
DEVAN REED:

Good morning, good afternoon, and good evening. This is Devan Reed for the recording. Welcome to the Latin Script Diacritics PDP call taking place on Wednesday, 30 April 2025 at 13:15 UTC. We have apologies from Prudence Malinki, Sarmad Hussain from ICANN staff, and Justine Chew. 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 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 our chair, Michael Bauland. Please begin.

MICHAEL BAULAND:

Thanks, Devan, for the intro. Yeah, so welcome, everybody, to our fifth official working group meeting. Next slide, please.

This is the agenda for today. We'll do a quick recap, and then we'll take a look at the early input responses. The deadline for that was last week. And then we'll start off with Charter question three. Topic 25 of the SubPro and the IDN EPDP results and the phase approach and some overview of what has been discussed there. And then we'll have the next steps and AOB. Next slide, please.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

So, yeah, quick recap of the meetings we had before. The key outcomes are most of them have been here already during the previous meetings. By the way, Bill, this is the slide I was talking about. So we have the ASCII Unicode analysis report, which lists all the characters in scopes. And even though it's not authoritative, it's a helpful tool to actually see what we are talking about. Then we agreed to allow multiple TLDs, but the base ASCII version is a requirement based on our restrictions from the GNSO charter we got. And then last week, we also got an overview of the string similarity review process, which was provided by Sarmad. And thanks again for that, even if he's not here right now. And so the key action items last week was that we wanted to capture later in the process, those cases that we would like to recommend for future potential work, because we did not want to extend the scope of this PDP to keep it on track and narrow. Next slide, please.

This is just the scope as we have seen last week. This slide is nothing new. We just keep it in here for reference and for you to have that available. There have been no changes to this slide since last meeting. Next slide, please. Next slide, please. And with that, I already hand over to Saewon to give us some overview of the early input. Thanks.

SAEWON LEE:

Thank you, Michael. Thank you, Michael. I'm just going to share with you on the chat the early input responses that can be viewed on Wiki. So, basically, we received input until last Thursday, which was 24th of April, and we received two responses. So, one was from ISPCP and the other from Registrar Stakeholder Group. And, again, we greatly appreciate the responses. But please, again, understand that this was

voluntary and the low number of responses does not signal any red flags. It just means that, you know, we don't need to be concerned that the community is not sufficiently involved because this is – our working group is an open model and not a representative model. But we do have representation satisfied or balanced out, let's say. And it is important to understand that this is a niche subject that requires particular expertise and knowledge. And, you know, even then, with the representation that we do have, you know, through the input of the members, just please understand that there are – this is a voluntary step that, you know, can be participated. But we do have more steps throughout the process where public comment will – public comment opportunities will be given. So, again, this early input process is, in a way, a duplicate step through a written input, which obviously is welcome and greatly appreciated. But there are plenty of opportunities to come.

So, with that, I'll briefly go over the responses we have received. And I have tried to summarize what we have received through a separate sheet, which you can also find in the wiki. But just in case, I will, again, share it with you in the chat. ISPCP, I'll go first because they were quite simple. Just like what I introduced, they responded with no specific or additional input, as the members are suggesting that whatever input is given through the weekly meetings. And then for the RrSG, as you can see in the sheet, they, in general, supported the intent of the working group to leverage the previous discussions to find a solution for this PDP. And then specifically for Charter Question 1, which was about the ASCII and the Latin diacritic version of the gTLDs, and if they could be simultaneously delegated and then if what measures should be taken to do so, they suggested that the same entity principle should be adhered

to. And I guess our working group is gearing towards that direction. For Charter Question 2, which was trying to leverage the ccTLD fast track process, they again suggested connecting our recommendations to the exception process, which we also pointed out, specifically the extended process similarity review panel function. For Charter Question 3, which was referring to SubPro and EPDP IDNs, which will be going on today, which we will be looking into today, the RrSG mentioned that the policy from this working group should follow the one from EPDP IDNs, and hopefully we'll be looking into that today. There was no input for Charter Question 4, which was related to the impact on existing consensus policies. And then lastly, related to the GPI and human rights impact, they mentioned or they provided input on the human rights impact, where they stress the importance of policy to ensure that similarity that is permitted is not confusing or having any negative impact on internet users. They also noted that strict limitations on delegation of TLDs could have an impact on the potential TLD operator. So for the early input, this is all I have to share for now. And again, just to remind everyone that this input process and any relevant responses to the charter questions will be included and reflected in the initial report. With that, I will just stop to see if there are any comments or questions. And if not, I will hand it back over to Michael.

