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DEVAN REED: Good morning, good afternoon, and good evening. Welcome to the Latin Script Diacritics PDP call taking place on Wednesday, the 8th of October 2025 at 13:15 UTC. We do have apologies from Prudence Malinki, Tapani Tarvainen, and Sebastien Ducos. 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 email the GNSO Secretariat. All documentation and information can be found in the Latin Script Diacritics wiki space. Recordings will be posted shortly after the end of the call. Please remember to set 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, the ICANN Community Anti-Harassment Policy, and the ICANN Community Participant Code of Conduct. Thank you, and over to our chair, Michael Bauland.

MICHAEL BAULAND: Thanks, Devan, for the introduction. And welcome, everybody, to our meeting number 22.

Also, especially welcome to a new member, Harsha. He just joined the group. He's a script expert for the Sinhala script. I've worked with him in the past on other projects. And it's good to have you on board here.

HARSHA WIJAYAWARDHANA: Thank you, and it's nice to be here.

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MICHAEL BAULAND:

Thanks. So let's get started. Next slide, please.

The agenda today, as usual, we quickly recap last meeting, and then we will continue to review the draft preliminary regs and have some preparation information about ICANN 84, which is in three weeks, I think.

Next slide, please. For the previous meeting, as also usual for the last meetings, we have revisited the preliminary recommendation docs and determined positions on multiple issues raised in the comments.

Next slide, please. And with that, we come to the action items. Leadership staff updated the PR docs based on the discussions we had, especially PR 32. You can read that up in the documentation. And then we had discussions about PR 35 to 38, which we will continue today on the following slide.

And we also ask you all to review the rationales. As mentioned before, we started our recommendations without the rationales, and we continue to include them as soon as the recommendations have been discussed and finalized. So those rationales will get updated as we go. And please continue reading them and providing any comments on the mailing list or in the document, as we won't be able to go through them all in the meetings here. That would take too much time, and we restrict ourselves to the recommendations.

And then the ongoing action item three, please share any edge cases you would like to test. Our recommendations were best by October

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15th. So we have them available and can prepare them for the face-to-face meeting at the ICANN meeting where we will be going through those edge cases.

Next slide, please. And with that, we will continue with the PR 35 to 38. So to recap what we have been discussing last week and haven't finished yet, all these recommendations are about what happens if one TLD within a set gets removed or multiple TLDs, or what TLDs get removed, an ASCII one or a Latin script, a critic one, whether it's voluntarily or forcefully due to breach of contract. And all these have different scenarios, and we were discussing how best to deal with them in our Latin script critic context.

Next slide, please. For these, there are basically two major points we need to discuss and need to agree for. One is the questions, how and if the applicants will be able to voluntarily remove one or multiple TLDs within that set, what the conditions are for that to be possible. And if possible, to remove this, what provisions are necessary so the removal of the TLDs won't cause any issues in future scenarios. And for that, the basic question to consider are, one, can a gTLD register operator remove a TLD within the set without going to EBERO, and what provisions are necessary for such a removal within the set.

If we update PR 35 regarding this, we might also need to update related recommendations 1.36.38 and the implementation guidance 37, which we have seen on the slide before, but I won't go through in detail now. We will revisit them later on.

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And to be able to answer those questions, we should probably look at the IDN-EPDP outcomes. Those are the main guidance for our recommendations. We try to be in line with them to avoid user confusion and technical issues as much as possible. And the IDN-EPDP has the same questions. They also have a set of variants that are applied for together and are contracted together. And the question is it possible to remove one or multiple of those TLDs within that variant set? And for that, we have the recommendations 8.10 to 8.13 from the IDN-EPDP, which deal with them. I will read them now for your convenience. So recommendation 8.10 says a primary gTLD that is removed from the root zone, either voluntarily or involuntarily, must also require the removal of its delegated variant labels from the root zone. So the rules are that if you remove the primary label for whatever reason, all variant labels need to be removed too.

Then 8.11 says a delegated variant label that is voluntarily removed from the root zone will not require the removal of the associated primary gTLD or its other delegated variant labels. So if you have this set of variants, but you do not remove the primary one, but you remove one of the variants, then that is okay. And that does not affect the other TLDs in the set.

Implementation guidance 8.12 says in the event that domain name registrations exist at the second level under a delegated variant label, its registry operators request for its removal from the root zone should include a transition plan to be submitted to ICANN Org for review for the existing registrations under the second level. That variant label. So if one of those variants is removed from the root zone and there are

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registrations, there needs to be some transition plan that has to be agreed on with ICANN.

