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Generic Names Supporting Organization

GNSO Council Recommendations Report to the ICANN Board – Regarding Adoption of the Final Recommendations from the GNSO Latin Script Diacritics Policy Development Process

02 November 2026

Status of This Document

This is the GNSO Council Recommendations Report to the ICANN Board following the GNSO Council's approval of the Final Recommendations from the Latin Script Diacritics Policy Development Process.

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1. Executive Summary

On 21 October 2026, the GNSO Council voted to approve, unanimously (meeting the required GNSO Supermajority voting threshold), all final consensus recommendations contained in the Latin Script Diacritics Policy Development Process Final Report. This Recommendations Report is being sent to the ICANN Board for its review of the recommendations approved by the GNSO Council, which the GNSO Council recommends be adopted by the ICANN Board. Please see Annex A for an extract of the approved outputs (recommendations and implementation guidance) and related rationales, while the entirety of the Final Report should be taken into account for further details and context as needed.

On 13 November 2024, the GNSO Council initiated the Latin Script Diacritics Policy Development Process (hereafter referred to as "LD PDP") and chartered the LD PDP Working Group (WG; hereafter referred to as the "LD PDP WG" or "WG") on 19 December 2024. The LD PDP WG commenced its work on 8 March 2025 during ICANN82 in Seattle, remaining focused on maintaining its narrow scope throughout its preliminary deliberations. The Initial Report was published for Public Comment on 12 January 2026 for a 40-day period.

In July 2026, the LD PDP WG completed its substantive work, which included a comprehensive review of all the public comments received, incorporating relevant feedback and revising the work, as necessary. This process resulted in 57 policy outputs – including 45 final recommendations and 12 implementation guidance.

The 57 policy outputs attained "Full Consensus" within the LD PDP WG and are intended to be interdependent (as described in Section 13 of the GNSO's PDP Manual). Under the ICANN Bylaws, a Supermajority Vote by the GNSO Council for the policy recommendations obligates the Board to adopt the recommendations, unless, by a vote of more than two-thirds, the Board determines that the policy is not in the best interests of the ICANN community or ICANN. In this case, the GNSO Council unanimously approved all 57 policy outputs, including the 45 policy recommendations, exceeding the Supermajority threshold.

2. GNSO Vote

The GNSO Council unanimously approved the LD PDP Final Report, exceeding the Supermajority threshold. The vote results can be found here.

3. Analysis of Affected Parties

The Latin script is one of the most widely used writing systems globally, and many languages using the Latin script incorporate diacritics beyond the basic ASCII characters (i.e., A-Z). While Internationalized Domain Names (IDNs) have recently enabled greater linguistic representation in the Domain Name System (DNS), the existing policies (i.e., String Similarity Evaluation in the New gTLD Program) have still restricted the potential simultaneous delegation of certain visually similar ASCII and Latin script diacritic gTLDs. Accordingly, the LD PDP recommendations would have implications to the broader Internet community, extending beyond prospective applicants and contracted parties, by addressing this limitation and better representing the Latin script community.

The recommendations from the LD PDP seek alignment with the existing IDN-related policies and build on these existing pieces of work, which include the New gTLD Subsequent Procedures (SubPro) PDP, particularly Topic 25 on Internationalized Domain Names, country code top-level domain (ccTLD) Fast Track Process, Final Report ccNSO PDP4 (de-)selection of IDNccTLDs (ccPDP4), and the Expedited Policy Development Process on IDNs (EPDP-IDNs) Phase 1 and Phase 2. Specifically, the LD PDP establishes a specific exception to the existing string similarity and variant-related requirements through its eight topics.

Consequently, the LD PDP recommendations will be particularly relevant to the Registries Stakeholder Group (RySG), Registrar Stakeholder Group (RrSG), and other GNSO constituencies, including the Intellectual Property Constituency (IPC) and the Business Constituency (BC). Those businesses – registries, registrars, registrants – that operate within the Latin script communities and currently offer Latin-script IDNs or even those that currently do not but desire to promote such activities could pursue new business opportunities by expanding such services and possibilities. That said, the At-Large community and noncommercial stakeholders may also have interests in this policy that allows for linguistic inclusion and end users to benefit from improved representation and recognition of relevant domain names.

Alongside the significant benefits, these groups may also need to consider the potential management challenges associated with new applications, which may introduce additional technical, contractual, and operational requirements pursuant to the same entity principle (RySG), updated registration systems, procedures, and customer support according to the same entity principle (RrSG), and registration costs, trademark protection, and potentially confusingly similar domain names that may cause confusion and risks to the DNS (BC, IPC, At-Large, end users, etc.).

Regarding financial impact, requiring the same registry operator to manage both the ASCII and Latin diacritic gTLDs may reduce duplicated infrastructure expenses, provide operational efficiencies, and expand services to generate revenue. The WG affirms that the same entity principle offers the most prudent, balanced, and risk-conscious approach to this policy.

For registrars, they may similarly benefit from expanded registration offerings but could incur expenses associated with system upgrades, operational adjustments, and customer support, as previously mentioned. Smaller registrars or those without established IDN capabilities may face proportionately greater implementation costs. For registrants and businesses, additional linguistically relevant gTLDs may provide branding and commercial opportunities, while potentially increasing registration, renewal, and trademark protection expenses.

As for ICANN org, the LD PDP emphasizes the importance of providing org with flexibility in determining how operational efforts are conducted and therefore, whether such costs are recovered through application fees and cost recovery mechanisms would depend on the applicable implementation framework. That said, the LD PDP anticipates that ICANN org will uphold and adhere to the cost recovery principle, as recommended by the WG, and will consider any costs associated with evaluating the application consistent with the cost recovery principle. Regarding implementation research and support, the LD PDP WG recommends that joint research efforts be undertaken with EPDP-IDNs on variants to streamline operational and financial burdens.

4. Period of Time Needed to Implement Recommendations

The LD PDP WG has recommended that this policy only applies to future gTLD rounds. Nevertheless, the timeline for implementing the LD PDP policy will need to be carefully assessed in light of several competing priorities and operational considerations. While there is a strong desire to advance implementation as expeditiously as possible, particularly to enable certain policy-related activities to take effect immediately after the Board adoption, the feasibility of this timeline will depend on several factors. These include the existing pipeline of implementation projects, competing organizational priorities, resource availability and capacity constraints, as well as the scope and complexity of the implementation work required.

Currently, there are a number of implementation projects in queue that are subject to prioritization. Moreover, the implementation of LD PDP will require careful planning and coordination with the EPDP-IDNs Phase 2 on second-level variant management – which is also in queue – subject to resource availability. In this context and as outlined in the Consensus Policy Implementation Framework (CPIF), there must be an IRT available to aid ICANN org in implementing the recommendations in a manner that is consistent with the intent of the LD PDP WG and where applicable, the EPDP-IDNs Team as well.

Accordingly, if this policy only applies for future rounds, as currently recommended by the LD PDP WG, implementation could be deferred without a precise timeline; implementation would presumably need to occur prior to the next round of the New gTLD Program. As for the duration of time needed for implementation, it should generally align with the time it took for EPDP-IDNs Phase 1 and what will be needed for EPDP-IDNs Phase 2, respectively.

5. External Advice (if any)

The LD PDP WG did not use external advisors to develop its recommendations. However, it consulted and relied on a set of background documents that were identified by GNSO Councilors, Support Staff, LD PDP leadership team, and the WG prior to the launch of the LD PDP and during its work. With this PDP being a niche topic, it involved subject matter experts within the WG and throughout the deliberations of the PDP, additional working documents were created and stress tests conducted as can be seen here.

In particular, the LD PDP WG also availed itself of the expertise from the liaisons appointed by the ICANN Board, ICANN org's IDN and UA Program, and the ICANN org's GDS function. The various liaisons regularly attended the LD PDP calls, providing technical, legal, and the New gTLD Program input where necessary, while passing on any questions from the WG to ICANN org that required additional research or input.

Lastly, the LD PDP WG continuously maintained communication with the Public Responsibility Support Team of the Global Stakeholder Engagement (GSE) function at ICANN org when conducting the Global Public Interest (GPI) and the Human Rights Impact Assessment (HRIA) for the first time through this PDP. The HRIA expertise from the org's GSE function helped build relevant templates and conduct a more thorough and comprehensive analysis.

6. Final Report Submission

The LD PDP WG's Final Report was submitted to the GNSO Council on 31 August 2026 and can be found here. The full text of all consensus recommendations and related rationales are included as Annex A to this Recommendations Report. *The Council reiterates, however, that the entirety of the Final Report should be taken into account when further details and context are needed*.

7. Council Deliberations

The minutes from the GNSO Council's September 2026 Meeting where it received a briefing on the LD PDP WG recommendations can be found here. The slides for the briefing on the LD PDP WG recommendations from the LD PDP WG Chair can be found here.

The minutes from the Council's October 2026 Meeting where it approved all the LD PDP outputs can be found here.

8. Consultations Undertaken

The LD PDP WG's consideration of all the input it received is documented on its wiki page, including its use of a Public Comment Review Tool: https://icann-community.atlassian.net/wiki/spaces/gnsolsdpdp/pages/806649860/Public+Comment+for+Initial+Report

9. Summary and Analysis of Public Comment Forum

The LD PDP Initial Report was published for Public Comment on 12 January 2026 and closed on 23 February 2026. A Public Comment Summary Report was published on 9 March 2026. As documented in the LD PDP Final Report, the LD PDP WG agreed to amend some of its preliminary recommendations – including the addition and subtraction of the outputs – as a result of its review of the input it received through the Public Comment Forum. Consequently, the original 54 preliminary outputs were refined and expanded to 57 final outputs – including 45 recommendations and 12 implementation guidance.

10. Impact/Implementation Considerations from ICANN Staff

The LD PDP Final Report establishes a narrowly scoped exception process that would allow ASCII gTLDs and their corresponding Latin diacritic gTLDs to be delegated and operated together under specific conditions. While the 57 final outputs build on existing EPDP-IDNs policies and the policy framework is largely aligned with existing requirements, its implementation would require adjustments to application and evaluation procedures, contractual arrangements, registry operations, and second-level domain management which may introduce additional operational complexity and resource implications that should be assessed during implementation planning. ICANN org must pay particular attention to any technical, operational, contractual, administrative, and financial implications. Thus, implementation will require careful planning and coordination with the established New gTLD Program processes and the applicable IDN-related policies, including the EPDP-IDNs policies.

Therefore, if consolidating implementation efforts with related projects (i.e., EPDP-IDNs with LD PDP), creating an IRT to aid ICANN org in implementing the recommendations in a manner that is consistent with the intent of the EPDP-IDNs Team and the LD PDP WG will be most critical at this point, while also ensuring that proper ICANN org and community resources are available to support the work.

While considered by the WG and integrated into its recommendations, particular attention may be needed to ensure that this exception process remains conservative, predictable, and operationally feasible. This includes establishing clear eligibility and evaluation criteria, determining application fees in accordance with the cost recovery principle, developing appropriate contractual provisions, and implementing safeguards for the ASCII/LD gTLD Sets and the ASCII/LD Domain Sets. Staff may also recommend early coordination across relevant ICANN org functions and with contracted parties, particularly regarding second-level LGR harmonization, the same-entity principle, exemptions for existing registrations, and potential adjustments to dispute resolution and transfer procedures. Leveraging existing EPDP-IDNs implementation work wherever practical could help minimize duplication, costs, and inconsistencies. In sum, effective implementation will require clear procedures, coordination with affected stakeholders and existing policies, and appropriate technical and operational readiness to ensure predictable outcomes to preserve the security, stability, and resiliency of the DNS.

Annex A: Extract of Section 4 Working Group Final Outputs from the LD PDP Final Report

**Please note, the following text is copy and pasted from the LD PDP Final Report and there may be formatting issues present. Please consult the authoritative version here if any formatting issues arise.*

The WG was chartered to examine the exceptional circumstance in which an ASCII gTLD and its LD gTLD version(s) that are non-variants of each other could be simultaneously delegated, despite the gTLD strings having a non-negligible chance of being determined as confusingly similar. On that basis, the WG was tasked with developing policy recommendations for the GNSO Council that identified the conditions and measures under which such cases could be permitted.[1]

Acknowledging the unique nature of this PDP – that these cases would be operated as an exception to the current procedures guided in the 2026 Round (i.e., String Similarity Evaluation), as well as future rounds, which currently relies on the RZ-LGR for variant management – the WG focused on adhering to its Charter and maintaining a narrow scope. The WG also agreed that it was important to reference previous bodies of work related to IDNs policy – including the ccTLD Fast Track Process, ccPDP4 Final Report, SubPro PDP Final Report, and the EPDP-IDNs Phase 1 and Phase 2 – to determine whether any aspects were relevant or warranted further discussion. As a result, the WG decided to mirror the policy derived from EPDP-IDNs – both phases – updating the language to the relevant LD context and excluding any provisions that were not applicable.

The Initial Report, containing 54 preliminary recommendations and implementation guidance, was published for Public Comment on 12 January 2026. During the Public Comment Review period, there were a number of issues raised that required further consideration by the LD PDP WG, which are now reflected in the Final Report as a change from the Initial Report. These concerned: 1) requirements for the set at both the top- and second-levels, including character eligibility and the permissible scope of the set; 2) conservatism principle for the LD PDP, noting that it is an exception process; and 3) fee-related policy, recognizing that it shall remain within ICANN org's operational discretion. Revisiting these issues had implications across multiple topics within this section, resulting in corresponding revisions related to application and evaluation requirements, contractual requirements, and delegation and removal requirements.

Consequently, the LD PDP WG developed 57 policy Outputs – including 45 final recommendations and 12 implementation guidance – for the GNSO Council's consideration. This report presents the level of consensus that the LD PDP WG has achieved for each final recommendation and implementation guidance. In short, all these policy outputs received "full consensus" support from the LD PDP WG. For more details, please see the "Annex B: Consensus Designation" section of this Final Report.

[1] This issue was identified in the Final Issue Report on a Policy Development Process for Latin Script Diacritics.

To assist the reader, the structure of the subsections that organize the Charter questions and their corresponding policy outputs is as follows:

- Section 4.1: Charter Questions with Policy Outputs[2]
- Section 4.2: Charter Questions with No Policy Outputs

Charter Question 1 is central to the issue that the LD PDP WG is seeking to resolve – establishing policy requirements and the implementation mechanisms that are currently absent for the LD gTLDs to simultaneously exist with its corresponding ASCII gTLD that have a non-variant relationship. The WG's responses to this question form the basis of the final outputs. The WG's responses to Charter Questions 2, 3, and 4 are indirectly reflected in these Outputs.[3] In particular, the final recommendations and implementation guidance that address Charter Question 3 are mostly derived from EPDP-IDNs Phases 1 and 2.[4] Accordingly, the WG's responses and corresponding final outputs are organized into the following topics as prescribed in both Phases 1 and 2 of the EPDP-IDNs:

- Topic 1: Requirements for the Set at the Top-level
- Topic 2: "Same Entity" Principle at the Top-level
- Topic 3: Application Submission, Administrative Check, Initial Evaluation
- Topic 4: Contractual Requirements
- Topic 5: Delegation and Removal
- Topic 6: Requirements for the Set at the Second-level
- Topic 7: "Same Entity" Principle at the Second-level and IDN Table Harmonization
- Topic 8: Adjustments in Registration Processes Pertinent to the Domain Name Lifecycle

Within the text of this document, the key words "MUST," "MUST NOT," "REQUIRED," "SHALL," "SHALL NOT," "SHOULD," "SHOULD NOT," "RECOMMENDED," "NOT RECOMMENDED," "MAY," and "OPTIONAL" are to be interpreted as described in RFC 2119.

[2] Outputs refer to both the final recommendations and implementation guidance produced by the LD PDP WG.
[3] Further details on the WG's approach related to the ccTLD Fast Track Process and the SubPro Final Report are provided in the WG's responses to Charter Questions 2 and 3 in this section – "Section 4."
[4] Further details on the WG's approach related to the EPDP-IDNs Phase 1 and Phase 2 are provided in the WG's responses to Charter Question 3 in "Section 4."

4.1 Charter Questions with Final Outputs

4.1.1 Charter Question 1

Under what circumstances should a base ASCII gTLD and the Latin script diacritic version of the gTLD be simultaneously delegated, if any? If such circumstances exist, what measures should be put into place in order to mitigate the potential for end-user confusion?

1) Topic 1: Requirements for the Set at the Top-level

Final Output:

Final Recommendation 1: In order for any gTLDs to be considered an ASCII/Latin Diacritic gTLD Set, they MUST meet the following requirements:
1.1 The only distinction between an ASCII gTLD string and its corresponding Latin diacritic gTLD string(s) MUST be the presence of diacritical marks.
1.2 Eligible characters for the ASCII/Latin Diacritic gTLD Set are bound by the Unicode Table.[5] These are all characters with a Unicode name of "LATIN SMALL LETTER <x> with <y>," where <x> is an ASCII character and <y> is one or multiple diacritical marks. In addition, all combining sequences consisting of one ASCII character and one or more combining marks are included.
1.3 As determined via Recommendation 25.2 of the SubPro Final Report and Final Recommendation 1.1 of the EPDP-IDNs Phase 1 Final Report, the use of diacritical character(s) MUST conform to the eligibility criteria defined in the RZ-LGR.
1.4 A base ASCII gTLD is REQUIRED in order to constitute an ASCII/Latin Diacritic gTLD Set, and the set will cease to exist if the ASCII gTLD is removed from the root zone. In such a case, the gTLD registry operator MAY retain a single IDN gTLD, which will no longer be considered part of an ASCII/Latin Diacritic gTLD Set.[6]
1.5 None of the gTLD strings that constitute an ASCII/Latin Diacritic gTLD Set may be part of a Variant TLD Set.

Rationale:

Rationale for Final Recommendation 1:
The LD PDP WG addressed Charter Question 1 to establish the scope of valid ASCII/LD gTLD Sets from the outset and devoted substantial time for deliberations and refinement, even well beyond the Public

[5] Unicode Table, with the list of characters determined within and out of scope is presented here by the LD PDP WG:
https://icann-community.atlassian.net/wiki/spaces/gnsolsdpdp/pages/114623451/3.+Background+Documents
(Note: This is not an exhaustive list and is subject to change with future versions of the RZ-LGR.)
[6] Provisions for the removal of ASCII gTLDs are outlined in Final Recommendation 37, while those for LD gTLDs are outlined in Final Recommendation 38.

Comment period, in light of community and ICANN org concerns. These iterative discussions helped set the necessary boundaries in consideration of the exception process.

Final Recommendation 1 outlines the defined scope determined by the LD PDP WG. It also sets out the requirements that must be met for any gTLDs to qualify as an ASCII/LD gTLD Set – thereby responding to the "what" aspect of the Charter question (Charter Question 1) regarding when such confusingly similar, non-variant gTLDs may be simultaneously delegated.

The LD PDP WG determined an LD gTLD string to depend on the presence of diacritical marks (e.g., ¸ , ˆ , ´), and a diacritical character (e.g., ç, î, ý) is bound by the Unicode Table. Fundamentally, the distinction between two gTLDs in such a set – e.g., between an ASCII gTLD and its corresponding LD gTLD string – must be solely the presence of one or more diacritical mark(s), as outlined in Final Recommendation 1.1. However, per Final Recommendation 1.2, the WG agreed that eligible characters defined by this PDP are not limited to those characters that can be decomposed or contain decomposable marks, thus including characters with a Unicode name of "Latin Small Letter <x> WITH <y>" where <x> is an ASCII character and <y> is one or multiple diacritical marks, which is non-decomposable into an ASCII gTLD. A non-exhaustive list per the Unicode Table provides a clear delineation of scope for this aspect of the PDP.[7]

This means that the WG includes non-decomposable "WITH" letters like ø, ł, ƥ, and ɲ that cannot be decomposed into an ASCII character and one or more combining diacritical mark(s), while setting a limit to adding "WITH" only in the Unicode Table. This outcome was a compromise that enabled the WG to maintain a tightly focused and limited scope, while deferring any broader issues to future PDPs. In doing so, the WG preserved a narrower, more agile, and efficient process without limiting characters to a single decomposability aspect. This revised approach balanced concerns from the community regarding the restrictive nature of the scope with the need to consider the conservatism principle raised by ICANN org that guided the WG's overall Public Comment Review process.

Final Recommendation 1.3 guides that the use of diacritical character(s) must conform to the eligibility criteria defined in the RZ-LGR, as determined via Recommendation 25.2 of the SubPro Final Report and Final Recommendation 1.1 of the EPDP-IDNs Phase 1 Final Report. However, as mentioned above, the list is non-exhaustive and may be subject to change with future versions of the RZ-LGR.

The LD PDP WG also discussed at length the conditions and requirements to qualify as part of the set, including whether the presence of a base ASCII gTLD is required for the set to exist, particularly in scenarios where multiple diacritic versions of TLDs are permitted simultaneously and the set is not just limited to two gTLDs. Although the ASCII/LD gTLD Set does not function in such a way that the LD gTLD is dependent upon its corresponding ASCII gTLD, the WG determined that the presence of a base ASCII gTLD is essential for the set to exist, particularly given that it is established and governed by the WG Charter. Accordingly, if the ASCII gTLD is removed from the root zone, the set ceases to exist. However, the gTLD registry operator may retain a single IDN gTLD which will no longer be considered part of an ASCII/LD gTLD Set, per Final Recommendation 1.4. Again, it is important to note that two LD gTLDs without a common base ASCII gTLD cannot coexist due to the risk of user confusion stemming from their visual similarity.

[7] Note that this list of eligible characters is subject to change with future versions of the RZ-LGR.

During the LD PDP WG's Stress Testing of potential edge cases to assess the soundness of the WG's preliminary recommendations for the publication of the Initial Report, scenarios involving the co-existence of both the ASCII/LD gTLD Sets and the Variant Domain Sets were examined, leading to an extensive discussion among the WG. One hypothesis considered whether an applicant having an ASCII/LD gTLD Set might wish to activate a variant of one of their TLDs; while another considered whether an applicant having a Variant Domain Set might wish to activate an LD gTLD for one of their TLDs. The key questions were whether both situations should be allowed, and if so, what policies may apply – i.e., LD PDP, EPDP-IDNs, or both?

In short, given the current limited scope of work and the fact that neither of the ASCII/LD gTLD Set or the Variant Domain Set has been put into practice, let alone operated concurrently, the WG concluded that the ASCII/LD gTLD Set and the Variant Domain Set must be restricted. This means that the ASCII/LD gTLD Set activation is restricted to single ASCII TLDs and the variant activation is prohibited in ASCII/LD gTLD Sets. Practically, this means that a variant contract cannot have any ASCII/LD gTLDs added to it, and an ASCII/LD gTLD Set contract cannot have variants added to it. This restriction is explicitly incorporated into the final clause of Final Recommendation 1, resulting in the following language: *"1.5 None of the gTLD strings that constitute an ASCII/Latin Diacritic gTLD Set may be part of a Variant TLD Set."*

Further details on this Stress Test, including the pros and cons of each option as well as the differing views of members can be found in "Annex C – Stress Test: Edge Case Studies" of this report.

Public Comment Review:

Final Recommendation 1 – Significant Change:

During the Public Comment period, concerns were raised by the community regarding the limited scope – specifically, the restrictive nature of decomposability when defining eligible characters, which in turn, resulted in the exclusion of non-decomposable characters – that are purely procedural and considered arbitrary. The community noted that such exclusion should not reflect a linguistic hierarchy or diminish the legitimacy of such characters in other IDN contexts. Meanwhile, ICANN org cautioned that a conservative approach be taken for the entire PDP.

In light of these considerations, the WG found that expanding the list of characters and the definition of diacritics would not adversely affect the security and stability of the DNS. Moreover, revisions made elsewhere and throughout the report sufficiently preserved conservatism in the broader context. Accordingly, the WG agreed to expand the scope to include WITH characters in the Unicode Table (Small Latin character WITH).

Consequently, the policy intent, requirements, and related language for Final Recommendation 1 were substantially revised to reflect this change. The revisions are as follows:
"1.1 The only distinction between an ASCII gTLD string and its corresponding Latin diacritic gTLD string(s) must be the presence of diacritical marks.
1.2 Eligible characters for the ASCII/Latin Diacritic gTLD Set are bound by the Unicode Table. These are all characters with a Unicode name of "LATIN SMALL LETTER <x> with <y>," where <x> is an ASCII character

and <y> is one or multiple diacritical marks. In addition, all combining sequences consisting of one ASCII character and one or more combining marks are included."

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2) Topic 2: "Same Entity" Principle at the Top-level

Final Output:

Final Recommendation 2: Consistent with Final Recommendation 2.1 of the EPDP-IDNs Phase 1 Final Report,[8] all gTLDs that constitute an ASCII/Latin Diacritic gTLD Set can only be allocated to the same gTLD registry operator.

Rationale:

Rationale for Final Recommendation 2:

The LD PDP WG reviewed both the SubPro PDP Recommendation 25.5[9] and the EPDP-IDNs Phase 1 Final Recommendation 2.1 per WG's Charter Question 3[10] and agreed to extend the recommendations to the LD PDP when addressing the fundamental questions posed in Charter Question 1. In line with the requirements outlined in Final Recommendation 1, the WG found that aligning with the "same entity" principle and ensuring the same gTLD registry operator manage and operate both the ASCII gTLD and its corresponding LD gTLD(s) would help mitigate potential user confusion in the event of simultaneous delegation. This addresses the "how" aspect of Charter Question 1, specifically regarding the measures that should be put in place for the mitigation of potential end-user confusion.

Moreover, the WG had previously determined during the scope establishment phase to include all ASCII gTLDs and their corresponding LD gTLD(s) under the LD PDP policy – whether they already exist or will be new applications for future rounds – thus setting no limitations based on application timing for their delegation or allocation. Naturally, all existing or future ASCII gTLD or LD gTLD(s) can only be allocated to the same gTLD registry operator.

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[8] EPDP-IDNs P1 Final Recommendation 2.1: Any allocatable variant label of an existing gTLD, as calculated by the RZ-LGR, can only be allocated to the same registry operator or withheld for possible allocation only to that registry operator.

[9] SubPro PDP Final Report Recommendation 25.5: IDN gTLDs identified as 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 registry service provider. This policy must be captured in relevant Registry Agreements.

[10] LD PDP WG Charter Question 3: If a solution is needed to this issue, are any of the elements from either Phase 1 or Phase 2 of the EPDP on IDNs, or Topic 25 on IDNs from the SubPro Final Report, relevant, or warrant discussion specific to Latin script diacritics?

As outlined in Final Recommendation 6, the pre-existing independent gTLDs that are managed by different gTLD registry operators are exempted from this requirement. No new applications shall be permitted for those existing gTLDs that continue to be operated under different entities.

Public Comment Review:

Final Recommendation 2 – Support as written:
The LD PDP WG received support from several commenters on this recommendation as written.

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3) Topic 3: Application Submission, Administrative Check, Initial Evaluation

Final Outputs:

Final Recommendation 3: Consistent with Final Recommendation 3.2 of the EPDP-IDNs Phase 1 Final Report,[11] a future gTLD registry operator wishing to apply for a corresponding ASCII gTLD or Latin diacritic gTLD(s) of their existing gTLD MUST submit an application during an application round.

Final Recommendation 4: Consistent with Final Recommendation 3.3 of the EPDP-IDNs Phase 1 Final Report,[12] applications for a corresponding ASCII gTLD or Latin diacritic gTLD(s) of their existing gTLDs can be submitted during the immediate next application round of the New gTLD Program[13] or in any subsequent rounds.