MICHAEL BAULAND:

Thanks, and so on. And yeah, I just copy what you said when we send out those early input requests. We actually told those SOs, ACs, SGs and Cs that it's not mandatory and that they can also comment via their representatives during the PDP process, such as is. If there are no questions, I think the comments from the registrars, we will take them

into account while we look at the actual responses. So next slide, please. Just read Tapani's comment. Just for the record, I don't agree with the strict requirement to only give domains differing by their critics to the same registrant. Yeah, noted. So we look at the Charter Questions 3 now. It says, if a solution is needed to this issue, which seems to be the case, are any of the elements from either the Phase 1 or Phase 2 of the IDN EPDP, or Topic 25 on IDNs from the SubPro Final Report relevant or warrant discussion specific to Latin script critics? And in order for us to be able to respond to that question, we of course need to know what exactly is written in this Topic 25 and what was part of the Phase 1 and Phase 2 IDN EPDP reports. And for that, I will again hand over to Sewan to walk us through those documents or recommendations.

SAEWON LEE:

Thank you, Michael. So I just shared in the chat for you the wiki pages where the documents relevant to today's topic can be accessed. And again, just to repeat, they are the SubPro Final Report and the EPDP IDNs Phase 1 Final Report and the EPDP IDNs Phase 2 Final Report. So, as Michael just mentioned, and again in the charter question, these are the documents and the policy recommendations that this working group will refer to, to see if there are any transferable elements or solutions or that warrant any discussion.

So, I will turn to the next slide. I think I keep on hearing some background noise and I hope it's not me. So again, just like we did for the ccTLD Fast Track process, as well as, you know, the similarity review, in order to facilitate the discussions for this working group, staff would

like to walk the working group through, you know, a high level overview of the SubPro and the EPDP IDNs processes and their outcomes to see how they might be relevant. And so starting with SubPro. So I hope it's not me. Okay, thank you so much, Michael, for pointing that out in the chat for me. So again, we'll start with the SubPro. And as you can see in this slide, in full, it's the new gTLD subsequent procedures PDP. And this working group was tasked in 2015 to determine what, if any, changes may be necessary to the existing new gTLD policies by calling upon the community's collective experiences from the 2012 new gTLD program. And obviously the changes included revising the existing policies, but also proposing new policies. And the existing policy for new TLDs here refers to that from the introduction of new generic top level domains published in 2007, which you can also see in this slide. And the SubPro final report and its recommended outputs, which obviously includes the recommendations and implementation guidance, was adopted by the GNSO Council in February 2021. And the board adopted the IDNs related section of the report. So this refers to the topic 25 in March 2023. And I know that the board adoption or consideration process on other topics has been ongoing since then. But for us, the IDNs topic is what matters most. So here in this slide, you'll see that there are 41 topics in total, and they're categorized into 11 sections within the SubPro report. And IDNs here you can see is in topic 25, which is included in the application evaluation criteria section. And as you can see down below in the slide, the string similarity evaluation topic is also in this section in topic 24. Okay, so in this slide, you can see that there are 14 topics in total.

Okay, so in this slide and the next, there were eight outputs in SubPro for IDNs. And so, as I said, I've presented it here and here over the next two pages. And they can also be found in pages 114 to 118 of the SubPro final report that I've also shared with you on the chat. And those that leadership and staff deemed relevant to this working group, I've marked in the dotted boxes. So this orange box in this slide refers to those outputs that is of relevance, but less relevance or, you know, something that we in this working group don't need to really deal with, but rather to note as a background information just to set the boundaries for us. And this refers to the root zone LGR as a requirement. Where we've already established that we are starting off from. And then this box here are the recommendations that are of more relevance to us. And as these outputs refer to the same entity principle on the top level and the second level. They are obviously developed through the EPDP IDNs, which I'll be showing you through the next couple of slides. But as Sarmad has also mentioned in his presentation last week, basically the SubPro recommendations have been developed in more detail. And again, I'll get to this in more detail later through the slides, but also through a separate spreadsheet. But moving on with SubPro first. So if you see here, as I just mentioned, the SubPro PDP outputs on the IDNs topic were further developed through EPDP IDNs. So they were established to be they were established further to be applicable for the next round and future second level variant domains. And here in page 21 you will also see that, sorry, I mean as in here in this slide, you'll also see at one glance, how the recommendations for SubPro PDP that the leadership and staff have deemed relevant developed further through EPDP IDNs. So as you can see here, all those potentially relevant SubPro recommendations to this PDP got further