And then finally, recommendation 8.13 in the event that a gTLD is removed from the root zone as a consequence of its registry operator's breach of the registry agreement, then the rest of its variant label set, if any, must also be removed from the root zone. So here it's independent, whether it's a primary domain or a variant, in case the registry is in breach of the contract, then this will result in the whole set being removed from the root zone or first, of course, being transferred to Ibero.

As you can see here, all these recommendations don't really say how or when a TLD is allowed to be removed. This was out of scope for the IDN-EPDP. They just say that if, for whatever reason, there is a removal, what are the restrictions with regard to the set? What other domains would have to, TLDs would have to be removed as well or can stay? And the question now for us is, how can we transfer these recommendations to our LDPDP?

We have put some comments here below those IDN-EPDP recommendations and to go back to 8.10, that was the one when the primary gTLD is removed from the root zone for whatever reasons, then all the variant labels also must be removed. And for us, this would be a bit similar to removing the Base-ASCII one because we have that requirement that the Base-ASCII TLD always has to exist. So, if we remove the Base-ASCII one, then most likely also all other IDN diacritic TLDs would also have to be removed from the root zone. Any questions or comments regarding this? Amadeu, please.

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AMADEU ABRIL I ABRIL:

Frankly, I'm getting a little bit nervous about all this for two reasons. I think we are reinventing the wheel. We are trying to solve something that is already solved and it's already in agreement.

We are dealing here like there were two things that could happen. One is that the registry voluntarily wants to terminate that. The other thing is that, for any reason, the domain name must be removed from the root. But this is not the reality of what the agreement said. The agreement stated upon termination, there is transition. So, the normal case, in the case of, for instance, a breach of an agreement, the contract may be terminated and the TLD, in this case, the TLDs will be transitioned normally to another operator. If not possible, for any reason, they will be, for an emergency reason, transferred to EBERO, which is an exceptional solution. But it's not that directly this can be deleted. So, for the voluntary case that you mentioned first, there is only, as I pointed out the other day, the exception in specification 13 for some cases in brand TLDs where there is no third party as a registrant, that the registry may request, but it's not a direct right, that the TLD be, as you say, removed, retired from the root. I am against having a new exception in this case. I don't see why, for the fact that somebody is using a diacritic, should have a special privilege to ask ICANN and obtain the complete retirement of TLDs from the root when there are third party registrations. So, here, if this happens, the whole set will move into transition.

Now, there is the other question whether, for any unforeseen technical reason, this one of the TLDs here has to be removed from the root,

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something that ICANN should not do, quite frankly. If our understanding of these things works, changes, we should guarantee backwards compatibility with what we have created and allow third parties to rely upon. But, in any case, if this happens, we don't have primaries and secondaries here. We have an agreement for a set. So, if this happens, probably the set should be removed unless there is a reason for the possibility of keeping one of the TLDs. But we don't know why this would happen. So, we don't know how this would happen. So, we don't know which TLD would be affected. So, I don't think we can say that much here. And, frankly, following what PDP said on very different cases and, in my modest opinion, saying things that are not in line with what the agreements say, I don't think it's a good idea. So, I think we should just refrain from that. Simply, we want an exception for the fact of being allowed to get from ICANN the complete deletion of all TLDs. My answer is no. Second, what happens if ICANN decides that they need to delete one of these TLDs or all the TLDs? Well, then we will see at that moment. But I don't think we should predetermine here which one should survive or not.

MICHAEL BAULAND:

Thanks. Before I go to Bill, a quick response. And I think, Joseph, if I get it right, also would like to respond to Amadeu. I think, Amadeu, you're misunderstanding. We're not trying to make additional rules to make it possible to retire a TLD. We just want to make additional restrictions. So, all the rules, when and how and if you can remove a TLD from the root zone, they should remain in place.

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AMADEU ABRIL I ABRIL:           Therefore, there is no right to require the retirement of a TLD. This is not what the agreement says.

MICHAEL BAULAND:           We just want to make the additional rules that if, for some reason, some of these TLDs get removed from the root zone, what are the consequences for the set? And this is consistent with the IDN EPDP, which also has the same problem that usually TLDs should not be removed from the root zone. But if, for whatever reason that's out of scope for us, one gets removed, we want to have additional restrictions of what happens with the set. That's the reasoning here, not to make additional freedoms, but additional restrictions here. But, Joseph, please.