[11] EPDP-IDNs P1 Final Recommendation 3.2: A future registry operator who wishes to apply for an allocatable variant label of its existing gTLD must submit an application during an application round.
[12] EPDP-IDNs P1 Final Recommendation 3.3: Applications for allocatable variant labels of existing gTLDs can be submitted during the immediate next application round of the New gTLD Program and any subsequent rounds.
[13] Per Recommendation 3.7 of the SubPro Final Report, new policy development during an ongoing round must only apply to the opening of the application procedure subsequent to the adoption of the relevant recommendations by the ICANN Board. Specifically, Recommendation 3.7 of the SubPro Final Report stipulates, "If the outputs of any reviews and/or policy development processes has, or could reasonably have, a material impact on the manner in which application procedures are conducted, such changes must only apply to the opening of the application procedure subsequent to the adoption of the relevant recommendations by the ICANN Board." Further to this, the LD PDP WG considers it out of scope for this PDP to determine precisely which round the outputs refer to.

Final Recommendation 5: Consistent with Final Recommendation 3.4 of the EPDP-IDNs Phase 1 Final Report,[14] a future applicant applying for an ASCII gTLD string together with one or more corresponding Latin diacritic gTLD string(s) that constitute a set in the same round is REQUIRED to submit a single application for the set.

Final Recommendation 6: The String Similarity Evaluation Panel SHOULD NOT permit any ASCII gTLD and its corresponding Latin diacritic gTLDs to proceed independently through separate applications; such gTLDs MAY only proceed and be delegated as an ASCII/Latin Diacritic gTLD Set by a single entity. Potential applications where an ASCII gTLD or Latin diacritic gTLD(s) correspond(s) to their existing gTLD can still be applied-for by the same entity as an ASCII/Latin Diacritic gTLD Set per Final Recommendation 3. For the avoidance of doubt, the pre-existing independent gTLDs that are managed by different gTLD registry operators are exempted from this requirement. No new applications SHALL be permitted for those existing gTLDs that continue to be operated under different entities.

Final Recommendation 7: The exemption of gTLDs MAY no longer apply under one of the following circumstances:
7.1 if only a single gTLD remains, and all others have ceased to exist among the exempted ASCII gTLD and all its corresponding Latin diacritic gTLDs; or
7.2 if all gTLDs among the exempted ASCII gTLD and all its corresponding Latin diacritic gTLDs belong to the same gTLD registry operator and are operated by the same Registry Service Provider (RSP), and the gTLD registry operator elects to convert the existing stand-alone gTLDs into an ASCII/Latin Diacritic gTLD Set.

In consideration of circumstance 7.1, where only a single gTLD remains, the gTLD registry operator wishing to apply for a new corresponding ASCII gTLD or Latin diacritic gTLD(s) of its remaining gTLD MUST submit an application during an application round in accordance with Final Recommendations 3 and 4.

In consideration of circumstance 7.2, where an ASCII gTLD and all of its corresponding Latin diacritic gTLD(s) belong to the same gTLD registry operator and are operated by the same RSP, the gTLD registry operator MAY elect to convert all existing stand-alone gTLD(s) into an ASCII/Latin Diacritic gTLD Set by submitting a request to ICANN org, provided that no new gTLD is added at the same time and/or a part of the same request. When such conversion is undertaken, all those stand-alone corresponding ASCII/Latin Diacritic gTLD strings that constitute the set MUST be included. A partial conversion to an ASCII/Latin Diacritic gTLD Set

[14] EPDP-IDNs P1 Final Recommendation 3.4: A future applicant applying for a primary gTLD string together with its allocatable variant label(s) in the same round is required to submit one application for the primary gTLD string and the variant label(s).

is not permitted. The proposed approach MUST be discussed with ICANN org, and conversion is subject to ICANN org's approval.

Final Recommendation 8: Consistent with Final Recommendation 3.25 of the EPDP-IDNs Phase 1 Final Report,[15] after submission of an application,[16] the applicant is allowed to withdraw an applied-for gTLD string from that application, but is not allowed to add any other gTLD strings that were not originally applied-for in that application. Only an applicant for a .Brand TLD string whose applied-for ASCII gTLD string and/or Latin diacritic gTLD string(s) are placed in a contention set is allowed to change its applied-for ASCII gTLD string and its Latin diacritic string(s) under the condition set out in SubPro PDP Recommendation 20.8.

Implementation Guidance 9: With respect to the withdrawal of an applied-for gTLD string per Final Recommendation 8, it can be divided into one of the following scenarios:
9.1 If the application contains a single ASCII gTLD string and multiple Latin diacritic gTLD strings and one applied-for Latin diacritic gTLD string is withdrawn from that application, the application will continue to be treated as a set under the exception process; or
9.2 If the application contains a single ASCII gTLD string and a single Latin diacritic gTLD string and either of the applied-for gTLD string is withdrawn, the set will cease to exist, and the application of the single gTLD string MAY proceed only through the standard process.

With respect to the withdrawal of an applied-for gTLD string that corresponds to its existing gTLD pursuant to Final Recommendations 3 and 4, it can also be divided into one of the following scenarios:
9.3 If the application that corresponds to an existing gTLD contains either a single ASCII gTLD string or a single Latin diacritic gTLD string and the only applied-for gTLD string is withdrawn, the application is no longer relevant;
9.4 If the application that corresponds to an existing ASCII gTLD contains multiple Latin diacritic gTLD strings and one applied-for Latin diacritic gTLD string is withdrawn from that application, the application will continue to be treated as a set under the exception process; or
9.5 If the application that corresponds to an existing Latin diacritic gTLD contains a single ASCII gTLD string and at least one Latin diacritic gTLD string and the applied-for

[15] EPDP-IDNs P1 Final Recommendation 3.25: After submission of an application, the applicant is allowed to withdraw an applied-for variant label from that application, but is not allowed to add any other variant label that was not originally applied-for in that application. Only an applicant for a .Brand TLD string whose applied-for primary gTLD string is placed in a contention set is allowed to change its applied-for primary string and allocatable variant label(s) under the condition set out in SubPro PDP Recommendation 20.8.
[16] For the avoidance of doubt, "application" here refers to the application of an ASCII/LD gTLD Set.

ASCII gTLD string is withdrawn, the set will cease to exist and the application cannot proceed. If an applied-for Latin diacritic gTLD string is withdrawn instead from that application, the application will proceed in accordance with scenario 9.4.

With respect to the Limited Public Interest Objection, Legal Rights Objection, String Confusion Objection, and Community Objection, any possible outcomes that prevent an applied-for gTLD string from continuing SHALL proceed in accordance with the withdrawal provisions that impact the set outlined from 9.1 through 9.5 above.

Final Recommendation 10: Consistent with Final Recommendation 3.5 of the EPDP-IDNs Phase 1 Final Report,[17] in addition to explaining the mission and purpose of the applied-for ASCII gTLD string or existing gTLD, the applicant seeking one or more Latin diacritic gTLD string(s) will describe the justification of such need. The justification given by the applicant SHALL at minimum provide the following information:
10.1 The meaning or intended meaning (for non-dictionary words) of each of the applied-for ASCII gTLD string and/or Latin diacritic gTLD string(s), including sources;
10.2 An explanation of how the ASCII gTLD and Latin diacritic gTLD strings are considered the same;
10.3 The benefits and the user communities who will benefit from the introduction of the applied-for ASCII gTLD string and/or Latin diacritic gTLD string(s); and
10.4 A description of the steps that the applicant will take to minimize the operational and management complexities of the corresponding ASCII gTLD and its Latin diacritic gTLD string(s) that impact registrars, resellers, and/or registrants.

[17] EPDP-IDNs P1 Final Recommendation 3.5: In addition to explaining the mission and purpose of the applied for primary gTLD string or existing gTLD, the applicant seeking one or more gTLD variant labels will describe the justification of such need. The justification given by the applicant shall at minimum provide the following information: 3.5.1 The meaning or intended meaning (for non-dictionary words) of each of the applied-for variant label(s), including sources; 3.5.2 Explanation of how the primary and variant labels are considered the same; 3.5.3 Explain the benefits and the user communities who will benefit from the introduction of the applied-for variant label(s); and 3.5.4 A description of the steps that the applicant will take to minimize the operational and management complexities of variant gTLDs and variant domain names that impact registrars, resellers and/or registrants.

Implementation Guidance 11: Consistent with Implementation Guidance 3.6 of the EPDP-IDNs Phase 1 Final Report,[18] with respect to the evaluation of the information submitted per Final Recommendation 10:
11.1 The evaluation panel MUST include evaluators with Latin script expertise;
11.2 The evaluation panel SHOULD apply criteria based on a general standard of reasonableness and the criteria MUST be established during implementation;
11.3 Consistent with Recommendation 27.2 of the SubPro PDP Final Report, evaluation scores on the questions SHOULD be limited to a pass/fail scale (0-1 points only);
11.4 The applicant MUST pass each element to enable the applied-for string(s) in an ASCII/Latin Diacritic gTLD Set to proceed to the next stage of the application process;[19]
11.5 The evaluation outcome of any one applied-for Latin diacritic gTLD string SHOULD NOT impact the evaluation outcome of any other Latin diacritic gTLD string(s) in the application (including the ASCII gTLD string); and,
11.6 The negative evaluation outcome of an applied-for ASCII gTLD string impacts the evaluation of any other Latin diacritic gTLD string(s) in the application by causing the dissolution of the set. For the avoidance of doubt, if only multiple Latin diacritic gTLD strings remain in the application process, the applicant MUST select one Latin diacritic gTLD string to proceed under the standard application process.

Final Recommendation 12: Consistent with Final Recommendation 3.7 of the EPDP-IDNs Phase 1 Final Report,[20] a future applicant MUST be REQUIRED to demonstrate its ability to manage the applied-for ASCII gTLD string and applied-for Latin diacritic gTLD string(s) from both technical and operational perspectives. The same requirement applies to existing gTLD registry operators who wish to apply for either the corresponding ASCII gTLD string or Latin diacritic gTLD string(s) of their existing gTLD.

[18] EPDP-IDNs P1 Implementation Guidance 3.6: With respect to the evaluation of the information submitted per Final Recommendation 3.5:
3.6.1 The evaluation panel must include evaluators with relevant script expertise; 3.6.2 The evaluation panel should apply criteria based on a general standard of reasonableness and the criteria must be established during implementation; 3.6.3 Consistent with Recommendation 27.2 of the SubPro PDP Final Report, evaluation scores on the questions should be limited to a pass/fail scale (0-1 points only); 3.6.4 The applicant must pass each element to enable the applied-for variant label to proceed to the next stage of the application process; and 3.6.5 The evaluation outcome of any one applied-for variant label should not impact the evaluation outcome of any other applied-for variant label in the application (including the primary gTLD string).
[19] Refer to the "extended evaluation" process for variant string evaluation which may be applicable for the evaluation of the ASCII gTLD string and/or the LD gTLD string(s): https://newgtldprogram.icann.org/sites/default/files/documents/new-gtld-program-2026-round-applicant-guidebook-current-en.pdf#page=37
[20] EPDP-IDNs Phase 1 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 label(s) from both a technical and operational perspective. The same requirement applies to registry operators who wish to apply for allocatable variant label(s) of their existing gTLDs.

Implementation Guidance 13: Consistent with Implementation Guidance 3.8 of the EPDP-IDNs Phase 1 Final Report,[21] the evaluation of capability to manage the ASCII/Latin Diacritic gTLD 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 registrations under any applied-for ASCII gTLD string and/or Latin diacritic gTLD string(s).

Implementation Guidance 14: Generally consistent with Implementation Guidance 3.9 of the EPDP-IDNs Phase 1 Final Report,[22] within approximately 15 months of the delegation of the first ASCII gTLD string or the Latin diacritic gTLD string(s) that constitute the ASCII/Latin Diacritic gTLD Set, and approximately 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 the ASCII/Latin Diacritic gTLD Set at the registry level. For LD PDP, this SHOULD NOT be treated as a separate research effort, but rather, where practical, conducted together with the EPDP-IDNs research on variants per Implementation Guidance 3.9. Similar to EPDP-IDNs, 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, and such outputs SHOULD NOT be applied retroactively.

Final Recommendation 15: Generally consistent with Final Recommendation 3.10 of the EPDP-IDNs Phase 1 Final Report,[23] the fee structure associated with future applications that include the ASCII/Latin Diacritic gTLD Set MUST be consistent with the principle of cost recovery reflected in the 2026 Round AGB and affirmed by the New gTLD Subsequent Procedures PDP.

[21] EPDP-IDNs Phase 1 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 registrations under the primary gTLD string and the applied-for allocatable variant label(s).
[22] EPDP-IDNs Phase 1 Implementation Guidance 3.9: 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, and such outputs should not be applied retroactively.
[23] EPDP-IDNs Phase 1 Final Recommendation 3.10: The fee structure associated with future applications that include variant label(s), and variant label applications from registry operators of existing gTLDs, must be consistent with the principle of cost recovery reflected in the 2012 Applicant Guidebook and affirmed by the New gTLD Subsequent Procedures PDP.

Final Recommendation 16: Consistent with Final Recommendation 3.13 of the EPDP-IDNs Phase 1 Final Report[24] and Final Recommendation 15, a future gTLD registry operator applying only for the corresponding ASCII gTLD or Latin diacritic gTLD(s) of their existing gTLD MUST incur an application fee consistent with the principle of cost recovery reflected in the AGB. ICANN org will decide the discount based on what it considers to be proportionate to any costs associated with evaluating the application and consistent with the cost recovery principle.

Final Recommendation 17: Consistent with Final Recommendation 3.16 of the EPDP-IDNs Phase 1 Final Report,[25] all gTLDs that constitute an ASCII/Latin Diacritic gTLD Set MUST be subject to the same application requirements and evaluation criteria. With respect to the three non-standard application types of gTLDs as identified by the SubPro PDP, this means that:
17.1 An applicant for a Community gTLD string(s) that constitute(s) an ASCII/Latin Diacritic gTLD Set is REQUIRED to submit a written endorsement for each string that constitutes the set from established institution(s).[26]
17.2 An applicant for a Geographic Name TLD string(s) that constitute(s) an ASCII/Latin Diacritic gTLD set is REQUIRED to submit documentation of support or non-objection for each string that constitutes the set from relevant governments or public authorities.

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[24] EPDP-IDNs Phase 1 Final Recommendation 3.13: A future registry operator applying only for allocatable variant label(s) of its delegated primary gTLD must incur a discounted base application fee. ICANN org will decide on the discount based on what it considers to be proportionate to any costs associated with evaluating the application and consistent with the cost recovery principle.

[25] EPDP-IDNs Phase 1 Final Recommendation 3.16: An applied-for allocatable variant label must be subject to the same application requirements and evaluation criteria as the associated primary gTLD string. Specifically, the same documentation requirements apply to both the primary gTLD string and its applied-for allocatable variant label(s). With respect to the three non-standard application types of gTLDs as identified by the SubPro PDP, this means that:
3.16.1 An applicant for a Community-based TLD string and its allocatable variant label(s) is required to submit a written endorsement of its applied-for primary gTLD string and applied-for allocatable variant label(s) from established institution(s) representing the community that the applicant has named.
3.16.2 An applicant for a Geographic Name TLD string and its allocatable variant label(s) is required to submit documentation of support or non-objection to its applied-for primary gTLD string and applied-for allocatable variant label(s) from relevant governments or public authorities.
3.16.3 An applicant for a .Brand TLD string and its allocatable variant label(s) is required to submit proof that its applied-for primary gTLD string and applied-for allocatable variant label(s) are identical to registered trademarks owned and used by the registry operator or its affiliate.

[26] According to the AGB for the New gTLD Program: 2026 Round, several factors may be considered in whether an entity qualifies as an “established institution.” These factors include, but are not limited to: the level of global recognition of the institution; the length of time the institution has been in existence; and public historical evidence of its existence, such as the presence of a formal charter or national or international registration, or validation by a government, inter-governmental organization, or treaty. Importantly, the institution must not have been established solely in conjunction with the gTLD application process. Refer to the determination of an “established institution" in the AGB:
https://newgtldprogram.icann.org/sites/default/files/documents/new-gtld-program-2026-round-applicant-guidebook-current-en.pdf#page=104

17.3 An applicant for a .Brand TLD string(s) that constitute(s) an ASCII/Latin Diacritic gTLD Set is REQUIRED to submit proof that its applied-for ASCII gTLD and Latin diacritic gTLD(s) that constitute the set are identical to registered trademarks owned and used by the registry operator or its affiliate.

Rationales:

Rationale for Final Recommendation 3:

The LD PDP WG affirms the EPDP-IDNs Phase 1 Final Recommendation 3.2[27] and extends the same principle to the LD PDP. The WG recognizes that some gTLD registry operators may already hold an ASCII gTLD or LD gTLD(s) and may wish to apply for a corresponding gTLD. This recommendation addresses such potential applications where an ASCII or LD gTLD(s) corresponds to their existing gTLD, with the only distinction being the presence (or absence) of diacritical marks, as outlined in Final Recommendation 1. For the avoidance of doubt, the pre-existing independent gTLDs that are managed by different gTLD registry operators are exempted from this requirement, per Final Recommendation 6. No new applications shall be permitted for those existing gTLDs that continue to be operated under different entities until the exemption process ends, as outlined in Final recommendation 7.

Similarly to EPDP-IDNs, the WG agrees that the most expedient and cost-effective path for future gTLD registry operators to apply for ASCII gTLD and LD gTLD(s) is through application rounds. The LD PDP WG did consider the possibility of a "no rounds" model in the future and how circumstances may evolve under an ongoing application process in place. However, this is still a subject of debate and is not currently in effect; any such changes would also need to be applied to EPDP-IDNs recommendations. Therefore, the WG decided to remain consistent with the EPDP-IDNs at this time.

Hence, the gTLD registry operators are expected to rely on application rounds to apply for an ASCII gTLD and/or LD gTLD(s) when applying for them as part of their existing gTLDs. In other words, no separate process will be made available or developed for existing gTLD registry operators to apply for an ASCII or LD gTLD(s) of their existing gTLDs. Accordingly, the LD PDP WG believes that new applications are required even for those associated with existing gTLDs.

Public Comment Review:

Final Recommendation 3 – Support as Written:

The LD PDP WG received support from several commenters on this recommendation as written.

Rationale for Final Recommendation 4:

This recommendation extends from Final Recommendation 3 where the WG agrees that, at this time, the most expedient and cost-effective path forward for gTLD registry operators to apply for ASCII gTLD

[27] EPDP-IDNs P1 Final Recommendation 3.2: A future registry operator who wishes to apply for an allocatable variant label of its existing gTLD must submit an application during an application round.

and/or LD gTLD(s) of the existing gTLDs is through application rounds. This means that no separate process is required or should be developed for this purpose. Accordingly, applications for corresponding ASCII gTLD or LD gTLD(s) of existing gTLDs can be submitted during the immediate next application round of the New gTLD Program or in any subsequent rounds. However, of particular note here is, per Recommendation 3.7 of the SubPro Final Report, new policy development during an ongoing round must only apply to the opening of the application procedure subsequent to the adoption of the relevant recommendations by the ICANN Board. The WG considered it out of scope for this PDP to determine precisely which round this recommendation refers to. In addition, the debate on application rounds (possibility of "no rounds") aligns with the rationale provided in Final Recommendation 3.

Public Comment Review:

Final Recommendation 4 – Wording Change:

ICANN org suggested that the WG revise the language to clarify that the "immediate next application round" refers to the first application round that occurs following the effective date of the relevant consensus policy resulting from ICANN Board adoption of the LD PDP outputs (not the 2026 Round). The WG determined that it is out of scope for this PDP to define what "Round" the outcome of this work refers to and agreed to leave the wording as-is and stay consistent with EPDP-IDNs; however, the WG decided to clarify this point, thus adding to the footnote, "Further to this, the LD PDP WG considers it out of scope for this PDP to determine precisely which Round the outputs refer to."

Rationales for Final Recommendations 5-7:

The LD PDP WG considered the implications of EPDP-IDNs Phase 1 Final Recommendation 3.4[28] and discussed at length whether it was applicable for the LD PDP when viewed as an "exception process," as opposed to the standard process for the New gTLD Program: 2026 Round and subsequent rounds – which refers to the existing framework in which applicants would submit separate applications for ASCII and LD gTLD(s). The WG examined various issues, including the categorization of strings (i.e., primary and secondary), administrative and legal matters within the application process itself, and cost-related factors.

First, while EPDP-IDNs dealt with primary gTLD strings and their allocatable variant label(s), the LD PDP WG determined that primary strings do not exist in the context of LD PDP. However, considering that the WG had established during its early deliberation phase that a base ASCII gTLD string is a requirement for the delegation and operation of the set (ASCII and LD gTLD[s]), as guided through the WG Charter and also outlined in Final Recommendation 1, it appeared reasonable to consider the ASCII gTLD akin to the base string.

To ensure a smooth and streamlined application process, while addressing administrative and legal considerations, the WG raised no objections to applying the same rule from the EPDP-IDNs, whereby a

[28] EPDP-IDNs P1 Final Recommendation 3.4: A future applicant applying for a primary gTLD string together with its allocatable variant label(s) in the same round is required to submit one application for the primary gTLD string and the variant label(s).

single application is submitted for the set. This provides certainty that none of the strings will be rejected for being confusingly similar to one another, unless an objection is raised from a third party.

Following the Public Comment, and recognizing the need for a conservative approach, the WG went further to develop a recommendation *(Final Recommendation 6)* that permits only applicants to utilize the exception process – LD PDP Process and the only path in this context – and submit all ASCII and LD gTLDs together as a set in a single application. This means that the corresponding strings cannot proceed independently through separate applications. This approach removes ambiguity by establishing that if you want two or more corresponding gTLDs to co-exist, the LD PDP process is the sole available route and that the standard process cannot be pursued. The newly established Final Recommendation 6 prescribes that the String Similarity Evaluation Panel should not permit any gTLDs to proceed independently through separate applications – permitting those gTLDs to only proceed and be delegated as a set by a single entity. The WG concluded that this approach provides the most efficient, streamlined, and the most cost-effective framework for future gTLD registry operators, while maximizing certainty and ensuring that security and stability of the DNS is not adversely impacted.This clearly indicates that such applications, which must be submitted under the exception process as a single set, cannot later be unbundled.[29]

Nevertheless, this recommendation does not preclude the circumstance where an applicant only applies for an ASCII gTLD or a LD gTLD during an application round and does not wish to apply for its corresponding string(s). Similarly, as stipulated in Final Recommendation 3, those existing gTLD registry operators wishing to apply for an ASCII and/or LD gTLD(s) are required to submit new applications, even if the applied-for gTLD corresponds to or is associated with an existing gTLD. These applications must provide details and justifications as outlined in Final Recommendation 10. This is also emphasized in Final Recommendations 6 and 7.

That said, the pre-existing independent gTLDs that are managed by different gTLD registry operators are exempted from this requirement, per Final Recommendation 6. No new applications shall be permitted for those existing gTLDs that continue to be operated under different entities, to avoid making the exemption situation further complicated. However, to address and ultimately resolve the exemption of such gTLDs, which represents a desired outcome of this PDP, Final Recommendation 7 has been introduced to establish the conditions under which an exemption situation may be brought to an end *(Final Recommendations 7.1 and 7.2)*. Where an ASCII gTLD and all of its corresponding LD gTLD(s) belong to the same gTLD registry operator and are operated by the same RSP, the gTLD registry operator may exercise the option to convert all existing stand-alone gTLD(s) into an ASCII/LD gTLD Set. To initiate the conversion process, the gTLD registry operators must submit a request to ICANN org, which will be subject to ICANN org's approval. ICANN org retains the discretion to approve or reject such requests. Throughout this process, all those stand-alone corresponding ASCII/LD gTLD strings that constitute the set must be included where a partial conversion to an ASCII/LD gTLD Set is not permitted. No new gTLD should be added at the same time and/or a part of the same request. Further details are outlined in Final Recommendation 7.

[29] Note that "(un)bundling" applies solely to the application process. Once the ASCII/LD gTLD Set is allocated and delegated to a gTLD registry operator, the voluntary dissolution of the set is at the gTLD registry operator's discretion. Compare this recommendation to Final Recommendations 37-38, 40, and Implementation Guidance 39.

As for the debate on application rounds (possibility of "no rounds"), this remains aligned with the rationale provided in Final Recommendation 3.

Public Comment Review:

Final Recommendation 5 – Support as Written, but with Permission Changes updated in the Rationale – Relates to the Introduction of Final Recommendations 6 and 7:

The LD PDP WG received support from the community on this recommendation as written. Thus, the single application remains applicable even after the Public Comment period. However, while the WG initially agreed that, during the application rounds, if an ASCII gTLD string is sought with one or more of its corresponding LD gTLD string(s) at the same time, the applicant could choose which process to follow – Standard Process or the LD PDP Process – the WG subsequently revised this approach in light of the Public Comment Review. Following deliberations with the overall objective of adopting a conservative approach, while also improving predictability and ensuring stability, the WG ultimately determined that applicants can only opt for the LD PDP route, submitting a single application as a set, where any ASCII gTLD and its corresponding LD gTLDs cannot proceed independently. This revision and relevant requirements led to the creation of Final Recommendations 6 and 7.

Meanwhile, all reference to "label(s)" that were transferred from EPDP-IDNs was revised to "string(s)" for LD PDP at the top-level, following ICANN org's suggestions, as the distinction required in EPDP-IDNs for "variant labels" was not applicable here. The term "label" remains in use for the second-level.

Rationales for Final Recommendation 8 and Implementation Guidance 9:

In accordance with EPDP-IDNs Phase 1 Final Recommendation 3.25,[30] the LD PDP WG agreed that withdrawal of an applied-for gTLD string should be allowed after the application has been submitted, but adding a new gTLD string to that submitted application is prohibited. Emphasizing that "withdrawal," and not "addition," is permitted, and that the resulting scenarios may vary depending on which gTLD string (ASCII gTLD or LD gTLD) is withdrawn under what circumstance (all new applied-for strings or an applied-for string that corresponds to an existing gTLD), the WG identified various scenarios and outlined their corresponding outcomes through Implementation Guidance 9.

In particular, as mentioned in the rationale for Final Recommendation 5, primary and variant labels do not exist in the context of LD PDP. However, the base ASCII gTLD string is a default condition for the set to exist – allocated, delegated, and operated – under the requirements set in Final Recommendation 1. Thus, while the WG does not prohibit which gTLD can be withdrawn, the underlying condition where a base ASCII gTLD must exist for the set to be effective impacts the application scenario. For example, the withdrawal of an applied-for ASCII gTLD string that results in a single LD gTLD will no longer be considered part of an ASCII/LD gTLD Set and does not need to utilize the LD PDP application process. Accordingly, the WG has specified when a set will cease to exist through scenarios 9.2 and 9.5 or the application no longer relevant per scenario 9.3 as they pertain to the application process.

[30] EPDP-IDNs Phase 1 Final Recommendation 3.25: After submission of an application, the applicant is allowed to withdraw an applied-for variant label from that application, but is not allowed to add any other variant label that was not originally applied-for in that application. Only an applicant for a .Brand TLD string whose applied-for primary gTLD string is placed in a contention set is allowed to change its applied-for primary string and allocatable variant label(s) under the condition set out in SubPro PDP Recommendation 20.8.

In addition, any possible outcomes from objection scenarios (Limited Public Interest Objection, Legal Rights Objection, String Confusion Objection, and Community Objection) that prevent an applied-for gTLD string from continuing shall also proceed in accordance with the withdrawal scenarios that impact the set as outlined in Implementation Guidance 9.1 through 9.5.

