m getting old. Our co-chair, I forgot his name. Marc. Thank you. Sorry. It’s so similar to Michael. Sorry about that. Marc wrote a script that actually creates the list of all diacritics based on the Unicode definition. Also for the diacritic version, the actual sets are known up front and they are defined by the Unicode definition of what is a diacritic character. So there’s no arbitrary chance to add any labels and try to use them here in the PDP exception process. You only have the fixed list which is defined by the Unicode table. I hope that answers your question. Edmon, please.

EDMON CHUNG:

I think generally this is a reasonable approach. I’m just thinking about a little bit of edge cases here. First of all, in the case of a standard process, the idea is that if the String Similarity Review sees it as confusing similar, then obviously, let’s say there’s no contention, then they will still have to forfeit one and go forward with one. The question there is, is there

an appeals process that could switch them to the LD PDP process or not? That's question number one. This is one of the edge cases.

The other edge case would be, let's say they go forward with it, and the second round comes along, and now they apply again for the second string. Because each round String Similarity Review may not be 100% consistent, right, because it's not a scientific process itself. What if it then considers it to be not similar? I mean, how do we deal with the second round person coming along and saying, "Oh, we'd like to apply it now as an LD PDP process," and it turns out to be another problem. Could that case happen, and do we need to deal with that?

MICHAEL BAULAND:

Thanks, Edmon, all good points. For the first one, whether there would be the possibility on appeals process and switch to the exception process, I'm not sure. I'm not a legal expert in that context, whether it's required to do that, or whether it's sensible. From my point of view, I think, no, it should not be there, just a chance to either do one or the other. But if you decide to do one and you're not happy with the outcome, it's tough luck. You should have done the other one right in front. But I don't know, maybe someone from ICANN staff, Steve or whatever, could put more light on that. And we can also postpone that question whether we need to have an appeals process for a later stage. Maybe it's even out of scope for the PDP and it's up for some other group to decide, I don't know.

Regarding the second question, you are right that the decisions taken are not like 100% predefined, but I'm quite sure that if the String

Similarity Review Panel, in one application round, set A and B are confusing this similar, that they will have to adhere to that decision in the next round. But not sure about this. But still, even though, I think it's not a problem if someone applied for A and B in the standard process, and they were found to be confusingly similar and only A got selected and they got rid of B, that they can still use the exception process in the next round to apply for B as a bundle with A because that possibility always exists. It's also something we stated earlier that if for the next round one TLD already exists, that then they are able to apply for the variant one and saying they want to use the exception process.

EDMON CHUNG:

Sorry. Just jumping quickly to that. I forgot one important point is that if the second round comes along and they're considered to be not similar, but then they have competition, they have contention, then what? Because it creates a situation whereby it's kind of unfair. I originally applied in this round. It was supposed to be together. I was bumped to the second round because of the String Similarity Review, and then suddenly, in the second round, I apply through the exception process, but then it's decided to be not similar, and I'm stuck with a contention. I know, again, this is very edge case, but wouldn't that be somewhat unfair, and wouldn't we want to find a way to resolve the issue in one round to avoid that?

MICHAEL BAULAND:

Bill, do you want to respond to that, or is it a new point?

BILL JOURIS: I'm not sure if it's a response or not, but I'm really uncomfortable with us developing a process where if you make one choice for which process you're going to take and it doesn't work out, you can fall back into the other one, but if you make the other choice and it doesn't work out, you're stuck. That kind of asymmetry just doesn't feel right to me. Thank you.

MICHAEL BAULAND: Okay. Thanks. Sarmad, please?

SARMAD HUSSAIN: I think the motivation behind the first process and the second process is different, at least to my understanding. The first process is basically for strings which the applicant inherently thinks are two distinct strings need to be managed differently, and therefore need to be applied as different applications.

The second is a different situation where the applicant actually thinks or considers the two strings actually to be "variants" or the same or variation of the same string, and they need to behave the same way. In many ways, I guess we're obviously going through that process, which IDN EPDP went through as well that they considered variants with the strings under each of those variants going to the same registrants, and variants at the second-level eventually going to the same registrants. So there is a very different expectation or inherent understanding of the applicant on what the second case is about. And second case is very clearly two strings which are representing the same thing.

So when we are switching between option one and option two, it is not just switching between processes, but I think switching between understanding of what those two strings actually represent. And to me, that's not very natural because either the applicant thinks the two strings are the same, in which case, the second process is really the one which is applicable, or the applicant thinks those are inherently different and really run as different strings independent of each other, which then obviously should take them through the first process. So I'm just trying to understand what would be the motivation to switch, because the inherent understanding of applying for one or the other is actually different, at least to me. Thanks.