JOSEPH YEE:                Hi, Joseph from ICANN Org. I just want to make a response to Amadou's observation about TLD terminations. So, when we have that in the base registry agreements, so it applies to both generic open TLD and the brand TLD in the spec 13 as well, clause 4.5 about terminations, that ICANN has its own discretion to review and particularly would look for the public interest and also to see if there's any usage, whether it's lease registration or whatnot at the second level to determine whether the TLD will be transitioned to EBERO or to a new registry operator or maybe terminate. So, I just want to point out that terminations and removal does not apply only to brand TLD, it could apply to any TLDs. And we have histories in the past of that we evaluate a non-brand TLDs and that is delegated in the root and when there was a voluntary



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remove trigger by registry operator, we did a review and we actually removed them from the root zone.

MICHAEL BAULAND: thanks, Joseph. Bill, please.

BILL JOURIS: I may have said this in previous meetings, but it feels like to me that in our case, If the ASCII version is being removed from the root zone, which I think is what we're talking about here, it ought to be at least an option that one of the members of the set be retained. I can think of circumstances where the ASCII version was previously, what is the word, contracted for and having acquired the Diacritic version after some period of transition for the second level domain names. It might be desired to drop the ASCII version but retain one of the Diacritic versions and I would like to see some indication that we are okay with that. Thank you.

MICHAEL BAULAND: Thanks, Bill. that's actually in the original recommendations we had, we have that possibility and it's one of the options we will, when we show the options later on, it's one of the options we have to be able to retain one of the TLDs. So that's definitely a point.

BILL JOURIS: That seems to contradict what is being said here, is all I'm saying.

MICHAEL BAULAND:

Here we are currently looking at the IDN EPDP solution and that solution is that the whole set needs to be removed but they have a different base to start with because they are the, all the variants depend on the primary one and they are related to the primary one, whereas in our case the TLDs we have are more or less independent and just put together in a set to make them available. So this will become clear on the next slide. We have this option to have one TLD available, keep one TLD. That should cover your point, good point.

So, the idea here is as was with the IDN EPDP and I think we would like to do the same as not to create new rules, to create new possibilities for applicants to remove their TLDs. Those rules for single TLDs should all stay in place. We won't touch them. We just have to make additional rules, additional policies for when the case occurs that one or multiple of the TLDs get removed from the root zone for whatever reason. That in that case, due to the structure of the set, some other TLDs might also have to be removed too. So, this is the reason why we are making those recommendations, not to make it easier for applicants to remove ones, but basically to make it harder or to make consistency of the sets there. I hope that clarified this.

Any other questions, comments regarding the way the IDN EPDP solve those issues of removing one or multiple TLDs from the set? If not, we can continue to the next slide, please.

So, in the LDPDP, is it okay for an ASCII to remain if all Latin diacritics are removed? If possible, is it okay for foreign Latin diacritics to remain if all

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ASCII and other Latin diacritics are removed? This is basically coming back to what Bill just mentioned to have that possibility. In our original recommendations, we built in such a possibility. So, in LDPDP, though bound by an ASCII Latin diacritic gTLD set, all TLDs within the set are independent of one another. And that's something different to the variant set, where they are all connected via the LGR rules and the variants are created based on the primary domain name. So, that's why we may have that possibility to, even if all would have to be removed, one might be kept. Of course, only for the voluntary removals, whenever there's a breach of contract that causes the removal, then, of course, there's not the choice to keep one because then the contract is breached and then all TLDs must go to EBERO or removed or whatever the consequences, I can decide.

Next slide, please. And the second question is about, if possible, what provisions are necessary for the removal of the TLDs within the set?

Here's something that is also very different from the IDN EPDP. In the IDN EPDP, no such recommendations are required as the LGR ensures that all variant TLDs only belong to a single entity. The LGR creates those variant label sets independent of any existence of TLDs. So, also, if and when all TLDs get removed from the root zone, this variant set in theory still exists and whenever one of those TLDs gets reactivated for whatever reason, the variant set will always be the same and the same entity principle is always cared for, so to say.

In our case, the LD PDP, the TLDs within the set have no connection other than through this process and the ICANN contract. So, once they are removed from the set or contract or if the set is dissolved as a total,

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then those TLDs are, again, independent and there's no relation that needs to be upheld. And this could cause situations where we have a problem that TLDs that previously belonged to the same entity and were run with the same entity requirement might be applied for by a different entity if they got removed from the set. And for this, the question is what provision should we make here to avoid this that suddenly TLDs that used to be run within the set with the same entity are at some point run separately and possibly not requiring the same entity. It's not very likely because there's still the string similarity review that most likely would reject. Those to be created, but it's not a given fact, and therefore we might need to create provision.