As for the .Brand TLD string conditions, the LD PDP WG agrees with the rules set out in SubPro PDP Recommendation 20.8,[31] agreeing to permit string changes for an applied-for .Brand TLD string that is placed in a contention set under specific circumstances and conditions. Therefore, such modification is allowed for an applied-for ASCII gTLD string and its LD string(s) in a .Brand TLD application.

Public Comment Review:

Final Recommendation 8 – Wording Change – Impacts the Introduction of Implementation Guidance 9:

The LD PDP WG received support from several commenters on this recommendation, provided that wording is updated to retain a consistent drafting style when the LD PDP outputs are deemed "consistent" with the corresponding EPDP-IDNs Outputs. The WG updated the language to begin with *"Consistent with."*

Moreover, ICANN org requested that the phrase, *"the applicant is allowed to withdraw an applied-for gTLD label from the application"* be updated to clarify that only an LD gTLD string can be withdrawn. This request prompted the WG members to consider the various scenarios in which a withdrawal of a gTLD string could affect outcomes pertaining to the application process, resulting in the introduction of Implementation Guidance 9.

In addition, per ICANN org's public comment requesting the addition of a policy language that addresses objection outcomes – to mirror EPDP-IDNs P1 Final Recommendation. 5.5 – the WG agreed to provide such guidance to more explicitly cover objections, by updating the language in Implementation Guidance 9 (last paragraph) that deals with application submission and withdrawal/evaluation outcome scenarios, rather than creating a whole new recommendation.

All reference to "label(s)" that were transferred from EPDP-IDNs was revised to *"string(s)"* for LD PDP at the top-level, following ICANN org's suggestions, as the distinction required in EPDP-IDNs for "variant labels" was not applicable here. The term "label" remains in use for the second-level.

[31] SubPro Recommendation 20.8: The Working Group recommends allowing .Brand TLDs to change the applied-for string as a result of a contention set where (a) the change adds descriptive word to the string, (b) the descriptive word is in the description of goods and services of the Trademark Registration, (c) such a change does not create a new contention set or expand an existing contention set, (d) the change triggers a new operational comment period and opportunity for objection and, (e) the new string complies with all New gTLD Program requirements. When the .Brand applicant changes the applied-for string, the new string will also be considered a .Brand. The Working Group recognizes that an exception or a modification to Specification 13 will be needed to implement this recommendation. The Working Group further recognizes that in order to implement this recommendation, applications seeking to change their applied-for string will need to be evaluated for eligibility as a .Brand before the string change request can be accepted. This may occur either by ICANN specifically evaluating those individual applications during Initial Evaluation or by evaluating all applicants that elect to be .Brands during Initial Evaluation.

Rationales for Final Recommendation 10 and Implementation Guidance 11:

The simultaneous delegation of gTLDs that constitute an ASCII/LD gTLD Set (i.e., an ASCII gTLD and its corresponding LD gTLD[s]) is also unprecedented and may only become possible through this exception process as an outcome of the LD PDP. This is a similar situation to the possible delegation of gTLD variant labels at the root zone, which resulted from the outcome of the EPDP-IDNs. Accordingly, justifications for the simultaneous delegation of the set will be crucial when applicants submit their applications.

Therefore, applicants must not only explain the mission and purpose of the applied-for ASCII gTLD string or existing gTLD but also provide, at a minimum, all four pieces of information outlined in Final Recommendation 10.1-10.4. It is important to note that the applicant is expected to answer these questions for each and every applied-for ASCII gTLD string and/or LD gTLD string(s). In this instance, the mission and purpose of the applied-for gTLD string as well as the existing gTLD are also critical, as it is possible that the mission has evolved for an existing gTLD, as well as for the overall set, not solely for the new TLDs. In any case, these questions are intended to demonstrate that the applicant has carefully considered whether the applied-for string(s) are needed to achieve their stated objectives and to ensure that the steps are well thought out regarding the management and operational complexities that may arise upon delegation of the set. In particular, the applicant must recognize the operational and management complexities that may impact registrars, resellers, and/or registrants. Final Recommendation 10.4 seeks to understand the applicant's proposed approach to minimize such complexities from operational and management standpoints. This provision plays a key role in promoting the conservatism principle by ensuring that the applicants carefully take the time to identify potential risks and consider appropriate risk mitigation measures. By way of explanation, management is responsible for overall strategic decision-making and resource allocation, while operation executes the plans and processes necessary for day-to-day functioning.

Moreover, the LD PDP WG deemed Implementation Guidance 3.6 from EPDP-IDNs Phase 1 Final Report applicable, ensuring clarity on how the applicant's responses to the elements established in Final Recommendation 10 should be evaluated and applied consistently for each applied-for ASCII gTLD string and LD gTLD string(s). As outlined in Implementation Guidance 11.1, the WG required that the evaluation panel for the LD PDP exception process include evaluators with Latin script expertise. Other application criteria should follow the guidance provided in Implementation Guidance 11.2–11.5, consistent with Implementation Guidance 3.6 from EPDP-IDNs Phase 1 Final Report. Implementation Guidance 11.6 establishes the expectations where the evaluation outcome of an applied-for ASCII gTLD string negatively affects the evaluation of any other LD gTLD string(s) in the application, which results in the dissolution of the set.

Here, it is worth noting that those ASCII/LD gTLD Set applicants that may wish to appeal during the evaluation process should refer to the "Extended Evaluation" mechanism outlined in the AGB. Per AGB

1.2.14.1,[32] initial evaluation can sometimes lead to extended evaluation when the applicants are unable to resolve issues through clarifying questions. Accordingly, variant string evaluation is subject to this extended evaluation. Given that the LD PDP evaluation process is maintaining alignment with EPDP-IDNs, the extended evaluation might be the recommended course of action if such cases occur for the ASCII/LD gTLD Set applicants.

To summarize, the WG affirms the assessment from the EPDP-IDNs that the same requirements, as set out in Final Recommendation 10 and Implementation Guidance 11, will also apply to existing gTLD registry operators wishing to apply for corresponding ASCII gTLD and/or LD gTLD(s) of their existing gTLDs.

Public Comment Review:

Final Recommendation 10 – Significant Change:

The LD PDP WG was requested by ICANN org to reassess this recommendation in accordance with the conservatism principle. Although additional requirements were considered during the process to ensure appropriate risk mitigation, the WG ultimately determined that Final Recommendation 10.4 is sufficient under the conservatism principle. Accordingly, the existing language was retained without a need for additional language.

That said, ICANN org noted that the policy language does not fully mirror EPDP-IDNs, since Final Recommendation 3.5.2 from EPDP-IDNs Phase 1, *"Explanation of how the primary and variant labels are considered the same"* has been omitted. The WG discussed whether this language should be brought back and applied to LD PDP, including whether the "same meaning" was justified. Following these discussions, the WG concluded that, although the underlying meaning may not be identical, it would be useful to clarify why the strings may be conceived as equivalent by the community. Accordingly, the omitted clause was reinstated: *"10.2 An explanation of how the ASCII gTLD and Latin diacritic gTLD strings are considered the same."* Concurrently, the WG emphasized that the process still should remain simple, proportionate, and not overly burdensome or complex, as outlined in Implementation Guidance 11.2: *"The evaluation panel should apply criteria based on a general standard of reasonableness and the criteria must be established during implementation"*

All reference to "label(s)" that were transferred from EPDP-IDNs was revised to *"string(s)"* for LD PDP at the top-level, following ICANN org's suggestions, as the distinction required in EPDP-IDNs for "variant labels" was not applicable here. The term "label" remains in use for the second-level.

[32] AGB 1.2.14.1 Extended Evaluation: https://newgtldprogram.icann.org/sites/default/files/documents/new-gtld-program-2026-round-applicant-guidebook-current-en.pdf#page=36

Implementation Guidance 11 – Significant Change:

The LD PDP WG received support from several commenters on this recommendation, provided that wording is updated to retain a consistent drafting style when the LD PDP outputs are deemed "consistent" with the corresponding EPDP-IDNs Outputs. The WG updated the language to begin with *"Consistent with."*

With respect to Implementation Guidance 8.5 from the Initial Report, ICANN org observed that the WG had not addressed the impact of the evaluation outcome of the applied-for ASCII gTLD string within an ASCII/LD gTLD Set. Accordingly, an additional clause was added to Implementation Guidance 11 (11.6) to provide clarity for a situation when the evaluation outcome is negative for an applied-for ASCII gTLD string, and the new language is as follows: *"11.6 The negative evaluation outcome of an applied-for ASCII gTLD string impacts the evaluation of any other Latin diacritic gTLD string(s) in the application by causing the dissolution of the set. For the avoidance of doubt, if only multiple Latin diacritic gTLD strings remain in the application process, the applicant must select one Latin diacritic gTLD string to proceed under the standard application process."*

Another observation from ICANN org was that the LD PDP did not apply Final Recommendation 3.1[33] from the EPDP-IDNs Phase 1, and requested that the WG reassess whether a corresponding output could be developed to clarify the treatment of the ASCII gTLD string in the context of new gTLD application and the evaluation process. For LD PDP, the WG had initially determined that this was unnecessary as the ASCII gTLD does not need to come first – an LD gTLD is not dependent upon an ASCII gTLD other than that the ASCII/LD gTLD Set must have an ASCII gTLD. The WG maintained its position and decided not to apply this recommendation to LD PDP.

With respect to the original phrase in Implementation Guidance 8.4 from the Initial Report, *"...to enable the applied-for ASCII gTLD string and/or the Latin diacritic gTLD label(s),"* ICANN org suggested revising the language to enhance clarity. The WG had no objections to and updated the language as follows: *"...to enable the applied-for string(s) in an ASCII/Latin Diacritic gTLD Set."*

All reference to "label(s)" that were transferred from EPDP-IDNs was revised to *"string(s)"* for LD PDP at the top-level, following ICANN org's suggestions, as the distinction required in EPDP-IDNs for "variant labels" was not applicable here. The term "label" remains in use for the second-level.

Rationales for Final Recommendation 12 and Implementation Guidance 13-14:

The LD PDP WG affirmed that it is important for future applicants to demonstrate their technical capabilities to operate and manage the applied-for ASCII gTLD string as well as the corresponding applied-for LD gTLD string(s) that constitute the ASCII/LD gTLD Set. The same requirement applies to

[33] EPDP-IDNs Phase 1 Final Recommendation 3.1: An application for an allocatable variant label cannot precede an application for that variant label's primary gTLD string.

existing gTLD registry operators who wish to apply for the corresponding gTLDs – either the ASCII gTLD or the LD gTLD – of their existing gTLDs.

To this end, the evaluation of an applicant's capability to manage the ASCII/LD gTLD Set should be closely tied to the overall evaluation of the applicant's technical capability. Accordingly, the evaluation of technical and operational capability should be based on measurable criteria, which is to be determined during implementation. Such criteria may include, but not be limited to, the performance of the Critical Functions[34] with respect to second-level registrations under the ASCII gTLD string and the corresponding applied-for LD gTLD string(s).

Consistent with EPDP-IDNs, as the simultaneous delegation of gTLDs that constitute an ASCII/LD gTLD Set is unprecedented, there is uncertainty about how an ASCII gTLD string and its corresponding LD gTLD string(s) will be managed and operated concurrently by the same gTLD registry operator. Therefore, the LD PDP WG aligns with the intent of the rules outlined in Implementation Guidance 3.9 of the EPDP-IDNs Phase 1 Final Report; that 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 the ASCII/LD gTLD Set at the registry level. A key update here is that this should not be treated as a separate research; rather, conducted together, if necessary, with the EPDP-IDNs research on variants. In other words, a second, independent research that results in a separate report is likely unnecessary, since the technical handling of variants and the strings that constitute the ASCII/LD gTLD Set is expected to be the same. Accordingly, the WG agreed to allow flexibility in both the joint research requirements and timeline in which the research should be conducted for ICANN org, leaving it to its discretion to align the research timeline and conduct jointly, if deemed sensible. Therefore, ICANN org should conduct joint research, where practical, within approximately 15 months of the delegation of the first ASCII gTLD string or the LD gTLD string(s) that constitute the ASCII/LD gTLD Set, and approximately every 24 months thereafter, per Implementation Guidance 14.

Similar to EPDP-IDNs, ICANN org must provide public consultation opportunities on the scope and any proposed outputs of the research. For the avoidance of doubt, any such additional criteria or test should not be used to evaluate the technical and operational capability of a gTLD registry operator that has already been managing an ASCII/LD gTLD Set before such additional criteria or tests are published. In addition, the additional criteria or tests resulting from the research would not be required to undergo a PDP for confirmation and could be implemented directly following a Public Comment process.

Public Comment Review:

[34] The Critical Functions are: DNS Service, DNSSEC proper resolution, EPP, RDDS, and Data Escrow. See details in Section 6 of Specification 10 in the Base Registry Agreement: https://itp.cdn.icann.org/en/files/registry-agreements/base-registry-agreement-12-03-2026-en.pdf#page=95

Final Recommendation 12 and Implementation Guidance 13 – Support as written with Minor Wording Change:

The LD PDP WG generally received support from several commenters on these outputs as written. A minor wording update to the policy language was the revision to *"string(s)"* from "label(s)" for LD PDP at the top-level, which is a recurring theme throughout the report.

Implementation Guidance 14 – Significant Change:

The LD PDP WG considered the comment from ICANN org regarding timeline expectations associated with conducting such research, particularly when conducted jointly, given that the delegation timelines for variant gTLD strings and the ASCII/LD gTLD strings are currently unknown and may depend on multiple variables. Accordingly, the policy language has been revised to provide greater flexibility in this regard, adding terms such as, *"approximately"* and *"where practical,"* while leaving the timing of any joint research to ICANN org's discretion. This flexible approach resulted in Implementation Guidance 14 being *"Generally consistent with Implementation Guidance 3.9,"* where the underlying intent and expected behavior remain the same, despite certain departures from the specific details.

The WG also validated the assumption through the Public Comment Review process that the additional criteria or tests resulting from the research would not be required to undergo a PDP for confirmation and could be implemented directly following a Public Comment process.

All reference to "label(s)" that were transferred from EPDP-IDNs was revised to *"string(s)"* for LD PDP at the top-level, following ICANN org's suggestions, as the distinction required in EPDP-IDNs for "variant labels" was not applicable here. The term "label" remains in use for the second-level.

Rationales for Final Recommendations 15-16:

The LD PDP and EPDP-IDNs maintain an important divergence when it comes to application fees. For EPDP-IDNs, which was designed to promote IDNs and thereby create incentives for such applications, a future applicant applying for a primary gTLD string and up to four of that string's allocatable variant labels during an application round could incur the same base application fee as any other gTLD applicant not applying for variant labels in that round. In contrast, the purpose of the LD PDP is to create an exception process that allows strings to co-exist, which would otherwise likely be rejected for being too similar to one another. The LD PDP WG recognizes that the base ASCII gTLD and its corresponding LD gTLD(s) are independent – they are not dependent on one another for their existence, nor are they contingent upon each other, except for the purpose of application, delegation, and operational coherence. Therefore, any fee discount applicable in this context should not be considered equivalent to discounts in the EPDP-IDNs.

Building on this understanding, the LD PDP WG engaged in extensive discussions on this issue, aiming to fully understand the cost recovery principle and its implications, while also establishing clear boundaries to ensure that the process functions effectively. In essence, the WG agrees with and affirms the cost recovery principle as applied to the overall Program; that is, agreeing to SubPro PDP's Affirmation with

Modification 15.4[35] that the New gTLD Program should be self-sustaining without the need for funding from other sources and that the program should operate on a cost recovery basis with the goal of being revenue neutral. This would mean that the total cost of running the Program should be collectively borne by all applicants. As such, new applicants are expected to subsidize not only the cost of their own applications but also the portion of costs associated with the Applicant Support Program (ASP) as well as the variant labels. This shared contribution is what allows for the so-called "discount."

From this standpoint, the WG considered three potential options for LD PDP on application fees: 1) charging a standard fee for all TLDs within the set. This means full price per gTLD even when applied as a set. The advantage of this approach is that it is the fastest and simplest to implement. However, this could potentially discourage applicants and limit the use of Latin script IDNs due to the high costs; 2) charging the full application fee for the main TLD while offering one or more additional string(s) in the set free of charge. This approach would significantly reduce the financial burden for applicants seeking to apply for and operate the set. However, it could complicate cost recovery, particularly in relation to evaluation fees, which may have a program-wide impact, making it more difficult to accommodate. Moreover, the goal of EPDP-IDNs was to incentivize IDNs, while LD PDP has no such objective, and this option would ultimately mean that the ASCII/LD gTLD Sets get subsidized by all other applicants; 3) providing no specific guideline on application fees, and instead adhering to the cost recovery principle, whereby pricing would be determined during implementation. While this approach would be consistent with the overall Program, the WG would have no input or influence over how the application fees are ultimately set.

In conclusion, the LD PDP WG decided that the third option was the most appropriate, opting not to provide any specific recommendation on application fees, but instead adhering to the cost recovery principle.

In a similar manner, the LD PDP WG recommends that an application only for the corresponding ASCII gTLD or LD gTLD(s) of the existing gTLD must incur a discounted base application fee as determined by ICANN org and considered to be proportionate to any costs associated with evaluating the application and consistent with the cost recovery principle. Since the existing gTLD is already delegated to the applicant, there is a presumption that some evaluation elements for its corresponding gTLD(s) may not necessarily apply. Under this situation, such an application should not incur the same base application fee, nor should it be cost free. As such, a discount on the base application fee for such an application seems appropriate. Ultimately, ICANN org has the discretion to establish what constitutes a discount for cost recovery of LD gTLD applications.

[35] SubPro Final Report Affirmation with Modification 15.4:
The gTLD evaluation fee is set to recover costs associated with the new gTLD program. The fee is set to ensure that the program is fully funded and revenue neutral and is not subsidized by existing contributions from ICANN funding sources, including generic TLD registries and registrars, ccTLD contributions and RIR contributions.

Consequently, the WG upholds the conservatism principle through the establishment of Final Recommendations 15 and 16, given that they align with the cost recovery principle and are committed to ICANN org's discretion. Such guidance could help ensure that the ASCII/LD gTLD Sets remain limited in number, exceptional in nature, and subject to a high bar for successful evaluation, thereby preserving the integrity of the uniformly-applied variant definition and management rules while retaining a consistent, predictable, and transparent approach that contributes to the security and stability of the DNS.

Public Comment Review:

Final Recommendation 15 – Wording Change:

The LD PDP WG received support from several commenters on this recommendation, provided that it is reassessed to determine whether it is sufficient for risk mitigation and that it prevents potential proliferation of such exceptions. The WG determined that the conservatism principle is upheld by this recommendation and agreed to retain the language, except for an update to exclude language corresponding to the "registry operators of existing gTLDs," since this is introduced in Final Recommendation 16. This led to Final Recommendation 15 being "generally consistent" with Final Recommendation 3.10 of the EPDP-IDNs.

Another minor update was the revision to *"string(s)"* from "label(s)" for LD PDP at the top-level, which is a recurring theme throughout the report.

Final Recommendation 16 – No Change:

Similar to Final Recommendation 15, the LD PDP WG received support from several commenters on this recommendation, provided that it is reassessed to determine whether it is sufficient for risk mitigation and that it prevents potential proliferation of such exceptions. Once again, the WG determined that the conservatism principle is upheld by this recommendation and agreed to retain the language, making it applicable for LD PDP but with no other specific changes to note.

Preliminary Recommendations 18 and 19 – Significant Change:

The LD PDP WG was requested by ICANN org to reassess these recommendations that address registry-level fees to determine whether they align with the conservatism principle. In conducting this reassessment, the WG recognized that not only are the registry-level fees tied to ICANN org's financial and operational responsibilities, but there is also no historical data concerning the volume and cost of variant gTLD strings to provide proper guidance. Moreover, the ICANN Board of Directors had previously stated that it does not wish to create a precedent that could limit its ability to adjust approaches if operational or financial impacts emerge in the future. This consideration was the rationale for adopting Final Recommendations 7.4 and 7.5 of EPDP-IDNs Phase 1, from which the draft recommendations were derived.

Over time, the Board provided formal input expressing concerns that these recommendations may not be adoptable. Registry fees have remained at the discretion of ICANN org and were out of scope for the LD PDP WG to make recommendations on. Consequently, the WG decided to remove Preliminary Recommendations 18 and 19 concerning the ongoing registry-level fees (annual and transaction). Accordingly, these recommendations are not reflected in the Final Report.

Rationale for Final Recommendation 17:

The LD PDP WG agrees that the same application requirements and evaluation criteria apply to all gTLDs that constitute an ASCII/LD gTLD Set. In particular, the three categories of gTLDs that have non-standard application types as identified by the SubPro PDP – 1) Community gTLD, 2) Geographic Name TLD, and 3) .Brand TLD – are bound by particular requirements detailed in Final Recommendation 17.1-17.3, consistent with Final Recommendation 3.16 of the EPDP-IDNs Phase 1 Final Report.

With respect to applications for .Brand TLD strings that constitute an ASCII/LD gTLD Set, each of the applied-for string(s) must be an exact match to and supported by a registered trademark of the gTLD registry operator or its affiliate, which aligns with EPDP-IDNs. The visual similarity between an ASCII trademark and a LD domain name can create legal challenges. Thus, an applicant for a .Brand TLD would need to provide individualized trademark registrations for each applied-for gTLD that constitute the set, to be allocatable to the particular trademark owner; this does not align with the trademark law but is mirroring the EPDP-IDNs language in order to uphold a stricter standard under the community-developed policy.

Public Comment Review:

Final Recommendation 17 – Significant Change:

The LD PDP WG received a substantive comment from the Intellectual Property Constituency (IPC) that raised concerns about a mischaracterized trademark law. According to the IPC, trademark rights attach to a particular mark but allow the trademark owner to prevent others from adopting any marks that are likely to cause consumer confusion – which extends to non-exact variations of the mark. Thus, under the trademark law, where the brand owner owns a registered trademark containing an LD, it should not be required to own registrations for all variations containing other LDs or a base ASCII gTLD string with no diacritics. The IPC suggested that it was unreasonable to expect a trademark owner to hold registrations for all such variants of its actual mark.

However, GNSO policy development may uphold a stricter standard under the community-developed policy per the EPDP-IDNs, recognizing how the visual similarity between an ASCII trademark and LD domain names may create legal challenges. Accordingly, the LD PDP WG decided to retain the rule, only updating the language to be more consistent with Final Recommendation 3.16.3 of the EPDP-IDNs Phase 1 (*“17.3 [...] its applied-for ASCII gTLD and Latin diacritic gTLD(s) that constitute the set are identical to registered trademarks…”*), while removing the sentence referenced in the rationale that does not align

with trademark law: *"Thus, under trademark law, the rights are attached to one, distinct mark limited to an exact match."*

All reference to "label(s)" that were transferred from EPDP-IDNs was revised to *"string(s)"* for LD PDP at the top-level, following ICANN org's suggestions, as the distinction required in EPDP-IDNs for "variant labels" was not applicable here. The term "label" remains in use for the second-level.

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4) Topic 4: Contractual Requirements

Final Outputs:

Final Recommendation 18: Consistent with Final Recommendation 7.1 of the EPDP-IDNs Phase 1 Final Report,[36] any future ASCII gTLD along with its Latin diacritic gTLD string(s) (if any) that constitute a set MUST be subject to one Registry Agreement with all gTLD labels in the set having the same service level agreements (SLAs) and other operational requirements.

Implementation Guidance 19: Consistent with Implementation Guidance 7.2 of the EPDP-IDNs Phase 1 Final Report,[37] a new specification or an amendment to the Base Registry Agreement for any future ASCII gTLD along with its Latin diacritic string(s) MAY need to be developed to incorporate ASCII/Latin diacritic gTLD string management provisions.

Final Recommendation 20: Consistent with Final Recommendation 7.3 of the EPDP-IDNs Phase 1 Final Report,[38] any existing gTLD registry operator that is successful in its future application for its corresponding ASCII gTLD or Latin diacritic gTLD string(s) per Final Recommendation 3 MUST be REQUIRED to adopt contractual terms to accommodate the newly approved string(s) by way of a new Specification to its existing Registry Agreement.

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[36] EPDP-IDNs Phase 1 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 agreements (SLAs) and other operational requirements.
[37] EPDP-IDNs Phase 1 Implementation Guidance 7.2: A new specification or an amendment to the Base Registry Agreement for any future gTLD along with its variant label(s) may need to be developed to incorporate variant management provisions.
[38] EPDP-IDNs P1 Final Recommendation 7.3: Any existing registry operator that is successful in its future application for its variant label(s) must be required to adopt contractual terms to accommodate the newly approved variant label(s) by way of a new Specification to its existing Registry Agreement.

Final Recommendation 21: Consistent with Final Recommendation 7.6 of the EPDP-IDNs Phase 1 Final Report,[39] the RSP for each one of the Critical Functions as defined in the Base Registry Agreement MUST be the same for all ASCII/Latin diacritic gTLD strings that constitute a set. The Critical Functions are: DNS Service, DNSSEC proper resolution, EPP, RDDS, and Data Escrow.

Final Recommendation 22: Consistent with Final Recommendation 7.7 of the EPDP-IDNs Phase 1 Final Report,[40] if the gTLD registry operator changes its gTLD's RSP for any one of the Critical Functions, the corresponding allocated and delegated ASCII/Latin diacritic string(s) of that gTLD MUST simultaneously transition to the same RSP for that Critical Function.

Final Recommendation 23: Consistent with Final Recommendation 7.8 of the EPDP-IDNs Phase 1 Final Report,[41] in the event that a Registry Transition or Change of Control process is initiated for a gTLD, the process MUST encompass the gTLD and all its corresponding allocated and delegated ASCII/Latin diacritic gTLD string(s), if any, at the same time.

Final Recommendation 24: Consistent with Final Recommendation 7.9 of the EPDP-IDNs Phase 1 Final Report,[42] after the Registry Transition Process or Change of Control process is completed for a gTLD and its corresponding allocated and delegated ASCII/Latin diacritic gTLD string(s), the successor gTLD registry operator can apply for the other non-delegated Latin diacritic gTLD string(s) of the ASCII gTLD in accordance with the "same entity" principle pursuant to Final Recommendation 2.

[39] EPDP-IDNs P1 Final Recommendation 7.6: The registry service provider for each one of the Critical Functions as defined in the Base Registry Agreement for an existing gTLD must be the same as for its delegated variant labels. The Critical Functions are: DNS Service, DNSSEC proper resolution, EPP, RDDS, and Data Escrow.

[40] EPDP-IDNs P1 Final Recommendation 7.7: If the registry operator changes its gTLD's registry service provider for any one of the Critical Functions, the variant label(s) of that gTLD must simultaneously transition to the same registry service provider for that Critical Function.

[41] EPDP-IDNs P1 Final Recommendation 7.8: In the event a Registry Transition or Change of Control process is initiated for a gTLD, the process must encompass the gTLD and all its allocated and delegated variant label(s), if any, at the same time.

[42] EPDP-IDNs P1 Final Recommendation 7.9: After the Registry Transition Process or Change of Control process is completed for a gTLD and its allocated and delegated variant label(s), the successor registry operator can apply for the other non-delegated, allocatable variant label(s) of that gTLD in accordance with the "same entity" principle pursuant to Final Recommendation 2.1.

Final Recommendation 25: Consistent with Final Recommendation 7.10 of the EPDP-IDNs Phase 1 Final Report,[43] emergency transition of a gTLD to an EBERO provider MUST include all the corresponding allocated and delegated ASCII/Latin diacritic gTLD strings that constitute the set, if any. All these strings MUST be transitioned to the same EBERO provider at the same time.

