

14 July 2023

Tucows Response to the Draft Framework for Closed Generic gTLDs

Tucows appreciates the work of the participants in the [GNSO/GAC Facilitated Dialogue on Closed Generic gTLDs](#) and ICANN Org, and the opportunity to comment on the [Draft Framework](#).

Tucows is a strong supporter of the free and open Internet and opposes policy that creates inequity or inaccessibility for Internet users. This perspective leads Tucows to a cautious approach to Closed Generic gTLDs, as Closed Generic gTLDs unfairly restrict people and businesses which could benefit from registering or accessing a domain in the TLD.

The Framework attempts admirably to address these concerns—but with limited success. The requirement that a Closed Generic TLD must serve the public interest is valuable but difficult to enforce. The requirement that an applicant for a Closed Generic TLD be the representative of the relevant industry or group can lead to multiple valid competing representatives claiming priority—and only one can be granted the delegation. The potential efficacy of an alternative requirement to commit contractually to “non anti-competitive behaviour” is similarly unclear, since a Closed Generic TLD is inherently monopolistic and ICANN is ill-suited to adjudicating such disputes. It may be worth considering the broader use of Community TLDs to represent and provide space for interest groups or communities, rather than Closed Generic TLDs.

Tucows supports Policy development relating to Closed Generic gTLDs so that the ICANN Community can set requirements with full multistakeholder participation and representation. We urge members of an eventual PDP WG to carefully consider how to protect unrestricted competition and ensure broad participation in any Closed Generic TLD.