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# Nominet response to the consultation on GNSO Community Comment 2 (CC2) on New gTLD Subsequent Procedures Policy Development Process

Nominet is pleased to submit its response to the CC2 questionnaire. For ease of navigation we have inserted our responses in ***italics and bold*** below each specific question that we wish to respond to.

For the record and for the purposes of transparency and so that the PDP Working Group members and the wider community can understand the perspectives we give it is helpful to provide the following top line information about Nominet’s background, general domain registry credentials and experience of negotiating applications during the 2012 round of new gTLDs.

* Country code operator for .UK since 1996, over 10m domains under management (DUM).
* Selected by ICANN to be an Emergency Back End Registry Operator (EBERO) for any new gTLDs which fail (whether for technical, economic or other reasons).
* Successful applicant for .CYMRU and .WALES which as geographic names required letters of support from the Welsh government.
* Registry services provider for 36 new gTLDs, including 28 Minds + Machines new gTLDs from the 2012 round which were transitioned onto Nominet systems during H2 2016.

As such we have extensive direct experience of the application process for new gTLDs in the 2012 round, both as applicant, services provider to an applicant, the secondary market for services providers including the ICANN processes for changing technical providers and registry database transition, ICANN regular audits and testing of our EBERO service provision.

**Work Track 1 - Overall Process, Support, and Outreach**

* 1. **(Registry Service Provider) Accreditation Programs** (Wiki page: <https://community.icann.org/x/KT2AAw>)

Context: GNSO Recommendation 7 stated, “Applicants must be able to demonstrate their technical capability to run a registry operation for the purpose that the applicant sets out.” To support this policy recommendation the Applicant Guidebook contained a number of technical and operational questions (24 – 44) designed to help ICANN evaluate the ability of the applicant to operate a Top-Level Domain (TLD) registry.

Through the evaluation process, it became evident that the answers to the technical questions supplied by the applicants were prepared by a small number of Registry Service Providers (RSP) (ICANN estimated in their Program Implementation Review that 90% of the 1,930 applications received use one of 13 technical infrastructures). Despite the answers being identical, ICANN was required to evaluate each application individually. On passing the theoretical evaluation, each registry operator was required to undertake Pre-Delegation Testing (PDT), resulting in a small group of RSPs being required to repeatedly undertake the same test for each registry operation.

The working group believes that this is an area where a number of process efficiencies could be gained by providing the applicant with a number of options to respond to the technical component of the application including the ability to select from a list of pre-approved (or accredited) RSPs. This approach would also provide applicants with a level of comfort in their choice of RSP and may also enhance the security and stability of the Domain Name System (DNS) by requiring minimum standards for redundancy, capacity, monitoring, reaction time to threats, reporting and statistical process controls. Pre-approvals could possibly enhance competition and choice in the RSP market and allow for increased diversity for new RSPs in developing areas that meet well-defined criteria to become an RSP and could allow for a more streamlined process for registries switching from one RSP to another. On the other hand, if the bar for approval was set too high, it could diminish competition and choice in the RSP market by creating approval/accreditation barriers to entry and favoring the current group of RSPs over new entrants. Some have also said that in setting minimum technical requirements, it creates a ‘race to the bottom’ in terms of technical capabilities.

**As currently envisioned by the WG, such a program would be on a voluntary basis and would not preclude the approval of a Registry Operator’s acting as its own RSP or the approval of additional new RSPs.**

1.1.1 - Benefits and risks have been identified by the WG as provided above in the Context section. What additional benefits or risks do you see in implementing such a program? Are there other considerations that need to be considered?

***Having experienced first-hand the multiple repetitive testing required for identical or very similar processes during round 1, we agree with the observation that this introduced unnecessary delay, cost and operational bottlenecks. Whilst we appreciate that these processes were designed in good faith in order to maintain technical and operational stability in the DNS, we believe that they also created risk by extending the timeframe of the whole program and introducing many complications. Contrary to ICANN’s mission, the barriers to entry created by these lengthy and complicated processes in fact reduced choice and competition, particularly in the secondary market for registry services provision and for subsequent rounds. It should be possible to make this much better in future.***

***We therefore see the benefits of having a lighter touch regulatory regime for established providers with an exemplary track record, for example a waiver from pre-delegation testing (PDT) or material subcontracting changes where the provider’s exact same processes have already been thoroughly checked and audited by ICANN within the past 12 months. Having followed the discussions of the PDP WG we do however understand the concerns voiced that an accreditation or certification scheme would in practice add additional layers of bureaucracy, reduce any incentive to raise standards and in fact act as an unintended further barrier to competition or operational excellence. So, our support for any such scheme would be conditional on the outcomes of such a scheme actually reducing red tape and streamlining the current processes. In addition, we agree with the WG comment that accreditation should be optional, not mandatory, and applicants should have the option to use a non-accredited provider following the existing procedures for PDT etc.***

1.1.2 - If an RSP program is established for new gTLDs, do you have any suggestions for some of the details or requirements of the program? For instance, how would the scalability of the RSP be measured across a variable numbers of registries?

***Any RSP program should pre-certify the service provider’s capacity to handle a certain number (or tiers) of new gTLDs, with a ceiling to the number of domains under management. This assessment would be based on the RSP’s infrastructure, management track record, financial stability and resources. An existing RSP should be trusted to be a competent provider to new gTLDs without further testing within this certification, with re-certification required on a periodic basis or when any ceiling/ tier is reached. As above this should not be a mandatory scheme, but should be an optional process for established providers to achieve a waiver from the majority of the duplicative technical checks required as part of the applicant evaluation process.***

1.1.3 - Who should be responsible for evaluating whether an RSP meets the requirements of the program?

***We don’t see any option other than that ICANN should be responsible for such evaluations.***

1.1.4 - Should there be any continuing obligations for approved RSPs, such as high-level requirements for accreditation? Should the requirements be variable based on the types of TLDs the RSP intends to serve or other factors?

Please explain.

***There should not be any continuing obligations as such, other than as above periodic (annual?) audit for re-certification and tier changes should an RSP take on more TLDs or experience an significant increase in the total number of domains administered. Existing contractual SLAs and reporting for registry operators would presumably continue to be required with the Registry Operator as the primary party responsibility for compliance. However breaches of these where the RSP is at fault would be taken into account and potentially trigger a periodic audit being brought forward.***

***Clearly the security and stability requirements for closed .BRAND new gTLDs will be of a lesser degree than open new gTLDs where the failure of a TLD (for whatever reason) will impact individual/ business registrants. Arguably a closed .BRAND new gTLD should not be subject to technical performance SLAs.***

1.1.5 - Should there be an Agreement between an RSP and ICANN? If so, what enforcement mechanisms should be made available to ICANN in the event that such an Agreement is breached?