Final Recommendation 26: Consistent with Final Recommendation 7.11 of the EPDP-IDNs Phase 1 Final Report,[44] in the event a gTLD is reassigned as a result of a TM-PDDRP determination, that reassignment MUST include all the corresponding allocated and delegated ASCII/Latin diacritic gTLD string(s) that constitute the set, if any, at the same time.

Final Recommendation 27: Consistent with Final Recommendation 7.12 of the EPDP-IDNs Phase 1 Final Report,[45] the same data escrow provider MUST be contracted for all the gTLDs that constitute an ASCII/Latin Diacritic gTLD Set.

Implementation Guidance 28: Consistent with Implementation Guidance 7.13 of the EPDP-IDNs Phase 1 Final Report,[46] the escrow data associated with each ASCII gTLD and each Latin diacritic gTLD string that constitute a set SHOULD be stored in separate files.

Final Recommendation 29: Generally consistent with Final Recommendation 7.14 of the EPDP-IDNs Phase 1 Final Report,[47] all the gTLDs that constitute an ASCII/Latin Diacritic gTLD Set through a single application MUST be bound by the same restrictions, which will become contractual requirements upon execution of the Registry Agreement. Similarly, any

[43] EPDP-IDNs P1 Final Recommendation 7.10: Emergency transition of a gTLD to an EBERO provider must include the allocated and delegated variant label(s) of that gTLD, if any. All these labels must be transitioned to the same EBERO provider at the same time.

[44] EPDP-IDNs P1 Final Recommendation 7.11: In the event a gTLD is reassigned as a result of a TM-PDDRP determination, that reassignment must include all allocated and delegated variant label(s) of the gTLD, if any, at the same time.

[45] EPDP-IDNs P1 Final Recommendation 7.12: The same data escrow provider must be contracted for the gTLD and its allocated and delegated variant label(s).

[46] EPDP-IDNs P1 Implementation Guidance 7.13: The escrow data associated with each gTLD variant label should be stored in separate files.

[47] EPDP-IDNs P1 Final Recommendation 7.14: The applied-for primary gTLD string and any allocatable variant label sought by the applicant must be bound by the same restrictions, which will become contractual requirements upon execution of the Registry Agreement. Similarly, any allocatable variant label sought by an existing registry operator will be bound by the same restrictions as the existing gTLD upon execution of the new Specification to its existing Registry Agreement for the newly approved variant label(s). The restrictions in this recommendation refer to the differential treatment and requirements applied to non-standard types of gTLDs, which are Community-based TLDs, Brand TLDs, Geographic Name TLDs, as well as TLDs subject to Category 1 Safeguards.

corresponding ASCII/Latin diacritic gTLD string sought by an existing registry operator will be bound by the same restrictions as the existing gTLD upon execution of the new Specification to its existing Registry Agreement for the newly approved ASCII/Latin diacritic gTLD version of the string(s). The restrictions in this recommendation refer to the differential treatment and requirements applied to the TLDs subject to Category 1 Safeguards as well as to the non-standard types of gTLDs, which are Community gTLDs, Brand TLDs, Geographic Name TLDs.

Rationales:

Rationales for Final Recommendation 18, Implementation Guidance 19, and Final Recommendation 20:

The LD PDP WG upheld Final Recommendation 7.1 of the EPDP-IDNs Phase 1 Final Report to remain aligned with the "same entity" principle and to maintain the single application process for the ASCII/LD gTLD Set, as outlined in Final Recommendation 5. In accordance with this PDP, any future ASCII gTLD and the corresponding LD gTLD string(s) are expected to function as a set throughout their lifecycle. A single Registry Agreement serves as an important vehicle to keep the set together. Therefore, the LD PDP WG considers it both efficient and logical for all future gTLDs within the set to be governed by one Registry Agreement with one gTLD registry operator, as outlined in Final Recommendation 18. This also means that they must adhere to the same base terms and conditions within the single Registry Agreement, as authorized by ICANN, with each string having the same service level agreements (SLAs) and other operational requirements.

Currently, the future gTLD and its variant label(s) relationships are outlined in a new specification (New Specification 14) in an updated Base Registry Agreement of the AGB[48], which specifically incorporates variant management provisions and contractual requirements in accordance with Final Recommendations 7.6-7.7 from the EPDP-IDNs Phase 1 Final Report. The WG remains consistent with EPDP-IDNs on this approach – affirming that the ASCII/LD gTLD Sets should be contractually linked through a single Registry Agreement by adding a new specification in the future to explicitly incorporate ASCII/LD gTLD label management provisions – especially since the ASCII/LD gTLD Sets will be unified for the purpose of application, delegation, and operation, similar to the variant labels. When updating the new specification, Final Recommendations 21-22 should be taken into account.

In this context, those existing gTLD registry operators that are successful in their future applications for the corresponding ASCII or LD gTLD string(s) must also adopt contractual terms to accommodate the newly approved strings by way of a new specification in their existing Registry Agreements, as outlined in Final Recommendation 20. This requirement is especially important given that the Base Registry Agreement may be inadequate in form and substance to address any ASCII/LD gTLD management requirements, like they were for variant management. This approach aligns with Final Recommendation

[48] Specification 14: Variant TLDs. See details in the Base Registry Agreement: https://itp.cdn.icann.org/en/files/registry-agreements/base-registry-agreement-12-03-2026-en.pdf#page=110

18 and Implementation Guidance 19, which emphasizes the need for uniformity in the use of Registry Agreements by all gTLD registry operators – across both the existing and future – that manage the ASCII/LD gTLD Sets. Consistent with EPDP-IDNs, the rules set out here also adhere to SubPro PDP Affirmation 36.2[49] which supports the "current practice of maintaining a single base Registry Agreement with 'Specifications'." That said, when a gTLD registry operator desires to convert all existing stand-alone gTLD(s) into an ASCII/LD gTLD Set per Final Recommendation 7, it must still submit a request to ICANN org and await approval, given that this circumstance may warrant further consideration that would be necessary for two or more independent contracts.

Public Comment Review:

Final Recommendations 18, 20, and Implementation Guidance 19 – Support as written with Minor Wording Change:

The LD PDP WG generally received support from several commenters on these Outputs as written. A minor wording update to the policy language was the revision to *"string(s)"* from "label(s)" for the LD PDP at the top-level, which is a recurring theme throughout the report.

Rationales for Final Recommendations 21-22:

As outlined in Final Recommendation 2, the LD PDP WG affirmed the "same entity" principle early on in the process establishing rules for the "how"– specifically, the measures required when delegating a base ASCII gTLD and the LD version of the gTLD that are confusingly similar but not variants of each other. This rule is intended to mitigate potential end-user confusion when such strings are delegated simultaneously.

Consistent with the EPDP-IDNs, the LD PDP WG emphasized the "same entity" principle throughout the deliberations and it was noted during the review of EPDP-IDNs policy recommendations that alignment with this principle is essential not only for the registries, registrars, and registrants – the external-facing entities – but also requires that the Critical Functions and Data Escrow providers be identical. This is particularly important to ensure feasible and consistent implementation of the "same entity" requirement at the top-level. Naturally, the LD PDP WG agrees with the EPDP-IDNs Team's proposal to extend the SubPro PDP Recommendation 25.5[50] to existing gTLDs.

[49] See Affirmation 36.2 in the SubPro PDP Final Report, p.183: https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=183

[50] See Recommendation 25.5 in the SubPro PDP Final Report, p.115: https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=115; Recommendation 7 in the Staff Paper, p.4: https://www.icann.org/en/system/files/files/idn-variant-tld-recommendations-analysis-25jan19-en.pdf#page=4

Thus, in the event that an existing gTLD registry operator applies for corresponding gTLD strings that constitute an ASCII/LD gTLD Set in the future, it will be required to use the same registry service provider for the provision of its respective Critical Functions. As stated in Final Recommendation 21, the Critical Functions are: DNS Service, DNSSEC proper resolution, EPP, RDDS, and Data Escrow.[51] For example, its Data Escrow provider must be the same for the existing gTLD and the corresponding strings that constitute the ASCII/LD gTLD Set; its DNS service provider must also be the same for its existing gTLD and the corresponding strings within the set, though multiple DNS service providers can be used, as long as they are the same for all gTLDs within the set.

Pursuant to this rule, the LD PDP WG upholds the position that the same registry service provider must operate all delegated ASCII/LD gTLD string(s) that constitute a set at any given time. To that end, the transition to a new registry service provider must apply to the gTLD and all of its corresponding gTLDs that constitute an ASCII/LD gTLD Set at the same time.

Public Comment Review:

Final Recommendations 21 and 22 – Support as written with Minor Wording Change:
The LD PDP WG generally received support from several commenters on these recommendations as written. A minor wording update to the policy language was the revision to *"string(s)"* from "label(s)" for the LD PDP at the top-level, which is a recurring theme throughout the report.

Rationales for Final Recommendations 23-26:
Final Recommendations 23-26 remain aligned with EPDP-IDNs by adhering to the "same entity" principle, under which a gTLD and all its corresponding ASCII/LD gTLD string(s) that constitute a set must be treated and move as a set, consistent with the rationale for SubPro PDP Recommendation 25.5 that established, *"to the extent that the TLD were to change hands at any point after delegation, the variant TLDs must remain linked contractually, which should be considered a persistent requirement (e.g., this would impact gTLD registry transition procedures, including EBERO)."*[52] In support of this goal, the LD PDP WG recommends that any future ASCII gTLD along with its LD gTLD string(s), if any, that constitute a set must be subject to one Registry Agreement with all gTLD strings in the set having the same SLAs and other operational requirements, as per Final Recommendation 18.

Consequently, in the event of a registry transition – including emergency back-end registry operator temporary transition process and the reassignment of a gTLD as an outcome of a Trademark Post-Delegation Dispute Resolution Procedure (TM-PDDRP) determination – the LD PDP WG aligns with

[51] See details in Section 6 of Specification 10 in the Base Registry Agreement: https://itp.cdn.icann.org/en/files/registry-agreements/base-registry-agreement-12-03-2026-en.pdf#page=95
[52] See Rationale for Recommendation 25.5 in the SubPro PDP Final Report, p.115: https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=115

previous work such as SubPro and EPDP-IDNs that a gTLD and all of its corresponding ASCII/LD gTLD string(s) that constitute a set, if any, must be included in the same process and transition to the same entity at the same time.

In the same vein, the rights held by the former gTLD registry operator are also transferred to the successor. In addition, the new gTLD registry operator may apply for any new strings that the former gTLD registry operator did not apply for but could have, in accordance with Final Recommendation 1 – strings distinguished only by diacritics.

Public Comment Review:

Final Recommendations 23-26 – Support as written with Minor Wording Change:

The LD PDP WG generally received support from several commenters on these recommendations as written. A minor wording update to the policy language was the revision to *"string(s)"* from "label(s)" for the LD PDP at the top-level, which is a recurring theme throughout the report.

Rationales for Final Recommendation 27 and Implementation Guidance 28:

Data escrow requirements and procedures have been and continue to be defined in the Registry Agreement. The LD PDP WG aligns with the EPDP-IDNs Team in affirming that the current practices with regard to data escrow must be maintained for all the gTLDs that constitute an ASCII/LD gTLD Set in order to ensure the stability of the associated domain name registrations.

To facilitate the implementation of data escrow requirements in a consistent manner, the same data escrow provider must be contracted for the gTLD and its corresponding ASCII/LD gTLD string(s) that constitute a set, which are governed under a single Registry Agreement.

However, the escrow data associated with each ASCII gTLD and each LD gTLD string that constitute a set should be stored in separate files, as each string from the ASCII/LD gTLD Set represents an individual registration, particularly from a technical standpoint but also as each string within the ASCII/LD gTLD Set should be treated as a distinct gTLD in business-to-business interactions related to the Registry Agreement. The LD PDP WG also recognizes each gTLD string within the set as a distinct identifier for data escrow purposes.

Public Comment Review:

Final Recommendations 27 – Support as written:

The LD PDP WG received support from several commenters on this recommendation as written.

Implementation Guidance 28 – Support as written with Minor Wording Change:

The LD PDP WG generally received support from several commenters on this guidance as written. A minor wording update to the policy language was the revision to *"string(s)"* from "label(s)" for the LD PDP at the top-level, which is a recurring theme throughout the report.

Rationale for Final Recommendation 29:

The LD PDP WG considered Final Recommendation 7.14 from the EPDP-IDNs Phase 1 Final Report to be applicable to the ASCII/LD gTLD applications, including both new gTLD applications and any applications corresponding to an existing gTLD sought by an existing gTLD registry operator. The primary issue addressed in this recommendation concerns the restrictions related to the differential treatment and requirements applied to the non-standard types of gTLDs. Per SubPro PDP Recommendation 4.1,[53] differential treatment may apply for certain applications based on either the application type, the string type, or the applicant type. These may be subject to different application questions, evaluation processes, contractual requirements, and post-delegation activities. Here, the different application types include Community TLDs, Brand TLDs, Geographic Name TLDs, while different string types include variant TLDs and strings subject to Category 1 Safeguards.

However, during a WG meeting,[54] the GDS liaison to the LD PDP WG pointed out that Category 1 Safeguard should not be categorized under "non-standard types of gTLDs." As per the updated AGB for the New gTLD Program: 2026 Round, a specialized application – which is what is referred to as "non-standard types of gTLD" – depends on: 1) the type of applied-for string; 2) the type of applicant; and 3) the intended use of the applied-for string.[55] Here, various specialized applications include Geographic Name applications, Community applications, Brand TLD applications, IDN applications, and Variant string applications, to name a few. Category 1 Safeguard is not what is listed under this category. Rather, any applied-for string that falls into one of the four risk-based groups as a result of the Safeguard Assessment[56] will require inclusion of specific Safeguard Public Interest Commitments (Safeguard PICs) in the applicable Registry Agreement. Pursuant to this guidance, variant TLDs and LD TLDs fall under the Category 1 Safeguard.

Accordingly, the LD PDP WG ensured that Final Recommendation 29 accurately reflected this revision made in the AGB, deviating from the original language in Final Recommendation 7.14 of the EPDP-IDNs Phase 1 Final Report. This is to clarify that while the ASCII/LD gTLD Set is subject to the Category 1 Safeguards, this restriction is not classified under "non-standard types of gTLDs." For clarity, the restriction, subject to Category 1 Safeguards, remains in effect; generally in line with EPDP-IDNs – where

[53] See Recommendation 4.1 in the SubPro PDP Final Report, p.24: https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=24

[54] Meeting #20: https://icann-community.atlassian.net/wiki/x/HADgGg

[55] For more details on the types of applications, see FAQ here: https://newgtldprogram.icann.org/en/resources/faqs/application-types#general-information1

[56] See Section 1.2.4.3 Safeguard Assessment, New gTLD Program: 2026 Round AGB, p.30: https://newgtldprogram.icann.org/sites/default/files/documents/new-gtld-program-2026-round-applicant-guidebook-current-en.pdf#page=30

restrictions applied to the primary gTLD would also extend to any applied-for allocated variant TLDs upon execution of the binding Registry Agreement – all ASCII/LD gTLD strings within the entire set would likewise be subject to uniform restrictions for LD PDP.

Meanwhile, for the non-standard types of gTLDs – meaning the specialized application types such as Community TLDs, .Brand TLDs, Geographic Name TLDs – the same restrictions will apply. Thus, if an applied-for ASCII gTLD string is a .Brand TLD, any corresponding LD gTLD string sought by the applicant will be bound by the same restrictions; if these strings pass evaluations and proceed to delegation, the same restrictions become contractual obligations upon execution of the applicable Registry Agreement. As mentioned above, naturally, the same recommendation extends to any corresponding ASCII or LD gTLDs sought by an existing registry operator.

Public Comment Review:

Final Recommendation 29 – Support as written with Minor Wording Change:
The LD PDP WG generally received support from several commenters on this recommendation as written. A minor wording update to the policy language was the revision to *"string(s)"* from "label(s)" for the LD PDP at the top-level, which is a recurring theme throughout the report.

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5) Topic 5: Delegation and Removal

Final Outputs:

Final Recommendation 30: Generally consistent with Final Recommendation 8.1 from the EPDP-IDNs Phase 1 Final Report,[57] no ceiling value for the number of Latin diacritic gTLD strings that constitute an ASCII/Latin Diacritic gTLD Set is necessary as economic, operational, and other factors that may impact the decision to apply for multiple Latin diacritic gTLD strings will keep the number of delegated top-level Latin diacritic strings conservative. For the LD PDP, there will be no restrictions on the number of diacritical marks applied to a single character nor the type of TLDs (e.g., real words identified in dictionaries, geographic names, brands).

[57] EPDP-IDNs P1 Final Recommendation 8.1: No ceiling value for delegated top-level variant labels from a variant label set is necessary as existing measures in the RZ-LGR to reduce the number of allocatable top-level variant labels, as well as economic, operational, and other factors that may impact the decision to apply for variant labels, will keep the number of delegated top-level variant labels conservative.

Final Recommendation 31: Generally consistent with Final Recommendation 8.2[58] and Implementation Guidance 8.3[59] of the EPDP-IDNs Phase 1 Final Report, ICANN org MUST, during implementation, create a framework for developing non-binding guidelines to encourage a positive and predictable registrant experience. This MAY require a joint effort with relevant stakeholders who have experience with ASCII/Latin Diacritic gTLD Sets and variant gTLDs, where practical.

Final Recommendation 32: Consistent with Final Recommendation 8.4 from the EPDP-IDNs Phase 1 Final Report,[60] applicants for all gTLDs that constitute an ASCII/Latin Diacritic gTLD Set that pass evaluation MUST be subject to the same terms and conditions, as RECOMMENDED by the SubPro PDP, in respect of the timeframe for delegation, including the ability to apply for an extension of time for delegation.

Final Recommendation 33: Consistent with Final Recommendation 8.5 from the EPDP-IDNs Phase 1 Final Report,[61] the sequence for delegating the gTLDs that constitute the ASCII/Latin Diacritic Set that pass evaluation SHOULD be determined by the gTLD registry operator.

Final Recommendation 34: Consistent with Final Recommendation 8.7 from the EPDP-IDNs Phase 1 Final Report,[62] for all future versions of the RZ-LGR, Generation Panels[63] (GPs) and the Integration Panel (IP) SHOULD follow the stability principle in the LGR Procedure and make best efforts to retain full backward compatibility with delegated gTLDs, and their delegated and allocated ASCII/Latin Diacritic gTLD Set strings (if any). The LGR Procedure

[58] EPDP-IDNs P1 Final Recommendation 8.2: In order to encourage a positive and predictable registrant experience, ICANN org must, during implementation, create a framework for developing nonbinding guidelines for the management of gTLDs and their variant labels at the top-level by registries and registrars.
[59] EPDP-IDNs P1 Implementation Guidance 8.3: The framework should outline the scope and the steps involved in developing future non-binding guidelines, which at a minimum should involve relevant stakeholders, such as registries, registrars, and where feasible, registrants who have experience with IDNs and variant labels.
[60] EPDP-IDNs P1 Final Recommendation 8.4: Applicants for a primary gTLD string and its applied-for allocatable variant label(s) that pass evaluation must be subject to the terms and conditions, as recommended by the SubPro PDP, in respect of the timeframe for delegation, including the ability to apply for an extension of time for delegation.
[61] EPDP-IDNs P1 Final Recommendation 8.5: The sequence for delegating the applied-for primary gTLD string and the applied-for allocatable variant label(s) that pass evaluation should be determined by the registry operator.
[62] EPDP-IDNs P1 Final Recommendation 8.7: For all future versions of the RZ-LGR, Generation Panels (GPs) and the Integration Panel (IP) should follow the stability principle in the LGR Procedure and make best efforts to retain full backward compatibility with delegated gTLDs and their delegated and allocated variant labels (if any). The LGR Procedure must be updated to specify the exceptional circumstances, to the extent known to the GPs and IP, that could result in a proposed update to the RZ-LGR not being able to retain full backward compatibility.
[63] See details for "Generation Panel" and how they are maintained in the "Procedure to Develop and Maintain the Label Generation Rules for the Root Zone in Respect of IDNA Labels," p.20: https://www.icann.org/en/system/files/files/draft-lgr-procedure-20mar13-en.pdf

MUST be updated to specify the exceptional circumstances, to the extent known to the GPs and IP, that could result in a proposed update to the RZ-LGR not being able to retain full backward compatibility.

Final Recommendation 35: Consistent with Final Recommendation 8.8 from the EPDP-IDNs Phase 1 Final Report,[64] in the unexpected event where a proposed update to the RZ-LGR is unable to retain full backward compatibility for validating any delegated gTLDs and their corresponding ASCII gTLD or Latin diacritic gTLD string(s) (if any), the relevant GP MUST call out the exception during a Public Comment period and explain the reasons for such exception. The Public Comment period SHOULD also include the elements in the following Implementation Guidance.

Implementation Guidance 36: Consistent with Implementation Guidance 8.9 of the EPDP-IDNs Phase 1 Final Report,[65] the GP explanation SHOULD identify security and stability risks (if any), as well as possible actions to mitigate the risks associated with allowing a delegated gTLD and its corresponding ASCII gTLD or Latin diacritic gTLD string(s) (if any) to be exempted. There SHOULD also be an assessment, conducted by ICANN org, of the potential impact of exemptions on registries, registrars, registrants, and end-users, as well as proposed measures to reduce the negative impact. As part of the assessment, ICANN org SHOULD facilitate a timely dialogue between the gTLD registry operator of the exempted gTLD, relevant function(s) in ICANN org, the GP, other experts and affected parties. Notwithstanding the recommendation to exempt affected gTLDs, in the event security and stability risks are identified, ICANN org and the affected registry operator SHOULD discuss possible measures to minimize the risks that would result in minimal disruption to registries, registrars, registrants, and end-users.

[64] EPDP-IDNs P1 Final Recommendation 8.8: In the unexpected event where a proposed update to the RZ-LGR is unable to retain full backward compatibility for validating any delegated gTLDs as well as their delegated and allocated variant labels (if any), the relevant GP must call out the exception during a Public Comment period and explain the reasons for such exception. The Public Comment period should also include the elements in the following Implementation Guidance.

[65] EPDP-IDNs P1 Implementation Guidance 8.9: The GP explanation should identify security and stability risks (if any), as well as possible actions to mitigate the risks associated with allowing a delegated gTLD and its delegated and allocated variant labels (if any) to be grandfathered. There should also be an assessment, conducted by ICANN org, of the potential impact of grandfathering on registries, registrars, registrants, and end-users, as well as proposed measures to reduce the negative impact. As part of the assessment, ICANN org should facilitate a timely dialogue between the registry operator of the grandfathered gTLD, relevant function(s) in ICANN org, the GP, other experts and affected parties. Notwithstanding the recommendation to grandfather affected gTLDs, in the event security and stability risks are identified, ICANN org and the affected registry operator should discuss possible measures to minimize the risks that would result in minimal disruption to registries, registrars, registrants, and end-users.

Final Recommendation 37: 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 Final Recommendation 1. The removed gTLD(s) SHALL NOT be available for re-assignment or selection by an entity other than the one holding the remaining IDN gTLD in the ASCII/Latin Diacritic gTLD Set for at least 10 years following the removal. The gTLD registry operator MAY retain a single IDN gTLD and SHALL no longer be considered an ASCII/Latin Diacritic gTLD Set. This recommendation reflects a departure from Final Recommendation 8.10 of the EPDP-IDNs Phase 1 Final Report.[66]

Final Recommendation 38: A delegated Latin diacritic gTLD string that is voluntarily removed from the root zone will not require the removal of the associated ASCII gTLD or its other delegated Latin diacritic gTLD string(s). The removed Latin diacritic gTLD SHALL NOT be available for re-assignment or selection by an entity other than the one holding the remaining gTLD(s) in the ASCII/Latin Diacritic gTLD Set for at least 10 years following the removal. The gTLD registry operator MAY retain a single ASCII gTLD and SHALL no longer be considered an ASCII/Latin Diacritic gTLD Set. This recommendation reflects a departure from Final Recommendation 8.11 of the EPDP-IDNs Phase 1 Final Report.[67]

Implementation Guidance 39: Consistent with Implementation Guidance 8.12 of the EPDP-IDNs Phase 1 Final Report,[68] in the event that domain name registrations exist at the second-level under a delegated ASCII/Latin diacritic gTLD string, its gTLD registry operator's 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 that ASCII/Latin diacritic gTLD string.

[66] The LD PDP WG referenced EPDP-IDNs Phase 1 Final Recommendation 8.10, but adapted the requirement to better suit the ASCII/LD gTLD Set. The original EPDP-IDNs P1 Final Recommendation 8.10 language is as follows: A primary gTLD that is removed from the root zone, either voluntarily or involuntarily, must also require the removal of its delegated variant label(s) from the root zone.

[67] The LD PDP WG referenced EPDP-IDNs Phase 1 Final Recommendation 8.11, but adapted the requirement to better suit the ASCII/LD gTLD Set. The original EPDP-IDNs P1 Final Recommendation 8.11 language is as follows: 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 label(s).

[68] EPDP-IDNs P1 Implementation Guidance 8.12: In the event that domain name registrations exist at the second-level under a delegated variant label, its registry operator's 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 that variant label.

Final Recommendation 40: Consistent with Final Recommendation 8.13 from the EPDP-IDNs Phase 1 Final Report,[69] in the event that a gTLD is removed from the root zone as a consequence of its gTLD registry operator's breach of the Registry Agreement, the rest of its ASCII/Latin Diacritic gTLD Set, if any, MUST also be removed from the root zone.

Rationales:

Rationale for Final Recommendation 30:

During the scope establishment phase, while addressing Charter Question 1 on the "what" and the "how"– circumstances under which a base ASCII gTLD and the Latin script diacritic version of the gTLD that are confusingly similar but not variants of each other may be simultaneously delegated – the LD PDP WG determined early on that no arbitrary limits would be set regarding the application types (for existing or new), the TLD types (real words or invented words for brand naming, geographic names, etc.), the number of strings within a set (how many strings to constitute a set), or the number of diacritical marks within a letter (e.g., if more than one diacritical mark per character like ũ', ā̈, ḉ̣). In essence, the conclusion was not to impose any ceiling value or restrictions, even in the case of the number of strings that constitute an ASCII/LD gTLD Set, which remained unchanged beyond the Public Comment Review period.

Variant labels defined via EPDP-IDNs also had no arbitrary ceiling or threshold set. However, evaluations are in place and fees set – allowing up to four allocatable variant labels together with the primary gTLD to incur the same base application fee as any other applicant that does not apply for variant labels in that round – to ensure alignment with the conservatism principle. Allocatable variants are also limited in scripts, which naturally place a cap. As such, EPDP-IDNs Team acknowledged that various factors such as cost, operational competence, and potential challenges would naturally lead applicants to taking a conservative approach when applying for variant labels.

For the LD PDP, while it introduces an exception process to allow for the ASCII gTLD and its corresponding LD gTLD(s) to function as a set and be simultaneously delegated, they are still considered independent. That is to say, they are not dependent on one another for their existence, nor are they contingent upon each other, except for the purpose of application, delegation, and operational coherence as a set. Moreover, although this WG has opted not to determine the application fee structure per Final Recommendations 15 and 16, it acknowledges that economic factors that burden a single gTLD registry operator may, in fact, impact the decision to apply for multiple LD gTLD strings. The description of the steps that an applicant will need to take to minimize the operational and management complexities *(set out in Final Recommendation 10)* may impose additional operational and other limits

[69] EPDP-IDNs P1 Final 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, the rest of its variant label set, if any, must also be removed from the root zone.

on a gTLD registry operator. These factors are expected to result in a naturally conservative number of LD gTLD string applications whereby the WG deems it unnecessary to impose any limits.