developed through EPDP IDNs phases one and two. And those include the topics such as root zone LGR that I just mentioned as a boundary for us or a base for us, the same entity principle at the top level and the second level. And if you see in the bottom right corner of this slide here, you can see that we've presented it through a separate spreadsheet. And I will just try and show you so that you know what I'm talking about. So if you see here, there's a separate spreadsheet that the staff has prepared. In the first tab, it's of SubPro outputs and their developments through the EPDP-IDNs. And then in the second tab, you'll see that we've just extracted only the EPDP-IDNs RECs that were not mentioned in the first tab, independent from SubPro, which again, we'll go through in the next few weeks. And whereas the SubPro, we've only extracted those deemed relevant to this working group, the EPDP-IDNs recommendations is an exhaustive list, which have been presented through phases one and two. And thank you, John, for sharing the spreadsheet in the chat for us.

Again, going back to this tab, tab one. As we go through the recommendations themselves, again, you know, we might find what are relevant, what are not relevant. But I do, again, want to emphasize that this is the leadership and staff suggestion. And obviously, over the weeks, as we go through these recommendations, as you can see in column F, here, as well as tab, the second tab, column D, we'll go through what our decisions are on, you know, through our discussions, whether we deem them relevant, how we want to transfer them, what elements are right for our working group, etc. If you actually also see here, I think, in recommendation 7.6, I also do want to point out one of the comments that Amadeo raised, I think it was in meeting number

three, about reviewing and not only focusing on the who, so the same entities as in the registries, registrars and the registrants, but also focusing on what measures to take to avoid user confusion, which also referred to the same, having the same technical operators, the DNS providers, etc. And EPDP on IDNs does provide a recommendation, which we will be looking into. So, I will go back to the slides.

So, this was basically, together with the spreadsheets, a brief overview of SubPro. So, before we move on to EPDP on IDNs, I would like to take a pause to see if there's any comments or suggestions. And seeing none, I'll move on. Okay, so moving on, we'll now briefly go over EPDP on IDNs and what that was about and what came out of it. And again, I know there's a lot of writing on this slide and quite small, but I hope you can read it in your own time. But just to briefly introduce the EPDP on IDNs, this refers to the expedited policy development process on internationalized domain names. And this working group was tasked in 2021 to develop policy allowing for the introduction of variant gTLDs at the top and second level. And obviously, with various work already existing, including the SubPro, as I've just introduced, the ICANN board had requested this work on EPDP on IDNs to be built on existing work. And obviously, it was to fill in the gaps not addressed by SubPro, but also maintaining close communication with ccNSO. And this was to keep each other informed and ensure a consistent solution for variant gTLDs as well as variant ccTLDs. And during the course of their work, the working group decided to split the PDP into two phases to support the implementation planning of SubPro and help the launch of the next round.

So here, you can see how EPDP on IDNs develop the IDNs topic from the SubPro final report. And they try to take an approach to apply the SubPro outputs to existing gTLDs and second level variant domains. Operationalize them for the gTLD variant labels through the new gTLD program. And they also try to fill in the gaps not discussed in SubPro, but also identified in other existing work, as I introduced before. And now here, you will see the EPDP on IDNS split into two phases. On the left hand side, you'll see phase one. And this was about the top level gTLD definition and variant management. And on the right hand side, you'll see phase two, which was about the second level variant management. And you will see in the topic section, again, I know there's a lot of writing, but it's basically discussing the topics that they covered in each phases, again, relating to the top level for phase one and second level for phase two, and also dealing with the same entity principle for both. And in the bottom left, you'll see that the phase one had 69 final outputs, and of which included 58 policy recommendations that was adopted by the GNSO Council in December 2023. And as of September 2024, I understand that there are 56 out of 58 recommendations that have been adopted, unless there have been developments that I'm not aware of. And also, since then, a subtract of SubPro focusing on IDN's implementation. And then phase two had 20 final outputs, which was adopted by the GNSO Council last November. And this is still in the progress of being considered by the board.

