



## **New Generic Top-Level Domains: Policy Development & Implementation**

Washington, DC

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### **ICANN Formation and New gTLDs**

- A core objective in founding ICANN; a requirement in each of ICANN's agreements with the USG (1998 – present):
  - “Define and implement a predictable strategy for selecting new TLDs”
- Fostering choice and competition in provision of domain registration services
- White Paper in 1998: “The new corporation ultimately should ... 3) oversee policy for determining the circumstances under which new TLDs are added to the root system”



## Limited Background

- There are presently 21 gTLDs in the root zone
- ICANN has agreements with 16
- There were seven that predate ICANN: .com, .edu, .gov, .int, .mil, .net, .org,
- Seven were added in a round starting in 2000: .aero, .biz, .coop, .info, .museum, .name, .pro
- Six were added in a round starting in 2004: .asia, .cat, .jobs, .mobi, .tel, .travel (one will be added: .post)
- The experiences derived from the delegation of these registries, and the input of experts and community members has informed the development of a new policy to guide the delegation of gTLDs



## ICANN Policy Development Process

- Policy development process by ICANN's Generic Names Supporting Organization (GNSO) initiated Dec 2005, completed Sep 2007
- Terms of Reference (questions to be answered):
  - ◆ Whether to introduce additional gTLDs
  - ◆ TLD string selection criteria
  - ◆ TLD allocation methods
  - ◆ Contractual conditions
- Policy embodied in 19 separate recommendations



## Policy Conclusions

- New gTLDs will provide a DNS environment / infrastructure for communities; promote geographic diversity; permit market mechanisms to support useful online identities that permeate international markets and support competition, innovation and consumer choice
- The implementation plan should also allow for IDNs at the top level, and ideally implemented at the same time as new ASCII TLDs
- Introduction of new gTLDs should not cause security or stability issues
- Protection of various appropriate interests requires objection and dispute resolution processes



## Interests to be Protected in the Process

- Protection of intellectual property rights
- Protection of community interests:
  - ◆ Religious groups
  - ◆ Geographically based communities
  - ◆ Indigenous groups
- Morality & public order safeguards:
  - ◆ Interests of governments
  - ◆ Indigenous groups
- User confusion should be avoided: similar names



## Principles of the Process

- Care/conservatism: While speed, efficacy and efficiency are all important goals of the new implementation process: protection of registrants, DNS stability and security is paramount.
- Application proceeds are planned to cover costs.
- For most applications (i.e., not controversial), ICANN will provide a clear, predictable, timely road map for the application, evaluation and delegation of gTLD strings.
- Some applications for strings are so objectionable that they should be excluded: that clearly incite certain malicious behavior, are an infringement of rights, or a misappropriation of a community label. Those objections should be addressed by an independent third party, employing objective standards, resolving a dispute between the applicant and the objector.

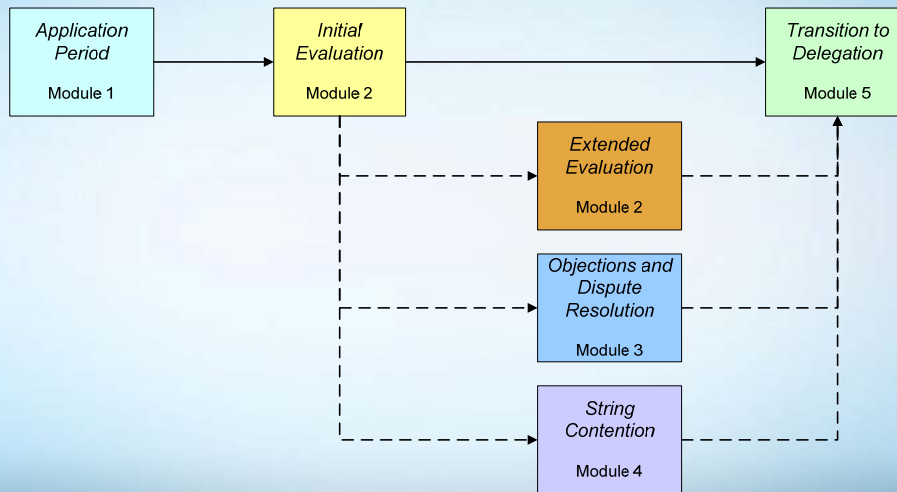


## Where are we in the process?

- ICANN published new gTLD draft guidebook and explanatory memoranda in November, 2008
- Extensive comment since then, in this round:
  - ◆ Nearly 300 comments, 100s of pages
  - ◆ Thoughtful, passionate and constructive comments
- This is really the ICANN process at work, and it is working



## New gTLD Evaluation Process



## Key Sections of the Applicant Guidebook (RFP)

- **Module 2 – Evaluation**
  - ♦ Strings are reviewed for: DNS Stability, User Confusion, and Governmental approval (if required)
  - ♦ Applicants are reviewed for: Financial Capability, Technical Capability, and Registry Services
- **Module 3 – Objection & Dispute Resolution**
  - ♦ Grounds for objection
  - ♦ Standing and standards
  - ♦ Dispute resolution procedures
- **Module 4 – String Contention**
  - ♦ Identification of string contention set
  - ♦ Processes for resolution of that contention