MICHAEL BAULAND:

Thanks, Sarmad. I think those are good points. The thing is the applicant has to decide up front if they have two labels, whether they think they are separate and they want to run them separate, then they use the standard process with the chance that it's not possible to run them separately, then they can just run one of them. Or the applicant thinks, "Well, they are similar, and we want to run them in a similar kind of way as a bundle," and then they apply using our exception process. And there they also want the certainty that they can run them as a bundle and not suddenly the string similarity where we will say, well, we don't think they are too confusingly similar, and now you run them separately. So I think it makes sense. The applicant decides this up front, and there's no way to change this intermittently. Edmon, please.

EDMON CHUNG:

Sorry. Samad wanted to add or no? Anyway, I don't want to sound bad, but, Sarmad, unfortunately, I think that might be more of a normative or administrative point of view. But if you think in an applicant point of view, I apply for two names and I think they're the same, but in the case they are actually judged to be not similar, I might end up with two auctions, and I might only have economic power to win one auction. And now I'm stuck with a situation where I have to win both auctions in order to actually get the TLD. But I might actually be okay with let's settle with one and we'll just bite the bullet and run the TLD and make business out of it. That is how applicants would act and think. But in the right way, they should have applied for it to be the same because they think it is the same. But that doesn't mean that the Evaluation Panel would think the same, and we shouldn't penalize such an applicant, I think. And that's the reason why the exception process will somehow need to have a process to split it later.

MICHAEL BAULAND:

I understand your point, but I don't think this is really a problem penalizing the applicant because I think if they just want to have the possibility to fight, so to say, one contention set but not the other, I think they should or could still have the option to drop one of the TLDs. They apply for both. But if they can't win one of them but wins the other, they could drop and lose the one and still run the other. But I think the case is quite unlikely that there's one string that is confusingly similar with one and not the other, most likely, will always anyway be confusingly similar with the other.

EDMON CHUNG: If I can quickly respond. If that is the case, let's say it goes into two auctions, and they win one and lose one, and then they can actually drop the one they lose and still go ahead with the one they won, then I'm all good. I think that that would solve the issue.

MICHAEL BAULAND: That might be a possibility. I just thought of it. I don't know if there is any other problem, but it just might be a solution for your problem.

AMADEU ABRIL: Michael, if you allow me—

MICHAEL BAULAND: One second, one second. Ariel has been waiting a long time. Let's give her first the microphone and then come back to you.

ARIEL LIANG: Thank you, Michael, and thank you, Amadeu. Apologies, I wasn't able to follow the LD PDP deliberation. I was out for parental leave, but now I'm back. So thank you for letting me speak on some two cents of views.

MICHAEL BAULAND: Welcome back. Good to have you back.

ARIEL LIANG: Thank you. Actually, I was in Norway, so I think I was kind of close to where you were, Michael. Anyway, I have maybe two points, one is in

response to Edmon's concern about what's the possibility, potentially, for dropping and apply for a string. And I just want to remind everybody, but you probably already remember this, in the IDN EPDP Phase 1 recommendation, we do have a recommendation regarding if an applicant submits application for primary string plus variant strings and decide to withdraw a variant string after the initial submission, that's allowed, and it's just the applicant cannot add a variant string afterwards. And the only exception is for the Brand TLD, they may have flexibility in that, but in general, withdrawing a string from the set, it's allowed for IDN EPDP Phase 1. So, there's some kind of parallel there, and maybe it's good reference if this group decides to make some kind of similar recommendation on that.

Then the second point regarding applicant has to decide up front how to submit the application, like decide on a path, I guess, I just want to remind folks there's some similarity in other types of TLD application. For example, for community TLD application, this is something the applicant has to decide up front. If you apply as a community TLD, that's it. You have to submit all the required documentation, support, and answer set of questions for the community TLD, and then you cannot use the application change request process to change your TLD as a different type after initial submission. So, there's some kind of example there for certain type of TLD. There's a requirement the applicant has to decide up front how you want to operate and run the TLD.