Following the Public Comment Period, however, the WG undertook a more thorough examination of adopting a more conservative approach – including potentially introducing a high-risk scenario to address potential triggers and/or adding a stricter evaluation criteria. This ultimately led to the creation of Final Recommendation 6, where the WG disallows separate ASCII gTLD and its corresponding LD applications to proceed independently.

Public Comment Review:

Final Recommendation 30 – Wording Change:

The LD PDP WG received a comment by ICANN org that this recommendation contains contextual and potentially material differences from EPDP-IDNs, which subsequently should not be deemed "consistent" and updated accordingly. The WG responded that even though there may be inconsistency in the language and minor details, the underlying intent and behavior are consistent with EPDP-IDNs. Accordingly, the WG decided to update it to *"generally consistent,"* while noting the difference by adding *"for LD PDP."*

During the Public Comment Review period, the WG engaged in extensive discussions on this topic and conducted a more thorough examination of the recommendation to consider adopting a more conservative approach – including potentially introducing a high-risk scenario to address potential triggers and/or adding a stricter evaluation criteria. In conclusion, the WG agreed to maintain Final Recommendation 30 as-is but introduce a new recommendation *(Final Recommendation 6[70])* that disallows separate ASCII gTLD and its corresponding LD gTLD applications to proceed independently, where the gTLDs related to the LD PDP can only proceed as a set.

Meanwhile, there was another minor wording update to the policy language, revising it to *"string(s)"* from "label(s)" for LD PDP at the top-level, which is a recurring theme throughout the report.

Rationale for Final Recommendation 31:

[70] LD PDP Final Recommendation 6: The String Similarity Evaluation Panel should not permit any ASCII gTLD and its corresponding Latin diacritic gTLDs to proceed independently through separate applications; such gTLDs may only proceed and be delegated as an ASCII/Latin Diacritic gTLD Set by a single entity. Potential applications where an ASCII gTLD or Latin diacritic gTLD(s) correspond(s) to their existing gTLD can still be applied-for by the same entity as an ASCII/Latin Diacritic gTLD Set per Final Recommendation 3. For the avoidance of doubt, the pre-existing independent gTLDs that are managed by different gTLD registry operators are exempted from this requirement. No new applications shall be permitted for those existing gTLDs that continue to be operated under different entities.

The LD PDP WG agreed with the EPDP-IDNs Team that it would be valuable to develop non-binding guidelines for the management of the gTLDs in the ASCII/LD gTLD Sets at the top-level by registries and registrars. This aims to address any unintended consequences of Final Recommendation 30, as well as to address any concerns that may arise from the lack of a common approach by registries and registrars in managing such gTLDs, which may result in a less than optimal experience for registrants. The WG anticipates that such guidelines would ultimately encourage a positive and predictable registrant experience.

The LD PDP WG upheld the notion from the EPDP-IDNs Team that ICANN org must create the framework for developing the guidelines during implementation, and that framework be subject to Public Comment as part of the policy implementation process. In addition, the LD PDP WG emphasized that the future guidelines should be developed with the help of relevant stakeholders, such as registries, registrars, and where feasible, registrants that have experience in IDNs, variant labels, and the ASCII/LD gTLD Sets. ICANN org will be responsible for deciding how to disseminate the non-binding guidelines in the future.

To clarify, the main purpose of the framework is to define the scope and outline the steps involved in developing the guidelines for the operation of gTLDs in the ASCII/LD gTLD Sets by registries and registrars. The LD PDP WG acknowledges that because this exception is currently not allowed, it will be hard to fully understand the user experience until they are delegated. As such, actual guidelines are expected to be developed after a number of gTLD strings have been delegated. Consequently, the framework could also include provisions for potential research or case studies of user experiences related to such gTLD strings.

Public Comment Review:

Final Recommendation 31 – Introduction of New Policy:

In response to ICANN org's Public Comment – which requested the addition of policy language that addresses a joint effort process and/or developing guidelines involving relevant stakeholders with experience in ASCII/LD Sets – particularly to mirror EPDP-IDNs P1 Final Recommendation 8.2 and Implementation Guidance 8.3, the WG agreed to provide such guidance to help benefit the LD PDP. However, the two Outputs from the EPDP-IDNs were not incorporated verbatim; rather, they were consolidated into a single recommendation to serve the purpose of LD PDP and be broad enough to apply across a range of situations.

Rationales for Preliminary Recommendations 32-33:

Affirmation 40.2 in the SubPro Final Report[71] supports maintaining the timeframe outlined in the Base Registry Agreement; specifically that gTLD registry operators must complete all the required testing

[71] See Affirmation 40.2 in the SubPro PDP Final Report, page 191: https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf#page=191

procedures for delegating the gTLD into the root zone within 12 months of the Effective Date of the Registry Agreement. In addition, SubPro PDP affirmed that the gTLD registry operators may request an extension of up to 12 additional months for delegation. This is also reflected in the Base Registry Agreement under 'Delegation Testing' (Article 2, Section 2.20).

The LD PDP WG remains aligned with the EPDP-IDNs Team and the SubPro PDP recommendations, which require that each applied-for gTLD string and its corresponding ASCII and/or LD gTLD string(s) that constitute a set – and pass evaluation – be delegated within the said 12 month timeframe, with the possibility of an extension of up to 12 additional months. This is based upon the understanding that all applied-for gTLDs that constitute an ASCII/LD gTLD Set should be delegated at or about the same time to ensure an optimal user experience. Per Final Recommendation 18 – where all gTLD strings within the ASCII/LD gTLD Set that pass evaluation are governed by one Registry Agreement – it seems reasonable for these strings to abide by the same delegation timeframe. Deviating from this approach could contradict the SubPro PDP recommendations and create unnecessary complexity.

With regard to the sequence in which the ASCII gTLD and LD gTLD string(s) that pass evaluation should be delegated, the LD PDP WG determined that this is not a matter for ASCII/LD gTLD Sets nor of any policy concern. In the absence of security or stability risks – and considering that all these strings are regarded as individual gTLD entries into the root zone – the LD PDP WG agreed that the delegation order does not matter for LD PDP nor require policy enforcement. Instead, this should be left to the discretion of gTLD registry operators, based on their business priorities and the details provided in their applications. That said, all strings must be delegated within the required timeframe or within any extended timeframe granted by ICANN org as stipulated in the Registry Agreement.

Public Comment Review:

Final Recommendations 32 and 33 – Support as written:

The LD PDP WG received support from several commenters on this recommendation as written.

Rationales for Final Recommendations 34-35 and Implementation Guidance 36:

The LD PDP WG had an in-depth discussion on how to proceed with Final Recommendation 8.7 from the EPDP-IDNs Phase 1 Final Report, and apply to LD PDP, related to retaining full backward compatibility. The main questions raised were: 1) what does full backward compatibility mean in the context of the allocated and delegated ASCII/LD gTLD Set strings; and 2) does the LD PDP need to provide an additional recommendation beyond what was already established and will be determined through EPDP-IDNs?

First, to better understand the meaning of "full backward compatibility" in the context of this LD PDP and ASCII/LD gTLD Set, if the GP decides to update the LGR Procedure[72] along with an update to the

[72] See LGR Procedure on wiki here: https://icann-community.atlassian.net/wiki/x/CICxBQ

RZ-LGR, such updates may prevent certain characters and gTLDs from co-existing. As a result, the gTLDs that constitute an ASCII/LD gTLD Set may no longer be able to co-exist, let alone constitute a valid set.

Currently, the LGR defines which characters are permitted and which variant relationships may be added. As for LD PDP, variants are out of scope. For instance, a and á per RZ-LGR for Latin scripts are blocked variants; these blocked variants are not eligible for allocation and therefore cannot exist within the ASCII/LD gTLD Set. However, e and é are not defined as variants under the current version of the RZ-LGR,[73] and gTLDs with these characters can apply under this LD PDP process. Yet if, in the future, the Latin GP revises these characters to become variants – specifically blocked variants and not allocatable ones, which is likely given that most variants in the Latin script are not made allocatable – then the corresponding strings will likely no longer be allowed to co-exist or constitute an ASCII/LD gTLD Set. In this sense, under the "full backward compatibility" principle, future GPs will need to be mindful of this issue where existing cases may conflict with the newly updated rules, and resolving such cases may require new solutions to maintain full backward compatibility.

Second, in the context of providing additional guidance through LD PDP on this matter, it was noted that the current language in Final Recommendation 8.7 from EPDP-IDNs Phase 1 Final Report may already address the ASCII/LD gTLD Set strings. The LGR Procedure requires GPs and the IP to adhere to the stability principle and to make best efforts to retain full backward compatibility with delegated gTLDs. In this case, the issue extends to all gTLDs and is not unique to LD PDP.

Even if those strings in question were to exist as stand-alone domains, the same problem would arise under the new RZ-LGR and they would not be permitted to co-exist. Thus, there is nothing new or specific that needs to be redefined or added through LD PDP, as the necessary provisions have already been put into place via EPDP-IDNs. Regardless of whether the strings exist individually or as part of a set – in this case, an ASCII/LD gTLD Set – any future changes must ensure that they remain viable through the exemption process.

To unpack this issue, the LD PDP WG affirmed the intent established through Final Recommendations 8.7-8.8 and Implementation Guidance 8.9 in the EPDP-IDNs Phase 1 Final Report. In essence, future updates to the RZ-LGR should aim to maintain full backward compatibility with existing delegated gTLDs as well as allocated and delegated ASCII/LD gTLD Set string(s) in order to preserve root zone stability. While the likelihood of incompatibility is considered low due to built-in safeguards, the WG emphasized that the GPs and IP should make best efforts to uphold this standard.

The LD PDP WG also encourages ICANN org to share these recommendations with the GPs and IP. As noted above, in cases where backward compatibility cannot be maintained – particularly due to non-variant strings that have already been delegated and operate as an ASCII/LD gTLD Set – those affected gTLDs and their corresponding ASCII/LD gTLD strings that constitute the sets should be

[73] Current version of the RZ-LGR for the Latin Script – Version 5: https://www.icann.org/sites/default/files/lgr/rz-lgr-5-latin-script-26may22-en.html

exempted. This would allow for a continued operation of the delegated gTLDs upon the identification of potential security and stability risks. To that end, the LD PDP WG also agrees with the EPDP-IDNs Team that the LGR Procedure be updated to explicitly enumerate such exceptional circumstances to the extent known to the GPs and IP, while acknowledging that it may not be possible to identify all potential circumstances that could render full backward compatibility unretainable. While recognizing that GPs and IP are not bound by policy obligations, they are encouraged to take these recommendations into serious consideration.

A point worth noting is that exemptions should apply to the delegated gTLD and the corresponding ASCII/LD gTLD string(s) that constitute the set, while any new LD gTLD string(s) must comply with the updated RZ-LGR. This is foreseen in the LGR Procedure, which states that: *"While existing labels will almost certainly have to be grandfathered[74] if they are in conflict with the label generation rules established by this procedure, that precedent and conflict is not a reason to invalidate any aspect of the new rules or this procedure."*[75] Grandfathered – exempted – in this instance means that the proposed RZ-LGR update will apply to future new gTLDs and will not be retroactive. The gTLD registry operator will be able to continue to operate the affected gTLD and its allocated and delegated gTLD strings (if any). However, the gTLD registry operator will not be allowed to apply for any additional strings unless they are deemed valid and allocatable according to the updated version of the RZ-LGR.

The LD PDP WG further agrees with the EPDP-IDNs Team that any such exemptions be transparently documented during the Public Comment period. Here, an analysis of associated risks and proposed mitigation strategies should be accompanied. ICANN org should facilitate impact assessments on gTLD registry operators and end-users to ensure transparency and community input.

In addition, to address some WG members' requests for clarification regarding GPs and how they are maintained, a footnote has been added to the recommendation, outlining how GPs are maintained in accordance with the "Procedure to Develop and Maintain the Label General Rules for the Root Zone in Respect of IDNA Labels."

Public Comment Review:

Final Recommendation 34 – Support as written with Wording Change:

The LD PDP WG generally received support from several commenters on this recommendation as written. A minor wording update to the policy language was the revision to *"string(s)"* from "label(s)" for LD PDP at the top-level, which is a recurring theme throughout the report.

[74] This term has and will continue to be referred as "exempted" per EPDP-IDNs Phase 2 Final Report. See definition and details under the "exempted" entry in "Section 3. Glossary."
[75] See Section A.3.5 of the Root Zone IDNA Label LGR Development and Maintenance, p.10: https://www.icann.org/en/system/files/files/draft-lgr-procedure-20mar13-en.pdf#page=10

Another wording change through the Public Comment Review period is the removal of the phrase, *"their delegated and allocated variant labels (if any)*," which pertains to EPDP-IDNs and needed updates applicable to LD PDP. The updated and applicable clause, *"and their delegated and allocated ASCII/Latin Diacritic gTLD Set strings (if any)"* remains.

Final Recommendation 35 and Implementation Guidance 36 – Support as written with Minor Wording Change:

The LD PDP WG generally received support from several commenters on these Outputs as written. A minor wording update to the policy language was the revision to *"string(s)"* from *"label(s)"* for LD PDP at the top-level, which is a recurring theme throughout the report.

Rationales for Final Recommendations 37-38, 40 and Implementation Guidance 39:

Consistent with Final Recommendations 8.10-8.11, 8.13 and Implementation Guidance 8.12 of the EPDP-IDNs Phase 1 Final Report, the LD PDP WG recognized that under various circumstances, a delegated ASCII gTLD and/or its corresponding LD gTLD string(s) may be removed from the root zone. Therefore, Final Recommendations 37-38, 40 and Implementation Guidance 39 were developed accordingly to include robust safeguards to help ensure a secure and stable operation of the Internet's unique identifier systems. The language used in these Outputs referenced EPDP-IDNs; however, it required an adaptation to reflect the current agreements, the envisioned status of the ASCII/LD gTLD Sets, thereby recognizing the departure from EPDP-IDNs.

It is important to emphasize here that the delegation and removal rules were not designed to actively promote the removal of TLDs from the root zone or to ensure that only a single TLD remains. Rather, they were developed in recognition of the fact that, under certain scenarios, a delegated TLD may be removed from the root zone, as previously mentioned. In such cases, it was prudent for the WG to define the conditions under which this could occur, following the scenarios mentioned in the EPDP-IDNs.

While it agreed with EPDP-IDNs and remained committed to the established rules for the Variant Set, it explored all hypothetical scenarios for the LD PDP itself and considered how these might impact any security issues and/or policy coherence, which ultimately resolved any outstanding issues in order to stabilize the language. Two key questions guided the discussion: 1) Are LD applicants able to voluntarily remove TLDs and if so, under which conditions?; and 2) If possible, what provisions are necessary for the removal of TLDs from the set? Some issues to consider were whether a gTLD registry operator could remove a TLD within the set, without going to EBERO; what kind of processes would be required to remove an ASCII gTLD or LD gTLD(s) from both the set as well as the root zone; and how would the LD PDP policy align with the EPDP-IDNs policy? When answering the two key questions, the LD PDP WG had to further consider whether it would be acceptable for an ASCII gTLD or a LD gTLD to remain under the current LD PDP, if the corresponding gTLD(s) were removed.

In addressing the first question, the LD PDP WG was reminded that under the relevant LD PDP policy recommendations, all gTLDs within the set, though treated as a unified ASCII/LD gTLD Set, remain

individually delegated and are independent of one another.[76] In other words, the TLDs within the set are not inherently related, like the variant TLDs through EPDP-IDNs, and are arbitrarily grouped through this process, only formalized through the ICANN Registry Agreement. Thus, once a TLD is removed from both the set and the associated Registry Agreement, it becomes independent and no binding relationship remains. Consequently, the LD PDP WG found no compelling reason to prohibit such removals, even if this indicated the dissolution of the set. As noted in Final Recommendation 1, the presence of a base ASCII gTLD is essential for the existence of the set and if removed from the root zone, the set ceases to exist.

For the second question – what provisions are necessary for the removal of TLDs within the set – EPDP-IDNs did not require such recommendations, as the LGR ensures that all the variant TLDs are inherently tied to the primary TLDs and are managed by a single entity, as mentioned before. Since this was not the case for LD PDP, the WG had to consider what, then, should happen with TLDs that have at some point been a part of the ASCII/LD gTLD Set but are no longer part of the set? To address this, the LD PDP WG revisited previous work and examined existing contracts for guidance.

In the Final Report ccNSO PDP4 (de-)selection of IDNccTLDs, there is a section on "Specific requirement following the retirement of the selected IDNccTLD string" which stipulates that *"Following the conclusion of its retirement process a selected IDNccTLD string is removed from the DNS, the selected IDNccTLD string shall not be available for re-assignment or selection for at least 10 years following the removal."*[77] Meanwhile, in ICANN's Registry Agreement – Specification 13 – on .Brand TLD Provisions, it stipulates that *"ICANN may not delegate the TLD to a successor registry operator for a period of two (2) years following the expiration date without registry operator's consent…"*[78] Subsequently, the WG determined that a similar condition should apply to the LD PDP – specifically for the TLDs that are removed from the root zone.

Accordingly, the WG evaluated options ranging from 2 to 10 years, ultimately selecting the longer period of 10 years to ensure greater stability and safeguard against potential security issues. It recognized that the establishment of an appropriate duration for reassignment or selection for those entities other than the ones in charge of the set would resolve pertaining concerns. This approach, then, would also resolve the case of retaining a single gTLD – whether an ASCII gTLD or a LD gTLD – despite the set having dissolved under the current LD PDP. The WG affirmed that as long as it is done with due diligence and all stakeholders – registries, registrars, registrants – are taken into consideration, retaining a single TLD should not be a problem.

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[76] This principle is reiterated throughout the report, especially outlined in the rationales of Final Recommendations 1, 15-16, and 30 when dealing with applications, fees, and their management.
[77] See Section 2.2.2 of the Final Report ccNSO PDP4 (de-)selection of IDNccTLDs at https://ccnso.icann.org/sites/default/files/field-attached/ccpdp4-final-report-23feb24-en.pdf#page=20
[78] See p.104 of ICANN's Registry Agreement at https://itp.cdn.icann.org/en/files/registry-agreements/base-registry-agreement-12-03-2026-en.pdf#page=104.

In short, both ASCII gTLD and LD gTLD(s) could be removed from the root zone; and if a single or no corresponding gTLD remains in the set, the set ceases to exist. The removed gTLD(s) shall not be available for re-assignment or selection by any entity other than the one holding the remaining gTLD(s) in the ASCII/LD gTLD Set for at least 10 years following the removal. Accordingly, the gTLD registry operator may retain a single ASCII gTLD or an LD gTLD, even though the set is no longer viable. If the entire set is removed from the RZ, it shall be set aside pending re-assignment to avoid any confusion for registrants and end-users. For the avoidance of doubt, re-assignment shall not be required for a set that is intact, solely due to its transition to an EBERO, since the responsibility of the set shall transfer to EBERO and no gTLD from the set shall be allocated to any new entity in accordance with Final Recommendation 25. All relevant footnotes explaining these requirements and provisions were inserted and incorporated into Final Recommendations 1, 37, and 38.

These provisions also clarify and distinguish those exempted cases outlined in Final Recommendations 6 and 7. Any outcome resulting from Recommendations 37 and 38 should not affect other existing diacritics already managed by different entities, which remain protected by the exemption clause in Final Recommendation 6, *"pre-existing independent gTLDs that are managed by different gTLD registry operators are exempted from this requirement."* That said, pursuant to Final Recommendations 7, 37, and 38, where either none or only a single gTLD remains, such that no additional sets are present and the applicable cool-off period has expired, the playing field is effectively reset. In such circumstances, any gTLD registry operators may apply for, manage, and operate any gTLDs to constitute an ASCII/LD gTLD Set, per Final Recommendations 3-6.

Consistent with Implementation Guidance 8.12 from the EPDP-IDNs Phase 1 Final Report, a gTLD registry operator may request the removal of a delegated ASCII/LD gTLD string for which domain name registrations exist under that gTLD. This is provided that the registry operator justifies the decision and submits a transition plan for ICANN org's review regarding those existing registrations under the delegated ASCII/LD gTLD string that it intends to remove. Considering the potential complexities introduced by removing a domain name at the second-level that has third-party registrations as well as other delegated gTLDs from the same Variant Set, requiring ICANN org's review of the transition plan should ensure that robust safeguards are in place for registrants, thereby maintaining consumer trust in the DNS.

Meanwhile, consistent with EPDP-IDNs, in the event a string – whether an ASCII gTLD or an LD gTLD string from a set – is removed from the root zone as a consequence of its registry operator's breach of the Registry Agreement, the rest of the gTLD(s) that constitute the set must also be removed from the root zone. The LD PDP WG debated whether retaining a single gTLD should be permitted in such cases, acknowledging that a breach of the Registry Agreement does not always result in the removal of a delegated gTLD from the root zone. However, the WG concluded that in the event of a breach, ICANN org would need to evaluate the consequences as well as the impact of a potential removal and obviously, take appropriate action. For example, this could include triggering the emergency transition of the gTLD to an EBERO, which requires the inclusion of all the corresponding ASCII/LD gTLD strings that constitute the set, per Final Recommendation 25. To ensure clarity, the re-assignment period shall not apply in such

circumstances, as no gTLD has been removed from the RZ-LGR and the set is still intact, given that it is under transition to and supervision by the EBERO. In conclusion, Final Recommendation 40 aligned with Final Recommendation 8.13 from the EPDP-IDNs Phase 1 Final Report.

Public Comment Review:

Final Recommendations 37 and 38 – Wording Change:
Since these recommendations contain contextual and material differences from the corresponding EPDP-IDNs recommendations, the LD PDP WG was requested by ICANN org to highlight this change. Accordingly, the WG added a sentence to reflect the departure from EPDP-IDNs, as follows: *"This recommendation reflects a departure from Final Recommendation…"*

Regarding the question on how the reassignment period would work during an emergency transition to an EBERO, the WG provided further clarity through the rationale, explaining that when transitioning to an EBERO, reassignment period would not apply as the whole set is still intact and no TLD from the set shall be removed from the root zone or allocated to a new entity.

Implementation Guidance 39 and Final Recommendation 40 – Support as written:
The LD PDP WG generally received support from several commenters on these Outputs.

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6) Topic 6: Requirements for the Set at the Second-level

Final Outputs:

Final Recommendation 41: Building on an ASCII/Latin Diacritic gTLD Set as defined in Final Recommendation 1, an ASCII/Latin Diacritic Domain Set is defined to include:
41.1 a second-level label and all its variants within a given TLD, as determined by the second-level LGRs for that given TLD;
41.2 all second-level labels from 41.1 under all other TLDs, if they are valid as determined by the second-level LGRs for those TLDs;
41.3 all variants of all second-level labels from 41.2, as determined by the respective second-level LGRs for those TLDs.

The criteria and requirements applicable to the second-level LGRs for the gTLD registry operators that manage the ASCII/Latin Diacritic gTLD Sets are outlined in Final Recommendation 42.

Final Recommendation 42: ICANN org SHOULD create a set of second-level LGRs that serve as a template and minimum requirement for gTLD registry operators managing an ASCII/Latin Diacritic gTLD Set. These LGRs SHOULD include the diacritized versions of the ASCII letters from the list of eligible characters determined in Final Recommendation 1.2 as blocked variants of the corresponding ASCII letters, and additionally include the impact of this change on other variant sets. These LGRs SHOULD be developed using the reference LGRs as starting points. As with any second-level reference LGR, gTLD registry operators MAY adapt this to their needs by adjusting the repertoire, adding more variant relationships, or changing the disposition of variant relationships to support their targeted user-community. These OPTIONAL changes will still need to be reviewed based on the applicable processes already in place (or as updated) by ICANN org.

Rationale:

Rationales for Final Recommendations 41 and 42:

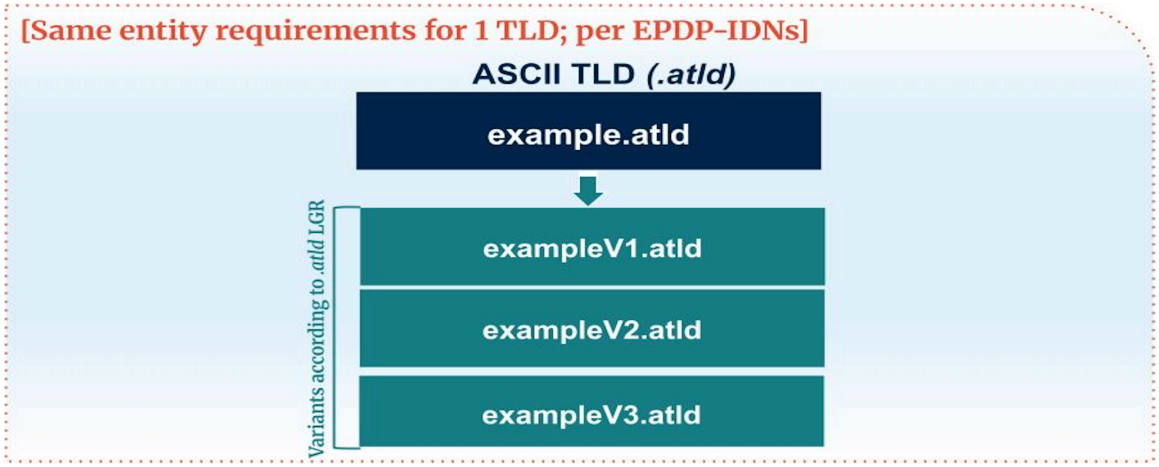
From this Topic (Topic 6), the LD PDP WG established rules for the second-level, following the sequence as outlined in EPDP-IDNs Phase 2. The first task was for the WG to define the same entity requirements at the second-level, applying Final Recommendation 1 of the EPDP-IDNs Phase 2 Final Report to LD PDP, which are formalized in Final Recommendation 43. During the process, the WG recognized that the ASCII/LD Set at the second-level also needed to be clearly defined, similar to and building on the approach taken in Final Recommendation 1; this led to the introduction of the "ASCII/Latin Diacritic Domain Set." This process also contributed to the WG addressing Charter Question 1 at the second-level.[79]

Per EPDP-IDNs Phase 2, the second-level had to account for variants at the second-level, in accordance with the LGR and the principles of Variant Set determination. [Figure 1] below illustrates the definition of ASCII/LD Domain Sets, outlining their eligibility and requirements, as well as the role of variants in this context.

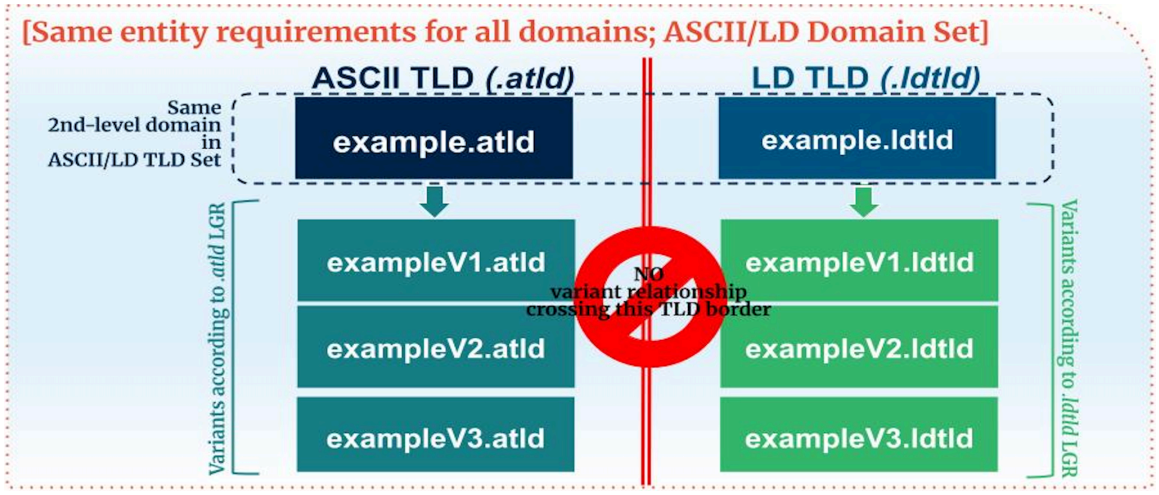
[79] Here, the WG again responds to the "what" aspect of Charter Question 1 regarding when such confusingly similar, non-variant gTLDs may be simultaneously delegated.