Next slide, please. For this, there are basically two cases we can take a look at. One is the existing work of the ccPDP4, which says, following the conclusion of its retirement process, a selected IDN-ccTLD string is removed from the DNS. The selected IDN-ccTLD string shall not be available for reassignment or selection for at least 10 years following the removal. So there's a safeguard there that if one of those IDN-ccTLD strings get removed, then there's a blockage of at least 10 years to avoid user confusion that it suddenly is reassigned and used by a different entity and thereby not connected to the original ccTLD. That is one rule we can look at. And before I go to the next rule, I go to Samad, please.

SARMAD HUSSAIN:

It's okay. I can come in later. Maybe you can finish this thread and then I'll come in. Thank you.

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MICHAEL BAULAND:

Sure. Next slide, please.

The other policy we can take a look at is about the brand TLD provisions. And that says that if the TLD is qualified as a brand TLD by ICANN in accordance with specification 13, ICANN may not delegate the TLD to a successor registry operator for a period of two years following the expiration date without registry operator's consent. So there we have two situations where a TLD is removed from the root zone and how user confusion is taken care of. In the brand case, it's by requiring two years for reassignment. And in the IDN ccTLD case, it's requiring 10 years. And these policies we could possibly use for our case when TLD within the set is removed to avoid the case that such a TLD is applied for outside of that set again. So first I go back to Sarmad and then to Bill.

SARMAD HUSSAIN:

Thank you, Michael. So yes, I think these are relevant provisions or recommendations. But there are also some key differences between these cases and the case which we are discussing for Latin diacritic TLDs. And I just wanted to point them out as well so that I guess those are clearer in our discussion.

In the first case, well, first of all, in both of these cases, these recommendations are generally talking about a TLD, which when it goes away and then potentially comes back, there is no possible confusing TLD which exists in the or is delegated at the same time versus in our case, if you're considering an option that one of them remains and then one, for example, can be dropped and it can come back, then there will

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be actually two competing TLDs which can confuse the end users. So that's one thing which we should consider.

The second is that in some ways, even though they are joined by a base ASCII string, these strings are obviously not brand. So they're not similar category. And similarly, they're not ccTLDs where ccTLDs, if somebody has to apply for an IDN ccTLD, they have to go through a very significant community, government, and stakeholder support process before that string actually can be delegated or eventually undelegated as well. So there are very significant checks on these strings, specialized checks also in the case of brand strings, which may not actually be done on the LD TLDs. So there are at least these two kinds of differences. But I guess more importantly, if there's one pair or one of the pair, for example, if there were two LD TLDs, one gets undelegated and then delegated again. The issue again, which we were trying to address before, was that it had a history of users thinking that it is managed by the same entity, and now suddenly it gets managed by a different entity. And that can potentially create end user security risks. Thank you.

MICHAEL BAULAND:

Thanks so much for the clarification. That's exactly what we try to find a solution here, that in the case we used to have a set and one of the TLDs, for whatever reason, is removed from the set, and should that be directly available for possibly a different entity to apply for, or should we have some rule that blocks it for some period of time? And for that, we have the example of brands where it's blocked for two, or IDN TLD where it's blocked for 10. Bill, please.

BILL JOURIS:

I'm not entirely sure I've understood this, but to the extent I have, it seems to me if the ASCII version is not being removed, if we're just for whatever reason having a problem with one of the members of the set, are we talking just about we had a set, we've decided for whatever reason that one of the members of the set should no longer be in the set, in which case I can see something like this being appropriate. But if we're talking about the ASCII version being removed, it seems to me that's not only is it not desirable to say that nobody can have that and all of the other Latin, all of the other diacritic versions of the set restricted, I think it ought to be encouraged that somebody else pick that up to avoid user confusion, because here I am, I've registered my domain name with something in that set, and all of a sudden the TLD has gone away. I'd like to have that come back so I can retain my brand name or my domain name. So I would say we should not go here. Thank you.

MICHAEL BAULAND:

To answer your question, it's about both cases, actually, even if the ASCII TLD is removed and we require the whole set to be dissolved, as you mentioned yourself, there should be the possibility to keep one diacritic TLD, and in that case, all the other TLDs from the set that were removed are potentially available for different entities to be applied for. And if that happens, then suddenly TLDs that used to be run with the same entity in a set are run by different entities. And for that reason, it could make sense to block those TLDs that got available for some time to avoid this user confusion. Anil, please.