***In a pre-accreditation scenario there would presumably need to be a contract between the RSP and ICANN for the accreditation, or perhaps in practice simply a standard application form subject to T&Cs.***

***Ultimately ICANN’s enforcement mechanism would be to remove accreditation, requiring the Registry Operator to move to a new RSP and/or go through the PDT processes. However we consider that any process leading to removal of accreditation should mirror the existing registry SLA and escalations and reporting mechanisms, under which ultimately a registry would be moved to an EBERO provider.***

1.1.6 - What, if any, are the potential impacts (both positive and negative) of an RSP Program on ICANN Accredited Registrars? If there are any negative impacts, what are ways in which those impacts can be mitigated?

***Correctly implemented, there should not be any impact on ICANN Accredited Registrars.***

1.1.7 - Should there be a process to reassess RSPs on a periodic basis? If so, how often should an assessment be conducted and what would the process be for a re-approval?

***Yes. An annual audit would be reasonable. However where there have been no SLA breaches or other cause for concern this does not need to be a repeat of the initial approval process, but only a proportionate check by exception and perhaps even a straightforward desktop exercise. (As per the existing mechanisms for ICANN Accredited Registrars).***

1.1.8 - If there is an RSP Program, how far in advance should such a Program be launched prior to the opening of the next application window?

***This sort of detail will depend very much on the application process decided upon for subsequent rounds. However, as implied by the question, clearly if existing RSP providers were not to be automatically pre-approved (on the basis that ICANN has already in effect reviewed their technical operations and there are no material SLA breaches) there would need to be an additional 3-6 months for RSPs to obtain accreditation ahead of the opening of the next application window. Ideally this would be in parallel with other activities (outreach, case studies, beta testing of the application system) in order that the next application window is not delayed.***

1.1.9 - Should there be an RSP application “cut-off” date to allow sufficient time for an RSP seeking approval to receive approval in order for their application to be approved before the opening of an application window?

***We don’t think that RSP Program should be mandatory, in which case the urgency and importance of a cut off diminishes. Arguably the RSP Program could run concurrently with the application window but these sorts of logistics points we think are more operational in nature and should follow from the policy principles.***

1.1.10 - If there is a list of pre-approved RSPs in any RSP Program, should there be a provision granted to organizations that act as an RSP to an existing delegated TLD? If yes, how would such a provision work? If not, could ICANN use an RSP’s existing performance to satisfy any of the technical requirements and/or tests used in the approval process?

***There should be a presumption that existing RSPs with a strong track record and competencies should be given a waiver from most if not all technical requirements checks.***

1.1.11 - If an RSP program is established, how should it be funded? For instance, should registries pay into the program which will reduce related ICANN evaluation fees (and associated application fees)?

***ICANN should conduct RSP program checks at zero/ minimal cost to RSPs where the exercise is minimal based on RSPs proven experience of meeting SLAs for round 1 registry operators. Where a new technical provider wishes to go through the RSP Program, and due to lack of track record more extensive evaluation is required, it seems fair to charge the applicant a reasonable fee which reimburses ICANN’s costs of conducting the evaluation.***

**1.2 Applicant Support** (Wiki page: <https://community.icann.org/x/NT2AAw>)

1.2.1 - Some have suggested it could be beneficial to expand the scope of the Applicant Support (AS) program by:

1. Broadening support to IDNs or other criteria
2. Allowing the Applicant Support program to include the "middle applicant", defined as struggling regions that are further along in their development compared to underserved or underdeveloped regions. The “middle applicant” is intended to be an expansion and NOT intended to be at the exclusion from applicants in underserved or underdeveloped regions. The “middle applicant” provides a balance between opportunities while considering the economic and developmental realities and priorities for potential applicants. Do you believe there is value in the above suggestions? Do you feel there are other areas in which the Applicant Support program could be extended to benefit other regions?

***Bringing down the application costs and simplifying the application process (and timeframes!) will be the most effective way of levelling the playing field in terms of supporting, in general terms, ALL applicants.***

1.2.2 - The Applicant Support Program for the 2012 round was mainly focused on financial support and application submission. Should funding be extended to other areas of the process or for ongoing operational costs? Are there other support mechanisms that should be explored?

***Shorter and simpler ‘plain English’ documentation and publicity / education should both be looked at. There are other areas such as hardware, software, IT skills and Internet accessibility, but suggest these are outside ICANN’s scope in terms of the new gTLD programs.***

1.2.3 - Do you have any suggestions for improving publicity and outreach to potential applicants who would benefit from the Applicant Support program? Do you have any suggestions on how to improve the process to apply for support?

***The regional IGF networks could be effective here?***

1.2.4 - The WG has noted that even if the Applicant Support program is well-funded, well-communicated and comprehensively implemented, potential applicants may still choose not to apply for a gTLD. What other metrics could be used to evaluate the success of Applicant Support initiatives beyond the volume of applications? A study conducted by AMGlobal Consulting, ‘New gTLDs and the Global South’ determined that there was limited awareness of the New gTLD Program and the benefits in applying amongst potential applicants; Would additional metrics on future Applicant Support program(s) and its ability to raise awareness be helpful? Do you have any other metrics that would be helpful measuring the success of the program?

1.2.5 - Do you have any other general recommendations for improving the Applicant Support program?

**1.3 Clarity of Application Process** (Wiki page: <https://community.icann.org/x/JT2AAw>)

1.3.1 - The WG noted that there were a number of changes to the gTLD program after the release of the Applicant Guidebook, including the processes for change requests, customer support, application prioritization, Registry Agreement, etc. Many applicants have stated that the changes impacted their TLD applications throughout the application process both before submission and after the applications were submitted resulting in confusion, additional work and overall dissatisfaction. For instance, the final version of the Applicant Guidebook was released in June of 2012, which was nearly half a year after the application submission period started. Another example would be the difficulty in reaching a common understanding on the requirements for procuring a Continuing Operations Instrument (COI). How should changes to the Applicant Guidebook and/or the new gTLD Program be handled in subsequent application windows?

