

Work Track 5 meeting



7 August 2018

Agenda

1. Welcome/Agenda Review/SOI Updates
2. Closure of Discussion on Languages/Translations
3. Closure of Discussion on Additional Categories of Terms Not Included in the 2012 Applicant Guidebook
4. Closure of Discussion on Changes to String Contention Resolution
5. Final review of public comments - Proposals on Change to Scope of Protections/Restrictions
 - Covered in the public comment summary document beginning on page 32: https://docs.google.com/document/d/1rsyxCEBd6ax3Rb_w1kms_E9n29XL1_lw3Yp9XQ4TeCY/edit?ts=5ce64d6d# [docs.google.com].
 - For reference, full text of comments is available at: https://docs.google.com/spreadsheets/d/1WKSC_pPBviCnbHxW171ZIp4CzuhQXRCV1NR2ruagrxs/edit#gid=543808477 [docs.google.com]

6. AOB

Welcome/Review Agenda/SOI Updates

Agenda Item #1

Closure of Discussion on Languages/Translations

Agenda Item #2

Status

- For some time, the Work Track has been discussing the issue of languages/translations. As a reminder, the following provisions applied in the 2012 Applicant Guidebook:
 - In the 2012 Applicant Guidebook, a string was considered unavailable if it was a translation **in any language** of the following categories of country and territory names: long-form name listed in the ISO 3166-1 standard; short-form name listed in the ISO 3166-1 standard; separable component of a country name designated on the “Separable Country Names List.”
 - In the 2012 round, applicants were required to obtain letters of support or non-objection from the relevant governments or public authorities for “An application for any string that is a representation, **in any language**, of the capital city name of any country or territory listed in the ISO 3166-1 standard.”

Base Proposal

- ⦿ WT5 has discussed the following proposal as an alternative to the “in any language” standard and two possible additions included on the following slides. The summary document included with the agenda for today contains some pros and cons identified for these options.

Base Proposal: change “in any language” to “UN and official languages”

- ⦿ For those countries that have no official language, include “de-facto” official languages
 - a list would need to be identified for this if it was used in the recommendations
- ⦿ Supplement with a curative mechanism that allows for objections in the case of commonly used languages
 - the Work Track may want to further develop the details of the curative mechanism

Possible addition - relevant national, regional and community languages

In addition to the base proposal:

- A string is unavailable if it is a translation in **relevant national, regional and community languages** of the following categories of country and territory names: long-form name listed in the ISO 3166-1 standard; short-form name listed in the ISO 3166-1 standard; separable component of a country name designated on the “Separable Country Names List.”
- Require applicant to obtain a letter of support or non-objection from the relevant government or public authority for “An application for any string that is a representation, **in relevant national, regional and community languages**, of the capital city name of any country or territory listed in the ISO 3166-1 standard.”
 - Relevant national, regional and community languages could be defined as languages spoken by a certain percentage of people in the country/territory/capital city. The percentage would need to be defined.
 - A list of relevant national, regional and community languages would need to be found or developed.

Possible addition - transposition

- **Applying only to capital city names: Also require support/non-objection letter for the transposition of accented and diacritic characters in Latin-based scripts to their equivalent ASCII root. This would protect for example sao-tome as a DNS-Label of São Tomé alongside the IDN version of the name (xn--so-tom-3ta7c). Additional example provided: denhaag/den-haag would require letter of support/non-objection.**

Questions raised:

- What is the underlying concern that proposal is trying to address?
- Is transposition, such as the example of Den Haag represented as denhaag, an issue of translation or is it something else? Is the issue of how to treat spaces and dashes different from the issue of accented characters? Note that the elimination of spaces or additions of dashes are included in the [current standards dealing with copyright](#). Could this be leveraged if it is not already?
- Is it more appropriate to consider this proposal in the context of all geographic names in the AGB rather than specifically capital city names?
- Is there an objective list that can be used as reference in relation to accented characters and corresponding ASCII characters?
- Could curative measures be used to address underlying concerns?
- Is “ASCII root” appropriate terminology? Should it say ASCII text?

Topic Closure

- ⦿ Work Track 5 is reaching the conclusion of its work, and discussions on languages/translations must be wrapped up.

- ⦿ At this stage:
 - Is there agreement on a path forward?
 - If not, are there any new points that need to be raised or items that have not yet been discussed that might lead to agreement?

- ⦿ If there is not agreement on any of the proposed changes presented on the previous slides, the 2012 Applicant Guidebook provisions will remain in place.