So before I move on to individual recommendations, this is the end of the high level summary or overview, how you may call it, on the SubPro and EPDP IDN's phased approach. And I would like to stop for any comments or questions before I hand over the floor to Michael for the

discussion topics. And I, again, would like to check if we are in agreement to go over directly to EPDP IDN's when relating the recommendations to us. Thank you, Satish, for your comment. But again, before I hand over the floor to Michael for the discussion topics, as well as for any questions, I do again want to remind you once again, same as Satish, there are many members of the community that were integral participants to these two processes, as well as staff members here. So I'm sure any questions that I can't answer to, they will be able to answer to them. But I do want to see if anyone else has any questions or comments. And I don't see any. So I will hand over the floor to Michael.

MICHAEL BAULAND:

Thanks, Saewon, for this introduction of the two background work that exists, the SubPro and the IDN EPDP. And as mentioned by Saewon, this IDN EPDP is most likely the way to look at because that includes all the part of the SubPro plus more. And these recommendations, therefore, are a good starting point for us to see what of those are applicable for our cases. And after we've gone through all of these, we can still check whether there's anything left that was not part of those and which we would need to create recommendations to. Yeah, so the question here now is that the working group believe the currently adopted SubPro and EPDP IDN serve as a solid base for this PDP to build on. I think it does. Any objections here? Tapani, right, I think we should review and reconsider 25.5 through 25.7.

I guess we can, excuse me, look at those again, if you would like to discuss them. So recommendation 25.5 says IDN gTLDs identified as the

variant TLDs of already existing or applied for gTLDs will be allowed only if labels are allocated to the same entity. And when delegated only if they have the same back-end privacy service provider, this policy must be captured in relevant registry agreements. Anything in particular you would like to add or comment here? The question is whether, for example, .sioberg and .sioberg one with O and an accent and one with O and umlaut are variants of each other. This question is easily answered if you look at the Latin LGR part. And since the two O versions you write here are not considered variants in the root zone LGR, also those two TLDs are not considered variants of each other. And as Bill correctly said, not variant, but perhaps confusingly similar. Yeah, that's very likely. We don't know as Sarmad presented the string similarity review process last week. We have no knowledge or no influence how that panel will decide such a question, but it's not unlikely that they would consider those two TLDs to be confusingly similar, but they are not variants. And thanks for the link to the Latin script root zone LGR and the variants contained in there. Yeah, does this answer your question, Tapani? So, and [inaudible], if you want to look at the other recommendations too, or if we should, Philippe, please.

PHILIPPE FOUQUART:

Thank you, Michael. I guess someone has to speak up first, even if it's a short answer to your question. I think it's a solid basis. I'm even struggling in terms of deferring from what we've got produced by SubPro and the IDN and PDP. I guess I'm struggling with the alternative. To me, the alternative would be overly complex if we were not consistent, but that's my feedback to your question. Short answer is yes, I think we should be consistent. Thank you, Michael.

MICHAEL BAULAND: Thanks, yeah. Thanks for the input, Tapani asked, so we can consider giving those two TLDs to different entities and build answers we could. It would be asking for problems down the road. Exactly, the problem if we would not require the same entity principle, which currently exists for variant TLDs, this would mean that basically anybody can register one domain example. What was it again? Lost the chat. Schauberg and example.schauberg and those two domains could belong to different entities and different people, and thereby there's no control of what is done with those domains. And this is a high risk for abuse if, for example, some brand name registers their label under one of the TLDs, but some other entity could just get the same brand name under the second TLD. They could lead people into believing that they are at the official brand page, whereas they are on some fake page trying to rob them of personal data or whatever. So Tapani says not doing so could also lead to problems down the road. Would you like to elaborate on those problems? So just as a background, both the SubPro and the IDN EPDP require both the top level domains and also all second level registrations to belong to the same entity whenever a variant relationship exists. And this was considered to be a sensible way forward to avoid user confusion. So at the moment, I don't see a reason to deviate from that, but Tapani, please.

TAPANI TARVAINEN: Okay, so the point is that that kind of rule makes perfect sense for cases like .Quebec, where they are really just a variant of each other in the sense that the non-diacritic version is a fallback at those way. But then

when the words are completely unrelated, like those two Sherbert versions, they are two different people or families. I could understand that making the top level domain in the same registry, but two different people with different names that don't to me look at all similar. It's just not obvious that if we are denying the possibility, especially given that we excluded the Norwegian-Danish version of that. So that means that those people would not have even an opportunity to register their name because of that silly rule. It would be, actually, I would consider it a human rights issue.