So, it's a food for thought. I'm listening to the views exchange in this group, and I'm not trying to influence, but just trying to provide some existing examples in the program that sometimes applicants do have to kind of decide up front and that will impact how the application is being

evaluated. And also, just to wrap up, the main reason we require community TLD applicants to decide up front and they cannot change their application type is to prevent gaming. Because, for example, community TLD applicant, they are eligible to participate in the community priority evaluation, and that can give them advantage in winning or prevailing the contention kind of situation. That's why we cannot have to put this requirement at the beginning, like they can just switch back and forth different types to prevail. So that's one of the motivations why we set the rules like that. So, that's my two points. Thank you.

MICHAEL BAULAND:

Thanks, Ariel. I think that they are very important and good points, first of all, for not allowing a switch, and also the edge case Edmon described that because they are in a set that might cause problem with one of the labels and not the other, the exact same exists for variants too. And the solution for the parents, one should use that in our case too. Right.

Amadeu, you have been patiently waiting.

AMADEU ABRIL:

Okay, perfect. Because so many of the things I wanted to say having now really explained, let me just add a couple of things. First, indeed, any application may be withdrawn, so also this application, just one of them. The question is the kind of refund according to different points of time. So this should be taken into account by the applicant. But indeed, one of the applications can be withdrawn.

And again, I also agree, I don't think we should allow to unbundle in the middle of the process, just because, well, we think that the bundle was not necessary now, because this is not only a problem for the application. The question is that this will require changing the whole policy setup and most of the financial application, so that will be a complete mess. It should not be allowed for similar reasons the one being explained now for community TLD. You make a choice and you submit an application that must be coherent with that choice. If you don't like it, well, think twice, right? But you should not be changing at each step, how you are, how you dress, which color you are, and which taste of TLD, which flavor of TLD you are this week.

MICHAEL BAULAND:

Thanks. Yeah. Good point. Any further questions, comments regarding this? So, at the moment, to summarize, I hear quite some support. Well, the single application we already decided last week, but also, the chance to switch between those processes doesn't make much sense or shouldn't be done due to several reasons. So, at the moment, I hear support for not allowing switching. Is there any different opinion or any argument we haven't discussed yet? If so, please write in the chat or raise your hand. Seeing none, I think we can close this topic for now, and have these two processes where the applicant has to decide up front, and then they go their respective ways, and there's no chance to switch the lanes in between, so to say.

Regarding edge cases, Edmon, those are really important points, and I think we should look at all kinds of edge cases or normal cases once we have created all the recommendations so we can really do some dry

runs, test runs with certain labels, and see how this would work and if our recommendations make sense, or if there's a problem and we need to adjust one or add some recommendations. So, rather than having tests now for specific recommendations, I think it makes more sense, once we have created the preliminary recommendations, to then think of certain test cases and see how they work with our recommendations. If you agree with that, I think we can continue to the next TBD item. Seeing no objection. Thanks, Anil.

Then I think, next slide, or rather, yeah, switch to our great worksheet. Yeah, the next TBD item we wanted to look at is the Final Recommendation 3.25, and it's related to this topic. After submission of an application, the applicant is allowed to withdraw and apply for a variant label from the application. Basically, what we have been talking about in which area I mentioned. But it's not allowed to add any other variant labels that was not originally applied for in that application. And only an applicant for a Brand TLD string who has applied for a primary gTLD string is placed in contention set is allowed to change if applied for a primary string and allocatable variant labels under the conditions set out in the SubPro PDP recs.

So, this kind of answers what Edmon asked. You are able to withdraw one of the applied-for label if that is necessary. And the other thing is about the brand. Sarmad, please.

SARMAD HUSSAIN:

Thank you, Michael. So, I think one of the things which does exist on the variant side is that when you have a set of variants, one of them is

uniquely a primary label, and the conditions on withdrawing primary label versus the variant labels are actually different. And also, there are implications downstream because eventually the contracting would also be done around the primary label. And then there is actually some post delegation, I guess, responsibilities around primary as well versus variants. So, there is actually a very reasonably strict in some ways dependence on having a primary label and defining the set.

In this case, I guess, there is obviously an option to drop one or the other, which means there is no primary, secondary relationship. And I'm just, I guess, raising that when we draw the barrel to the variant side, that's not obviously the case. And so, this may actually have implications unless we are able to, at the application time, identify one being a primary and the other one being, I guess, a variant. For example, the base ASCII one being the "primary" and the decorated ones being variants. I'm not sure whatever the right solution is, but something to think about. Thank you.