[Figure 1] Understanding the ASCII/Latin Diacritic Domain Set

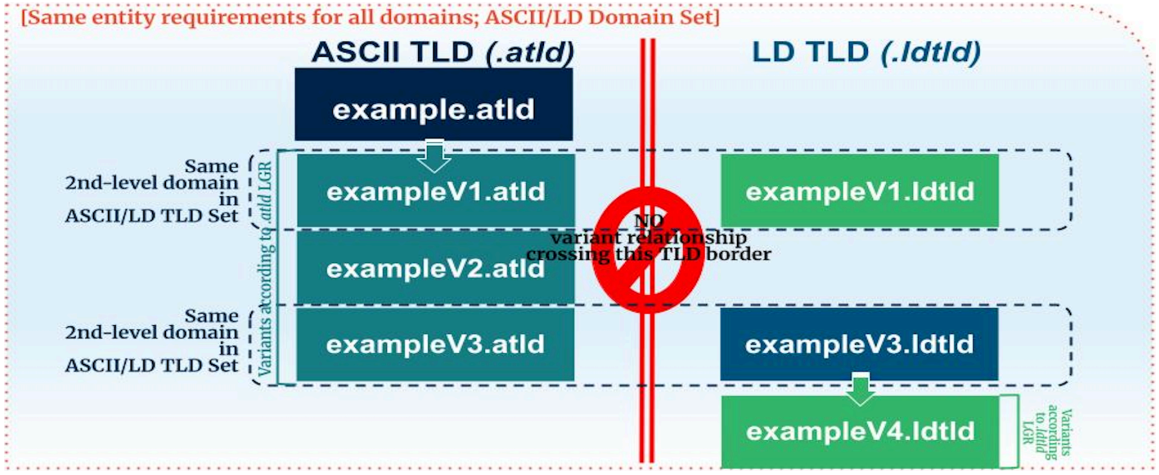
- **Diagram 1**



- **Diagram 2**



- **Diagram 3**



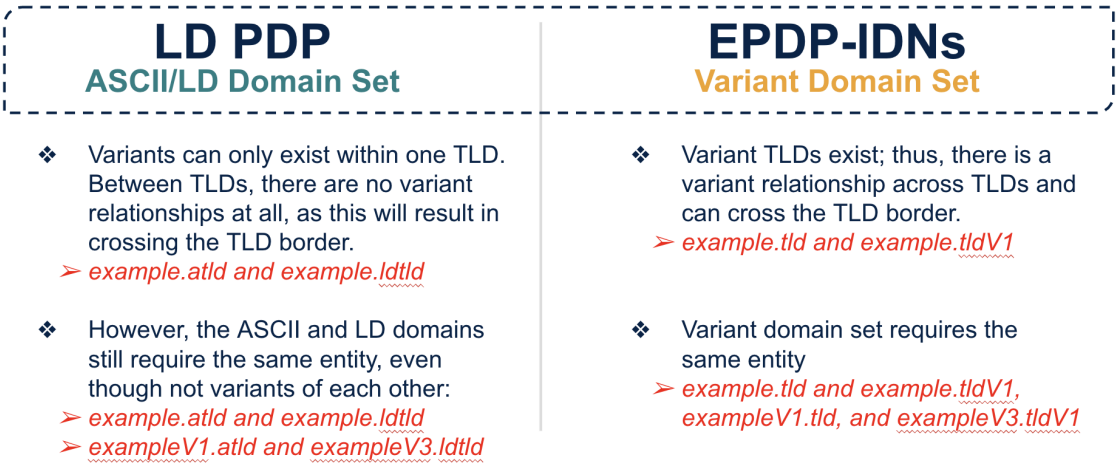
As shown in [Figure 1], there is essentially no variant relationship at the top-level between the TLDs. It demonstrates through the red line and the ban depicted in the middle of the second and third diagrams that at the TLD level, boundaries are not crossed – variant relationships at the second-level are confined within a single TLD. This marks a key difference from EPDP-IDNs, where Variant Sets could span across TLDs. For example, when dealing with variant second-level labels – V1, V2, V3 – and TLDs that constitute the ASCII/LD gTLD Set as defined by the LD PDP – ATLD, LDTLD1, LDTLD2, all of the following domains are reserved for the same entity: V1.ATLD, V2.ATLD, V3.ATLD and V1.LDTLD1, V2.LDTLD1, V3.LDTLD1 and V1LDTLD2, V2.LDTLD2, V3.LDTLD3. However, V1.ATLD has no variant relationship with V1.LDTLD1 under the LD PDP. In EPDP-IDNs, the TLDs themselves could be variants of one another and consequently, V1.TLDV1 would be a variant of V1.TLDV2. Therefore, the term "variants" and its usage needed to take on a broader meaning when considering the same entity requirements across TLDs for LD PDP, which resulted in an extensive discussion within the WG, even beyond the Public Comment period.

To specify, Diagram 1 in [Figure 1] presents the simple case of a stand-alone TLD. The registered domain (example.atld) generates three variants according to that TLD's specific LGR (exampleV1.atld, exampleV2.atld, exampleV3.atld). This serves as a starting point for two examples with LD TLDs. Diagram 2 depicts the scenario where the LGRs for both the ASCII gTLD (.atld) and the LD TLD (.ldtld) produce the same set of variant labels. Diagram 3 depicts the scenario where the LGRs for the ASCII gTLD (.atld) and the LD TLD (.ldtld) do not produce the same set of variant labels, although the LGRs are still harmonized. The WG agreed that in both scenarios, the domain names in the ASCII/LD Domain Set, as defined in Final Recommendation 41, must be allocated to or withheld for the same entity, per Final Recommendation 43. This WG determination was made in full recognition that, as noted above, there is no variant relationship at the top-level.

As described above, Diagram 3 illustrates that based upon the specific LGR for each TLD, the variant labels may not be uniform. Here, those additional labels under .ldtld must be invalid in the ASCII gTLD (.atld), or they would have already been part of its Variant Set (due to the fact that the LGRs need to be harmonized). The blue shades in all three diagrams (example.atld, example.ldtld, and exampleV3.ldtld) represent the first domain activated under the respective TLD, also known as the *"source domain name,"* which is introduced in more detail through Final Recommendation 48. As Diagram 3 of [Figure 1] suggests, the WG found that there may also be situations in which a source domain that is valid in one TLD is not valid in another (here example.ldtld is not a valid domain). Accordingly, the source domain name itself may differ per TLD in accordance with the ASCII/LD Domain Set. The green shades in all three diagrams (exampleV1.atld, exampleV2.atld, exampleV3.atld, exampleV1.ldtld, exampleV2.ldtld, exampleV3.ldtld, and exampleV4.ldtld) represent all the valid variants that can be generated under the ASCII/LD Domain Set. To avoid user confusion, the same entity principle must apply to all domains within an ASCII/LD Domain Set *(See details in the rationale for Final Recommendation 43)*.

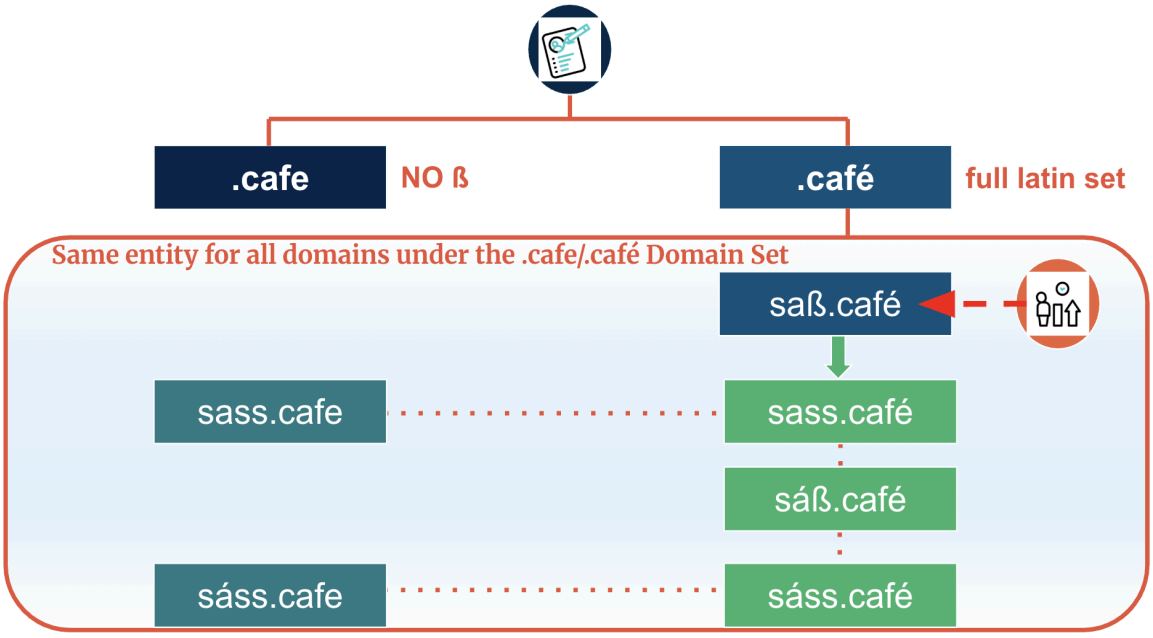
To enhance understanding, the definition of an ASCII/LD Domain Set – and how it differs from the EPDP-IDNs Variant Set – is compared in more detail below in [Figure 2].

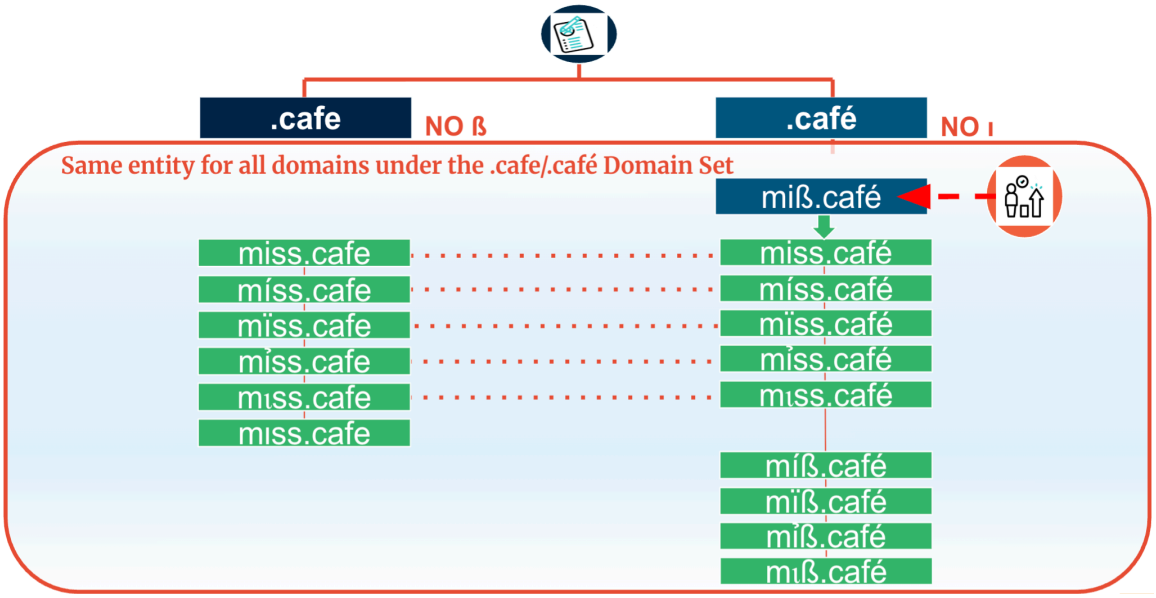
[Figure 2] LD PDP vs. EPDP-IDNs at the Second-level



[Figure 3] below presents hypothetical examples of ASCII/LD Domain Sets to further illustrate which domains fall within the scope of the sets and under the same entity principle.

[Figure 3] Examples of ASCII/Latin Diacritic Domain Sets





Considering all this, the ASCII/LD Domain Set is defined to contain, as outlined in Final Recommendation 41: 1) a second-level label and all its variants within a given TLD, as determined by the second-level LGRs for that given TLD; 2) all second-level labels from 1) under all other TLDs, if they are valid as determined by the second-level LGRs for those TLDs; 3) all variants of all second-level labels from 2), as determined by the respective second-level LGRs for those TLDs. To ensure clarity, the term "label" here refers specifically to second-level labels, which will now be used through Topics 6-8 pertaining to the ASCII/LD Domain Sets.

Final Recommendation 42 is newly introduced in the Final Report to outline the criteria and requirements applicable to the second-level LGRs for the gTLD registry operators that manage the ASCII/LD Domain Sets. For the second-level, ICANN org should create such templates, including the diacritized versions of the ASCII letters from the list of eligible characters determined in Final Recommendation 1.2. The inclusion of such diacritics in the second-level LGR benefits all involved parties and ensures that – registries, registrars, registrants – have a conservative baseline to implement the second-level LGR, with optional changes, if any, to be reviewed and considered by ICANN org.

Public Comment Review:

Final Recommendation 41 – Significant Change with an Introduction to a New Recommendation – Final Recommendation 42:

This recommendation called for reassessment to determine whether the definition remained aligned with the conservatism principle and whether sufficient measures were in place to ensure security and stability of the DNS, similar to Final Recommendation 1. This led to extensive discussions, resulting in significant changes within the policy language and intent, including an introduction of pertinent criteria

and requirements for the second-level and the ASCII/LD Domain Sets as outlined under a new recommendation – Final Recommendation 42. The updated language can be found in Final Recommendations 41 and 42.

In addition, ICANN org requested the WG to align the definition of the ASCII/LD Domain Sets with the ASCII/LD gTLD Sets, especially for the same entity principle to be applied consistently for a more predictable and consistent user experience across the DNS. The WG took note of this request and subsequently updated the relevant rules to address these concerns, as detailed under the rationale for Final Recommendation 43.

The WG was also asked to provide explanatory text to [Figure 3] (now [Figure 1]) to assist readers who may be unfamiliar with the deliberations concerning the ASCII/LD Domain Set. This request especially called for description of colors, arrows, as well as illustrative examples. These elements have all been incorporated through the introduction of Figures 1-3.

With respect to the term, *"label,"* the policy language explicitly specifies *"second-level."*

Finally, the WG recognized the risk of potential confusion if not well-defined and acknowledged the importance of clear definitions, understanding, and transparency related to the ASCII/LD Domain Sets, as outlined in Final Recommendations 41-42, 43, and Implementation Guidance 44. The WG has sought to address this through detailed explanations throughout the report and will also seek to reinforce this understanding through future outreach.

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7) Topic 7: "Same Entity" Principle at the Second-level and IDN Table Harmonization

Final Outputs:

Final Recommendation 43: Consistent with Final Recommendation 1 from the EPDP-IDNs Phase 2 Final Report,[80] the "same entity" principle applies to the ASCII/Latin Diacritic Domain Set per Final Recommendation 41. This means that all allocatable domain names of an ASCII/Latin Diacritic Domain Set MUST be allocated or withheld for possible allocation only to the same registrant. Additionally, all allocated domain names MUST be at the same sponsoring registrar.

[80] EPDP-IDNs P2 Final Recommendation 1: The "same entity" principle applies to the allocation of future variant domain names at the second-level of gTLDs. This means that all allocatable variant domain names from a variant domain set must be allocated or withheld for possible allocation only to the same registrant. Additionally, all allocated domain names must be at the same sponsoring registrar.

Implementation Guidance 44: Generally consistent with Implementation Guidance 2 from the EPDP-IDNs Phase 2 Final Report,[81] gTLD registry operators SHOULD take into account Recommendation 14 in SAC060, as well as language or script communities' widely acceptable practices among Internet users and established conventions, and consider setting a maximum number of allocatable domain names that can be allocated to the same registrant within the ASCII/Latin Diacritic Domain Set.

Final Recommendation 45: Generally consistent with Final Recommendation 3 from the EPDP-IDNs Phase 2 Final Report,[82] immediately prior to the policy effective date of the "same entity" principle as set out in Final Recommendation 43, the existing variant domain names that do not conform to the "same entity" principle MUST be exempted. Furthermore, where the exempted ASCII and its corresponding Latin diacritic gTLD(s) are converted into an ASCII/Latin Diacritic gTLD Set in accordance with Final Recommendation 7, any existing second-level domain names that do not conform to the "same entity" principle MUST be exempted. This means that there will be no change to the contractual or allocation status of such existing domain names. The requirement of having the same registrant and the same sponsoring registrar will not be applied retroactively. The gTLD registries operating an ASCII/Latin Diacritic gTLD Set MUST determine ASCII/Latin Diacritic Domain Sets for each exempted label and protect from registration all labels in all such ASCII/Latin Diacritic Domain Sets, as appropriate.

Final Recommendation 46: Consistent with Final Recommendation 4 from the EPDP-IDNs Phase 2 Final Report,[83] any allocatable domain name of an ASCII/Latin Diacritic Domain Set containing exempted domain names pursuant to Final Recommendation 45 cannot be allocated unless and until only one registrant and one sponsoring registrar remain for the exempted domain name(s) in the ASCII/Latin Diacritic Domain Set.

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[81] EPDP-IDNs P2 Implementation Guidance 2: gTLD registry operators should take into account Recommendation 14 in SAC060, as well as language or script communities' widely acceptable practices among Internet users and established conventions, and consider: 2.1 setting a maximum number of allocatable variant domain names that can be allocated to the same registrant of the source domain name; and 2.2 limiting automatic activation of variant domain names to the extent possible, including in instances where the language-script community believes automatic allocation and activation is needed.

[82] EPDP-IDNs P2 Final Recommendation 3: Immediately prior to the policy effective date of the "same entity" principle as set out in Final Recommendation 1, the existing variant domain names that do not conform to the "same entity" principle must be exempted. This means that there will be no change to the contractual or allocation status of such existing variant domain names. The requirement of having the same registrant and the same sponsoring registrar will not be applied retroactively. gTLD registries must determine variant sets for each exempted label as if it is a source domain name and protect from registration all variant labels in all such variant sets in all variant gTLDs, as appropriate.

[83] EPDP-IDNs P2 Final Recommendation 4: Any allocatable variant domain names of exempted domain names pursuant to Final Recommendation 3 cannot be allocated unless and until only one registrant and one sponsoring registrar remain for the exempted domain name(s) from the relevant variant domain set.

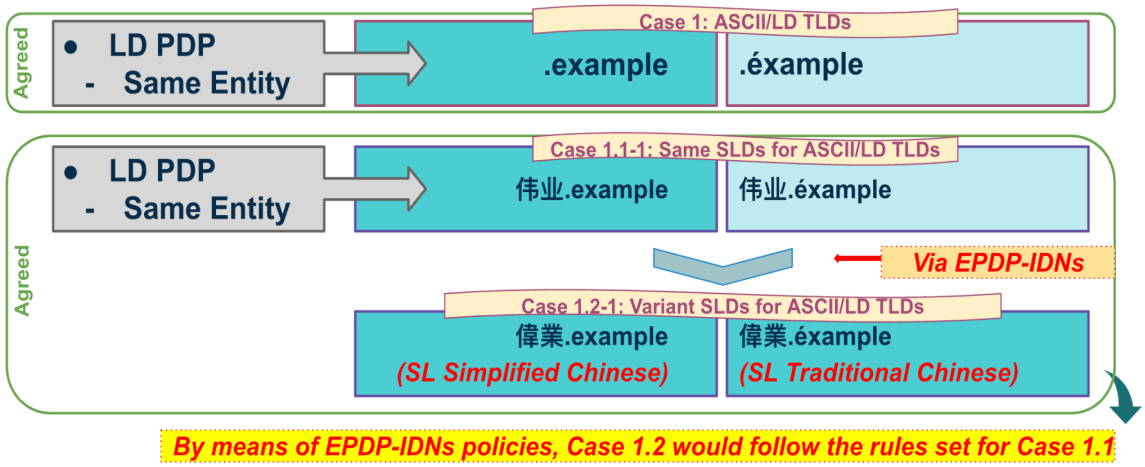
Final Recommendation 47: Consistent with Final Recommendation 5 from the EPDP-IDNs Phase 2 Final Report,[84] all of the existing and future IDN Tables for a given ASCII/Latin Diacritic gTLD Set, if any, MUST be harmonized. This means that all of the IDN Tables for an ASCII gTLD and its corresponding Latin diacritic gTLD(s) MUST produce a consistent variant domain set for a given second-level label registered under that ASCII gTLD or its corresponding Latin diacritic gTLD string(s).

Rationales:

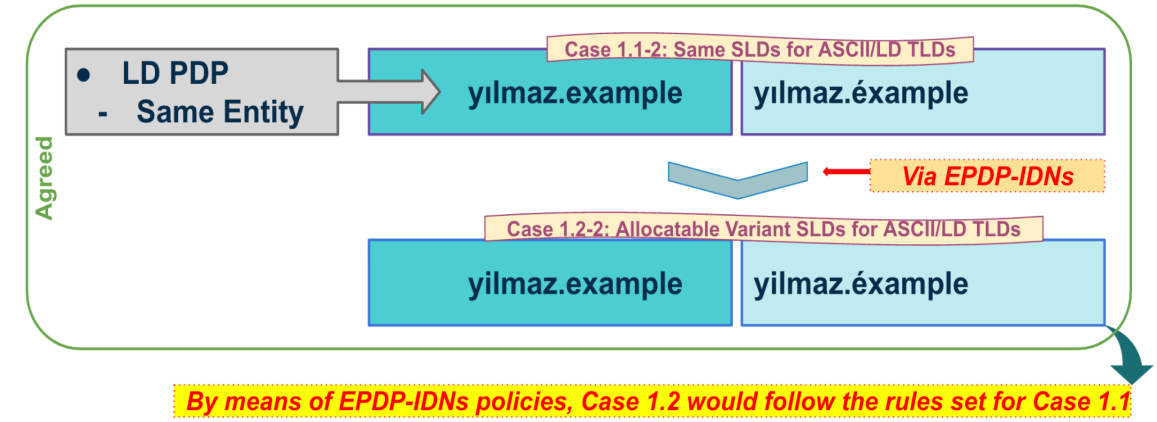
Rationale for Final Recommendation 43:

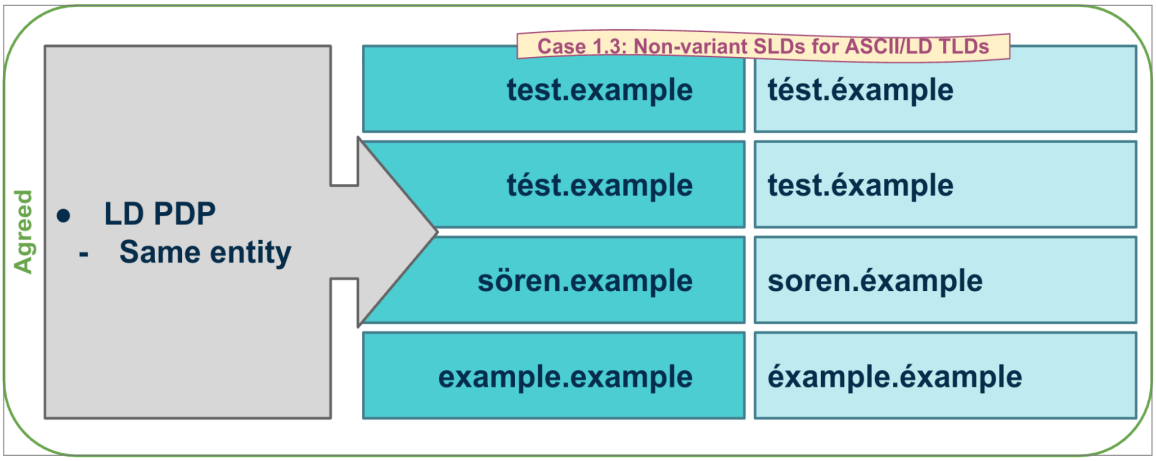
The LD PDP WG deliberated extensively on the "same entity" principle at the second-level and how it applies to the ASCII/LD Domain Set. While the WG generally agreed with EPDP-IDNs and with the broader application of the "same entity" principle, a more detailed examination was necessary for second-level management of the ASCII/LD Domain Sets. [Figure 4] below summarizes the WG's agreements on each case as it pertains to the application of the same entity for the second-level.

[Figure 4] LD PDP's Consensus on the Same Entity Principle at the Second-level



[84] EPDP-IDNs P2 Final Recommendation 5: All of the existing and future IDN Tables for a given gTLD and its delegated gTLD variant label(s), if any, must be harmonized. This means that all of the IDN Tables for a gTLD and its delegated gTLD variant label(s) must produce a consistent variant domain set for a given second-level label registered under that gTLD or its delegated gTLD variant label(s).





Case 1 in the above Figure reflects the LD PDP WG's agreement that all gTLDs that constitute an ASCII/LD gTLD Set must be allocated only to the same registry operator in accordance with Final Recommendation 2. This means that the same gTLD registry operator manages and operates both the ASCII gTLD and its corresponding LD gTLD(s) where all existing, applied-for, or future gTLD(s) that constitute an ASCII/LD gTLD Set can only be allocated or withheld for possible allocation to the same gTLD registry operator.

Cases 1.1 and 1.2 illustrate the LD PDP WG's agreement on the same second-level label cases for ASCII/LD gTLD Sets as well as the variant second-level label cases for the ASCII/LD gTLD Sets. As the examples for Cases 1.1-1 and 1.1-2 suggest (伟业.example and 伟业.éxample / yilmaz.example and yilmaz.éxample), identical second-level labels render these domains equivalent to Case 1, which, therefore, means that the set must likewise adhere to the "same entity" principle. As for Cases 1.2-1 and 1.2-2 (variants of the same second-level labels for both ASCII gTLD and the Latin diacritic gTLD), they strictly adhere to the "same entity" principle by means of the EPDP-IDNs policy.[85] According to

[85] EPDP-IDNs P2 Final Recommendation 1: The "same entity" principle applies to the allocation of future variant domain names at the second-level of gTLDs. This means that all allocatable variant domain names from a variant domain set must be allocated or withheld for possible allocation only to the same registrant. Additionally, all allocated domain names must be at the same sponsoring registrar.

EPDP-IDNs, this implies that all of the allocatable variant domain names that arise from an existing domain name based on a harmonized IDN Table, must be allocated or withheld for possible allocation only to the same registrant of the existing domain name. EPDP-IDNs also requires that all of the allocatable variant domain names from a variant domain set may only be allocated by the same sponsoring registrar, ultimately helping ensure that the same registrant can be verified. The LD PDP WG upholds this policy.