MICHAEL BAULAND:

Okay, thanks for that input, Satish, please.

SATISH BABU:

Thanks. So this is Satish for the record. I think as Anil has just pointed out in the chat, we have had considerable amount of discussions on this particular topic in the EPDP. And personally speaking, I see no reason to deviate from the very foundational requirement of same entity. Now, the only consideration is if the language communities consider these to be equivalent. Now, I'm not familiar with the script in this case, but if the language communities do not consider them to be the same, I don't see any problem. It's only an issue if the language communities consider that both these are identical in their respective languages. So as it is, I don't see any reason to deviate from the principle of same entity. Thank you.

MICHAEL BAULAND:

Thanks, Satish. And yeah, to follow up on that and to back to Tapani's question, if those TLDs are actually different in the way that users would see them as different labels and would recognize them as different entities, then, there is a chance that also the String Similarity Review Team would consider those domains to be different enough to allow them to coexist next to each other. And if that's the case, then there are no rules. Our PDP doesn't apply, and anybody can just register domain names under one or the other, and there's no same entity principle required here. But in case the String Similarity Review Panel says like, those two TLDs look too similar to each other to have them be allocated to two different entities or to be allocated at the same time at all, then I think this is a good reason for us to not reject this and to say that, yeah, they seem to be confusingly similar and therefore they need to be the same entity requirement. I see a queue now. Amadeu, please.

AMADEU ABRIL:

Hello. I would just like addressing the point that Apari has made about human rights in having the domain name that matches, for instance, your name. I think that is a moot point. Look, my name is Amadeu Abril. There is another Amadeu Abril in Barcelona and has the right to be named the same way as me. By the way, he's my cousin, but that's a minor point, because, well, this doesn't create a problem. We have many different people with the same name. On the contrary, I don't have a specific right to have abril.com because, well, it's already taken by Grupo Abril, which is a media group in Brazil, and the fact that my name is Abril doesn't give me a human right to have that exact name, either in this case .com or any other TLD, because the principle of the Internet is that addressing must be, you know, very important.

Communications need to know where you're going, to the right or to the left, to this or that other service, and identical names exist. Not just confusingly similar, but identical names exist, and you don't have a right to have the identical name with identical TLD, even less so, therefore, something that's confusingly similar, because then you'll be doing exactly the same practical result, which is confusing completely the system and the users. So you have a name that's confusingly similar. You're probably in the same position as you have the name that's identical, but that's already taken.

So the point here is whether those names may create confusion or not, and the discussion about the concrete TLD and a concrete second-level domain, I don't think that's the real point here, because probably [inaudible], Tapani, me, and so on, may have different opinions on concrete TLDs, what's confusingly similar or not. In reality, the more you know, the closer you are to a given language and a given sign, the more you will be able to distinguish them. But this is not only the TLD, the use of a domain name is not only for the specialist in typography or the specialist in that concrete alphabet or writing system, it's for the generality of the user. So I don't think that the point of, this is my name, I have a right to use it, meaning I have the right to confuse the whole world, really stands. Thanks.

MICHAEL BAULAND:

Okay, thanks. Good point, Amadeu. Philippe, please.

PHILIPPE FOUQUART:

Thank you, Michael. Yeah, by the way, I agree with Amadeu's comment just earlier. I raised my hand for a question, essentially. I was wondering whether last week the notion of the community that would be confused between the TLDs and the TLDs between two strings were specific. If you take those two examples that we had in the chat, they are confusing to me, but I don't speak that language. They are confusing to me. So if you take the overall internet community, I don't know what the answer is, but it may be different from the community that we use that language. The same applies to, say, Sal and Sally in French. Those are two different words. They wouldn't be confusingly similar for a French-speaking person. For someone who speaks English, well, they're very similar to Sal, for example, so they might be confusingly similar. So was that made specific in how the panel would actually work and come up with a decision?