MICHAEL BAULAND:

Thanks, Sarmad. I do think we have something similar with the base ASCII version you just mentioned because we already said that you have to have the base ASCII version. You're not allowed to just apply for two Latin diacritic versions without the ASCII version. So, in that context, we have kind of a similar situation here with the base ASCII version. And for that reason, it also shouldn't be possible to drop the base ASCII version if you still have two diacritic versions. But unlike variants, you can drop the ASCII version if you just have one diacritic because it just leaves one table left. But I think those are things that have to be written down in

detail as a consequence of changing the wording of the IDN EPDP to match our cases. Bill, please.

BILL JOURIS:

I have another edge case, if you will. If the applicant has not applied for a particular case, and then subsequently, the Similarity Review Panel comes along and says, "Okay, this particular case with this other variant is similar," and then the applicant says, "Oh, I missed that one," either because he didn't realize the full scope of what all is in the Latin repertoire or for whatever other reason, suddenly he's faced with, "Oh, these are similar. Yes, I see that now. I want to get the similar one as well." For my totally different TLD, I would like to see some way that there's a feedback loop there where the results of the Similarity Review Panel can then offer an option to add. Thank you.

MICHAEL BAULAND:

Is this related to the topic we had before with switching the possibilities of the two approaches, which we saw on the slides, or is it something different? It sounds to me like you want to have the situation where you use the traditional way and found it's confusingly similar then want to switch to the exception process because that we already said we don't want that switch of lanes, so to say, as a possibility.

BILL JOURIS:

No. I'm speaking to the part here which says that you're not allowed to add any other variant label that wasn't originally applied for. And what I'm thinking is, there may be cases where the applicant wasn't aware

that there would be something coming out of the similarity review process that would change his understanding of what he wanted or he feels he needed to apply for. That's all I'm saying. Thank you.

MICHAEL BAULAND:

I don't really see the case here because if the label was not applied for at all, then it won't also come up in the String Similarity Review Panel. But if it was applied for by the applicant themselves by a different application, therefore, they should have used the other lane, so to say. And if it was applied for by a different applicant, well, then they are both in contention set. But I don't see that this requires the applicant to suddenly add applications similar to the variant case. If you found out somebody applied for something which is a variant of yours, you can't suddenly say, "Oh, that variant, I haven't thought that this exists, too, and I want to have that now, too." You have to think first, when you do the application, which labels you want to use, and for what reasons. You have to make arguments, what labels you want to use, and if there's a different label you think that might be useful for your case, too, and you haven't applied for it, then you have to use the next round.

BILL JOURIS:

No, let me try explaining this with a totally made-up example, just for visualization. Suppose you have applied for Jose without the accent over the E, and it didn't occur to you to apply for it with the accent over the E, but then you see someone else has applied for sale with both the accent over the E and without, and the Similarity Review Panel has said, "These are confusingly similar," and you then say, "Okay, that's a totally

different TLD, a totally different case, but with and without the accent over the E is something that occurs in mine as well, and it didn't occur to me, but since the Similarity Review Panel has said those are similar, then now I want to apply for it." That's the kind of case I'm talking about. Thank you.

MICHAEL BAULAND: Yeah, but the outcome of the String Similarity Review Panel is independent of whether you can apply for the one with accent or not as a bundle, because we already said independent of whether they are confusingly similar, you always can apply for those. If anybody can chime in, that it makes sense to—

AMADEU ABRIL: I think what he's asking for is thinking afterwards that you were able to apply for the Latin diacritic and adding that down the road. I think this should not be allowed for the same reason that you cannot freely change the strings at any point. There is a replacement procedure for concrete reasons, but you cannot just jump from TLD to TLD from option to option because you've seen that somebody else has had a good idea. Then this would make the complete application process a mess.

MICHAEL BAULAND: Yeah, I tend to agree. Thanks. Edmon, please. Sorry for keeping you waiting.

EDMON CHUNG:

No problem. Actually, on that particular point, I agree with you, Michael on the assessment, and I would add to Bill that in that case, they will need to rely on the objection process. Just because the String Similarity Review didn't catch it, they can still use the objection process and say, "Oh, actually, they are confusingly similar in other ways to the string." And therefore, potentially block the string through the objection process, and they can pick it up the next round. I guess that's probably the right approach to think about that.

But I put my hand up in response to earlier, I guess, Sarmad and Michael, you mentioned. I agree also with the assessment, but I think this is the place where we need to be very clear when people do choose the exception approach, it actually means in the case that it is decided to be not similar, and in the case that they go into two separate auctions, they must win the ASCII auction. They cannot lose the ASCII auction because they can't withdraw that particular one and still continue with it. That seems to be the case, or if that's not, then we also need to make it clear.

