

Measures for Letter/Letter Two-Character ASCII Labels to Avoid Confusion with Corresponding Country Codes

(8 November 2016)

The following are proposed measures for release of two-letter second-level domains in gTLDs. If adopted, all gTLD Registry Operators who implement these measures would be authorized to release all reserved two-letter second-level domains (except those otherwise reserved pursuant to Specification 5 Section 6).

Registry Operators continue to be subject to all other safeguards, measures and requirements as set forth by the Registry Agreement; for example, TLDs included on the Governmental Advisory Committee (GAC) Category 1 Strings list¹ must adhere to safeguards above and beyond the measures identified below.

Registry Operators may implement additional measures at their discretion.

In addition to the measures identified below, in accordance with advice issued in the [GAC Helsinki Communiqué](#), ICANN “urge[s] the relevant Registry or the Registrar to engage with the relevant GAC members when a risk is identified in order to come to an agreement on how to manage it or to have a third-party assessment of the situation if the name is already registered.”

MEASURES TO AVOID CONFUSION

EXCLUSIVE AVAILABILITY PRE-REGISTRATION PERIOD (voluntary)

Registry Operator may implement a 30-day period in which registration of letter/letter two-character ASCII labels that are country codes, as specified in the ISO 3166-1 alpha-2 standard, will be made exclusively available to the applicable country-code manager or government. All registrations will remain subject to compliance with all other requirements in the registry agreement, such as community TLD policies pursuant to Specification 12, or the [Trademark Clearinghouse Rights Protection Mechanism Requirements](#). The Registry Operator commits to affirmatively reaching out to those country-code managers and governments to provide notice of the Exclusive Availability Pre-Registration Period, including dates and registration process.

NOTE: TLDs with an executed Specification 13 or Exemption from Specification 9 - Code of Conduct should not implement this measure based on the fact that all registrations in the TLD must be registered exclusively to Registry Operator, its Affiliates or, if applicable, its Trademark Licensees.

REGISTRATION POLICY

Registry Operator must include a provision in its publicly available registration policy requiring a representation that the registrant of a letter/letter two-character ASCII label will take steps to ensure against misrepresenting or falsely implying that the registrant or its business is affiliated with a government or country-code manager if such affiliation, sponsorship or endorsement does not exist.

POST-REGISTRATION COMPLAINT INVESTIGATION

Registry Operator shall take reasonable steps to investigate and respond to any reports from governmental agencies and ccTLD operators of conduct that causes confusion with the corresponding country code in connection with the use of a letter/letter two-character ASCII domain. In responding to such reports, Registry Operator will not be required to take any action in contravention of applicable law.

¹ ICANN NGPC Resolution No. 2014.02.05.NG01: <https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-2-05feb14-en.pdf>