***Our experience of round 1 confirms that the ‘moving of the goal posts’ during the application period was unhelpful and we agree with the WG statements noted above. Clearly with the benefit of all of the experiences of round 1 we hope (expect?) that the guidebook and all associated processes and policies are firmed up well ahead of the application period opening, and that no changes at all would be made after that point. To that end we strongly suggest that as few changes as possible are made to the current wording, even though much of it could no doubt be simplified and improved.***

***Even as an industry insider and with a very substantial balance sheet we found it challenging both to interpret and implement the COI requirements. The cost and expense in policy terms was very hard to justify to prospective applicants.***

**1.4 Application Fees** (Wiki page: <https://community.icann.org/x/LT2AAw>)

1.4.1 - The application fee of $185,000 USD for the 2012 round of the New gTLD Program was established on the principle of breaking even whereby the program’s total revenues are equal to all related expenses. In addition, the fee should ensure the program is fully funded and not subsidized by any other sources of revenue. Should another mechanism be considered? For example, cost plus reasonable return, fixed plus variable, volume discounts, or other?

***No, subject to our comments below on an alternative to COI, stick with cost neutrality.***

1.4.2 - Although the 2012 round is not complete, there is currently a surplus of fees collected relative to costs incurred. As such, do you believe that the principle of breaking even was implemented effectively? Do you believe $185,000 was a reasonable fee? Is it still a reasonable fee? Should the basic structure of the application fee (e.g., approximately one third of the fee was allocated for (i) the cost recovery of historical development costs, (ii) operations and (iii) legal and other contingencies) be reassessed or restructured? Is it too early to make this assessment? With the experience gained from the 2012 round, do you think that a break-even model can be more accurately implemented for future applications? Do you have suggestions on how to minimize any surpluses or shortfalls?

***The cost neutrality of round 1 was necessarily predicated on fairly conservative estimates as to the number of applications ICANN’s costs (a significant amount of which were fixed regardless of the number of applications) would need to be shared between. ICANN’s costs in round 1 also included historical development costs which won’t be the case in future.***

***In the event, with many more applications than forecast, ICANN’s revenues from the whole program were much higher than forecast. Since we do not believe that ICANN should seek to make a margin on new gTLD applications in subsequent rounds, and that the costs of application can be significantly reduced based on a more realistic view both on costs and likely number of applications. In addition, forecasts need not be as conservative second time round given the buffer of surplus from round 1. We imagine an application of fee should be in the region of $50,000 to $80,000.***

1.4.3 - Should the concept of break-even be strictly adhered to or should other aspects be considered? Some WG members have noted concerns about the responsibility required to run a registry which could be negatively impacted by a fee that is “too low.” Others have noted that the fee is potentially too high and could create barriers to entry in some underserved regions. As such, should there be a cost floor (minimum) or cost ceiling (maximum) threshold that the application fee should not go below/above despite costs estimates? If so, do you have suggestions in how the cost floor and ceiling amounts should be set?

***If as we suggest the fee should be in the region of $50-80,000, then that will still be a significant investment especially when considering the additional resource costs of making the application and contracting / building the RSP elements and ongoing ICANN fees. We don’t see that a fee set at this sort of level will be ‘too low’ and we do have some concerns about the principle of artificially increasing the application fee in order to discourage applications. Barriers to entry for underserved regions is a massive issue for which it is hard to see an easy solution, but at least with a much reduced fee it should be less of a problem than with round 1.***

1.4.4 - If there is a price floor, how should the excess funds resulting from floor costs less the actual costs be justified? Conversely, how would shortages be recovered if the ceiling costs are below actual costs?

***It would be very hard to justify deliberately setting the application fee at a level which would result in excess funds. In the unlikely event of a shortfall, luckily ICANN is sitting on a considerable surplus from round 1.***

1.4.5 - Should the WG seek to establish more clarity in how the excess or deficiency of funds are utilized/recovered? If so, do you have any suggestions for establishing that clarity?

***Within a certain limit then any excess/ shortfall should be absorbed into ICANN’s general operating budgets. If there is a very significant excess then perhaps a rebate to applicants or charitable donation should be considered. It seems highly unlikely that a deficiency which could not be absorbed into ICANN business as usual operating budgets will occur; ICANN would appear to have sufficient reserves to manage this risk.***

**1.5 Variable Fees** (Wiki page: <https://community.icann.org/x/Oz2AAw>)

1.5.1 - Should the New gTLD application fee vary depending on the type of application? For instance, open versus closed registries, multiple identical applications or other factors? The 2012 round had “one fee fits all,” and there seems to be support within the WG for continuing that approach provided that the variance between the different types of applications is not significantly different - do you agree? If not, how much of a variance would be required in order to change your support for a one fee for any type of application approach?

***In general we would urge simplicity where possible, and a continuation of the flat fee approach used in round 1 does make sense. In the event that closed .BRAND new gTLDs have a streamlined application route and simpler/ lower ongoing compliance requirements and obligations it may be fair however that their fee is set at a lower value based on reasonable estimates of the actual costs to ICANN.***

1.5.2 - The WG believes costing information on the different types of applications should be attained and evaluated once the different types of applications are defined. What are the implications of having different costs by type of application and how could they impact future budgeting efforts? How could they impact competition and choice?

***Other than the basic difference between new gTLDs which are closed and for the exclusive use of the applicant (e.g. the .BRAND scenario) and new gTLDs which are to be marketed on a retail basis and will therefore need a higher level of scrutiny and failsafe mechanisms such as escrow and EBERO, we don’t see any reason for differential costing.***

1.5.3 - Should the application fee be variable based on the volume of applications received from a single applicant? If so, how should the fee be adjusted and what are the potential impacts from doing so?

***On balance, we would not favour discounts based on volume applications. Each applied for string will still need to undergo the same initial evaluation procedures and to the extent that there was a lot of duplication in the technical evaluation in round 1 for applicants with identical technical solutions, we would hope that a solution around pre-approval/ accreditation of RSPs would address this.***

**1.6 Application Submission Period** (Wiki page: <https://community.icann.org/x/Mz2AAw>)

1.6.1 - One of the overarching questions in Community Comment 1 focused on whether applications should be accepted during defined windows of time (also known as “rounds”). If the WG determines that a system of rounds is the right approach, is three (3) months an appropriate length of time to accept applications? What considerations should be taken into account when determining the length of the application window?

***We believe that the concept of an application window worked well in the previous round. We would agree that a three month window would be reasonable PROVIDED that the AGB2 is settled well beforehand and the window timing is publicised least 6-12 months before opening. If the process and AGB2 is only settled just before the window opens (seems likely given all previous experiences!) then perhaps a longer window will be needed.***

1.6.2 - If we have a few next ‘rounds’ followed by a continuous application process, how should the application submission period be handled in the lead-up rounds?