MICHAEL BAULAND:

Yeah. Thanks, Philippe. And I think we had this discussion about same entity requirement already some sessions ago, and I understand that Tapani has a different opinion here, but as far as I can see and hear, the majority of the team is still of the opinion to stay with the same entity requirement, and we should therefore keep it that way. But we will look at the recommendations of all the decisions done in the IDN EPDP, and there is also decisions about the same entity, and we can go back to that then when we look at the particular recommendation. So basically, I think we agreed that the SubPro and the IDN EPDP should be taken as a basis to build on. So the next step would be to actually go through those recommendations one by one and take a look at each of them and decide whether they make sense for our PDP or if they are not

applicable or if they need to be adjusted in some way. For that, let's say one should be switched to the Excel sheet.

So, yeah, thanks. I'm zooming in a bit. Helps with a small font. So let's start with the recommendation 25.2 of the SubPro, which has compliance with root zone label generation rules, are the LGR and in the future are the LGR rules that must be required for the generation of TLDs and variants. What is this? 169? Yeah. Labels. Including the determination of whether... Jumping around. Including the determination of whether the label is blocked or allocatable. IDN TLDs must comply with IDNA 2008 or its successors to the extent possible and consistent with implementation guidance 2610. Algorithmic checking of TLDs should be utilized. This recommendation of the SubPro was also included in the IDN phase 1 output as final recommendation 1.1 where it says like the root zone LGR must be the sole source to calculate the variant labels and disposition value for all existing gTLDs. Yeah. The question is how is this applicable to our work? Any comments?

My suggestion is it's not applicable as such because we already get TLDs which have been validated by the roots on it, which have been validated by the So we are making not any rules whether TLD on itself is valid or whether it's a variant of another TLD. This is all in a process before our PDP kicks in. So while this is a sensible approach, I think it's not applicable to us if such any objections or other comments, Satish please.

SATISH BABU:

Thanks Michael. So I am a little confused here, but I support your position that this should not be applicable to us. My confusion arises from the fact that the very reason why we have diacritics, the user phrase of the word diacritics instead of variants is that we don't want to go through the LGR route. The problem is actually with the root zone LGR in the case of Latin. So again, going back to that and calling this a variant when it's actually a diacritic, the Quebec and Quebec are not variants as far as I can see. And that's the very reason why we have this PDP. So I feel that the root zone LGR is not the right path for us to follow. And that we should not get into that again. That's my personal opinion. Thank you.

MICHAEL BAULAND:

Yeah, I think I agree with you that the root zone LGR, we cannot and don't want to change that. We have to take as a given what comes out of that. So whether it's a valid label and second, whether it's a variant of a different label. And we just work on those cases where the root zone LGR, of course, says it's a valid label because otherwise it gets rejected right away. And when diacritic version is not considered a variant by the root zone LGR. So these are the cases we look at. And, but we won't change anything in the root zone LGR. Okay, there are no further comments. We can go on to recommendation 25.5 of the SubPro which says IDN gTLDs identified as a variant TLDs of already existing or applied for gTLDs will be allowed only if labels are allocated to the same entity. And when delegated only if it has the same backend registry service provider. This policy must be captured in relevant registry agreements.

There's a larger point, which in the IDN EPDP was separated into several smaller recommendations. And so we'll take a look at those smaller ones one by one and then look how and if they are applicable for our case. So the first one is regarding the same entity principle and the final recommendation to one of the IDN EPDPs says any allocatable variant label of an existing gTLD as calculated by the root zone LGR can only be allocated to the same registry operator or withheld for possible allocation only to that registry operator. And yeah, this basically comes down to the comment Tapani made. What is our rule in case there are two TLDs which are not variant but the string similarity review panel decided them to be confusingly similar. One of them would be rejected by the panel and only one could exist, but with our PDP, we want them to coexist next to each other. And the suggestion here is to apply the same rule which is applied to variant TLDs because basically they behave as variant TLDs. And for that, we would also copy this requirement and say that also in our case, we do the recommendation that those TLDs can only be allocated to the same registry operator or withheld for possible allocation only to that registry operator. I understand that Tapani is against this for our PDP. Is there anybody else with that opinion to not require the same registry operator and have the same entity? See, none at the moment. So yeah, I guess the majority is in favor of this. I don't know what the exact procedures are now. Do we just write this that we want to apply this and later on, if there's a vote on this, Tapani might vote against this or not. Maybe Steve can chime in here. What the best process is to capture this that not the full group seems to be in favor of this. Do we capture this now or is it done? It's a later process. Steve, please.