Case 1.3 concerns those second-level labels that are diacritic versions but not necessarily variants of each other within an ASCII/LD gTLD Set, which proved more complex. Examples include test.example and tést.éxample, tést.example and test.éxample, as well as sören.example and soren.éxample, and such cases (e.g., test.example vs. tést.example) already exist in TLDs, and no binding ruling has been issued. Some TLDS treat those as variants, others do not. Initially, the LD PDP WG had agreed not to establish rules for diacritic second-level labels within the ASCII/LD gTLD Sets and to leave such decisions to the discretion of the gTLD registry operators. In light of Public Comment, the WG decided to impose the same entity rules for Case 1.3 as well, which indicates that all the diacritic second-level labels within an ASCII/LD gTLD Set must be allocated or withheld for possible allocation only to the same gTLD registry operator, same sponsoring registrar, and the same registrant of the existing domain name. The WG found that if the same entity rule did not apply to such second-level labels, thus applying different standards between the top-level and the second-level, that practically it could result in user confusion. In order to find an easy solution and not to put another layer on top of variants/LGRs, the WG decided to include the diacritized versions of the ASCII letters from the list of eligible characters determined in Final Recommendation 1.2 in the second-level LGRs per Final Recommendation 42. Thus, essentially making all diacritic characters variants of their respective ASCII base character. The advantage is that all involved parties *(*registrants, registrars, resellers, registry operators, and end-users*)* only need to implement LGRs, which they are required to do regardless. Existing cases would, in any case, be exempted from the requirement per Final Recommendation 45.

Public Comment Review:

Final Recommendation 43 – Support as Written, but with Significant Rule Changes updated in the Rationale:

When dealing with Final Recommendation 41 and the public comments raised from ALAC on the same entity principle at the second-level, the WG agreed to update the rules for non-variant diacritic second-level labels for the ASCII/LD gTLDs, to ensure that the same entity rules also applied, ultimately to avoid causing more end-user confusion. This is a significant update since the Initial Report, since initially, the LD PDP WG had agreed not to establish rules for non-variant diacritic second-level labels within the ASCII/LD gTLD Sets, whereby such decisions were left to the discretion of the gTLD registry operators. For the Final Report, the policy language can remain as-is, because the necessary adjustments have been achieved by the introduction of Final Recommendation 42. The rationale for Case 1.3 has been updated accordingly.

Rationale for Implementation Guidance 44:

The LD PDP WG understood from EPDP-IDNs that automatic activation of variant domain names is an acceptable practice for certain gTLD registry operators that support domain names, especially in scripts such as Chinese.[86] For example, when a registrant registers a simplified Chinese domain name under a given gTLD, the corresponding traditional variant label may be automatically activated by the gTLD registry operator for the same registrant. However, Guideline 12 of the ICANN Board deferred guidelines from IDN Implementation Guidelines Version 4.0 and Recommendation 14 in SAC060[87] also made clear that caution is necessary. A conservative approach in allowing automatic activation of variant domain names was recommended in order to avoid any confusion during the management of variant labels both at the top- and second-levels. This understanding led to the development of Implementation Guidance 2 in the EPDP-IDNs Phase 2 Final Report.

Accordingly, the LD PDP WG maintained the stance that while gTLD registry operators should take into account language and script communities' widely acceptable practices among Internet users and established conventions, it is also necessary to set an upper limit of allocatable domain names that can be allocated to the same registrant within the ASCII/LD Domain Set. This means that since the number of allocatable domain names within an ASCII/LD Domain Set can be large, setting a maximum number that may be allocated to the same registrant should be considered to avoid any confusion arising from permutation-related issues. This approach remains aligned with the conservatism principle.

Meanwhile, this concept appears different from earlier decisions noted in Final Recommendation 30[88] and though technically slightly different, essentially the caution is the same. In earlier discussions, the LD PDP WG determined not to impose any ceiling value or restrictions regarding the application types (for existing or new), the TLD types (real words or invented words, geographic names, etc.), the number of strings within a set (how many strings to constitute a set), or the number of diacritical marks within a letter (e.g., if more than one diacritical mark per character like ũ', ā̃, ç̣). EPDP-IDNs also set no arbitrary ceiling or threshold on variant labels. However in both cases, evaluations and fee structures are in place to ensure alignment with the conservatism principle. Thus, various factors such as cost, operational competence, and potential challenges would naturally lead applicants to taking a conservative approach when applying for and delegating such labels. This guidance simply asks that gTLD registry operators

[86] Guideline 12 of the ICANN Board deferred guidelines from IDN Implementation Guidelines version 4.0 states, *"...In exceptional cases, i) to support a widely acceptable practice within Internet users of a language or script community, or ii) to abide by language or script established conventions, a TLD Registry may opt to activate a limited number of IDN Variant Labels at its discretion, according to its policies. In such cases, the TLD Registry must have a mechanism to limit automatic activation of IDN Variant Labels to a minimum."*

[87] See Recommendation 14, SAC060, p.20: https://www.icann.org/en/system/files/files/sac-060-en.pdf#page=20

[88] Final Recommendation 30: Generally consistent with Final Recommendation 8.1 from the EPDP-IDNs Phase 1 Final Report, no ceiling value for the number of Latin diacritic gTLD strings that constitute an ASCII/Latin Diacritic gTLD Set is necessary as economic, operational, and other factors that may impact the decision to apply for multiple Latin diacritic gTLD strings will keep the number of delegated top-level Latin diacritic strings conservative. For the LD PDP, there will be no restrictions on the number of diacritical marks applied to a single character nor the type of TLDs (e.g., real words identified in dictionaries, geographic names, brands).

align with the conservatism principle, particularly when allocating domain names within an ASCII/LD Domain Set to the same registrant. Without careful consideration, the permutation process could generate numerous domain names, potentially leading to user confusion. Nevertheless, like the EPDP-IDNs Team, the LD PDP WG fully understood that determining the upper limit of domain names that can be allocated is ultimately at the gTLD registry operator's discretion and must align with its policy.

Meanwhile, automatic activation of allocatable domain names within the ASCII/LD Domain Set is restricted to within a TLD activation – since there are no variant relationships across TLDs – and therefore, does not differ from stand-alone TLDs.

Public Comment Review:

Implementation Guidance 44 – Wording Change:

The LD PDP WG received a comment by ICANN org that this recommendation contains contextual and potentially material differences from EPDP-IDNs, which subsequently should not be deemed "consistent" and updated accordingly. The WG responded that even though there may be inconsistency in the language, the underlying intent and behavior are consistent with EPDP-IDNs and merely updated for the purpose of LD PDP. Accordingly, the WG decided to update it to *"generally consistent."*

Rationale for Final Recommendation 45:

The LD PDP WG's agreement on the "same entity" principle has been established for the second-level through Final Recommendations 41, 42, and 43 where under this framework, the same entity rules must apply to all domains within an ASCII/LD Domain Set. Moreover, EPDP-IDNs has established that all allocatable variant domain names derived from an existing domain name – under a harmonized IDN Table – must be allocated, or withheld for possible allocation, solely to the same registrant of the existing domain name.

Before the "same entity" principle takes effect, some existing variant domain names within the same ASCII/LD Domain Set may already have been allocated to different registrants and/or managed by different sponsoring registrars. Similarly, prior to the IDN Table harmonization requirement coming into effect, certain existing variant domain names – identified as variants under one IDN Table for a given gTLD – may be treated as non-variant domain names under another IDN Table for the same gTLD. This inconsistency can similarly result in domain names from the same ASCII/LD Domain Set being allocated to different registrants and/or at different sponsoring registrars. To ensure stability and provide necessary safeguards for relevant Internet stakeholders, such as registrants, registrars, resellers, registry operators, and end-users, the LD PDP WG affirmed that all such existing variant domain names that do not conform to the "same entity" principle and that predate these requirements must be exempted. This also means that, where the exempted ASCII and its corresponding LD gTLD(s) are converted into an

ASCII/LD gTLD Set in accordance with Final Recommendation 7, any existing second-level domain names that do not conform to the "same entity" principle must be exempted. In this context, "exempted" means that there will be no change to the contractual and allocation status of such existing domain names. The requirement for having the same registrant and the same sponsoring registrar will not be applied retroactively.[89]

In addition, enforcing the "same entity" principle by removing a variant domain from one existing registrant in favor of another would infringe upon the existing rights of the affected registrants, potentially leading to legal challenges, operational complexities, and other complications. Therefore, such existing domains are exempted from this policy and will be referred to as "exempted" in the course of this document, as previously mentioned, also consistent with Final Recommendation 3 from the EPDP-IDNs Phase 2 Final Report.
The last sentence: *"The gTLD registries operating an ASCII/Latin Diacritic gTLD Set must determine ASCII/Latin Diacritic Domain Sets for each exempted label and protect from registration all labels in all such ASCII/Latin Diacritic Domain Sets, as appropriate"* is to provide additional clarity on how to address existing domain names that were registered prior to the future policy effective date of the "same entity" principle. The protection of the same entity must be extended to the whole ASCII/LD Domain Set, as all such domains in related gTLDs also need to be protected.

Public Comment Review:

Final Recommendation 45 – Wording Change:

The LD PDP WG received support as written from many commenters. However, following the agreement to adopt a more conservative approach raised by ICANN org during the Public Comment, the WG incorporated new agreements for the second-level to ensure that risks were appropriately mitigated. Accordingly, a revised language was proposed for this recommendation, including reference to Final Recommendation 7 and granting exemption of existing domain names. In this instance, given that the underlying intent was considered consistent with that of the EPDP-IDNs, the WG updated the consistency notion to *"Generally consistent with."*

Rationale for Final Recommendation 46:

The LD PDP WG affirmed the EPDP-IDNs Team's decision that the exemption approach outlined in Final Recommendation 45 should be resolved as quickly as possible. To minimize the duration and scope of this exception, the LD PDP WG upheld the rule that no further allocation of any allocatable domain name within an ASCII/LD Domain Set containing exempted domain names is permitted. Additional allocations may occur only when there is a single registrant and a single sponsoring registrar for all exempted domain names in the ASCII/LD Domain Set, which effectively signals the end of the exemption period. In other words, as long as an ASCII/LD Domain Set has more than one registrant and/or sponsoring

[89] See "exempted" entry in "Section 3. Glossary" for definition and more details.

registrar, permitting further allocation would prolong the exemption and create continued violations of the "same entity" principle. It would also raise the issue of who should arbitrate competing claims if multiple registrants within the same ASCII/LD Domain Set seek an additional allocatable domain name.

By way of example, consider an ASCII/LD Domain Set that includes four allocatable domain names: s1.ATLD, s1v1.ATLD, s1.LDTLD, and s1v2.LDTLD. Suppose s1.ATLD is registered to Registrant A at Registrar X, while s1v1.ATLD is registered to Registrant B through Registrar Y. Under this recommendation, s1.LDTLD and s1v2.LDTLD must remain ineligible for allocation until there is a single registrant (i.e., either Registrant A or Registrant B, in this instance) and a single corresponding sponsoring registrar for the entire ASCII/LD Domain Set. One possible scenario that could satisfy this requirement is if Registrant B voluntarily transfers s1v1.ATLD to Registrant A at Registrar X. In that case, the "same entity" principle is achieved and the exemption situation would be resolved. Another possible scenario is that the exemption ends through the deletion of either of the existing domains. Consequently, only one registrant and one sponsoring registrar remain, allowing for the registrant of the surviving domain name to request allocation of s1.LDTLD and s1v2.LDTLD through the corresponding registrar.

Aside from restricting any further allocation of additional allocatable domain name(s) within an ASCII/LD Domain Set containing exempted domain name(s), and preventing the expansion of the total pool of domain names requiring exemption, the LD PDP WG, in alignment with the EPDP-IDNs Team, agreed not to introduce additional constraints that could affect the existing rights of the registrants holding exempted domain names. Therefore, the exempted domain names are excluded from requirements set forth in Final Recommendations 48-49. Since the instances that would require exemption are expected to be minimal, it is preferable to leave the specific measures regarding the lifecycle management of exempted domain names to the discretion of the registrars and gTLD registry operators.

Public Comment Review:

Final Recommendation 46 – Support as written with Minor Wording Change:

The LD PDP WG received support from several commenters on this recommendation as written. A minor editorial change was made to revise *"Preliminary Recommendation 42"* to *"Final Recommendation 45."*

Rationale for Final Recommendation 47:

Only variants defined by IDN Tables are recognized, and the purpose of harmonization is to ensure that all IDN Tables associated with any gTLD within an ASCII/LD gTLD Set generate a consistent Variant Domain Set for any source domain name.[90] In other words, the harmonization requirement is intended to prevent inconsistencies; for example, inconsistencies may occur where two domain names that are calculated as variants under a certain IDN Table rule *(e.g., IDN Table A)* may not be considered variants under another (e.g., IDN Table B), and in this case, for the given second-level label registered under that

[90] See "Section 3. Glossary" of this Final Report for more details about the "source domain name."

ASCII gTLD or its corresponding LD gTLD string. It is, however, acceptable, if one of those domains is not valid under IDN Table B. The consistency requirement only says that if both domains are valid under another IDN Table, then they must also be variants under that IDN table. Thus, regardless of which IDN Table is applied for which language or script, the resulting variant domain sets for a source domain name must be consistent across all IDN Tables used for a given second-level label registered under that ASCII gTLD or its corresponding LD gTLD string(s).

Currently, gTLD registry operators either use reference LGRs published by ICANN or develop their own IDN Tables and may use multiple IDN Tables covering a variety of languages and scripts for the gTLD it operates. Accordingly, they submit non-reference LGRs to ICANN org for review, focusing primarily on significant security, stability, and competition issues.

To address the security concerns and remain aligned with EPDP-IDNs, the LD PDP WG agreed that all IDN Tables associated with a given ASCII/LD gTLD Set, if any, must be harmonized. For consistency purposes, this requirement applies to both existing IDN Tables already implemented and to any future IDN Tables to be submitted to ICANN org for review. As a result, ICANN org will review all of the existing and future IDN Tables for an ASCII gTLD and its corresponding LD gTLD(s) holistically, ensuring that a consistent Variant Domain Set is produced for any given second-level label registered under the ASCII gTLD or its corresponding LD gTLD string(s). The LD PDP WG did not discuss the specific harmonization mechanism in detail; the process will follow the rules set forth in EPDP-IDNs Phase 2 and ultimately remain the responsibility of the gTLD registry operators.

Public Comment Review:

Final Recommendation 47 – Support as Written:

The LD PDP WG received support from several commenters on this recommendation as written.

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8) Topic 8: Adjustments in Registration Processes Pertinent to the Domain Name Lifecycle

Final Outputs:

Final Recommendation 48: Consistent with Final Recommendation 8 from the EPDP-IDNs Phase 2 Final Report,[91] a registrant and its sponsoring registrar MUST jointly determine the source domain name,[92] which MUST be registered, for calculating the Variant Domain Set under a given ASCII gTLD and its delegated Latin diacritic gTLD(s), if any. The registrants and sponsoring registrars of the exempted domain names pursuant to Final Recommendation 45 are excluded from this requirement.

Final Recommendation 49: Consistent with Final Recommendation 9 from the EPDP-IDNs Phase 2 Final Report,[93] the "same entity" principle, as set out in Final Recommendation 43, MUST be adhered to in all stages of the domain name lifecycle of all domains within an ASCII/Latin Diacritic Domain Set. The exempted domain names pursuant to Final Recommendation 45 are excluded from this requirement.

Final Recommendation 50: Consistent with Final Recommendation 10 from the EPDP-IDNs Phase 2 Final Report,[94] in the event an inter-registrar transfer process is initiated for a domain name, which is a member of an ASCII/Latin Diacritic Domain Set, the process MUST encompass all of its allocated domain names within the ASCII/Latin Diacritic Domain Set, if any, together. The exempted domain names pursuant to Final Recommendation 45 are excluded from this requirement.

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[91] EPDP-IDNs P2 Final Recommendation 8: A registrant and its sponsoring registrar must jointly determine the source domain name, which must be registered, for calculating the variant domain set under a given gTLD and its delegated gTLD variant label(s), if any. The registrants and sponsoring registrars of the exempted variant domain names pursuant to Final Recommendation 3 are excluded from this requirement.

[92] The source domain name here can be different per TLD, in accordance with the ASCII/LD Domain Set defined in Final Recommendation 41. This solution – allowing different source domain names per TLD – is consistent with EPDP-IDNs. To be precise, the source domain name must originate from the ASCII/LD Domain Set.

[93] EPDP-IDNs P2 Final Recommendation 9: The "same entity" principle, as set out in Final Recommendation 1, must be adhered to in all stages of the domain name lifecycle of the allocated variant domain names in the same variant domain set. The exempted variant domain names pursuant to Final Recommendation 3 are excluded from this requirement.

[94] EPDP-IDNs P2 Final Recommendation 10: In the event an inter-registrar transfer process is initiated for a domain name, which is a member of a variant domain set, the process must encompass all of its allocated variant domain names, if any, together. The exempted variant domain names pursuant to Final Recommendation 3 are excluded from this requirement.

Final Recommendation 51: Consistent with Final Recommendation 11 from the EPDP-IDNs Phase 2 Final Report,[95] in the event a domain name is ordered to be transferred as a result of a Uniform Domain Name Dispute Resolution Policy (UDRP) administrative proceeding, the transfer process MUST include all allocated domain names from the ASCII/Latin Diacritic Domain Set, if any, together. The exempted domain names pursuant to Final Recommendation 45 are excluded from this requirement.

Implementation Guidance 52: Consistent with Implementation Guidance 12 from the EPDP-IDNs Phase 2 Final Report,[96] a Uniform Rapid Suspension System (URS) complainant is responsible for deciding whether to include allocated domain names of an ASCII/Latin Diacritic Domain Set, if any, of a disputed domain name as part of their URS complaint.[97]

Final Recommendation 53: Generally consistent with Final Recommendation 13 from EPDP-IDNs Phase 2 Final Report,[98] ICANN org MUST provide necessary information to dispute resolution providers, registries, registrars, registrants, and mark owners to enhance their understanding of ASCII/Latin Diacritic gTLD Set and domain names of an ASCII/Latin Diacritic Domain Set, in particular, their potential impact on dispute resolution proceedings.

Final Recommendation 54: Consistent with Final Recommendation 14 from the EPDP-IDNs Phase 2 Final Report,[99] to account for the "same entity" principle and its implications for

[95] EPDP-IDNs P2 Final Recommendation 11: In the event a domain name is ordered to be transferred as a result of a Uniform Domain Name Dispute Resolution Policy (UDRP) administrative proceeding, the transfer process must include the domain name and all of its allocated variant domain names, if any, together. The exempted variant domain names pursuant to Final Recommendation 3 are excluded from this requirement.
[96] EPDP-IDNs P2 Implementation Guidance 12: A Uniform Rapid Suspension System (URS) complainant is responsible for deciding whether to include allocated variant domain names, if any, of a disputed domain name as part of their URS complaint.
[97] See Final Recommendations 53, 54, and Implementation Guidance 55 for details on how domain names of an ASCII/LD Domain Set and any other pertinent information could be made available to a complainant. Also refer to IANA for domain variant relations under the value, “registered”: https://www.iana.org/assignments/rdap-json-values/rdap-json-values.xhtml
[98] EPDP-IDNs P2 Final Recommendation 13: ICANN org must conduct outreach to dispute resolution providers, registries, registrars, registrants, and mark owners to enhance their understanding of gTLD variant labels and variant domain names, in particular, their potential impact on dispute resolution proceedings.
[99] EPDP-IDNs P2 Final Recommendation 14: To account for the "same entity" principle and its implications for variant domain names, gTLD registry operators should work with ICANN-accredited registrars to determine a mechanism to communicate between each other to facilitate the registration and management of variant domain names, including an indication of the source domain name(s) and initial source domain name of the variant domain set.

domain names of an ASCII/Latin Diacritic Domain Set, gTLD registry operators SHOULD work with ICANN-accredited registrars to determine a mechanism to communicate between each other to facilitate the registration and management of the domain names across the ASCII/Latin Diacritic Domain Set, including an indication of the source domain name(s) and initial source domain name of the variant domain set(s).

Implementation Guidance 55: Consistent with Implementation Guidance 15 from the EPDP-IDNs Phase 2 Final Report,[100] in order to allow a requestor to discover the allocated domain names of an ASCII/Latin Diacritic Domain Set, corresponding sponsoring registrars SHOULD accept requests for disclosure of this information and unless there are data privacy concerns, the information SHOULD be granted. In considering whether to disclose the information, the corresponding sponsoring registrars SHOULD balance the interest of the requestor with those of the data subject, where such balancing is REQUIRED by applicable law.

Final Recommendation 56: Consistent with Final Recommendation 16 from EPDP-IDNs Phase 2 Final Report,[101] if two or more delegated gTLDs belong to an ASCII/Latin Diacritic gTLD Set, the Root Zone Database on iana.org MUST denote, in a transparent manner, their relationship.

Implementation Guidance 57: Consistent with Implementation Guidance 17 from EPDP-IDNs Phase 2 Final Report,[102] gTLD registry operators SHOULD publish policies, in a transparent manner, that reflect their implementation of the LD PDP recommendations at the second-level. In particular, such policies SHOULD reflect the implementation of Final Recommendations 41-43, 45-47, 54 and Implementation Guidance 44.

[100] EPDP-IDNs P2 Implementation Guidance 15: In order to allow a requestor to discover the allocated variant domain names for a given domain name, corresponding sponsoring registrars should accept requests for disclosure of this information and unless there are data privacy concerns, the information should be granted. In considering whether to disclose the information, the corresponding sponsoring registrars should balance the interest of the requestor with those of the data subject, where such balancing is required by applicable law.
[101] EPDP-IDNs P2 Final Recommendation 16: If two or more delegated gTLDs belong to the same variant label set in accordance with RZ-LGR calculation, the Root Zone Database on iana.org must denote, in a transparent manner, their variant relationship and indicate which one serves as the primary gTLD for calculating the variant label set.
[102] EPDP-IDNs P2 Implementation Guidance 17: gTLD registry operators should publish policies, in a transparent manner, that reflect their implementation of the EPDP-IDNs Phase 2 recommendations. In particular, such policies should reflect the implementation of Final Recommendations 1, 3-6, 14 and Implementation Guidance 2.

Rationales:

Rationale for Final Recommendation 48:

As noted earlier in the rationale for Final Recommendation 47, a source domain name is a registered domain name under a given gTLD that serves as the essential input for generating the Variant Domain Set under a given ASCII gTLD or its delegated LD gTLD(s), if any. Accordingly, a domain name's status as a "variant" is determined by the source domain name. And while for the EPDP-IDNs the Variant Domain Set consists of variant label sets at both the second- and top-levels, the variant label set considered in this LD PDP applies only at the second-level. In this context, the second-level variant label set is derived from the second-level label of the source domain name using IDN Tables of the given gTLD.

Moreover, as established in Final Recommendation 41 and illustrated in [Figure 1] above, the WG found that within the ASCII/LD Domain Sets, a source domain name that is valid in one TLD may not be valid in another. Consequently, the source domain name itself may differ across TLDs within the ASCII/LD Domain Set. Regardless, the "same entity" principle must apply to all domains within the ASCII/LD Domain Set, as described in Final Recommendation 43.

To emphasize, the requirement for allowing different source domains per TLD is due to the potentially different – but still harmonized – LGRs per TLDs. For example, consider the TLDs, .example and .éxample, which constitute an ASCII/LD gTLD Set. Suppose the gTLD registry operator allows only ASCII second-level labels for .example and the Latin reference LGR for .éxample. In this scenario, a registrant could register straße.éxample as the source domain, thereby also allowing them to activate strasse.éxample, if desired, as it is an allocatable variant under that LGR. However, the corresponding domain, straße.example, would not be valid under the ASCII-only LGR for .example, and therefore, could neither be activated nor serve as a source domain name for that TLD. Even so, strasse.example must still be reserved for the same entity and is a valid candidate to serve as the source domain name within the .example TLD.

Meanwhile, the LD PDP WG aligned with the EPDP-IDNs Team that the source domain name itself must be identified between the registrant and the sponsoring registrar as a joint responsibility. Obviously, the source domain name must be registered, as without the registration of the source domain name, it would be impossible to know which allocatable variant domain names, if any, can potentially be allocated. In addition, the sponsoring registrars have discretion to decide on their specific implementation of this joint responsibility with registrants.

In practice, the source domain name may often be the first domain name registered by a registrant under a given gTLD and is, therefore, presumed to be the default source domain name. However, registrants may also intentionally select a different domain name as the source domain name based on their intended use. In short, the LD PDP WG recognized that ICANN org may need to undertake education and outreach to help registrars, registrants, and gTLD registry operators to understand the concept of source domain name and its implications, particularly pertaining to compliance with the "same entity" requirement. These outreach efforts are further discussed and emphasized in Final Recommendation 53.

With respect to the exempted domain names pursuant to Final Recommendation 45, it is not required for the registrants and sponsoring registrars to identify the source domain names. A purpose for identifying the source domain name is to calculate which domain names are allocatable for future allocation. Since no further allocation of variant domain names of an exempted domain name is allowed until the exemption is resolved, as set out in Final Recommendation 46, the identification of the source domain name would be unnecessary. This would again raise the issue of who would determine the source domain name when multiple registrants hold the domain names within the same ASCII/LD Domain Set. However, once the exemption is resolved and the set returns to a single registrant and sponsoring registrar, the requirement to identify a source domain name must again apply.

Finally, the LD PDP WG did not address scenarios in which a source domain name might be changed or deactivated, beyond Final Recommendations 37-38 related to the removal of ASCII gTLDs or LD gTLDs. However, the LD PDP WG builds on EPDP-IDNs not to prescribe any policy recommendation pertaining to this matter, since the specific details in the domain name lifecycle management are discretionary on the part of gTLD registry operators and registrars, in accordance with their policies and practices.

Public Comment Review:

Final Recommendation 48 – Minor Wording Change:

The LD PDP WG received a comment by ICANN org that this recommendation contains contextual and potentially material differences from EPDP-IDNs – *"and"* to *"or"* – which subsequently should not be deemed *"consistent"* and updated accordingly. The WG did not find a particular reason why this change had been made and decided to retain *"and"* to become, *"...for calculating the variant domain set under a given ASCII gTLD and its delegated Latin diacritic gTLD(s), if any."* Consequently, other than a minor editorial change that was made from *"Preliminary Recommendation 42"* to *"Final Recommendation 45,"* this recommendation remains *"consistent with"* EPDP-IDNs.

Rationale for Final Recommendation 49:

The domain name lifecycle is generally summarized into five main stages, which are: 1) available, 2) active, 3) expiration, 4) redemption, and 5) pending deletion. During its "active" stage, a domain may experience various actions, including but not limited to renewal, update, transfer, lock, and suspension. Details on these stages can be found in the EPDP-IDNs Phase 2 Final Report under the rationale for Final Recommendation 9.[103]

Consistent with EPDP-IDNs, each domain within an ASCII/LD Domain Set should be allowed to maintain its own domain name lifecycle, separate from that of other allocated domains from the same ASCII/LD

[103] See rationale for Final Recommendation 9 from EPDP-IDNs Phase 2 Final Report in pp.31-34 at https://gnso.icann.org/sites/default/files/policy/2024/draft/gnso-idn-epdp-phase2-final-report-07oct24-en.pdf#page=31

Domain Set. The only overarching requirement is that the "same entity" principle, as set out in Final Recommendation 43, is adhered to at all times across the ASCII/LD Domain Set. Aside from this principle, no additional rules or constraints are imposed on domain name lifecycle management, except where the Transfer Policy *(see Final Recommendation 50)* or the transfer remedy under the Uniform Domain Name Dispute Resolution Policy (UDRP) *(see Final Recommendation 51)* may apply. The LD PDP WG also recognizes that the specific details of lifecycle management fall within the discretion of gTLD registry operators and registrars, in accordance with their policies and practices. The details of various stages remain consistent with EPDP-IDNs.[104]

With respect to the exempted domain names pursuant to Final Recommendation 45, the "same entity" requirement does not apply to their lifecycle management, as these domain names have already been treated as independent registrations. The LD PDP WG agreed to and will continue to not restrict the rights of affected registrants in managing their exempted domain names. The goal of not worsening the exemption situation is addressed by prohibiting further allocation of allocatable domain names within the affected ASCII/LD Set containing exempted domain names until the exemptions are resolved, as set out in Final Recommendation 46.