***The sort of electronic submission process used for round 1 was quite complex but seemed to work. Once the window has closed then applications should be published and processed in line with the agreed AGB2. For rounds 3 and beyond ahead of a potential continuous application process then timing and any refinement of rules and processes necessarily needs to wait until round 2 has been processed, but we would suggest a target date of less than two years between subsequent rounds going forwards.***

1.6.3 - Do you think the length of the submission period will impact Applicant Support and what factors do you think should be considered in determining an appropriate length of time?

***Subject to clear AGB2 being published well in advance, and the whole process being less changeable and more predictable than round 1, there should be limited impact on Applicant Support.***

**1.7 Application Queuing** (Wiki page: <https://community.icann.org/x/MT2AAw>)

1.7.1 – The WG believes that the process for establishing the evaluation processing order for applications should be similar to the prioritization draw from the 2012 round. This is, in fact contrary to the first submitted first processed/evaluated guidance provided in the 2007 Final Report. Do you agree that a process similar to the prioritization draw should be used in the future? If rounds are not used, would this method still be appropriate? Would a prioritization draw, or similar method, work for a continuous application period or would it be better to base processing/evaluation on order of receipt?

***Whilst the industry standard is first-come-first-served for registration of domain names at the second level, when it comes to TLD applications the principle does not sit so well. We would concur that the prioritization draw used in round 1 was appropriate. It is hard to see how that could be implemented outside of a ‘rounds’ concept though. IF the application process is a lot faster and more streamlined in future then priority for evaluation should not be such a problem. Do not consider digital archery again!***

***Any selection mechanism should be simple, straightforward, easy to use AND decided and communicated to applicants prior to the application window opening. It is not acceptable to move the goal posts half way through the process.***

1.7.2 - Should certain subgroups of applicants/application types be prioritized over others? For instance, from the 2012 prioritization draw, IDNs were moved to the front of the queue for application processing. If you think IDNs or some other category of applications (e.g., Brands, communities, etc.) should be prioritized, do you have suggestions on how to determine the prioritization?

***We would be happy for the same process as last time to be followed - IDNs should be prioritised and encouraged as the process did not generate much language diversity last time. Arguably other categories where contention and controversy issues will be low such as geo/ community names and .BRANDs should also be prioritised behind IDNs but before general applications.***

**1.8 Systems** (Wiki page: <https://community.icann.org/x/Kz2AAw>)

1.8.1 - The WG considers this subject to be mainly implementation focused, but nevertheless, has identified areas for improvement. For instance, security and stability should be improved, more robust user testing (e.g., potential applicants) should be incorporated, systems should be better integrated, adequate time for system development should be afforded, etc. Do you have suggestions on additional areas for improvement?

***We strongly support the recommendation for increased security of the systems as this was a very concerning area last time. We also suggest that it should be possible to upload application documents and associated information rather than having to cut and paste it into a form.***

1.8.2 - The WG also noted that ICANN should expand its system capabilities to include the ability to send invoices to organizations who require documentation in order to process payments for any fees related to their application. Do you agree that this would be beneficial?

***Yes, it is a standard business process to have a purchase order and invoice before processing payment. ICANN requires this themselves so ICANN should be able to facilitate this.***

**1.9 Communications** (Wiki page: <https://community.icann.org/x/Lz2AAw>)

1.9.1 - The WG considers this subject to be mainly implementation focused, but nevertheless, has identified areas for improvement. For instance, the knowledge base could be made more timely and searchable, applicant advisories could be better communicated (e.g., create some sort of subscription service), program information could be consolidated into a single site, ICANN’s Global Stakeholder Engagement team could be leveraged to promote global awareness, etc. Do you have suggestions on additional areas for improvement?

1.9.2 - Metrics to understand the level of success for communications were not established - do you have suggestions on what success looks like?

**1.10 Applicant Guidebook** (Wiki page: <https://community.icann.org/x/Iz2AAw>)

1.10.1 - The Applicant Guidebook served as the roadmap for applicants, but also all other participants to the program. As such, there is a mixture of historical and practical information, some of which is relevant to only certain parties. Do you think it makes sense to partition the Applicant Guidebook into different audience-driven sections or by type of application?

***No – this would increase the risk of confusion for applicants and also creates uncertainty for applications that do not fit neatly into a certain category.***

**Work Track 2 - Legal, Regulatory, and Contractual Requirements**

2.1 Base Registry Agreement (<https://community.icann.org/x/Pz2AAw>)

2.1.1 - The question of whether or not a single Registry Agreement is suitable is tied into the subject of different TLD categories. Throughout the working group’s discussions, there has been support for a model similar to what is currently in place: a single Registry Agreement with exemptions that allow for TLDs with different operational models (e.g., Specification 13 for Brand TLDs or Specification 12 for Community TLDs). There is also support for different Registry Agreements for different TLD categories, centered around a common, core base set of contractual requirements. Which of these models do you think would be most effective for recognizing the different operational requirements of different TLDs? Which of these models do you think would be most efficient in terms of development, implementation, and operational execution (e.g., contracting, contractual compliance, etc.)? Do you think there are any alternative options that could effectively facilitate TLDs with different operational requirements?

***Stick with the current contractual model please. It is not clear what would be gained by changing the format, and anyway it is the substantive content of the base agreement and operational schedules which should be the focus here.***

2.1.2 - Should further restrictions pertaining to sunrise periods, landrush, or other registry activities be developed? If so, do you have suggestions on attributes of these restrictions? Should they be incorporated into the base agreement? Should there be any restrictions established on registry pricing?

***We do not feel that any further restrictions are necessary, and also that there shouldn’t be any ICANN restrictions on registry pricing.***

2.1.3 - Should the entire application be incorporated into the signed Registry Agreement? Should portions of the application, explicitly identified, be incorporated into the signed Registry Agreement? If changes are made between applying and executing the Registry Agreement, how should this be handled? If changes are made after executing the Registry Agreement, how should this be handled? If changes like these are contemplated, how can the needs of the community to properly consider the contents of an application be weighed against an applicant’s need to make either minor adjustments or fundamental changes to their registry?

***The current registry agreement includes warranties to the effect that the application to ICANN was true and correct in all material respects and that would seem to be sufficient. This assumes that the public portions of the application disclose sufficient details as to the proposed use to enable whether legal rights objections etc should be filed. Post contract, ICANN already operates change control procedures.***

**2.2 Reserved Names** (Wiki page: <https://community.icann.org/x/PT2AAw>)

2.2.1 - Do you believe any changes are needed to the String Requirements at the top level as defined in section 2.2.1.3.2 of the Applicant Guidebook (<https://newgtlds.icann.org/en/applicants/agb/guidebookfull-04jun12-en.pdf>)? Please explain.

