Your name: Jeff Neuman

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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)** |
|  | Section 2.7.3 (a) | 2.7.3 Closed Generics | 1. Response to Group Concerns on “Ban” Language.  | 1. No Agreement: The Working Group notes that in the 2012 round of the New gTLD Program, a decision was made by the ICANN Board to require applicants for exclusive generic strings to either (a) “submit a change request to no longer be an exclusive generic TLD”, (b) “withdraw their application” or (c) “maintain their plan to operate an exclusive generic TLD,” which would operate to defer their application to the next round of the New gTLD Program, subject to rules developed for the next round, to allow time for the GNSO to develop policy advice concerning exclusive generic TLD.” ~~effectively ban exclusive use / generic applications.~~ All applicants in 2012 chose either options (a) or (b).  It is the understanding of the Working Group that the ICANN Board intended that its decision to ~~effectively ban~~ not allow Closed Generics to proceed in the 2012 round applied only to the 2012 round and that it wanted the GNSO to engage in policy discussions regarding the treatment of such strings in subsequent rounds. Although the Working Group has had numerous discussions about this topic, and received extensive comments from the community, including members of the Governmental Advisory Committee, the Working Group was not able to agree as to how to treat these applications in subsequent rounds.
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|  | On 21 June 2015, the ICANN Board passed a resolution that effectively banned Exclusive Generic / Closed Generic TLDs in the 2012 round. In addition, the Board requested that the GNSO consider this topic in future policy development work for subsequent procedures. The GNSO Council has in turn charged the Working Group with analyzing the impact of Closed Generics and considering future policy | 2.7.3 (b) |  | 1. On 21 June 2015, the ICANN Board passed a resolution that required applicants for exclusive generic strings to either (a) “submit a change request to no longer be an exclusive generic TLD”, (b) “withdraw their application” or (c) “maintain their plan to operate an exclusive generic TLD,” which would operate to defer their application to the next round of the New gTLD Program, subject to rules developed for the next round, to allow time for the GNSO to develop policy advice concerning exclusive generic TLD.” Exclusive Generic / Closed Generic TLDs in the 2012 round. In addition, the Board requested that the GNSO consider this topic in future policy development work for subsequent procedures. The GNSO Council has in turn charged the Working Group with analyzing the impact of Closed Generics and considering future policy
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|  | Four options were discussed and were put out for public comment in the Initial Report. As the Working Group developed and deliberated on these options, it took into consideration GAC Advice included in the Beijing Communique on Category 2.2 Safeguards, and specifically the Advice that “For strings representing generic terms, exclusive registry access should serve a public interest goal.” The Working Group was careful to note that the implementation in 2012, of effectively banning closed generics, was not necessarily representative of the GAC Advice, which appeared to envision a scenario where an exclusive registry (i.e., closed generic) could be acceptable. Therefore, four options were considered by the Working Group:    | 2.7.3(b) |  | 1. Four options were discussed and were put out for public comment in the Initial Report. As the Working Group developed and deliberated on these options, it took into consideration GAC Advice included in the Beijing Communique on Category 2.2 Safeguards, and specifically the Advice that “For strings representing generic terms, exclusive registry access should serve a public interest goal.” The Working Group was careful to note that the implementation in 2012, ~~of effectively banning closed generics~~, was not necessarily representative of the GAC Advice, which appeared to envision a scenario where an exclusive registry (i.e., closed generic) could be acceptable. Therefore, four options were considered by the Working Group:
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