ANIL JAIN:

Thank you, Michael. I'm listening to everybody on this subject. And I was part of IDN-ccTLD working group 4 as vice chair and I was also part of IDN-EPDP. The scenarios in which the decisions were taken in both the working groups were depending on the situation and that is different. But let us look here in LD case.

Technically, if we look it is possible to delegate the ASCII TLD as well as the LD-TLD to separate registry operators. But if we look at the practical point of view, there is a likelihood of the user confusion and that is what mainly the deselection or the confusing similarity panel is looking at. And I personally feel that if one of the either ASCII TLD or the dielectric TLD is removed because of any reason, except when the registry operator breach the contract, we may restrict re-delegating the removed TLD to any other registry operator at least for some time. We have to see whether it is 2 years or 10 years. But we have to restrict for some time to avoid the confusing similarity issues which definitely are a bigger issue for DNS also. Thank you.

MICHAEL BAULAND:

Thanks. That is the reason why we discussed this to avoid this user confusion that some domains that used to be forced to be run by the same entity because they were part of a set are suddenly available and could be registered by totally different entities and run in a different way and thereby cause user confusion. Bill, please.



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BILL JOURIS: I am having trouble wrapping my head around where the users might get confused. I guess maybe I am just not awake yet this morning, but I do not see that the users would have how would they be confused?

MICHAEL BAULAND: I try to write that in the chat. So, if you think of two TLDs, test in ASCII and test with a Latin diacritic, and they used to exist as a diacritic set for any number of years, then users are used to the fact that whatever second level domain they put in with test or the other test, they reach the same entity. They reach the same company. They reach the same person. They reach the same thing. But if at some point, one of those TLDs goes away from the set and the set is dissolved, then a different registry operator would be able to, if a different registry operator would be able to run the other test, then there is no connection between those anymore. And any domain registered in one TLD can be registered by a completely different entity in the other TLD. And that then can cause confusions because users used to think that whatever they put in the second level, the top level, it does not matter whether it is one or the other, I reach the same entity. Does that help? a comment. I think I am getting a grip now. Amadio, is that in your hand? Great. Go ahead, please.

AMADEU ABRIL I ABRIL: First thing. Thanks for correcting me. However, I can't remember the name on the agreement. I was citing 4.5 from memory and I made a clear mistake in making a difference that was not there. Having said that, again, sorry, I am also confused here. Step one, we have a PDP that

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sets a policy that whoever wants to apply for an ASCII TLD and the same ASCII characters with diacritics, they need to be on the same set. And this is not for today or for tomorrow. This is a standing policy. Whatever is this week, this round, the next round, as long as this policy is in place.

Step two, we say that it may be cases in which not voluntarily, but by need that I cannot define with a percentage. Somebody put an example in the mailing list. One of the TLDs, let's imagine one of the diacritics, the Latin, I don't care, should, must be retired from the route. And then we discuss what happens next if, again, by magic, that TLD can be used again. This cannot be contractual breach because we said that if this contractual breach is the breach of the registry for the TLDs in the agreement, then all, it should be something else. Now, the TLD in step three comes back.

Now, if this PDP is still in place as policy, it should be the same registry operator, period. We cannot have a Latin plus, same Latin plus diacritics in different registries. So, it comes to the same registry or it's not available. So, I don't understand part of this discussion. Second, the time, I agree with Sarmad. Brand TLD is completely different. In Brand TLD, typically, there are no third party registrants. So, third parties are not involved here and their expectations and rights are not. Here is not only the question that should be the same registry and whether it's two years or 10 years. The question is what happens with the registrants that exist there and what happens with the user confusion. So, in no way, this TLD should be allocated ever to a different registry operator unless this policy is repealed prior to that. And then, if the question is the TLD comes to the same registry for some reason, probably the question of whether it's two years or less here is less relevant. But what's most

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relevant is what happens with the registrants that have domains in that TLD prior to this temporary removal from the root. But frankly, I don't see how many years before this has another registry. For me, it's forever. This doesn't exist. The longest we can put here, 10 at very minimum. But then remember, this will be completely contrary to this policy. What are we saying? That in some cases, we can do things contrary to this policy for no reason?

MICHAEL BAULAND:

Now, I think you slightly misunderstand the policy. We are not forcing anybody to use the policy if they want to apply for an ASCII and a legend diacritic. Any entity, even if this policy comes into effect, is still free to apply for an ASCII and to apply for a different entity to apply for a legend diacritic. We don't force people to use them.