***No changes required as far as we are aware.***

* + 1. - Do you believe any changes are needed to the list of Reserved Names at the top level as defined in section 2.2.1.2.1 of the Applicant Guidebook (<https://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf>? Please explain.

***Whilst the AGB does not explain the policy basis for reserving these strings and it does seem rather self-serving for ICANN to reserve the string “ICANN” it is probably best to leave the list unchanged rather than reopen that debate.***

2.2.3 - Special Use Domain Names

Context: Internet Engineering Task Force (IETF) RFC 6761 (<https://tools.ietf.org/html/rfc6761>) was issued after publication of the Applicant Guidebook. The RFC describes what it means to say that a domain name is reserved for special use by the IETF, when reserving such a name is appropriate, and the procedure for doing so. It establishes an IANA registry for such domain names, and seeds it with entries for some of the already established special domain names. As a result of the RFC, ICANN must not assign Special Use Domain Names to any third-party registry.

For example, the IETF recently approved .onion as a Special Use Domain Name and IANA added .onion to use Special-Use Domain Name registry (See <http://www.iana.org/assignments/special-use-domainnames/special-use-domain-names.xhtml#special-use-domain>), thereby ensuring that ICANN could not delegate .onion as a gTLD in the future.

Do you think Special Use Domain Names should be added to the Applicant Guidebook section on reserved names at the top level to prevent applicants applying for such labels?

***That seems like a good idea. Otherwise it is not clear to prospective applicants which strings are blocked for technical policy reasons (LOCAL, TEST etc).***

2.2.4 - Specification 5 of the Registry Agreement allows the Registry Operator to reserve and use up to 100 names at the second level for the operation and/or promotion of the TLD. In addition, the Registry Operator is permitted to reserve an unlimited amount of other domain names which may only be released through an ICANN-Accredited Registrar for registration by third parties. Do you believe that any changes are needed to a Registry Operator’s right to reserve domain name? If yes, what changes are needed and why? If not, why not?

***For open TLDs it seems reasonable to allow the Registry Operator to reserve up to 100 names at the second level, but that limit seems artificial and meaningless in the context of a closed .BRAND new gTLD. We would agree that Registry Operators should be able to reserve domains without limit depending on the nature and use of the new gTLD.***

**2.3 Registrant Protections** (Wiki page: <https://community.icann.org/x/QT2AAw>)

2.3.1 - ICANN has included the following programs to protect registrants: an Emergency Back-End Registry Operator (EBERO), Continued Operations Instrument (COI), Data Escrow requirements, and Registry Performance Specifications in Specification 10 of the base registry agreement? Such programs are required regardless of the type of TLD. Are there any types of registries that should be exempt from such programs? If so, why? Do the above programs still serve their intended purposes? What changes, if any, might be needed to these programs if an RSP pre-approval program, discussed in section 1.1.1., were to be developed?

***Registrant protection is a proper objective, but these programs appear to have been drawn up on the basis of all new gTLDs being an open registration model. It seems total overkill for a closed .BRAND new gTLD to have such failsafe protections built in as mandatory. Arguably many if not all of them should cease to apply to certain categories of new gTLDs – why the need for RDDS and EPP service availability SLAs for a closed .BRAND new gTLD for example? Similarly the consequences of failure of a closed .BRAND new gTLD are much less serious than a situation where third party registrants have in good faith paid for and used new gTLDs with the expectation that they will continue to operate for the foreseeable future. Where there are no ‘retail’ domain registrants EBERO/ COI/ Escrow are all unnecessary and not appropriate in our view.***

2.3.2 - In the working group discussions, it became clear that the EBERO funding model requires review and potential modification. The current COI model is one that has proven to be difficult to implement for many registries, ICANN and even financial institutions. Are there other mechanisms of funding EBERO providers other than through Letters of Credit and/or other Continuing Operations Instruments?

***We agree that COI was a complex and expensive hurdle for round 1 applicants. There must be a better solution.***

***We suggest that ICANN does away with COI completely. The costs of maintaining a hot standby EREBO could be met by ICANN charging a small surcharge on a per domain basis for new gTLD registries which require EBERO services by virtue of operating an open registry for ‘retail’ domain registrants. Effectively a collective insurance scheme paid for only by the domain registrants who need this protection. Over time a contingency fund for EBERO could be built up by ICANN – perhaps seeded by the surplus proceeds from round 1. Ultimately this will be much more efficient and therefore cheaper for all concerned (well apart from the financial institutions who provide COI services!).***

2.3.3 - ICANN staff, in its Program Implementation Review Report, identified a number of challenges in performing background screening, particularly because there were many different types of entities to screen (e.g., ranging from top twenty five exchanges to newly formed entities with no operating history) and because it is difficult to access information to conduct background screenings in some jurisdictions/countries. Do you think that the criteria, requirements, and/or the extent to which background screenings are carried out require any modifications? Should there be any additional criteria added to future background screenings? For example, should the previous breach by the Registry Operator, and/or any of its affiliates of a Registry Agreement or Registrar Accreditation Agreement be grounds for ICANN to reject a subsequent application for a TLD by that same entity and/or its affiliates? Why or why not? What other modifications would you suggest? Should background screening be performed at application time or just before contract-signing time? Or at both times? Please explain.

***Some due diligence to check that in addition to the technical capabilities an applicant is fit and proper to operate a new gTLD is correct in our view. Unfortunately this does provide some challenges when trying to cover all types of applicant worldwide. We don’t see any easy solution to that.***

***Clearly an applicant who previously ran a failed new gTLD should be scrutinised particularly carefully. But in general each application and new gTLD contract should be considered as discrete transactions, and we don’t think that performance in one area (such as breach of SLAs where there may be specific one-off reasons for failure) should in principle be relevant in considering an application for another unconnected new gTLD.***

**2.4 Closed Generics** (Wiki page: <https://community.icann.org/x/UT2AAw>)

2.4.1 - In the 2012 round, the operation of a TLD where the string was considered “generic” could not be closed to only the Registry Operator and/or its Affiliates. Originating from GAC Advice on the subject, this rule was promulgated by ICANN’s New gTLD Program Committee of the ICANN Board, but was never adopted as a policy by the GNSO. This rule was subject to public comment and input from the community. Should this rule be enforced for subsequent application windows? Why or why not?

