Your name: Justine Chew

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)
1.	Recommendation xx (rationale 3): The Working Group recommends reserving as unavailable for delegation at the top level the <mark>acronym</mark> associated with Public Technical Identifiers, "PTI".	2.7.1 Reserved Names ~pg 76	It is noted that discussion in the WG led to a recommendation for just the acronym "PTI" be reserved as unavailable for delegation at the top level. However, given that the PTI is a core service that the Internet relies on, the At-Large thinks that "PUBLICTECHNIDENTIFIER" and "PUBLICTECHNICALIDENTIFIERS" should also be recommended to be reserved and unavailable for delegation at the top level, which is consistent with preliminary recommendation 2.7.1.c.1 of the SubPro Initial Report. Recommending that they be reserved would disallow them from being applied which is more optimal than subjecting the ICANN community to a need to file objections against any applications for PUBLICTECHNCALIDENTIFIER" and/or "PUBLICTECHNICALIDENTIFIERS", and to altogether avoid any risk of misuse of these strings.	The Working Group recommends reserving as unavailable for delegation at the top level the strings "PUBLICTECHNICALIDENTIFIER", "PUBLICTECHNICALIDENTIFIERS" and "PTI", all of which are associated with Public Technical Identifiers.

2.	Rationale for Recommendation xx (rationale 3): The Working Group considered that Public Technical Identifiers (PTI) was incorporated in August 2016 as an affiliate of ICANN with the primary responsibility of operating the IANA functions. The acronym "PTI" is not included in the list of unavailable/reserved names from the 2012 round because PTI had not yet been established at the time the list was developed. The Working Group recommends that for subsequent procedures, the string "PTI" should be reserved and unavailable for delegation at the top level.	2.7.1 Reserved Names ~pg 77	The proposed change (on the right) corresponds to the change to the above Recommendation xx (rationale 3).	The Working Group considered that Public Technical Identifiers (PTI) was incorporated in August 2016 as an affiliate of ICANN with the primary responsibility of operating the IANA functions. The strings associated with PTI, namely "PUBLICTECHNICALIDENTIFIER" and "PUBLICTECHNICALIDENTIFIERS", as well as its acronym "PTI", are not included in the list of unavailable/reserved names from the 2012 round because PTI had not yet been established at the time the list was developed. The Working Group recommends that for subsequent procedures, the strings PUBLICTECHNICALIDENTIFIER", "PUBLICTECHNICALIDENTIFIERS" and "PTI" should be reserved and unavailable for delegation at the top level.

3.	<u>Affirmation xx (rationale 1):</u> The Working Group affirms Recommendation 12 from 2007, which states: "Dispute resolution and challenge processes must be established prior to the start of the process."	2.8.2 Limited Challenge/ Appeal Mechanism ~pg 78	Insofar as the topic of Objections serves as an antecedent to this topic of Limited Challenge/Appeal Mechanism, is there an inconsistency with the approach the WG is taking in (possibly) affirming Recommendation 12 with modification under the topic of Objections?	Perhaps, adopt the (final) text for the affirmation of Recommendation 12 under "Objections"?
4.	<u>Rationale for Affirmation xx (rationale 1):</u> The Working Group believes that it is important for New gTLD Program elements to be predictable for applicants and other interested parties. By establishing dispute resolution and challenge processes in advance, ICANN provides a greater degree of predictability. Therefore, the Working	2.8.2 Limited Challenge/ Appeal Mechanism ~pg 81	As above	Pending clarification.

