Your name: Jim Prendergast

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| **Issue** | **Applicable text (please quote directly)** | **Number and name of applicable report section** | **Cannot live with rationale** | **Proposed changes (taking into account whether others would be able to live with them)** | **RK comment** |
|  | Implementation Guidance xx (Rationale 4): ICANN should develop a mechanism or test to determine the name collision risk for any given string. The Working Group suggests putting them into three categories: high risk, aggravated risk, and low risk. High-risk strings should not be allowed to be applied for (if possible) or delegated, and aggravated risk strings should require the inclusion of a specific name collision mitigation framework. | 2.7.8 Name Collisions | Based on the April 30, 2020 plenary meeting which included SSAC/NCAP Co-chair Jim Galvin, when discussing this particular Implementation Guidance Jim G noted that instead of creating a list of high-risk TLDs, it was more likely that a set of criteria would be established where data could be collected and examined by the Board who would then decide whether or not to delegate a TLD. Galvin reinforced that the SSAC would not decide what can and cannot be delegated. While Jim G admitted that criteria could be manipulated by anyone trying to take advantage of the knowledge of the criteria and influence the data, he also warned against the development of a specific list of TLDs to be prohibited. Ideally that criteria would be available to applicants to use in determining if they can/ should move forward. However, creating a mechanism to determine risk of name collision for new TLDs prior to the application window opening is too easily gamed. As such, I am recommending that this criteria be considered “after the application window closes”. The ICANN Board can examine name collision data for a specific applied for string during the evaluation period and decide whether or not to delegate the string. | The SSAC or NCAP should develop name collision risk criteria and a test to provide information to an applicant for any given string *after the application window closes* so that the applicant can determine if they should move forward with evaluation.   | A GNSO WG report can’t mandate an AC or a non-GNSO WG to do certain work. SSAC issues advice when it see fits. NCAP is also not looking into developing technical methodology but only guiding ICANN Org contractors work to that end. |
|  | Implementation Guidance (Rationale 5): To the extent possible, ICANN should seek to identify high-risk strings in advance of opening the Application Submission Period, which should constitute a “Do Not Apply” list. ICANN should also seek to identify aggravated risk strings in advance, which would be expected to require a specific name collision mitigation framework. However, all applied-for strings should be subject to a DNS Stability evaluation to determine whether they represent a high, aggravated, or low risk of name collision. | 2.7.8 Name Collisions | Same rationale as above. | To the extent possible, all applied-for strings should be subject to a DNS Stability evaluation to determine whether they represent a high, aggravated, or low risk of name collision. | The report already mandates collision risk assessment of all applied-for strings.  |
|  | Rationale for Affirmation xx (Rationale 3): The Working Group notes that ICANN org, in cooperation with the NCAP Discussion Group, has since completed its Study 1, leveraging an outside consultant. The consultant who produced the Study 1 report made the following draft conclusions relating to Studies 2 and 3: “Regarding Study 2 analyzing datasets is unlikely to identify significant root causes for name collisions that have not already been identified. New causes for name collisions are far more likely to be found by investigating TLD candidates for potential delegation on a case by case basis. Regarding Study 3, the review of prior work has not identified any new mitigation strategies for name collisions to be tested. Also, controlled interruption has already proven an effective mitigation strategy. Without a compelling new mitigation strategy to consider, Study 3 does not seem to be needed at this time.” | 2.7.8 Name Collisions | The text as currently written does not indicate that the NCAP work is still in progress, and the name collision framework and mitigation may change after the subpro work is complete. | *Add this additional quote from the NCAP Study 1 Final Report to the original text in this section:*“All of that being said, this does not mean further study should not be conducted into name collision risks and the feasibility of potentially delegating additional domains that are likely to cause name collisions. Most notably, the Study 3 question of how to mitigate name collisions for potential delegation of the corp, home, and mail TLDs is still unresolved. However, the proposals for Studies 2 and 3, which were developed years ago, do not seem to be effective ways of achieving the intended goals.” | The name collision framework might change anytime, as happens with all other policies and guidelines in ICANN. This doesn’t mean we should account for every change that might happen in them that affect subsequent procedures. .corp, .home and .mail issue is not part of the SubPro WG charter.The quote doesn’t add to the substance of the SubPro report.  |