***This is a very complex area. However if the same rule against closed generics is retained, which on balance we would recommend, then it should be adopted as formal policy and included in the AGB.***

2.4.2 - Do you have suggestions on how to define “generic” in the context of new gTLDs? A “generic string” is currently defined in the Registry Agreement under Specification 11.3.d as meaning, “a string consisting of a word or term that denominates or describes a general class of goods, services, group, organization or things, as opposed to distinguishing a specific brand of goods, services, groups, organizations or things from those of others.” Are any modifications needed to the definition? If so, what changes? If the exclusion of closed generic TLDs is to be maintained, are there any circumstances in which an exemption to the rule should be granted?

***We would be content with this definition, and on balance we agree with the ban on closed generics for the foreseeable future.***

**2.5 Applicant Terms and Conditions**

2.5.1 - The following language appears in Section 3 of the Applicant Terms and Conditions: “Applicant acknowledges and agrees that ICANN has the right to determine not to proceed with any and all applications for new gTLDs, and that there is no assurance that any additional gTLDs will be created. The decision to review, consider and approve an application to establish one or more gTLDs and to delegate new gTLDs after such approval is entirely at ICANN’s discretion. ICANN reserves the right to reject any application that ICANN is prohibited from considering under applicable law or policy, in which case any fees submitted in connection with such application will be returned to the applicant.” Do you believe that this paragraph gives ICANN an absolute right to reject any application for any reason including a reason that contradicts the Applicant Guidebook, or any law or policy? If yes, should such an unrestricted right appear in any modifications to the Guidebook? If no, please list the other documents that you believe should be read in conjunction with this paragraph, e.g. GNSO Policy on new gTLDs, ICANN Bylaws, other portions of the Guidebook, California implied covenant of good faith and fair dealing, etc.

2.5.2 - According to Section 6 of the Applicant Terms and Conditions, the “covenant not to sue ICANN”, an applicant foregoes any right to sue ICANN once an application is submitted for any reason. Currently, an applicant can only appeal an ICANN decision through the accountability mechanisms, which have a limited ability to address the substance of the ICANN decision. If ICANN had an effective appeals process ((as asked about in Question 3.5.2 below) for an applicant to challenge the decisions of the ICANN staff, board and/or any entities delegated decision making authority over the assignment, contracting and delegation of new gTLDs, would a covenant not to sue be more acceptable? Please explain.

***In practical terms, it is totally understandable to ensure that ICANN does not get inundated with litigation. However a better mechanism to require ICANN to review operational decisions in respect of new gTLD applications which may be totally unreasonable or irrational would be useful.***

2.5.3 - According to Section 14 of the Applicant Terms and Conditions, ICANN has the ability to make changes to the Applicant Guidebook. One task of this Working Group is to address the issue of predictability in future rounds, including with respect to the AGB. Do you think that ICANN should be limited in its ability to make changes to the Applicant Guidebook after an application procedure has been initiated? Please explain.

***We would hope that many fewer changes will be required to be made to the AGB in subsequent rounds. It’s fundamentally important that there is certainty in the process.***

2.5.4 - Do you believe that any changes are needed in the Terms & Conditions in Module 6 of the Applicant Guidebook? If so, what are those changes and what is the basis or rationale for needing to do so?

***No these are probably good enough.***

**2.6 Registrar Non Discrimination & Registry / Registrar Separation** (Wiki page: <https://community.icann.org/x/RT2AAw>)

2.6.1 - The Working Group has not yet deliberated the issues of Registrar Non-discrimination or Registry/Registrar Separation (also known as Vertical Integration). However, now that we have several years of operations of vertically integrated registries and registrars, what issues, if any, have you noticed with vertically integrated Registries?

***We did not have any issues with vertical integration.***

2.6.2 - Specification 13 grants an exception to the Registry Code of Conduct (i.e., Specification 9 in the Registry Agreement) and specifically from the vertical integration restrictions. In addition, Registry Operators may seek an exemption from the Code of Conduct if the TLD string is not a generic term and if it meets three (3) other specified criteria set forth in Specification 9 of the Registry Agreement. Are there any other circumstances where exemptions to the Code of Conduct should be granted?

***We cannot immediately think of any other circumstances where exemptions should be granted.***

2.6.3 - Some have argued that although we allow Registries to serve as both as a registry and as a registrar, the rules contained within section 2.9 of the Registry Agreement and in the Code of Conduct prohibit the integrated registry/registrar from achieving the economic efficiencies of such integration by not allowing a registry to discriminate in favor of its own registrar. Do those arguments have merit? If yes, what can be done to address those claimed inefficiencies? If not, please explain. What safeguards might be required?

***New gTLD .BRAND registries where there are no non-group customers exist should be allowed full integration.***

***We make no comment on open TLD vertical integration.***

**2.7 TLD Rollout** (Wiki page: <https://community.icann.org/x/Rz2AAw>)

2.7.1 The Applicant Guidebook specified timelines by which applicants had to complete the contracting (9 months) and delegation (12 months) steps of the process. However, this requirement only means that the contract needs to be executed and nic.TLD be delegated. Are these timeframes reasonable? Is there still a need for these requirements? Please explain.

***Yes these are reasonable. We would also agree that there should be some longstop date by which contract execution and first delegation are to take place.***

**2.8 Contractual Compliance** (Wiki page: <https://community.icann.org/x/Qz2AAw>)

2.8.1 - Noting that the role of Contractual Compliance is to enforce the registry agreement and any changes to that role are beyond the scope of this PDP, the WG is not anticipating policy development related to this topic. The WG expects that any new contractual requirements would be made enforceable by inclusion in the base agreement. Do you agree with this approach?

***Yes.***

**2.9 Global Public Interest** (Wiki page: <https://community.icann.org/x/TT2AAw>)

2.9.1 - The Final Issue Report suggested that in considering the public interest the WG think about concerns raised in GAC Advice on safeguards, the integration of Public Interest Commitments (PICs), and other questions around contractual commitments. Have PICs served their intended purpose? If not, what other mechanisms should be employed to serve the public interest? Please explain and provide supporting documentation to the extent possible.

**Work Track 3 - String Contention Objections and Disputes**

**3.1 Objections** (Wiki page: <https://community.icann.org/x/Vz2AAw>)

3.1.1 - Do you think that the policy recommendations (Recommendations 2, 3, 6, and 20) require any modifications? If so, what would you suggest?

***The recommendations look reasonable, but it will be interesting to see how in practice they are to be implemented in a way which still gives certainty to prospective applicants – reasonable people can disagree as to whether one string is confusingly similar to another, and what is a generally acceptable legal norm relating to morality and public order.***

3.1.2 - Do you believe that those recommendations (which led to the establishment of the String Confusion, Legal Rights, Limited Public Interest, and Community Objections grounds) were implemented effectively and in the spirit of the original policy recommendations? If no, please provide examples.