	Group affirms Recommendation 12 from the 2007 policy.			
5.	<u>Implementation Guidance xx (rationale 5)</u>: The type of decision that may be challenged/appealed should vary depending on the process being challenged/appealed. The Working Group's guidance on this issue is summarized in Annex xx.	2.8.2 Limited Challenge/ Appeal Mechanism ~pg 80	The nature of this intervention is more inquisitorial at this point and as pointed out earlier, the topic of Limited Challenge/Appeal Mechanism with Annex xx is very much connected to the topic of Objections. I am happy to take this up again when we consider the topic of Objections provided that Annex xx is still open for further edits. The key question here is whether the draft recommendation and/or Implementation Guidance under Objections which confirms the ALAC as an established institution for the purposes of a Community Objection, altogether removes any requirement on the part of the DRSP to find on the issue of standing to object vis a vis the ALAC. If the answer is yes, then Annex xx is necessarily complete. If the answer is no, then Annex xx may need to be clarified to include "standing" as a ground of appeal.	Pending clarification.
6.	N/A	2.4 Application Change	In the interest of transparency and predictability, it should be clarified if application change requests are allowed immediately after close of the application	Add, <u>Implementation Guidance xx (rationale 3): Insofar as it is feasible, ICANN org should explore the possibility of allowing applicants to</u>

		Request ~pg 90	period and when all applied-for strings and corresponding applicants are revealed. Where permissible, we should consider allowing applicants which have applied for exactly matching strings or strings which in their belief run the risk of being confusingly similar an opportunity to delay their evaluation/reviews pending submission of an applicant change request on the basis of business combination or other forms of joint ventures. Having to evaluate just the new combined venture or entity will help avoid need for re-evaluation, also save time and costs. Withdrawals of application and corresponding refunds should be allowed.	delay evaluation pending early submission of an applicant change request on the basis of business combination or other forms of joint ventures, so as to facilitate evaluation (instead of re-evaluation) of the new combined venture or entity, in an effort to save time and cost.
7.	Rationale for Recommendation xx (rationale 3): The Working Group sees merit in allowing applicants in a contention set to form a joint venture and make corresponding changes to the application. ….. the need for auctions of last resort. ^^ The Working Group notes	2.4 Application Change Request ~pg 92	The proposed change (to the right) is to account for the above new Implementation Guidance xx (rationale 3).	Rationale for Recommendation xx and Implementation Guidance xx-xx (rationale 3): The Working Group sees merit in allowing applicants in a contention set to form a joint venture and make corresponding changes to the application. …... the need for auctions of last resort. The Working Group further suggests that ICANN org explore the possibility of allowing applicants to delay evaluation pending early submission of an applicant change request on the basis of business combination or other forms of joint ventures, so as to facilitate evaluation (instead of re-evaluation) of the new combined venture or

	that Module 6 of the Applicant Guidebook, ….			entity, in an effort to save time and cost. The Working Group notes that Module 6 of the Applicant Guidebook, …..
8.	Recommendation xx (rationale 4): The Working Group see merit in allowing .Brands in contention to change their applied-for string, noting the importance of having appropriate guardrails in place to avoid gaming. ==Applicants will be given the opportunity to continue with the application process for a string linked to their brand without the need for an auction of last resort to resolve contention==. Process guardrails ensure that changes in the applied-for string occur only under narrow circumstances, limit impact on the New gTLD Program more	2.4 Application Change Request ~pg 92	For greater comfort, the sentence "==Applicants will be given the opportunity to continue with the application process for a string linked to their brand without the need for an auction of last resort to resolve contention==." must be expressly tied to a .Brand context and contingent on the process guardrails described. As it stands, that sentence is too open-ended.	Recommendation xx (rationale 4): The Working Group see merit in allowing .Brands in contention to change their applied-for string, noting the importance of having appropriate guardrails in place to avoid gaming. Applicants of .Brand strings will be given the opportunity to continue with the application process for a change in string that is linked to their brand without the need for an auction of last resort to resolve contention, contingent on process guardrails which ensure that changes in the applied-for string occur only under narrow circumstances, limit impact on the New gTLD Program more broadly, and are subject to public comment and objections processes…..

