

22.1.2019

Finnish Transport and Communications Agency's Comments on the Supplemental Initial Report of the New gTLD Subsequent Procedures Policy Development Process (Work Track 5 on Geographic Names at the Top Level)

The Finnish Transport and Communications Agency (Traficom) is grateful for the opportunity to comment on the Supplemental Initial Report of the New gTLD Subsequent Procedures Policy Development Process.

The rules applicable to geographic names as TLDs in the 2012 Applicant Guidebook (AGB) worked well in general and struck an appropriate balance between the different interests at stake. Therefore they should be maintained.

The exclusion of country names and their variations is consistent with the fact that such names are not "generic" TLDs, and should be under the policy authority of the respective national communities, like ccTLDs.

The "non-objection" framework established e.g. for capital city names as well as subnational and supranational regions worked well and should be maintained.

In the case of non-capital city names, the rule stating that the "non-objection" framework is not applicable when the alleged "intended use" is non-geographic should be abandoned as it ignores the unique character of the TLDs and creates wrong incentives to circumvent the requirement to contact the relevant public authorities for the non-objection.

Accordingly, we also disagree with any proposals that suggest extending the "intended use" rule to any other categories of geographic names.

There are issues related to geographic names as TLDs that have not been covered by the 2012 AGB. The lack of a "non-objection" framework for such names has generated conflicts between different interested parties. This should be avoided in future expansions of the TLD space and we recommend extending the "non-objection" framework to such cases.

The "non-objection" framework as such can be further improved by establishing reasonable deadlines for issuing the "non-objection", by providing a default implied "non-objection" if the public authority does not react within the given deadline, by establishing an advisory panel for geographic names that applicants may consult even before filing their string, and by establishing a mediation process for cases where an objection by a public authority is not accepted by the interested applicant.

Helsinki, 22nd of January 2019

Saara Punkka

Head of Domain Names and Customer Service
Finnish Transport and Communications Agency (Traficom)

P.O. Box 313, 00561 HELSINKI, FINLAND
Phone: +358 290 539 0502