AMADEU ABRIL I ABRIL:

Well, unless we set a high expectation that this will be confusing or similar.

MICHAEL BAULAND:

exactly. But that's also the case if one of the TLDs gets removed for whatever reason. I just don't want to talk about the reasons why or how this can be removed. That's out of the scope for us. Just if one of those TLDs gets removed, then it's basically available again for registration. And even with the PDP active, different entities could apply for it. They are not forced to use the PDP. It's likely that it gets rejected due to string

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similarity review panel, but it's not certain. And that's why we should have some mechanism in place.

AMADEU ABRIL I ABRIL:

Well, then let's avoid it as long as we can afford. If it's, sorry, but in case, not just if it's registered for a different entity, a different registry operator if it's for the same registry operator, probably there is no reason to delay that for decades or 10 years even. But if it's a different entity.

MICHAEL BAULAND:

That's a good point. We should have made that clear in the beginning that blocking should only be in case it's applied for by a different entity. If it's, again, if we add it to the existing set, or if the sole remaining TLD re-adds it to its set, then there doesn't need to be a period of quiet, because there's no user confusion. It's still, again, in the set. It's just in case a different entity applies for it, then we have to have some rules. But unlike the variant case, there is no LGR taking care of this, and forcing them to be run by the same entity.

I think, I hope that this now clarifies the issues at hand, and we can go to the next slide and provide some possibilities on how to do this. So this is what we have been discussing. So, basically, we have three options, so to say, what to do, how to deal with TLDs that get removed from the set. Again, very important, we don't allow these removals. We stay by the restrictions for single TLDs, just as the IDN EPDP does. We just say that if, for some reason, that's out of scope for us, one TLD gets removed, what should happen to the rest of the TLDs? What should happen to the

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removed TLDs? And here we have basically three options, so to say. Option one is the current draft, where we say that we are similar to the IDN EPDP, but we have the difference that a single TLD can remain, even in the case where it's not possible for the variant case, because we don't have this variant relationship. And that would be option one. Option two is the same as option one, but we would be adding provisions for this reassignment. So, something consistent with the ccTLD or the brand TLD, we have some additional requirements that will block TLDs that have been part of a set from being reassigned to different entities for a certain period of time. But otherwise, we are with option one, that we still allow the keeping of a single TLD. And option three would then be to be fully consistent with the IDN EPDP in the way that we say that not a single TLD can be kept.

These are basically the three options we have. And any questions, comments so far? Or any thoughts of which we should go for? Any preferences? So I want to just to see the language first. That language still is missing the important comment Amadeu made, that this restriction to reassignment should just be if it's reassigned outside of a set to a different entity. But yeah, with that in mind, we can take a look at the language. Amadeu?

AMADEU ABRIL I ABRIL:

Well, one note to myself, the question is not just whether it's the same entity. Well, it comes to be managed as a set again, as part of the set again. It goes to the same entity, but managed separately. It's like a separate TLD, so we are changing the conditions.

MICHAEL BAULAND:

So, I don't know how to express that, but you get the idea here. Sure, that's an important point. Thanks for that. It's not the entity. If it's run separately outside of the set, then we need some blocking. But we will adjust the wording accordingly afterwards.

So, option one is the current draft update. Their preliminary recommendation 35 says, an ASCII gTLD that is removed from the root zone, either voluntarily or involuntarily, will result in the ASCII Latin Diacritic gTLD set no longer meeting requirements as described in preliminary recommendation one. And the gTLD registry operator may retain a single IDN gTLD and shall no longer be considered an ASCII Latin Diacritic gTLD set. So, that's basically what Bill also mentioned, that if this is removed, if the ASCII one is removed, the whole set is dissolved. But in the case where it's not a contractual obligation, it's a voluntary one, then the registry operator will be able to retain one of the IDN gTLDs.

For the PR 36, we have the wording, delegated Latin Diacritic label that is voluntarily removed from the root zone. So, this is not removal of the ASCII, but removal of the Diacritic label will not require the removal of the associated ASCII gTLD or other delegated Latin Diacritic labels. So, this is in correspondence to the IDN EPDP where we remove a variant. And again, the gTLD registry operator may retain a single ASCII gTLD and shall no longer be considered an ASCII Latin Diacritic gTLD set. So, in case the last Latin Diacritic label is removed and you just stay with a single ASCII, then the set is dissolved and you are just a standalone ASCII

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gTLD. And the other recommendations are basically what we have been discussing.