	broadly, and are subject to public comment and objections processes. ……			
9.	Recommendation xx (rationale 2): ….. In addition, the Working Group recommends that ICANN continue to facilitate non-financial assistance including the provision of pro-bono assistance to applicants in need……	2.5.4 Applicant Support ~pg 100	The At-Large considers the use of the expression "continue to facilitate" to be insufficient because CCT-RT Recommendation 31 suggests that ICANN org not merely facilitate, but to coordinate the pro-bono assistance program. We believe this means that ICANN org must actively encourage the participation of parties wishing to offer pro-bono assistance as well as coordinate communication between those parties and applicants in need to ensure that those applicants have effective access to pro-bono assistance and not be left with just a list of offerors, which was what happened with the 2012 round.	Recommendation xx (rationale 2): ….. In addition, the Working Group recommends that ICANN proactively manage the pro bono assistance program by not only encouraging the provision of non-financial pro-bono assistance but also by coordinating communication in respect of the provision of pro-bono assistance to and uptake by applicants in need.
10.	Rationale for Affirmation xx with modification (rationale 2): … as was the case in the 2012 round. The Working Group further supports ICANN's continued facilitation of non-financial pro-bono assistance to	2.5.4 Applicant Support ~pg 104	The proposed change (to the right) corresponds to the change to the above Recommendation xx (rationale 2).	Rationale for Affirmation xx with modification (rationale 2): … as was the case in the 2012 round. The Working Group believes that ICANN has to proactively manage the pro bono assistance program to increase the program's utility and accessibility to applicants in need. Specifically, ICANN must actively encourage the participation of parties wishing to offer pro-bono assistance as well as coordinate communication between those parties and

	applicants in need. The Working Group believes ….			applicants in need to maximize uptake by applicants in need.
11.	Recommendation xx (rationale 4): The Working Group recommends that ICANN improve outreach, awareness-raising, application evaluation, and program evaluation elements of the Applicant Support Program, as proposed in the Implementation Guidance below.	2.5.4 Applicant Support ~pg 100	At-Large considers the element of education around viable business models for applicants as identified by the AMGlobal Study is also important to increase the utility of the ASP for potential ASP applicants.	Recommendation xx (rationale 4): The Working Group recommends that ICANN improve utility, outreach, awareness-raising, application evaluation, and program evaluation elements of the Applicant Support Program, as proposed in the Implementation Guidance below.
12.	Implementation Guidance xx (rationale 4): In implementing the Applicant Support Program for subsequent rounds, the dedicated Implementation Review Team should draw on experts with relevant knowledge, including from the targeted regions, to	2.5.4 Applicant Support ~pg 101	The proposed change (to the right) corresponds to the change to the above the above Recommendation xx (rationale 4).	Implementation Guidance xx (rationale 4): In implementing the Applicant Support Program for subsequent rounds, the dedicated Implementation Review Team should draw on experts with relevant knowledge, including from the targeted regions, to develop appropriate program elements related to outreach, education (including education on business models, for e.g. through different business case studies), and application evaluation. Regional experts may be particularly helpful in providing insight on the

	develop appropriate program elements related to outreach, education, and application evaluation. Regional experts may be particularly helpful in providing insight on the evaluation of business plans from different parts of the world.			evaluation of business plans from different parts of the world.
13.	Rationale for Recommendation xx and Implementation Guidance xx-xx (rationale 4): ….. The Working Group reviewed and discussed recommendations contained in the report "New gTLDs and the Global South: Understanding Limited Global South Demand in the Most Recent new gTLD Round and Options Going Forward" by AMGlobal,	2.5.4 Applicant Support ~pg 104	The proposed change (to the right) corresponds to the change to the above the above Recommendation xx (rationale 4) and Implementation Guidance xx (rationale 4).	Rationale for Recommendation xx and Implementation Guidance xx-xx (rationale 4): ….. The Working Group reviewed and discussed recommendations contained in the report "New gTLDs and the Global South: Understanding Limited Global South Demand in the Most Recent new gTLD Round and Options Going Forward" by AMGlobal, …. The AMGlobal Report emphasizes the importance of timely and effective outreach and communications, and business model education regarding the New gTLD Program to better reach potential applicants in the Global South and emerging markets. The