MICHAEL BAULAND:

Thanks, interesting and important point. From my point of view, they only have to win the ASCII one if they apply for two Latin diacritic versions because then the ASCII becomes mandatory. If they apply for just one diacritic, I don't care. We could still make the ASCII mandatory, but it wouldn't cause a problem if they drop the ASCII and keep that diacritic one. But I'm open to—

EDMON CHUNG: Yeah, conceptually, but administratively, if you can't actually withdraw the ASCII one, if you lose that particular action, then we have a problem. Either we allow them to actually do that as some sort of exception or we really need to say, "Hey, if that is the case, then you have to go with two separate applications."

MICHAEL BAULAND: Okay. Any other thoughts here? Sarmad, please.

SARMAD HUSSAIN: On the variant side, normally, when you apply for a string and multiple variants, one of the things which is needed, which we discussed in our last meeting is that for each of the variants, there needs to be a justification provided on why that is being applied for. And that's one example, I think, also trying to answer Anil's question in the chat. That's one example where treatment of a primary is slightly different from the treatment of a variant where the primary string you designate for that you don't have to respond to those justification questions. Those justification questions are only for each of the variants.

I guess, in this case, if we have two strings which are paired together in the exception process, unless, obviously, I think, we have a "primary identified" and then others are associated, those kinds of rules can be then applied to the associated ones. But then if we do not delegate or, I guess, identify a primary version or the primary string, then I guess, in those cases, then the justification then needs to be applied for each of the strings and not just the variants or "variants." So, that's just one example, I think. There may be other places where primary has some

special cases, and for variants there needs to be more work which needs to be done.

And if we are not designating one as a primary and the other one as associated, then I think we need to review those items in the process to see how we treat them, including, of course, eventually the contracting process because when you're doing contracting, normally, there is a string against which contracting is done, and then in the RA for the next round, you'll see there's a Spec 14 which then includes how the variants to that primary is treated. So, there's actually a mainstream which is identified for contracting processes as well. So, I'm just trying to, I guess, see how an application which does not actually have a primary may actually go through the whole process and eventually through contracting and then post-delegation constraints. Thank you.

MICHAEL BAULAND:

Thanks. Yeah, important point. So, what does this mean for Rec 3.25? There's basically several parts in this Rec. First, it's saying that they are allowed to withdraw variants, but not the primary one and not allowed to add any. But also the exception process for the Brand TLDs, that they are allowed to replace the whole TLD. The question for us is also, do we want to have the same exception available in our process too, that the brands are allowed to change their string, including Latin diacritic versions?

AMADEU ABRIL:

Again, I have problems raising my hand, so put me on the queue.

MICHAEL BAULAND: Okay. Yeah, you can speak.

AMADEU ABRIL: Okay. So, we should remember that in the Applicant Guidebook there are special rules for Brand TLDs that can choose to change the string. That's even for a single string, down the road, but with limitations regarding the label always matching a brand that they have. So, with these conditions, yes, they have a special treatment also for this situation here with the diacritics, because then we have many brands that in fact contain the diacritic in the trademark, but in the last round they applied for the ASCII version for, let's say, simplicity's sake.

So, I think that these special rules for brands are somehow already here. Now, when the question of being able to drop the variant but not the primary TLD, I think, that as you said, this doesn't apply here because we may have just an IDN with a diacritic and we have that [inaudible] in the last round. There's no problem. If they want to just keep the IDN, be that a brand or not, that should be possible.

MICHAEL BAULAND: Thanks, yeah. Anil also agrees that Brand TLDs may have similar priority rights to change the applied-for diacritic TLD. So, it looks like we agreed that the Final Rec 3.25 should be rewritten to our case, but the meaning should be used for our cases too. Okay. No objections here.

Then with 10 minutes left, let's see if we can go to the next point. I think 7.9 is the next one we wanted to look at. So, 7.9 it says, "After the

Registry Transition process or Change of Control process is completed for gTLD and it's allocated and delegated variant labels, the successor registry operator can apply for the other non-delegated, allocatable variants of that gTLD in accordance with the same entity principle pursuant to Final Rec 2.1."

So, it just states that the original operator, of course, has the ability to apply for further variant labels. And this says that if the registry transitions, the new one also has the right to do this. The question is now do we want to have this in our case too? But after registry transition, the new owner can also add diacritic versions to their bundle. Anil, please.