So, option two, next slide please, is basically the same thing, just that we add to preliminary recommendations 35 and 36, some wording saying the removed gTLDs shall not be available for reassignment or selection for at least X years following the removal. As mentioned, this does not take care of, I might just comment, this blockage of some years should only be the case if it's applied for outside of the set. If for some reason the owner of the remaining TLD wants to re-initiate the set, then there's no need for blockage because user confusion is not a problem. It's again run as the same entity. So, option two has this same as option one, just with the extension to block this in case this would be run by a different entity and or outside of the set.

And then next slide, option three is then to be fully consistent with IDNA PDP and not allow retaining a single TLD. But even in that case, we would have to have the additional requirement of blocking those labels if they are applied for outside of a set. So, these are the three options we have. Sarmad, please.

SARMAD HUSSAIN:

Just I guess wondering, so is there a cost involved for an applicant or that they create a set like this? And then I think we've discussed that there is no application, extra application fee for extra strings in such a case.

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MICHAEL BAULAND: I think that there is. I think if you just as now, if you have an ASCII detailed deal right now and want to add a Latin diacritic version of it's not free. There will be some fees and I think we said it's based on the cost recovery principle and to be determined by ICANN, but it's not free.

SARMAD HUSSAIN: Then I just don't have a comment. I think I was assuming that there was a potential to do that, but if that's what the working group is moving forward, then I think that's okay. No more comment.

MICHAEL BAULAND: Thanks. So the recommendations we have for that in the chat right now, consistent with final rec 310 of the EPDP IDN phase one final report, the fee structure associated with future applications that include the ASCII Latin Diacritic gTLD label set and ASCII gTLD and or Latin Diacritic gTLD labeled applications from registry operator of existing gTLDs must be consistent with the principle of cost recovery reflected in the applicant guidebook and affirmed by the new gTLD subsequent procedures.

So any other comments or any opinions, what solutions we should use here? Option one being that we stay with the current recommendations and just allow a single TLD to be retained, but no restrictions for the TLDs that get removed from the set. Option two being that we also retain a single TLD, but at a restriction for those TLDs to not be operated outside of the set. And option three is being consistent with the IDN EPDP where we say there's not the possibility to retain a single TLD. And we also have this blockage, which is inherent of the variant because of the LGR. Sum up, please.



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SARMAD HUSSAIN: So this proposed recommendations 35 and 36, they can be applicable at the same time. They don't have being applied, they're mutually exclusive in some way. So it's not that one could pick one or the other, one could actually pick both.

MICHAEL BAULAND: Exactly. 35 is just about the removal of the ASCII gTLD and 36 is about the removal of the Latin text critical labels. In the IDN EPDP, those were the removal of the primary label or the removal of a variant. So we have changed those to be ASCII gTLD and Latin script because similar to the variant case, we also require the ASCII gTLD to always be there as does the IDN EPDP require the primary label to be there. It's not possible to remove the primary and keep the rest of the labels. So they would be applicable at the same time. Amadeu, please.

AMADEU ABRIL I ABRIL: First of all, I was thinking, I don't think it's there, but I refrain from proposing new rules, but it would be really pissed off if somebody applies for a set of TLDs, then two years later gives up the critic one and six months later comes back and says, well I want it back again. I think this is irresponsible.

So I don't like the voluntary part, but as this is possible, and that's it. The reality, this is possible in theory. In practice, as what we've discussed before, if there are 6,000 domains or 5,000 domains with real registrants there, it's very unlikely that ICANN will simply delete the TLD from the

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route. So, in practice, this hopefully will only apply the TLDs are not launched. So little harm to third parties. Now from the three options, with all these considerations, I still believe that the second one that is, that the one that allows for keeping one of the TLDs and set some rules for the TLD coming back that are different for going back to the same set or simply going back to a different registry is the one that makes more sense to me.

MICHAEL BAULAND:

Thanks, Amadeu. I tend to agree here with you also about the fact of how likely this is. As you said, if there are TLDs with thousands of registrations, it's very unlikely that they can be dropped at all. But this is the same for the IDN EPDP case. If you have an existing variant TLD with thousands of registrations, then there also it's unlikely that can be dropped just that way. But still, they have the rules that what happens if it gets dropped, most likely it's been empty by then, either because it never was used or because all the registrations have been moved elsewhere. But we just take a look at the unlikely case that such a TLD is dropped. I also see support from Anil for option two. I think Bill also mentioned right at the beginning that he would prefer this option one and two rather than option three, where no TLD can be retained. Any other opinions or other thoughts? Asteway, please.