Closure of Discussion on Additional Categories of Terms Not Included in the 2012 Applicant Guidebook

Agenda Item #3

Status

- ⦿ The Work Track has extensively discussed whether there should be provisions in the Applicant Guidebook to protect/restrict additional categories of terms not included in the 2012 AGB.
- ⦿ Based on WT discussions, it did not appear to the co-leaders that there is agreement on any specific proposal on this topic.
- ⦿ The Work Track co-leaders put out a request on the mailing list for any final proposals that members feel could be agreed upon.
- ⦿ A Work Track member replied on-list that the following should be considered as a compromise proposal: Terms beyond the 2012 AGB with geographic meaning (e.g. adjective forms of countries, such as “Swiss”) which are identified as such with a modicum of diligence by the prospective applicant should be subject to a contact obligation with the relevant authorities, in order to put them on notice.
- ⦿ Are there additional points that the Work Track would like to discuss with respect to this proposal?

Topic Closure

- ⦿ At this stage:
 - Is there agreement on a path forward?
 - If not, are there any new points that need to be raised or items that have not yet been discussed that might lead to agreement?

- ⦿ If there is not agreement on any proposed changes, the 2012 Applicant Guidebook provisions will remain in place.

Closure of Discussion on Changes to String Contention Resolution

Agenda Item #4

Background

- In the 2012 round, the method of last resort for resolving contention between two or more applications was an auction. The full Working Group is addressing auctions of last resort between two or more strings that are not geographic names. Work Track 5 could consider if the 2012 rules are still appropriate for contention sets that include one or more geographic names as defined in section 2.2.1.4.2 of the Applicant Guidebook:
 - If there is more than one application for a string representing a certain geographic name, and the applications have requisite government approvals, the applications will be suspended pending resolution by the applicants.
 - If a contention set is composed of multiple applications with documentation of support from the same government or public authority, the set will proceed to auction when requested by the government or public authority providing the documentation.
 - If an application for a string representing a geographic name is in a contention set with applications for similar strings that have not been identified as geographical names, the set will proceed to auction.

Status

- ⦿ There was some discussion in the Work Track that members may want to revisit the rules in the 2012 Applicant Guidebook.
- ⦿ There have not yet been any proposals put forward at this point to change the existing rules.
- ⦿ The co-leaders put forward a final call for proposals on the mailing list.
- ⦿ One proposal was received (see next slide)
- ⦿ To discuss: Is there any input on this proposal? What are the pros and cons?

Proposal (slide 1/2)

- ⦿ **Update Applicant Guidebook, Chapter 2.2.1.4.4 with:**

If an application for a string representing a geographic name is in a contention set with applications for identical strings that have not been identified as geographical names, the string contention will be resolved using the string contention procedures described in Module 4.

Proposal (slide 1/2)

⦿ Update Applicant Guidebook, Module 4. with:

A// In case there is contention for a string where one application intends to use the string as a non-capital city name or designated the TLD to targeting it to a geographic meaning, preference should be given to the applicant who will use the TLD for geographic purposes if the applicant for the geoTLD is based in a country where national law gives precedent to city and/or regional names.

RATIONALE: This would reflect national law e.g. in countries like Switzerland and Germany, where e.g. city names have more rights that holders of the same name.

B// If there is more than one applicant for an identical string representing a geographic name, and the applications have requisite government approvals, the applicant with the larger no of inhabitants will prevail over the smaller one. As the criteria “size” has been used in the CPE criteria, it is apparently a well-accepted criteria.

RATIONALE: This would reflect the current rule of the Applicant Guidebook capital city has priority over smaller city.

Topic Closure

- ⦿ At this stage:
 - Is there agreement on a path forward?
 - If not, are there any new points that need to be raised or items that have not yet been discussed that might lead to agreement?

- ⦿ If there is not agreement on any proposed changes, the 2012 Applicant Guidebook provisions will remain in place.

1. Final review of public comments - Proposals 6, 7, 8, 9, 10, and 37

Agenda Item #5

Public Comments on Proposals to Change Scope of Protections

- In deliberations of the Work Track, members put forward proposals to either increase or decrease the scope of protections in the Applicant Guidebook.
- These were included in the Initial Report when it went out for public comment along with a number of other proposals on other topics.
 - A summary of public comments on these proposals begins on page 32 of the [public comment summary document](#)
- Elements of these proposals have been discussed in the context of revisiting the draft recommendations as well as broader discussions in the Work Track.
- Public comments reflect that there is a mix of perspectives in the community on the different proposals – some in favor and some opposed to each, similar to what the co-leaders have observed in WT discussions.
- At this stage, the co-leaders do not anticipate that re-reviewing the proposals will lead to agreement in the Work Track on specific changes. Members should raise if there are any points that they think need to be considered further in order for the Work Track to reach agreement on recommendations.

Any Other Business

Agenda Item #3