STEVE CHAN:

Thanks, Michael. This is Steve from staff. And I'd say it's probably good to capture in two ways. One is along the way, like we are now, but I think what you're referring to is eventually when we get to final recommendations, at which point we take a consensus call. And at that point, if there is opposition to the results of this group, not agreeing with the consensus designation, then any of those opinions can be captured in the final report as opposing that consensus designation that the person who has or entity that is disagreeing with the designation will be noticed as such. And then also the rationale for why they are opposing that designation can also be captured as well. Thanks.

MICHAEL BAULAND:

Okay, thanks, Steve. That's helpful. So we just take this as a suggestion for our recommendation. And then later on, when we do the consensus call, we can check whether there is any objection. But as Tapani said, for the TLD case, he might even agree with this and he just doesn't like it for the second level. So thanks for that, Tapani. So we continue with the second item here, the final recommendation 3.7. A future applicant must be required to demonstrate its ability to manage the applied for primary gTLD string and applied for allocatable variant labels from both a technical and operational perspective. The same requirement applies to registry operators who wish to apply for allocatable variant labels of their existing TLDs. Again, I think this is a sensible approach. If a registry wants to run more than one TLD, they should be able to demonstrate that they are capable of doing this. And since we require the same entity here, I think it also makes sense to copy that requirement from

the IDN EPDP. for cases where the TLDs are not variant, but they are critics which are similar to each other. Any comments, objections, questions? I see some. So we can continue with the implementation guidance 3.8. The evaluation of capability to manage the variant label set should be closely tied to the overall technical capability evaluation. The evaluation should be based on measurable criteria, including, but not limited to, the performance of critical functions with respect to second level registration under the primary gTLD string and the applied for allocatable variant labels. This is basically just the implementation guidance to the above recommendation. I think, again, it makes sense to copy it here for our cases. Satish?

SATISH BABU:

Thanks, Michael. Satish here. I agree with that. My only comment would be that some of the wording might have to be changed. For example, allocatable variant labels. We are not talking about allocatable variant labels. We are talking about diacritics here. So from that point of view, maybe we may have to scrub this text for some potential changes which may be required. Thank you.

MICHAEL BAULAND:

Yeah, very good point, Satish. Of course, we are not talking about variants and we might also not need to talk about the primary gTLD string since that is a requirement by the variant because in order to calculate the disposition value of variants, whether they are allocatable or blocked, you need to have a starting point, so to say, because the disposition is not symmetric. But for our cases where we just have

strings that are considered confusingly similar by the string similarity review panel, there is no primary string as such. So yeah, we will need to adjust the wording for our recommendations to cover the fact that we are not working with variants but we are working with confusingly similar strings. Oh, I just got the note from Saewon that we should just have a few more minutes. Time runs so fast when we have fun. Yeah, so I guess it makes sense to also use this implementation guidance but to, as Satish said, to rewrite the wording to suit our case. Do you want to write that down, Saewon, to have that? Yeah, something like that. So we can continue with the implementation guidance 3.9, which has within 15 months of the delegation of the first gTLD variant label and every 24 months thereafter, ICANN Org should conduct research in order to identify whether any additional criteria or tests should be used as part of the application process to evaluate the technical and operational capability of an applicant to manage a variant label set at the registry level. ICANN Org must offer the community an opportunity to provide input on the scope of the research to be undertaken as well as any proposed outputs on additional criteria or tests as such. Outputs should not be applied retroactively. Yeah, I think it makes sense to also have that in our cases, if we say they must have the technical capability and ICANN does some evaluation of that for variants, it also makes sense to have the same process here in our context, unless anybody objects. Seeing none, so we can, thanks, Bill and Satish. We can continue to the final recommendation 7.1. Any future gTLD along with its variant labels, if any, must be subject to one registry agreement with each variant label having the same service level agreement SLAs and other operational requirements.

Let me just read Philippe's comment, no objection for those involved in the IDN phase one. What were those tests research like, abuse, phishing complaints? Actually, those have not yet been developed as far as I know. In the IDN EPDP, we didn't prescribe anything there, but we just said that ICANN should be allowed to do that and maybe should do that. And, but those tests must be made available to the community to check whether those tests are sensible. Thanks. Yeah, so final Rec 7.1, it basically says that for those TLDs being in a variant relationship, that there should not be a registry agreement for each of those TLDs, a separate registry agreement, but to have a single registry agreement, which covers the main domain and all its variants. And I think it makes sense to have that requirement in our case too, because we want to have the registry to use the same backend operator and to be the same entity. And for that to be contractually, it probably should also be a single registry agreement, but I'm not a lawyer, but I see a hand of a lawyer, maybe he can help. Amadeu, please.