ANIL KUMAR JAIN:

Thank you, Michael. I just want to understand, if I remember correctly, these are those variants which were not rejected initially with the initial registry, but they have not applied for. And in case the second registry feels that those variants which were not applied for by the first registry, definitely they have right, and they can apply for it. But the rejected variants, I personally feel, are not allowed by the successor registry also to apply for. So, kindly verify, because area is also here, that is what my understanding, and then we can put it. Thank you.

MICHAEL BAULAND:

Yeah, thanks. With rejected, I guess, you mean blocked variants, because variants either are allocatable or blocked, and the blocked ones, of course, remain blocked.

ANIL KUMAR JAIN: Michael, thank you. Let me clarify that there are certain—in blocked variant also, there are variants which are blocked by ICANN because of the security and stability. And there are certain variants which are applied by the registry. But during the process of delegation, they were not able to qualify for them and they got rejected.

MICHAEL BAULAND: Okay, yeah.

ANIL KUMAR JAIN: Yeah. Thank you.

MICHAEL BAULAND: Right. The decisions taken for those variants remain, and I think the same should hold true in our cases. It basically just says that the rights that the first registry operator had are also transitioned to the next one. That they can apply for all the ones which the first one didn't. Not apply for, but could have applied for. So, any objections that we use that rule for our PDP too, or any other comments or thoughts? Seeing none, so I think, Saewon, you can write down that we will apply this here with the wording adjusted to our case, of course.

Okay, next one is 7.14, I think. We have the Final Rec 7.14. "The applied-for primary gTLD string and any allocatable variant labels thought by the applicant must be bound by the same restrictions which will become contractual requirements upon execution of the Registry Agreement.

Similarly, any allocatable variant labels thought by an existing registered operator will be bound by the same restrictions as the existing gTLD upon execution of the new specification to its existing Registry Agreement for the newly approved variant labels. The restrictions in this recommendation refer to the differential treatment and requirements applied to non-standard type of gTLDs, which are community-based TLDs, Brand TLDs, Geographic TLDs, as well as TLDs subject to Category 1 Safeguards.”

We need to consider this principle when reconsidering the contractual requirement. So, the question is, in the variant case, all allocatable variants that are applied-for have to adhere to the same rules as the main one. And do we want similar requirements for our case that the Latin diacritic versions applied-for will then also have to adhere to the same rules as the existing major ones? All we really need to do is replace a variant or allocatable variant with confusingly similar. Well, yes and no, because we are not restricting our case to the confusingly similar. As we said in the beginning, the outcome of the String Similarity Review Panel doesn’t decide whether people can apply for TLDs using our exception process. But basically, if we replace it with wording that our bundle reflects, then it seems to make sense. Sarmad, please.

SARMAD HUSSAIN:

Yeah. So, one way to look at it is by maybe asking a question that if you apply for two strings which are bundled together, should it be possible for you to say that one of them is a Geographic TLD and the other one is not, or one of them is a Community TLD and the other one is not? So, that’s another way of maybe looking at it. Thank you.

MICHAEL BAULAND: Yeah, good explanation. So, having four more minutes. Bill says, "It should be subject to the same restriction." Anybody agreeing or disagreeing that they should be able to run, as Sarmad said, on the different separate rules? Seeing none, I think we can go with this and say it's applicable for us too with adjusted wording. Great. So, we've made some progress in the TBD columns. And with that, and three minutes left, I hand over to Saewon.

SAEWON LEE: Thank you, Michael. I don't know if it makes sense to show the slides, but just for the next steps again, very briefly, please just continue focusing on reviewing the TBD items. Again, red or orange in this spreadsheet. And here in this slide, you'll notice two more meetings have been added to August, and you'll have all received the meeting invites by now. So, please contact us, staff, if you haven't received the e-mail, or don't have them in your calendars. And if no questions, I'm going to go straight over to John.

JOHN EMERY: Thank you, Saewon. Outcomes today, we got through a couple of TBDs, and the big outcome was that the consensus was reached that the applicant must decide up front, which process to follow, and they cannot unbundle in the middle of the process. So, that was the main thing. Basically, action items, review the TBD items that we're going to be discussing next week. So, Michael, back to you.

MICHAEL BAULAND: Thanks, John and thanks, Saewon. And with that, unless there's any other last comment, question, I wish you all a good Wednesday, and a nice weekend after that, and see you all hopefully next week. Thanks. And Devan, you may stop the recording.

[END OF TRANSCRIPTION]