

New gTLD Subsequent Procedures

Application Processing

Registrar Concerns

Execution/Implementation

String Similarity

Misc

Geographic Names

TLD Rules

Contracting/Delegation

Name Collisions

Financials

Systems

Application Evaluation

Supporting Developing Countries

Rights Protections Mechanisms

Prohibitively high fees from International Chamber of Commerce (ICC) led to high costs and lack of public interest objections

Registrants and Independent Objector (IO) did not have standing under string confusion objections

Review roll, functions, and powers of Independent Objector (IO)

Review the objection grounds, and the conditions for qualification: expectation gap can be closed

Lack of objection consolidation rules led to inconsistent outcomes

Inconsistent outcomes from objections

Inconsistent release of decisions

Consider having single body for oversight over providers

Need appeal mechanism to address clearly inconsistent decisions

Measure effectiveness of Rights Protections Mechanisms (RPMs) exclusive to new TLDs

Customer confusion caused by pre-registrations claims notice requirement

Abuse of TMCH protection mechanism for generic reservation

Introduced in Aug 2013, still some unresolved issues

Initially developed without registry/registrar input

Can the value of the TMCH registration be extended, e.g. use as proof of ownership for a Uniform Domain-Name Dispute-Resolution Policy (UDRP)

Since a TMCH record is a pre-requisite for qualifying as a dotbrand for Spec 13 there should be no requirement to also file a TM certificate

Issues around decision not to allow TM Claims for confusingly similar strings and "mark plus", where the "plus" is a descriptive term

Review operations and effectiveness of Trademark Clearing House (TMCH) in preventing infringement

Consider making the TM Claims service a genuinely protective mechanism by giving the TM owner advance notice of registration with a mechanism for objection

Rules are insufficiently clear and thus open to interpretation and abuse to circumvent the sunrise. Consideration needed as to whether there should be limits on the number of reserved names, prohibitions against reserving TMCH terms, and/or all subsequently-released names being offered on a sunrise

Consider level of fees, in particular for dotbrand registrars who do not run a Sunrise

Slick lists - The Domains Protected Marks List (DPML) has demonstrated what can be done. There should be consideration of whether a formalized version of this could form part of any future application round, or whether applicants who voluntarily adopt such a mechanism are awarded additional evaluation points.

Was supposed to be against individual applicants, not classes of applications

Subject to unpredictable timelines, prices

Review of offering trademark standards in different jurisdictions and prone to gaming

Clarify the RPM requirements beyond the current "trademarks" and "special public" (i.e. other legitimate rights, specifically for community-specific TLDs)

Limit mixed (graphics-text) trademarks to Claims, but not Sunrise

Measure the scale of actual harm to IP interests

Complainant cannot correct administrative errors - lack of balance between complainant and registrant

Consider whether appropriate to dispense with full assessment on merits if the registrar defaults, since de novo review is available

Lack of ability to transfer domain name to TM owner

Lack of balance between complainant and registrant

No opportunity for complainant to correct administrative errors

Review of vertical integration and its marketplace impact

Review nondiscriminatory treatment as it applies to registries (see Section 3 of ICANN ByLaws)

Review ICANN's context of interest framework and enforcement

Provide for formal position on private auction versus ICANN auctions

Provide for a different resolution method besides auction

Review of CPE to determine if it is susceptible to gaming

Lack of consistency from panel

CPE rules/guidelines for evaluators were developed after publication go AGB

Inconsistent outcomes from CPE reviews

Over arching concern of gaming is a form of gaming that can eliminate legitimate community applicants

Rules meant to discourage community based applications

Review issue of plurals

Establish rules for indirect contention

Delays in auction process

Consider allowing applicants to provide alternate string

Things that changed include vertical integration Registrar Accreditation Agreement (RAA) 2013 implementation

Public Interest Commitments (PICs) introduced in 2013, right before objections filing deadline and receipt of GAC advice

Name Collision

Lack of adherence to timelines and deadlines

Applicant Guidebook (AGB) is too cumbersome, should be contained to processes and procedures, referencing other docs where necessary

At large structures participate in formation of application

Accountability mechanisms were abused

A quick-look process may help fend off abuse

Ombudsman processes and timelines need to be formalized

Plurals are causing user confusion

Could have mandated verification of registrants in highly regulated industries

Are public interest commitments (PICs) sufficient to protect the interests of internet users?