AMADEU ABRIL:

Look, this may be a good idea, but I'm not going to write it in this way, because think about the situation in which we have the application now in the next round, or in a future round, or a TLD that's in that situation of being the critical one that already exists. Now, one agreement already exists, say based on the 2013 base agreement, let's imagine that the new base agreement now, there may be some difference and it may make sense. Indeed, it should be as compatible as possible, probably at least for a certain period. I think that according to the applicant guidebook, there's a requirement to sign a specific agreement for the specific TLD that's applied now. It could be exactly the same, but there

may be legal reasons for which [ICANN] would need a separate agreement for a new TLD compared to one that already exists. The situation probably being different for two TLDs being applied in the same round.

MICHAEL BAULAND: But the same exists for variants too, right? There can be two variants applied for in the same round, and there may be a TLD already existing now, and a variant is applied for in this round. So the cases are the same for the confusingly similar TLDs, aren't they?

AMADEU ABRIL: Yes, but quite frankly, I mean, we'll leave that to the ICANN staff, but I'm not completely sure that this recommendation would really be operational directly, because this would mean not having a specific agreement for the new TLD being applied in the next round. So I'm not sure. I'm saying that this one probably we should check with ICANN legal.

MICHAEL BAULAND: Okay, yeah. We'll take it back with the leadership team and check whether this requires...

AMADEU ABRIL: To be clear, I'm not contrary to that. I think that this is a good idea. I'm just wondering whether it's completely compatible with all the requirements of the applicant guidebook.

MICHAEL BAULAND: Okay, good point. As I said, I'm not a lawyer and I don't see all the legal implications of such things. I'm just a technician and see just the technical parts of that. But yeah, that's a good point. We'll check this internally and make sure that this is okay also with ICANN Legal. With that, we're already nearing the end of the call. So I suggest we continue with the next recommendations, next call, and I will now hand over back to Saewon for the next steps. Thanks.

SAEWON LEE: Thank you, Michael. Next steps are quite light today. I'd just like to remind everyone that there is no meeting next week due to the CP summit. And as we continue reviewing these outputs, again, we'd like to ask the working group to review EPDP ideas phase one and two. Here, again, just pointing out next week, we don't have a meeting. We only have just over a month till ICANN 83 in Czech Republic, and we will have to see how our deliberations go and how our discussions are shaping up. But June the 4th, we won't be having a meeting due to travels. And then we'll see. And so I'd like everyone to put these in your calendars as well. And then in between that, we'll try to get all the discussions going for charter question three and four. Now I'd like to hand over the floor quickly to John for outcomes and AIs from today's meeting.

MICHAEL BAULAND: If anybody of this group joins the CP summit next week, let me know. I would love to meet you there. I'll be there. And it's always nice to have a quick chat in person. Thanks.

ANIL KUMAR JAIN: Thanks. First answer to Michael. I'll be there, Michael, in person at Hanoi. Now the second question, which I just want to ask is, are we planning to have some kind of a meeting in person at ICANN 83 for those from this working group who are attending ICANN 83? Thank you.

JOHN EMERY: Yes. As of now, we have two meetings scheduled at ICANN 83. So if you're there, we'd love to see you in person. If not, I will have you dial in. We have one minute left, so quick review. You'll get this in an email shortly. But outcomes from today, we reviewed the early input responses and especially the RrSG input. We achieved consensus that we will use the relevant adopted SubPro and EPDP IDNs for our foundation. And then we began filling in the spreadsheet. So action items, leadership team and staff to check final recommendation 7.1 with ICANN Legal, and all of your homework during your week off is to continue to review the outputs from EPDP IDNs Phase 2. And with that, we are at time exactly.

MICHAEL BAULAND: Thanks, John. Thanks, everybody, for joining this call. And hope to see a few of you next week in person and the rest of you in two weeks at the next scheduled meeting remotely. Thanks. Devan, you may stop the recording now. Thanks.

[END OF TRANSCRIPTION]