	…. The AMGlobal Report emphasizes the importance of timely and effective outreach and communications regarding the New gTLD Program to better reach potential applicants in the Global South and emerging markets. The Working Group believes that similar conclusions can be made about the Applicant Support Program.			
14.	Rationale for Recommendation xx and Implementation Guidance xx-xx (rationale 6): There will need to be a clear plan in place for funding the Applicant Support Program. ICANN will need to evaluate the extent to which funds will be provided from the ICANN org budget and if additional	2.5.4 Applicant Support ~pg 104	Securing funding for the ASP is critical to its chance for success. In anticipation of more applicants for ASP in the next round, there should be concerted effort to raise more than the USD2mil allocated in the last round. In this respect, stronger language with more concrete exploratory steps is needed to compel securing of such funding.	Rationale for Recommendation xx and Implementation Guidance xx-xx (rationale 6): There will need to be a clear plan in place for funding the Applicant Support Program. ICANN will need to evaluate the extent to which funds will be provided from the ICANN org budget and if additional funding is needed, should consider additional funding sources. In this respect, ICANN org should actively inform, encourage and liaise with National banks and aid agencies worldwide to participate in sponsoring applicants or funding for the Applicant Support Program, as well as to take

	funding is needed, should consider additional funding sources.			steps to structure a mechanism to implement joint financing.
15.	c. New issues raised in deliberations since publication of the Initial Report, if applicable.	2.5.4 Applicant Support ~pg 107	Reference to the ALAC/At-Large proposal that an applicant that qualifies for ASP be given priority in any string contention set, and not be subjected to any further string contention resolution process is omitted. Unsure if this omission was intended because of the latest deliberation on a multiplier/bid credit for applicants which qualify for ASP.	The Working Group considered a comment submitted by the ALAC during the call for public comments to the Initial Report which proposed for an applicant that qualifies for ASP to be given priority in any string contention set, and not be subjected to any further string contention resolution process. While the Working Group noted that applicants which apply for applicant support would be consider themselves as applicants in need of financial support and therefore less likely to possess the financial wherewithal to succeed in an auction of last resort, the Working Group did not come to an agreement on the ALAC's proposal. Instead, the Working Group preferred to consider the ALAC's secondary proposal for the provision of a multiplier (or equivalent) to help applicants which qualified for applicant support to effectively compete in auctions of last resort against other applicants in their string contention sets that are better resourced and not in need of financial support.
16.	---	2.7.1.2 Geographic Names	Submission of a dissenting view, while reserving the right to edit the same depending on how and where this view is to be inserted.	As members of Work Track 5, we would like to take this opportunity to offer the following dissenting view to this WT5 report.

| | | | | We note that much effort was expended during WT5 deliberations to resolve the issue of whether an application for a string falling within categories with geographic meaning which are not included in the 2012 AGB should be accompanied by a letter of non-opposition or support from the appropriate administration of the place that the name refers to, in addition to cases where this requirement already applies according to the 2012 AGB.

In the final days of the process, a modified proposal was submitted that, instead of asking for a letter of non-opposition, sought that a **notification of the intention** to use the string with geographic meaning be sent to the appropriate administration. There was a straw poll that indicated that this proposal had wide support in the group. Even that was not accepted by WT5. A mention of this proposal made its way to the Montreal communiqué of the GAC, but not as a consensus advice: *In order to facilitate the processing of future applications for gTLDs, many GAC members expressed interest in the development of a tool that would provide timely notifications to GAC Members of strings that consist in geographic names, drawing inspiration as appropriate from the existing tool for the 2-character codes.* |

				Even at this late stage, it is worth pointing out that many At-Large members who participated in WT5 were - and are - also interested in a "tool" that would fulfill the need of what could be described an elementary courtesy from the part of the applicant - not only towards the appropriate administration of the place concerned, but also the internet end users and the entire local multistakeholder community for whom local and regional names have a special significance. If the intended use of the string/name is associated with the place and its inhabitants, such an approach would seem a natural part of good business practices. We feel that this has been a major lost opportunity for ICANN and internet users in general and wish to register our extreme disappointment. Signed: Justine Chew Yrjö Länsipuro Marita Moll