3.1.3 - Do you believe there were any issues with standing requirements as defined in the Applicant Guidebook (AGB), or as carried out by the providers? Please explain.

3.1.4 - Do you believe there is evidence of decisions made by objection dispute panels that were inconsistent with other similar objections, the original policy recommendations, and/or the AGB? Please explain.

3.1.5 - Are you aware of any instances where any party or parties attempted to ‘game’ the Objection procedures in the 2012 round? If so, please provide examples and any evidence you may have available.

3.1.6 - Do you believe that the use of an Independent Objector (IO) is warranted in future application processes? If not, then why? If yes, then would you propose any restrictions or modifications be placed on the IO in future rounds?

***Yes, or you could consider the implementation of a review process involving experienced or groups of team members. Such a quality control process is used in Nominet’s Dispute Resolution Service.***

3.1.7 - Do you believe that parties to disputes should be able to choose between 1 and 3 member panels and should the costs of objections reflect that choice?

3.1.8. - Is clearer guidance needed in regards to consolidation of objections? Please explain.

3.1.9 - Many community members have highlighted the high costs of objections. Do you believe that the costs of objections created a negative impact on their usage? If so, do you have suggestions for improving this issue? Are there issues beyond cost that might impact access, by various parties, to objections?

3.1.10 - Do you feel that GAC Early Warnings were helpful in identifying potential concerns with applications? Do you have suggestions on how to mitigate concerns identified in GAC Early Warnings?

***Yes. Whilst the GAC should not run ICANN’s policy for new gTLDs, it is important that GAC input is a formal part of the application process, and dialogue between the GAC and applicants should be encouraged to help work out solutions to public policy concerns.***

3.1.11 - What improvements and clarifications should be made to GAC Advice procedures? What mitigation mechanisms are needed to respond to GAC Advice? How can timelines be made more precise?

***This is a complex area. Each case where GAC advice might be invoked will be inherently contentious and the nature of the GAC advice as failsafe for expression of public policy concerns needs to be expressed in fairly board terms and so we don’t have easy answers for improving this process.***

**3.2 New gTLD Applicant Freedom of Expression** (Wiki page: <https://community.icann.org/x/Uz2AAw>)

3.2.1 Noting that the 2007 Final Report on new gTLDs tried to balance the rights of applicants (e.g., Page 13 Principle G) and rights holders (Recommendation 3), do you believe that the program was successful in doing so? If not, do you have examples of where either an applicant’s freedom of expression or a person or entity’s legal rights were infringed?

**3.3 Community Applications and Community Priority Evaluations** (Wiki page: <https://community.icann.org/x/Wz2AAw>)

3.3.1 - As indicated in the Implementation Guidance of the 2007 Final Report, the claim by an applicant to support a community was intended to be taken on trust unless the applied-for TLD is in contention with one or more TLDs or is the respondent in an objection. As a result, the claim to support a community was only evaluated in Community Priority Evaluation (CPE) and Community Objections. Do you believe that the implementation and delivery of CPE were consistent with the policy recommendations and implementation guidance provided by the GNSO? If no, do you have suggested improvements to either the policy/implementation guidance or implementation?

3.3.2 There is a general sentiment amongst many in the community that the CPE process did not provide consistency and predictability in the 2012 round. Do you believe this was the case and if so, do you have examples or evidence of these issues?

3.3.3 - CPE was the one instance in the New gTLD Program where there was an element of a comparative evaluation and as such, there were inherently winners and losers created. Do you believe there is a need for community priority, or a similar mechanism, in subsequent procedures? Do you believe that it can be designed in such a fashion as to produce results that are predictable, consistent, and acceptable to all parties to CPE? The GNSO policy recommendations left the issue of a method for resolving contention for community claimed names to Board and the implementation. Do you believe that a priority evaluation is the right way to handle name contention with community applicants? Should different options be explored? If so which options should be explored and why?

3.3.4 - Were the rights of communities (e.g., freedom of expression, freedom of association, freedom of religion, and principle of non-discrimination) infringed by the New gTLD Program? Please provide specific examples.

3.3.5 - Besides CPE, are there other aspects of the New gTLD Program related to communities that should be considered in a more holistic fashion? For instance, in the 2012 round, the claim to support a community is largely only relevant when resolving string contention. Do you think community applications should be structured and/or evaluated differently than other applications? 3.4 String Similarity (Evaluations) (Wiki page: <https://community.icann.org/x/VT2AAw>)

3.4.1 - There was a perception that consistency and predictability of the string similarity evaluation needs to be improved. Do you have examples or evidence of issues? If so, do you have suggested changes to the policy recommendations or implementation that may lead to improvement? For instance, should the standard of string confusion that the evaluation panel used be updated or refined in any way?

3.4.2 - Should the approach for string similarity in gTLDs be harmonized with the way in which they are handled in ccTLDs (ccNSO IDN ccTLD Fast Track Process is described here: <https://www.icann.org/resources/pages/fast-track-2012-02-25-en>)?

***Harmonisation of approach would be ideal, perhaps an opportunity to work on policy between the ccNSO and GNSO.***

3.4.3 - The WG and the wider community have raised concerns specifically related to singles and plurals of the same word. Do you have suggestions on how to develop guidance on singles and plurals that will lead to predictable outcomes? Would providing for more predictability of outcomes unfairly prejudice the rights of applicants or others?

3.4.4 - Do you believe that there should be some sort of mechanism to allow for a change of applied-for TLD when it is determined to be in contention with one or more other strings? If so, do you have suggestions on a workable mechanism?

3.4.5 - Do you feel that the contention resolution mechanisms from the 2012 round (i.e., CPE and last resort auctions) met the needs of the community in a sufficient manner? Please explain.

3.4.6 – Do you believe that private auctions (i.e., NOT the auctions of last resort provided by ICANN) resulted in any harm? Could they lead to speculative applications seeking to participate in a private auction in future application processes? Should they be allowed or otherwise restricted in the future?

**3.5 Accountability Mechanisms** (Wiki page: <https://community.icann.org/x/WT2AAw>)

3.5.1 – Do you believe that the existing accountability mechanisms (Request for Reconsideration, Independent Review Process, and the Ombudsman) are adequate avenues to address issues encountered in the New gTLD Program?

3.5.2 – Should there be appeal mechanisms, specific to the New gTLD Program, introduced into the program? If yes, for what areas of the program (e.g., evaluations, objections, CPE)? Do you have suggestions for high-level requirements (e.g., if the appeal should be limited to procedural and/or substantive issues, who conducts the review, who is the final arbiter, safeguards against abuse, etc.).