Public Comment Review:

Final Recommendation 49 – Support as written with Minor Wording Change:

The LD PDP WG received support from several commenters on this recommendation as written. A minor editorial change was made to revise *"Preliminary Recommendation 42"* to *"Final Recommendation 45."*

Rationale for Final Recommendation 50:

"Transfer" – traditionally known as an "inter-registrar transfer" – refers to the change of a sponsoring registrar for a domain name. During this process, the registrant may or may not be changed. By contrast, an inter-registrant transfer is considered an "update" of the domain name registration data. In this sense, transfer requires particular attention not only for domain name lifecycle management, but also for ensuring proper sponsorship of the ASCII/LD Domain Set.

For this topic, the LD PDP WG reaffirmed the EPDP-IDNs Team's decision that if a domain name within an ASCII/LD Domain Set changes hands at any point after allocation, all other allocated domain names within the same ASCII/LD Domain Set must remain contractually linked and change hands to the same registrant and the same sponsoring registrar at the same time; this is a persistent requirement. Accordingly, the LD PDP WG recommends that in the event an inter-registrar transfer process is initiated for any domain name that is part of an ASCII/LD Domain Set, all other allocated domain names within

[104] See rationale for Final Recommendation 9 from EPDP-IDNs Phase 2 Final Report in p.33 at https://gnso.icann.org/sites/default/files/policy/2024/draft/gnso-idn-epdp-phase2-final-report-07oct24-en.pdf#page=33

that ASCII/LD Domain Set must be included in the same transfer process. They must transition together to the same gaining registrar, and if applicable, to the same gaining registrant. In other words, the entire ASCII/LD Domain Set must stay together in the event of the transfer. This requirement is fully consistent with EPDP-IDNs. For clarity, it applies to both voluntary transfers initiated by a registrant and involuntary transfers resulting from circumstances such as UDRP determinations *(see Final Recommendation 51)* or loss of registrar accreditation, etc.

As with the approach described in Final Recommendation 49, exempted domain names are treated as independent registrations and are therefore, excluded from this requirement.

Meanwhile, the LD PDP WG conducted an impact analysis on ICANN's "Existing Consensus Policies," including the Transfer Policy and the Transfer Dispute Resolution Policy (TDRP), to assess whether its recommendations would affect any existing consensus policies. Since this recommendation remains consistent with the EPDP-IDNs – where its Final Recommendation 10 was reviewed and discussed with the Transfer Policy Review WG (TPR WG) at the time – it does not raise concerns for the Transfer Policy, nor were there any notable impacts identified. At present, the LD PDP WG's analysis indicates that this recommendation aligns with the Transfer Policy and avoids any conflict once implemented. Accordingly, its impact is minimal, if any. A detailed analysis of the impact on ICANN's "Existing Consensus Policies," including the Transfer Policy and the Transfer Dispute Resolution Policy (TDRP), is provided in "Section 4.2.2 Charter Question 4" of this report.

Public Comment Review:

Final Recommendation 50 – Wording Change:

The LD PDP WG was requested by ICANN org to make an editorial update to retain a consistent drafting style when the LD PDP Outputs are deemed "consistent" with the corresponding EPDP-IDNs Outputs. Consequently, the WG updated the language from the initial *"in accordance with"* to, instead, begin with *"Consistent with."*

Rationale for Final Recommendation 51:

The substantive ground for filing a UDRP administrative proceeding must satisfy the following criteria: (i) the disputed domain name registered by a domain name registrant is identical or confusingly similar to a trademark or service mark in which the complainant (the entity bringing the complaint) has rights; (ii) the domain name registrant has no rights or legitimate interests in respect of the disputed domain name; and (iii) the domain name has been registered and is being used in bad faith. If the complainant prevails, the UDRP administrative proceeding will result in one of the two possible outcomes: 1) the domain name be transferred to the prevailing complainant; or 2) the domain name be canceled.

The LD PDP WG reaffirmed the EPDP-IDNs decision that the "same entity" requirement must also apply to the transfer remedy under the UDRP, consistent with Final Recommendation 50. In other words, when a disputed domain name is ordered to be transferred, all other allocated domain names within the

ASCII/LD Domain Set must also be transferred to the same prevailing complainant and placed under the same sponsoring registrar selected by the complainant.

Consistent with previous recommendations, the exempted domain names are treated as independent registrations and, therefore, remain excluded from this requirement.

Similarly with the Transfer Policy referenced in Final Recommendation 50, the LD PDP WG conducted an impact analysis on the UDRP as well to assess whether its recommendations would have any negative impact. Again, since this recommendation remains consistent with the EPDP-IDNs – where its Final Recommendation 11 was also reviewed and discussed with the TPR WG at the time – it does not raise concerns for UDRP, nor were any notable impacts identified. At present, the LD PDP WG's analysis indicates that this recommendation will only come into operation as a result of the UDRP, having no impact on altering or impacting its substance. There may be more concerns in the future that confusingly similar ASCII gTLD and LD gTLD strings could create legal challenges or strengthen UDRP complaints, potentially prompting the UDRP to evolve and adapt to such scenarios; however, these concerns are addressed through the ASCII/LD gTLD Set and the ASCII/LD Domain Set requirements, the associated application processes, contractual requirements, delegation and removal obligations, as well as through this recommendation itself. Taken together, these measures help minimize any negative impact on the UDRP. A detailed analysis of the impact on ICANN's existing Consensus Policies, including the UDRP, is provided in "Section 4.2.2 Charter Question 4" of this report.

It is important to note that the current UDRP Policy and Rules do not account for variant domain names or domain names that constitute an ASCII/LD Domain Set. Additional adjustments may be necessary to affect the "same entity" requirement in the transfer remedy, as set out in Final Recommendation 51. Given these potential complications, the LD PDP WG aligns with the EPDP-IDNs Team that UDRP experts should be involved in the future IRT for implementing such recommendations so as to review these issues and discuss whether, and how, the UDRP Policy should be adapted to address such domain names.

In addition, the LD PDP WG has repeatedly emphasized the need for ICANN org's outreach to help educate registrars, registrants, and gTLD registry operators understand the concept of domain names that constitute an ASCII/LD Domain Set and their implications, especially pertaining to the compliance with the "same entity" requirement, Transfer Policy, and the UDRP. These outreach efforts are discussed further and guided through Final Recommendation 53.

Public Comment Review:

Final Recommendation 51 – Wording Change:

The LD PDP WG received a comment by IPC requesting for additional Outputs to provide guidance on UDRP and URS filing fees as it relates to disputed domain names within an ASCII/LD gTLD Set. IPC noted that the cost burden could potentially increase significantly where a UDRP or a URS covers more than

one domain name in the set and suggested that such cases should be considered a single domain for the purposes of calculating UDRP/URS filing fees. In response, the WG concluded that such fee policy should remain subject to ICANN org's discretion, which falls outside of scope for this PDP, particularly given ICANN Board's guidance on Preliminary Recommendations 18 and 19 from the Initial Report on registry-level fees and the result that followed.

With respect to the phrase *"...all of the domain names that constitute the ASCII/Latin Diacritic Domain Set"* in the recommendation language, ICANN org suggested revising the text to clarify that only the allocated domain names are to be included in the transfer process, and the WG has incorporated as follows: *"...all allocated domain names from the ASCII/Latin Diacritic Domain Set."*

As a recurring theme, the WG also updated the language from the initial *"in accordance with"* to, *"Consistent with,"* in response to ICANN org's request to retain a consistent drafting style when the LD PDP Outputs are deemed "consistent" with the corresponding EPDP-IDNs Outputs.

Rationale for Implementation Guidance 52:

The URS complements the UDRP and its substantive grounds for filing a URS complaint are similar to the UDRP. A URS complaint must establish that: (i) the registered domain name is identical or confusingly similar to a word mark; (ii) the registrant has no legitimate right or interest to the domain name; and (iii) the domain was registered and is being used in bad faith.

The URS provides mark owners with a quick and low-cost mechanism to address clear-cut cases of intellectual property rights infringement. A URS complaint may include multiple disputed domain names, provided they are registered by the same registrant. If the complainant prevails, the sole remedy is to suspend the disputed domain name(s) for the remainder of the registration period. During suspension, the website, email, and other associated services cease to function, and the domain name may resolve to an informational suspension page hosted by the registrar. However, the registrant remains unchanged during the suspension period. In addition, under the URS Procedure, the complainant may request that the gTLD registry operator extend the suspension remedy for an additional year.

That said, the LD PDP WG aligns with the EPDP-IDNs that a URS complainant should consider the full ASCII/LD Domain Set of a disputed domain name when filing a URS complaint, in light of the "same entity" principle that governs the allocation of future domain names, as set out in Final Recommendation 43. If the disputed domain name has other allocated domain names registered to the same registrant, the complainant should be aware of them and determine whether they meet the three substantive URS criteria mentioned above. Therefore, the onus should be on the complainant to decide whether to include any or all of the other allocated domain name(s) within the same ASCII/LD Domain Set in the URS complaint.

It is important to note that the URS suspension remedy should only apply to the specific domain names included in a complaint and for which the complainant prevails. The suspension of one domain name

does not automatically extend to other allocated domain names within the same ASCII/LD Domain Set. The "same entity" principle does not imply identical treatment or status for all domain names within the ASCII/LD Domain Set. Furthermore, the standard of proof required in a URS proceeding is high as the complainant must satisfy all three substantive criteria by demonstrating clear and convincing evidence against the disputed domain names. If the complainant seeks suspension remedy of the other allocated domain names within the set, those domain names must be explicitly included in the complaint, with supporting evidence provided to substantiate the claim. In any case, the management of specific details in the domain name lifecycle remains at the discretion of gTLD registry operators and registrars, in accordance with their policies and practices.

To address this complex issue and enhance understanding, the LD PDP WG upheld the approach set forth in EPDP-IDNs, requiring ICANN org to conduct outreach to various stakeholders, including trademark owners. The outreach aims to enhance their understanding of ASCII/LD gTLD strings that constitute an ASCII/LD gTLD Set, domain names that constitute an ASCII/LD Domain Set, their compliance with the "same entity" requirement, Transfer Policy, UDRP, and URS, and the associated implications. The WG has repeatedly emphasized the importance of ICANN org's outreach through the discussions of Final Recommendations 48-51, which will be further detailed and guided through Final Recommendation 53.

Meanwhile, Final Recommendation 12 from the EPDP-IDNs Phase 2 Final Report was also reviewed and discussed with the TPR WG at the time to ensure that this policy would not contradict with the TPR WG's policy and to develop a consistent solution for both groups. Though URS is not a part of the ICANN org's existing Consensus Policies, the LD PDP WG recognized that since this recommendation remains consistent with the EPDP-IDNs, no additional concerns are raised, and further analysis on the matter was not required.

Public Comment Review:

Implementation Guidance 52 – Support as Written:

The LD PDP WG received support from several commenters on this guidance as written.

Rationale for Final Recommendation 53:

The ASCII/LD gTLD Set and the ASCII/LD Domain Set are entirely new concepts, similar to the Variant Domain Set from EPDP-IDNs. The simultaneous delegation of ASCII gTLDs and their corresponding LD gTLDs in the root zone is likewise new to the DNS. As the policies and their associated technical considerations are complex, they will require significant understanding by the relevant stakeholders and educational efforts from ICANN org.

Throughout the development of the LD policy, especially those concerning second-level labels *(Topics 6-8)* and dispute resolution *(see Final Recommendations 50-51 and Implementation Guidance 52)*, the LD PDP WG repeatedly emphasized the critical importance of education and outreach led by ICANN org. During deliberations, the WG affirmed that relevant stakeholders – including the gTLD registries,

registrars, registrants, and end users, as well as dispute resolution providers (e.g., UDRP, URS, and TM-PDDRP providers) and trademark owners – should be effectively informed to enhance their understanding of the requirements for, and the definition of, an ASCII/LD gTLD Set, identify the domain names comprising an ASCII/LD Domain Set, and be aware of the WG's policy position and their potential impact on dispute resolution proceedings.

The underlying purpose of clearly and effectively communicating this information to relevant stakeholders is not only to enhance their understanding of domain names and their relationship within the specified sets, but especially to encourage trademark owners to consider these domain names when using existing mandatory rights protections to secure their verified legal rights in the DNS and to pursue further protection through marketplace Rights Protection Mechanisms (RPMs). When a disputed domain name is part of an ASCII/LD Domain Set and allocated to the same registrant, complainants should account for all related names constituting the set when filing a complaint, per the UDRP administrative proceeding as guided in Final Recommendation 51. In accordance with the "same entity" principle and the WG's decisions regarding the set, the transfer process must include all domain names that constitute the ASCII/LD Domain Set.
In short, the LD PDP WG agreed that ICANN should assume a leading role in conducting outreach to relevant stakeholders and that accordingly, a more precise description than "conduct outreach" taken from EPDP-IDNs Phase 2 *(See Final Recommendation 13)* is required so that this action can be carried out with greater clarity and seriousness. Therefore, the WG changed this language to *"provide necessary information."* At this stage, the *"necessary information"* should include: 1) high-level principles and the requirements of the ASCII/LD gTLD Set and the ASCII/LD Domain Set relevant to target stakeholders; and 2) the policy position and recommendations determined by the WG relevant to target stakeholders. For the avoidance of doubt, the information requirement is not completely open-ended and is bound by *"their potential impact on dispute resolution proceedings."* This aims to deliver sufficient clarity for implementation.

Public Comment Review:

Final Recommendation 53 – Wording Change with Clarification through Rationale:
The LD PDP WG considered the comment from ICANN org with respect to *"necessary information,"* eventually providing clarity through the revised rationale that the information requirement is not completely open-ended and is bound by the potential impact on dispute resolution proceedings. This clarity will ultimately lessen the burden for ICANN org when it comes to outreach efforts during the implementation stage.

With respect to the comment on the policy language containing contextual or material differences from that of the EPDP-IDNs, the WG decided to preserve *"consistent with,"* since it believes the underlying intent and expected behavior remain the same, despite certain departures in the specific details. This decision resulted in the updated language to be *"generally consistent with."*

Rationales for Final Recommendation 54 and Implementation Guidance 55:

The LD PDP WG remains aligned with EPDP-IDNs and what was established through Final Recommendation 14 and Implementation Guidance 15. Accordingly, the WG strongly recommends establishing a mechanism that enables gTLD registry operators and ICANN-accredited registrars to communicate with one another to support the registration and management of domain names that constitute an ASCII/LD Domain Set. Such a mechanism is essential for upholding the "same entity" principle, identifying all allocated domain names within an ASCII/LD Domain Set, and ensuring that source domain name(s) within an ASCII/LD Domain Set – which may differ per TLD, as described through Final Recommendations 41 and 48 – is (are) clearly indicated during this information exchange. Contracted parties must have visibility into all of this information to ensure compliance with "same entity" requirements and to understand their implications for domain name lifecycle management.

Moreover, a requestor (e.g., registrant, security researcher, an end user, etc.) that is seeking information about allocated domain names (e.g., interest in registering a domain name or filing a URS complaint) needs to have that information and a mechanism to do this. It is considered to be within the public interest for end users to have access to relevant and/or additional information, provided that the public disclosure of allocated domain names held by the same registrant would not cause any data privacy concerns. In particular, in light of its deliberations on the UDRP and URS *(See Final Recommendations 50-51 and Implementation Guidance 52)*, the WG maintains that it is essential for all interested parties to know whether a disputed domain name has other allocated domain names within the ASCII/LD Domain Set, and if so, what they are, in order to consider their impact on the proceedings and potential outcomes. This is recommended through Implementation Guidance 55.

As established through EPDP-IDNs, the requestor can gain access to such information, without compromising the registrant's privacy, by the corresponding sponsoring registrar conducting a balancing test when responding to a request. This is to reduce the risks associated with processing personal data, while also determining the purpose and legitimacy of the request. Accordingly, this balancing test will inform whether to provide the requested information and if there are no data privacy concerns, the corresponding sponsoring registrar should accept the request and grant access to the requested information.

Although EPDP-IDNs discussions included certain suggestions to accomplish this through technical solutions such as EPP, the LD PDP WG did not prescribe any specific mechanisms and left the implementation at the discretion of the gTLD registry operators and the ICANN-accredited registrars. Some contracted parties already provide visibility into allocated variant domain names in their EPP and RDAP responses, and such practices could be extended to identify the allocated domain names within an ASCII/LD Domain Set.

Public Comment Review:

Final Recommendation 54 – Significant Change:

The LD PDP WG received a comment by ICANN org that this recommendation departed from EPDP-IDNs Phase 2 Final Recommendation 14 in that it omitted the requirement to include *"an indication of the source domain name(s) and initial source domain name of the variant domain set(s)."* The WG considered this an oversight, as a critical reference to the source domain names was inadvertently omitted. Given that even in the ASCII/LD Domain Set for the second-level, an indication of the source domain name is necessary to determine the disposition values of the variants in the second-level. Consequently, this clause was reinstated, which subsequently resolved the consistency notion, thereby preserving *"consistent with"* in the language to align with EPDP-IDNs.

Implementation Guidance 55 – Wording Change:

The LD PDP WG received support from several commenters on this guidance, including that from IPC. That said, the IPC considered this guidance redundant or unnecessary, suggesting that allocation recommendations already suggest that all allocated domains in a particular set should have the same underlying registrant data, such that the data for one such domain should be the same as all other domains in the set. The WG considered this to be based on a misunderstanding; while the WG understands that the required data is the same for all domains, this guidance does not require the same registrant data; but rather it requires that the set of domains is made available so that if the registrants asks the registrars for such information – e.g., what other domains are in the set? – the registrar accepts this request, and unless there are data privacy concerns, provide such information, making available which domains are existing and are allocated in a set. Accordingly, the WG agreed to retain this guidance.

With respect to ICANN org's request to make an editorial update to retain a consistent drafting style when the LD PDP Outputs are deemed consistent with the corresponding EPDP-IDNs outputs, the WG updated the language from the initial *"in accordance with"* to, instead, begin with *"Consistent with."*

Meanwhile, the WG acknowledges the importance of faithful implementation of the policy outputs, as requested by ALAC, and looks forward to implementation that remains aligned with the WG's intended purpose.

Rationale for Final Recommendation 56:

The LD PDP WG upholds the EPDP-IDNs policy that the Root Zone Database on iana.org,[105] which represents the delegation details of top-level domains, must denote, in a transparent manner, the relationship between the delegated gTLDs that belong to the same ASCII/LD gTLD Set and are operated by the same entity. The ASCII gTLDs and their corresponding LD gTLDs must be explicitly identified in this database, even if their categorization and relationship may already be apparent. This requirement

[105] See the Root Zone Database at https://www.iana.org/domains/root/db

reinforces the "same entity" principle while also respecting the set, which ultimately supports transparency in data practices. It is also essential for impacted parties to know whether a gTLD involved in a TM-PDDRP proceeding has other allocated gTLD strings within the same ASCII/LD gTLD Set.

That said, there is no prescriptive way for displaying the relationships among the delegated gTLDs that constitute an ASCII/LD gTLD Set operated by the same gTLD registry operator; this will be left to IANA's discretion to implement this requirement.

Public Comment Review:

Final Recommendation 56 – Wording Change:

The LD PDP WG received a comment by ICANN org to revise the phrase, *"...if two (2) or more gTLD are delegated in order to constitute an ASCII/Latin Diacritic gTLD Set belonging to the same registry operator,"* to enhance clarity and conciseness. Accordingly, the WG updated the language to: *"...if two or more delegated gTLDs belong to an ASCII/Latin Diacritic gTLD Set."*

With respect to ICANN org's request to label the recommendation differently when there is a contextual or material difference from EPDP-IDNs, thus indicating a departure from the corresponding EPDP-IDNs language, the WG decided to maintain *"consistent with"* as the intent and behavior are consistent with EPDP-IDNs. The updates are made to be more applicable to the LD PDP circumstance.

Meanwhile, the WG acknowledges the importance of faithful implementation of the policy Outputs, as requested by ALAC, and looks forward to implementation that remains aligned with the WG's intended purpose.

Rationale for Implementation Guidance 57:

The LD PDP WG agreed with EPDP-IDNs that gTLD registry operators should transparently publish policies, reflecting their implementation of the LD PDP recommendations at the second-level. To align with this rule, the specific policies that the LD PDP WG agreed should be published include the ASCII/LD Domain Set requirements *(Final Recommendations 41 and 42)*, "same entity" principle for allocating domain names that constitute an ASCII/LD Domain Set *(Final Recommendation 43)*, and ceiling value for allocatable domain names *(Implementation Guidance 44)*. In addition, gTLD registry operators should publish policies reflecting the implementation of IDN Table harmonization *(Final Recommendation 47)*, the management of exempted domain names, if applicable *(Final Recommendations 45 and 46)*, and responses to domain name queries *(Final Recommendation 54)*. Hence, Final Recommendations 41-43, 45-47, 54 and Implementation Guidance 44 are highlighted in this implementation guidance. The decision of whether and how to publish these policies is at the discretion of each gTLD registry operator.

Public Comment Review:

Implementation Guidance 57 – Support as Written:
The LD PDP WG received support from several commenters on this recommendation as written. That said, the WG acknowledges the importance of faithful implementation of the policy outputs, as requested by ALAC, and looks forward to implementation that remains aligned with the WG's intended purpose.

4.1.2 Charter Question 3

If a solution is needed to this issue, are any of the elements from either Phase 1 or Phase 2 of the EPDP on IDNs, or Topic 25 on IDNs from the SubPro Final Report, relevant, or warrant discussion specific to Latin script diacritics?

WG Response:

In response to Charter question 3, the WG reviewed Topic 25 on IDNs from the SubPro Final Report, as well as Phases 1 and 2 of the EPDP-IDNs. The WG dedicated a substantial amount of time on thoroughly reviewing the policy recommendations from both phases of the EPDP-IDNs. Since the final recommendations from EPDP-IDNs were built upon the SubPro Final Report, the WG chose to focus exclusively on the EPDP-IDNs Outputs; most elements from EPDP-IDNs were relevant and could be directly transferred to the LD PDP. The WG's deliberations and agreements are documented in detail in the Worksheet developed by GNSO Support Staff.[106]

However, the outputs (final recommendations and implementation guidance) that address Charter Question 3 – most of which are derived from EPDP-IDNs – are presented above under the response to Charter Question 1, organized by the eight topics listed earlier.

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[106] The WG leveraged the Outputs from SubPro Final Report and EPDP-IDNs Final Reports - both phases - by using the Worksheet as a review tool which was developed by the GNSO Support Staff.

4.2 Charter Questions with No Final Outputs

4.2.1 Charter Question 2

If a solution is needed to this issue, are any of the elements of the ccTLD Fast Track process transferable?

WG Response:

The WG reviewed the ccTLD Fast Track Process to assess whether any elements could be applied to the LD PDP. While the overall Fast Track Process and the Extended Process Similarity Review Panel (EPSRP) – essentially also an exception process – were found to be generally informative, they were not deemed directly relevant for detailed consideration within the context of the LD PDP.

However, the articulation of the "same entity" principle within the Exception Process received particular attention, especially in relation to preventing user confusion. In addition, the rule, *"re-assignment or selection by an entity other than the one holding the remaining gTLD(s) in the ASCII/Latin Diacritic gTLD Set for at least 10 years following the removal"* outlined in Final Recommendations 37 and 38, was drawn from a separate report – i.e., referenced from the Final Report ccNSO PDP4 (de-)selection of IDNccTLDs.[107]

In either case, these issues were examined in detail in the course of reviewing EPDP-IDNs as a response to Charter Question 3 presented under the response of Charter Question 1.

4.2.2 Charter Question 4

If a solution is needed to this issue, will it have any impact on existing Consensus Policies?

Starting with this PDP, the LD PDP WG is expected to consider the potential impact its recommendations may have on ICANN's existing Consensus Policies. This step is intended not only to ensure alignment between the recommendations during their development and current Consensus Policies, but also to identify any conflicts or areas where the recommendations may impact specific Consensus Policy elements. Should such impacts arise, the WG is expected to explicitly identify the impacts or

[107] There is a section on "Specific requirement following the retirement of the selected IDNccTLD string" which stipulates that *"Following the conclusion of its retirement process a selected IDNccTLD string is removed from the DNS, the selected IDNccTLD string shall not be available for re-assignment or selection for at least 10 years following the removal."* See Section 2.2.2 of the Final Report ccNSO PDP4 (de-)selection of IDNccTLDs at https://ccnso.icann.org/sites/default/files/field-attached/ccpdp4-final-report-23feb24-en.pdf#page=20. Note: ccTLD Fast Track Process and the Final Report ccNSO PDP4 (de-)selection of IDNccTLDs are different reports.

corresponding modifications to existing Consensus Policies. The WG may also wish to escalate to the GNSO Council level for consideration through the GNSO Council liaison to the WG.

That said, similar activities have also been conducted in previous PDPs, but this is the first time that this question has been formally incorporated as a Charter question for the WG. This process ensures that this impact analysis is consistently conducted and that no such review is overlooked.

Initially, when the preliminary outputs were formulated, the WG reviewed each of the eight topics to assess whether any of the associated outputs could have an impact on the existing Consensus Policies. Although the preliminary outputs were updated following the Public Comment period, the WG did not receive any substantive comments on nor objections to this section and, therefore, did not identify any necessary substantive updates to the impact assessments.

WG Response:

In response to Charter Question 4, the WG briefly reviewed the list of ICANN's existing Consensus Policies presented on the ICANN website,[108] noting that they have been adopted by the ICANN Board and that the majority have been updated since 21 February 2024, to reflect the changes required for the implementation of the Registration Data Policy.

The WG further deliberated on the existing Consensus Policies in relation to the preliminary recommendations that it had developed, through the Worksheet developed by GNSO Support Staff.[109] In short, most recommendations had either minimal or no impact on the existing Consensus Policies, as they aligned with the existing Consensus Policies once they were adopted and put into effect, not altering or impacting any substance. This result remains unchanged for the final outputs.

While most Consensus Policies were classified as having no impact from the LD PDP's policy recommendations, there were three policies that were assessed as potentially receiving a low level of impact, namely: UDRP, Transfer Policy, and TDRP. These were in particular connected with Final Recommendation 50 (Transfer Policy), Final Recommendation 51 (UDRP), and Implementation Guidance 52 (URS). At present, the LD PDP WG's analysis indicates that its recommendations align with the Transfer Policy and avoids any conflict once implemented. Moreover, its recommendations will only come into operation as a result of the UDRP decision, having no impact on altering or impacting its substance.

It is important to note that there may be increasing concerns in the future that confusingly similar ASCII gTLD and LD gTLD strings could create legal challenges or strengthen UDRP complaints, potentially prompting UDRP to evolve and adapt to such scenarios; however, these concerns are addressed through the ASCII/LD gTLD Set and the ASCII/LD Domain Set

[108] See ICANN's existing Consensus Policies at https://www.icann.org/en/contracted-parties/consensus-policies
[109] The WG reviewed ICANN's existing Consensus Policies by using the Worksheet as a review tool which was developed by the GNSO Support Staff.

requirements, the associated application processes, contractual requirements, delegation and removal obligations, as well through Final Recommendation 51 and Implementation Guidance 52 themselves. In fact, all the measures taken through this PDP help minimize any negative impact on UDRP.

Consequently, the LD PDP WG agreed that its entire set of final outputs is generally low-risk and aligns with the existing Consensus Policies, signaling that there is no high alert impact here.