ASTEWAY NEGASH:

thank you for the record. This is Asteway Negash. I think it's going to be option two for most of us, but it's, I think, a good idea to understand the rationale behind making it either two years or 10 years, because I feel

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like, well, the group had their own perception of making it two years for the brand or 10 years for ccTLD case. So unless we understand the rationale, it would be hard for us to go either way. Thanks.

MICHAEL BAULAND: That's a good point. If we go with option two, we also would need to have a number of years here to put. I think Amadio already mentioned as long as possible, and that would probably mean to use the ccTLD—Ariel, maybe you have some, hopefully.

ARIEL LIANG: No good solutions, although it's not my role to let the group think like what option may be better. It's definitely not my role. So I'm just raising a hand to seek a clarification. So regarding the reassignment, is that for the same registry operator were like a different one? I'm just not sure I'm understanding is that means if that registry operator voluntarily give up one of the string, this recommendation is saying like even for the same registry operator, it's not available for them to reapply within X number of years. Is that the intention of these recommendations? Because it just seems very unlikely a different applicant would even entertain that idea applying for something so confusingly similar. It's not very possible to succeed.

MICHAEL BAULAND: Thanks for the point. No, it's not meant for the same operator. If they would add the TLD to the set again, then we don't need a restriction. That's what Amadeu mentioned earlier, and which is not yet reflected in

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the wording. This is only for the case that any entity would apply for the TLD outside of the ASCII Latin set. Most likely, even if they applied, they would be rejected in the string similarity panel, but we can't be sure of that. And to have a rule that gives certainty, we want certainty here. For that, we need a recommendation that states that this TLD is safe from being used in a different context, different entity outside the set when it has been used in a set before. Anil, please.

ANIL JAIN:

Thank you, Michael. In fact, you and Ariel have already covered what I wanted to say, that in case the same registry operator try to get a deselected or surrendered TLD out of this, then the timing restriction which we are putting may not apply to that. Thank you.

MICHAEL BAULAND:

Exactly. Good point. Thanks. It is very unlikely that they would do this, but because it costs quite a lot of money and it is a lot of work, but if they want to re-add a TLD that they have given up previously, maybe after 10 years or five years or one year, then they should have the chance to do that. It's just, if it's run separately to avoid user confusion about TLDs that have been used in the set, that they suddenly are used outside of the set.

I think CR1 just put in the chat, next step and AOB, we will skip here. Ariel put in, why not make this forever rather than blocking X number? If it's possible to do that forever, I think Amadeu would be really happy. He already said he wants to have that restriction for as long as possible. I'm not sure whether it's possible to make that forever, but if it is, why not

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say that whenever TLDs have been operated within a set, they can't ever be operated outside of a set. On the other hand, after 100 years nobody remembers and we could make that free again, but Amadeu, please.

AMADEU ABRIL I ABRIL: No, I don't want to raise my hand. I don't know whether I've done that, but I will repeat what I said before. Forever is a very difficult legal term. You may qualify this with conditions for as long as this happens, but just putting forever in a policy, it's a very bad idea.

MICHAEL BAULAND: Thanks. Ariel, please.

AMADEU ABRIL I ABRIL: It's more a desire than a concrete legal term.

MICHAEL BAULAND: Ariel?

ARIEL LIANG: I get Amadeu's point. Also not trying to propose this one way or another, but I think there could be ways around it. For example, in the string similarity evaluation rules, that can be something added. For example, applied-for string has to be compared against the ASCII TLD set, whatever that was previously delegated. Then if it's identical or confusingly similar, then it will either not be able to proceed or something else. It could be somehow create some rule so that a future

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application for this will be caught in string similarity evaluation. That could be the way to address it rather than putting x number of years. There's just some way the group may think about the way to help mitigate potential user confusion.

MICHAEL BAULAND: Amadeu, sorry. We're almost ... We're already past time. Very quickly, one minute and then we have to stop.

SARMAD HUSSAIN: I think following up on Ariel, I think what's being suggested here is that it creates a special reserved name category or something, which can then be used in subsequent rounds to see a block or not allow those strings like other categories, which are used in some other ways.

MICHAEL BAULAND: But it's not reserved fully. It's just reserved if outside of the set. We will take a look at the wording behind the scenes and come back next week with a suggestion that hopefully covers the broad opinion of the group. Thanks all for the good discussions and contributions. We'll see each other next week. The last meeting before the ICANN meeting in two weeks is a travel time and the meeting will not take place then. Thanks and goodbye. Devan, you may stop recording.

**[END OF TRANSCRIPTION]**