Limited usage of Applicant Support process

Excessive gaming protections and late developing rules reduced few Joint Applicant Support (JAS) applications

Made no new processes after final AGB

Lack of outreach for the Applicant Support Program

Lack of outreach for the new gTLD program in the underserved regions

Dedicated round for applicants from developing economies and poor communities

Staff should not be able to alter implementation guidelines developed by the community. If staff suggestions may materially impact applicants, must refer back to community before being implemented

Open ended application process (i.e., remove rounds)

Lack of registry service provider figures

Fin/Tech questions were not detailed enough

Create accreditation program for back-end operators

Create accreditation program for escrow providers

Fin/Tech questions were not rooted in realities of running a registry, more focused on bureaucratic requirements

Notifications of field length reached, use uploaded docs, multiple account users, reuse application data, search and replace ability

Buggy and error prone

Cumbersome and resource intensive (challenging for slower internet connections)

Digital Archery robustness and scalability issues

Centralized Zone Data Service (ZDS) robustness and scalability issues

One size fits all application and review process hampers innovation

CO process was developed on the fly

May have affected CPE and objections outcomes

Spurious activities aimed at community applicants

Supporters were contacted, misled

Subsequent round applicants will find it harder to gain support

Variable application fee amounts based on...

COI requirements changed multiple times

COI looked up a large sum of money for several years

Pre-approved COI documents provided by financial institutions

Review Change Continued Operations Instrument (COI)

Consider whether insurance could be an alternative

ICANN has to work more effectively with banks in developing countries to facilitate transactions - particularly onerous for people in developing countries

In certain jurisdictions, a signed agreement is needed to wire funds internationally

Reduction of fees for identical applications

Lower and higher fees depending on circumstances

Consider raising invoice in advance to facilitate making payments

Standards developed for Non-existing domains (NEX) and name collisions

Should inform Certificate Authorities (CAs) and activate controlled interruption at Reveal Day

Review "highly regulated TLDs" and how they should be handled

Simplify framework for explanation to customers

Allow for Registry Agreement (RA) & Registrar Accreditation Agreement (RAA) in multiple languages

Clarify rules to prevent potential abuse of Spec 13 by generic TLDs

Allow for a longer time to rollout TLD

Review of when recurring fees are due to ICANN, such as after in not zone and available to ml

Allowance of closed TLDs, in particular for generics

Differentiate between closed and open TLDs, in the sense of 3rd party registrations available or not

Establish requirements for selling and maintaining premium names

Premium Pricing - Rules are insufficiently clear and thus open to interpretation and abuse. Greater certainty required on what is permissible around the designation of names as premium, where they are trademarked terms, and on limits as to numbers.

Documentation requirements (i.e., informed Consent)

Better established geographic names restrictions (AMAZON, PATAGONIA)

Full country names should be allowable since no other outlet currently. GAC shouldn't speak for the countries

Geographic indicators for certain products (e.g., wine, cheese) and determine whether standards should apply to 2nd level registrations

Review TLD rules

Allow special characters

Establish rules for all two-letter strings

Allow single letter TLDs

Lack of redress options

No queuing methodology developed beforehand

Limiting Round to Certain Parties

Trademarked TLDs

Different application tracks for different TLD types (e.g., closed, open, community restricted, brand, single registrant/registry)

Create communication platform where applicants can communicate with 3rd party stakeholders (e.g., GAC)

Inconsistent customer communications (timing, content)

Background checks - officers of publicly traded corps already reviewed to degree greater than ICANN does

Improve change request process, e.g. allow applicants to make requested changes directly

ICANN review

Consider limits on number of applications by one applicant/group

Unfunded accreditation process (similar to Automated Registrar Onboarding System (AROS)?)

Response time requirements for registry to accreditation requests

Removal of mandatory pre-registrations TMCH notices to registrants

Standardization of RRA agreements

Sunrise notice requirement expanded to availability of complete accreditation documentation and agreements at the time of the sunrise notice to allow timely accreditation

More transparency in contracting (NDAs, RRA, side letters, etc.)

Ry requirements to disclose all promotional programs offered to registrars

Requirement for provision of RAA in English non-binding reference copy

Clarify the requirement of non-discriminatory access to registry services