## How will comments be handled?

- Listen, process, analyze, and document feedback received
  - ♦ Analysis work has been going on since mid-December
  - ♦ By mid-February, publish a summary and analysis of all comment received
    - Document approximately sixty separate issue areas
    - Tie the issues back to comments made by specific individuals/entities
    - Analyze the comments
    - Document ICANN's proposed response to the comments (change guidebook, or better explain position)

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## Nature of comments

- Implementation comments: requests for change
  - ♦ Examples include fee structures, definition and qualification of a community-based applicant, contractual issues, timing issues and more
  - ♦ Handled in "typical" manner
- Elements requiring explanation: requests for elaboration
  - ♦ Examples include refund approach and amounts, dispute processes
- Overarching questions about the new gTLD program

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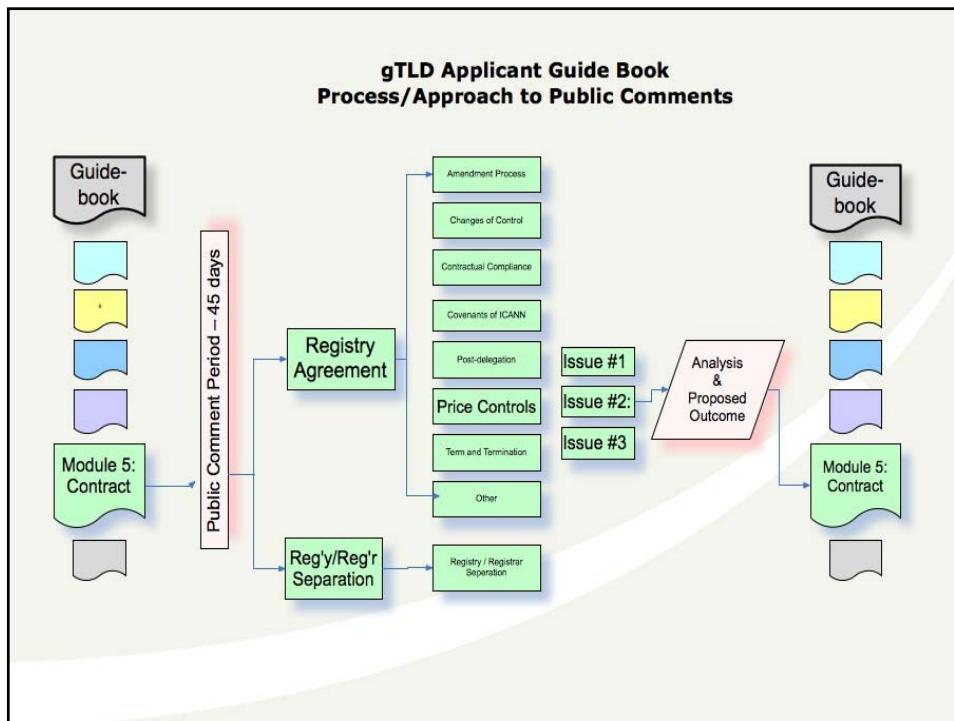


## How will ICANN Respond?

- Implementation questions and explanation
  - ◆ Publish a version 2 of the draft guidebook, and explanatory memoranda
  - ◆ Respond to the many comments made
  - ◆ A new version of the guidebook is the most authoritative document on which the community can base future comment
  - ◆ Timing will be almost simultaneous with publication of comment analysis; intent is that these documents all be completely consistent

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## Overarching Questions

1. How can the new gTLD program be implemented in a way that addresses legitimate concerns of brand owners; particularly, concerns about defensive second-level registrations at registry start-up time and during operations?
2. How can ICANN ensure that new gTLDs don't simply act as an amplifier for malicious behavior on the Internet?
3. What is the demonstrated demand for new gTLDs? What will the market impacts be?
4. What are the technical impacts of an expanded number of gTLDs, especially considered along with other planned changes to the root server system?



## Overarching Questions

- Actively participate in a variety of non-ICANN fora where these issues are being discussed
- Seek further consultation from those who commented on these issues, in person and in writing, and in ICANN Mexico meeting
- Establish ICANN-organized fora in April/May timeframe for these issues to be discussed further
- Publish relevant economic studies
- Commission SSAC/RSSAC technical evaluation of root zone stability
- Publish new implementation approaches to these questions in a third draft guidebook





## Impact on Timing (tentative)

- Second draft guidebook, explanatory memoranda published in mid-February
  - ◆ Improved, and responds to many comments raised
- As described earlier, various consultations on overarching questions, leading to third draft guidebook, likely synchronized with ICANN's Sydney meeting
- Ultimate project impact would be to delay program launch by several months, with goal to still launch by year-end 2009

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THANK YOU