**Work Track 4 - Internationalized Domains Names and Technical & Operations**

**4.1 Internationalized Domain Names** (Wiki page: <https://community.icann.org/x/XT2AAw>)

4.1.1 - Do you agree or disagree with allowing 1-char IDN TLDs, in specific combinations of scripts and languages where a single character can mean a whole idea or a whole word (ideograms or ideographs)?

***Agree. As a community we should be careful to recognise what is true of the latin language based world is not necessarily the case when using IDNs.***

4.1.2 - Do you have any general guidance or would you like to flag an issue requiring policy work for subsequent procedures regarding IDNs?

4.1.3 - How do you envision the policy and process to allow IDN Variant TLDs to be delegated and operated? Possible options include but are not limited to bundling (allowing but requiring procedures similar to .ngo/.ong where only the same registrant can register a name across TLDs), disallowing (as it was in the 2012-round) or allowing without restrictions. Must there be a solution established prior to launching subsequent procedures?

***No. ICANN should allow for diverse business models. As the Registry Operator for sister domains .CYMRU and .WALES we recognise that there are a number of business models that could apply to operating a TLD in connection with each another. We do not think it is for ICANN to dictate how such models should work in a commercial operational environment.***

4.1.4 - Should the process of allowing 1-char IDN TLDs and IDN Variant TLDs be coordinated and/or harmonized with ccTLDs? If so, to what extent?

**4.2 Universal Acceptance (UA)** (Wiki page: <https://community.icann.org/x/XT2AAw>)

4.2.1 - Do you see any UA issue that would warrant policy development work, noting that there is extensive coordination work already being done by the Universal Acceptance Steering Group (https://uasg.tech/) ?

**4.3 Application Evaluation** (Wiki page: <https://community.icann.org/x/YT2AAw>)

4.3.1 Technical Evaluation

4.3.1.1 - Do you believe that technical capability should be demonstrated at application time, or could be demonstrated at, or just before, contract-signing time? Or at both times? Please explain.

***At delegation. There are a range of competitive providers to choose from and adding the cost at the start is of little benefit.***

4.3.1.2 - Do you believe that technical evaluation should be done per application, per cluster of similar technical infrastructure of a single applicant entity/group, or per cluster of similar infrastructure among all applicants in a procedure (e.g, consolidate as much as possible)? 4.3.1.2.1 - If consolidated, should the aggregate requirements of applied-for TLDs and currently operated TLDs be taken in consideration for evaluation?

***Consolidation of the testing would be ideal.***

4.3.2 Financial Evaluation

It is generally agreed that financial stability of a gTLD operator is necessary to ensure the security, stability, and resiliency of the Internet.

4.3.2.1 - ICANN sought detailed financial information as it pertains to an applicant’s proposed business model, projected revenue, and operating expenses. However, it required such information be provided through a static template rather than allowing applicants to provide their own financial models. Did this present any issues in the 2012 round? Please explain.

4.3.2.2 - Can financial capability be demonstrated with less detail, in a different manner, or via a different mechanism? Are there details or levels of detail that are unnecessary?

4.3.2.3 - In the prior round, detailed business plans were provided, but not evaluated; they were however used to provide context to evaluators in scoring applicant responses. Do you believe that this information needs to be collected in order to evaluate an applicant’s financial capabilities? Please explain? How should changes in business plans during the application process be handled?

4.3.2.4 - Some have argued that for Brand TLDs that do not rely on the distribution of domains, an evaluation of the business model unnecessary. Do you agree with this assertion? Please explain. Are there any other types of TLDs for which the collection of business models may be unnecessary? Please explain.

***Yes. A brand should only need to demonstrate that it is an ongoing concern. The usage of a TLD to add security to a corporate infrastructure by eliminating third parties does not require ICANN to oversee it.***

4.3.2.5 - Do you believe that financial capability should be demonstrated at application time, or could it be demonstrated at, or just before, contract-signing time? Or at both times? Please explain.

4.3.2.6 - Do you believe that financial evaluation should be done per application or per possible registry family assuming all applied-for strings are won?

4.3.2.7 - Given the international nature of ICANN and its outreach to less developed areas, is the one size fits all approach to financial evaluation appropriate?

4.3.3 General Questions

4.3.3.1 - What suggestions do you have for improving the application evaluation process that you would like the community to consider?

***There should be more continuity in dealing with applications with the same registry as there was a lot of duplication and repetition of tasks in the assessments in the previous round.***

**4.4 Name Collision** (Wiki page: <https://community.icann.org/x/Yz2AAw>)

4.4.1 - What general guidance for namespace collisions would you like the community to consider for subsequent procedures, and why?

4.4.2 - Were there non-applied for strings that would fall into a high risk category that you would suggest not be allowed in subsequent procedures? If yes, which ones and why? Should a Name Collision based evaluation be incorporated into the process for subsequent procedures? What data sources could/should be used for analyzing namespace collisions for subsequent procedures?

4.4.3 - Based on data from the first round, can the controlled interruption period be reduced in future rounds?

4.4.4 - Should any measures be suggested or requested from TLDs that already ended or will end their emergency readiness after two years of delegation? Are any measures needed for gTLDs delegated prior to the 2012 round?

**4.5 Security and Stability** (Wiki page: <https://community.icann.org/x/Xz2AAw>)

4.5.1 Considering that, different from the 2012-round, we now have Top-Level Label Generation Rules available for most, if not all, scripts and languages, does the per-label security and stability review still makes sense?

4.5.2 Considering the already published CDAR study and comments to that study, do you have any comments regarding root zone scaling?

**Additional Questions**

1. The topics above, and the corresponding questions, are all related to the scope of work as determined in this WG’s charter. Do you feel that all topics must be fully resolved before any subsequent new gTLD procedures can take place? If not, do you believe that there is a critical path of issues that MUST be considered and addressed? Alternatively, do you believe that there are certain challenging issues where an existing solution may be present (e.g., in the Applicant Guidebook), which can serve as an interim solution, while debate can continue in parallel with the launch of subsequent new gTLD procedures?

2. Many in the community have noted the length of time from the close of the application submission period (i.e., June of 2012) to the informal projections for the beginning of subsequent new gTLD procedures (e.g., 2020). Do you have any suggestions on how to shorten that timeline, either now in the event of future rounds or other procedures?

3. Do you feel that there are additional issues or subjects that the WG should be considering?

4. Do you have any suggestions for data points, analysis, studies, etc. that might benefit the work of this PDP in any of its areas of work?