

## **Registrar Stakeholder Response to the Supplemental Report on the new gTLD Subsequent Procedures Policy Development Process (Work Track 5 on Geographic Names at the Top Level)**

The Registrar Stakeholder Group (RrSG) would like to thank the New gTLD Subsequent Procedures Working Group (WG) and supporting ICANN staff for the considerable work involved in preparing the Supplemental Report in connection with Work Track 5 on Geographic Names at the Top Level.

The RrSG feedback and responses to the WG recommendations, proposals and questions are as follows:

### **Preliminary Recommendation 1**

As described in recommendations 2-9, Work Track 5 recommends, unless or until decided otherwise, maintaining the reservation of certain strings at the top level in upcoming processes to delegate new gTLDs. As described in recommendations 10-13, Work Track 5 recommends, unless or until decided otherwise, requiring applications for certain strings at the top level to be accompanied by documentation of support or non-objection from the relevant governments or public authorities, as applicable.<sup>1</sup>

**The RrSG does not support this recommendation.**

### **Preliminary Recommendation 2**

Work Track 5 recommends continuing to reserve all two-character letter-letter ASCII combinations at the top level for existing and future country codes.

- The starting point of this recommendation is Section 2.2.1.3.2 String Requirements, Part III, 3.1 of the 2012 Applicant Guidebook, which states, “Applied-for gTLD strings in ASCII must be composed of three or more visually distinct characters. Two-character ASCII strings are not permitted, to avoid conflicting with current and future country codes based on the ISO 3166-1 standard.”
- Work Track 5’s recommendation specifically addresses letter-letter combinations because the focus of Work Track 5 is on geographic names. Work Track 5 considers letter-letter combinations to be within the scope of this subject area.
- Work Track 5 notes that Work Track 2 of the New gTLD Subsequent Procedures PDP Working Group is considering two-character letter-number combinations and two-character number-number combinations.

This recommendation is consistent with the GNSO policy contained in the Introduction of New Generic Top- Level Domains policy recommendations from 8 August 2007. It is also consistent with provisions in the 2012 Applicant Guidebook.

**The RrSG supports this recommendation.**

Preliminary Recommendation 3

Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the 2012 Applicant Guidebook section 2.2.1.4.1.i:

- alpha-3 code listed in the ISO 3166-1 standard.

Work Track 5 is not proposing to remove from delegation any 3-letter codes that have already been delegated.

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from 8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation.

**The RrSG does not support this recommendation. 3-letters have been available from the start. We believe 3-letters should be opened up and allow applicants to approach a country for a letter of non-objection if they have an interest in using the 3-letter generically etc.**

Preliminary Recommendation 4

Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the 2012 Applicant Guidebook section 2.2.1.4.1.ii:

- long-form name listed in the ISO 3166-1 standard.

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from 8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation. As currently written, the recommendation does not address the issue of translations of these strings, which were reserved in the 2012 Applicant Guidebook. Please see questions for community input in section e.

**The RrSG supports this recommendation.**

Preliminary Recommendation 5

Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the 2012 Applicant Guidebook section 2.2.1.4.1.iii:

- short-form name listed in the ISO 3166-1 standard.

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from 8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation. As currently written, the recommendation does not address the issue of translations of these strings, which were reserved in the 2012 Applicant Guidebook. Please see questions for community input in section e.

**The RrSG supports this recommendation.**

Preliminary Recommendation 6

Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the 2012 Applicant Guidebook section 2.2.1.4.1.iv:

- short- or long-form name association with a code that has been designated as “exceptionally reserved”<sup>3</sup> by the ISO 3166 Maintenance Agency.

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top- Level Domains from 8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation.

**The RrSG supports this recommendation.**

Preliminary Recommendation 7

Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the 2012 Applicant Guidebook section 2.2.1.4.1.v:

- separable component of a country name designated on the “Separable Country Names List.” This list is included as an appendix to the 2012 Applicant Guidebook.

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from 8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation. As currently written, the recommendation does not address the issue of translations of these strings, which were reserved in the 2012 Applicant Guidebook. Please see questions for community input in section e.

**The RrSG supports this recommendation.**

#### Preliminary Recommendation 8

Work Track 5 recommends clarifying 2012 Applicant Guidebook section 2.2.1.4.1.vi, which designates the following category as a country and territory name which is reserved at the top level and unavailable for delegation:

- permutation or transposition of any of the names included in items (i) through (v). Permutations include removal of spaces, insertion of punctuation, and addition or removal of grammatical articles like “the.” A transposition is considered a change in the sequence of the long or short-form name, for example, “RepublicCzech” or “IslandsCayman.”

Work Track 5 recommends clarifying that permutations and transpositions of the following strings are reserved:

- long-form name listed in the ISO 3166-1 standard.
- short-form name listed in the ISO 3166-1 standard.
- short- or long-form name association with a code that has been designated as “exceptionally reserved” by the ISO 3166 Maintenance Agency.
- separable component of a country name designated on the “Separable Country Names List.” This list is included as an appendix to the 2012 Applicant Guidebook.

Strings resulting from permutations and transpositions of alpha-3 codes listed in the ISO 3166-1 standard should be allowed.

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from 8 August 2007. This recommendation clarifies the text from the 2012 Applicant Guidebook and updates the policy to be consistent with Work Track 5's interpretation of 2012 Applicant Guidebook section 2.2.1.4.1.vi.

**The RrSG supports this recommendation.**

#### Preliminary Recommendation 9

Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the 2012 Applicant Guidebook section 2.2.1.4.1.vii:

- name by which a country is commonly known, as demonstrated by evidence that the country is recognized by that name by an intergovernmental or treaty organization.

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from 8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation.

**The RrSG supports this recommendation.**

#### Preliminary Recommendation 10

Work Track 5 recommends continuing to consider the following category a geographic name requiring government support at the top level. Applications for these strings must be accompanied by documentation of support or non-objection from the relevant governments or public authorities:

- An application for any string that is a representation of the capital city name of any country or territory listed in the ISO 3166-1 standard.

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from 8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation. As currently written, the recommendation does not address the issue of translations of these strings, which required support/non-objection in the 2012 Applicant Guidebook. Please see questions for community input regarding translations in section e.

The RrSG does not support this recommendation. Given the repeat use of city names, it is not realistic to give one city more weight than another re use of a TLD. It should also be noted that some countries have multiple capitals (political, religious, historic, royal, etc.)

**Examples of repeat use of city names:**

Paris	Dublin	Athens
Paris, Ontario	Dublin, AR - Logan, County	*Athens, Attiki, Greece
* Paris, Yukon	Dublin, AZ - Graham County	* Athens Alabama, USA
* Paris, Kiribati	Dublin, CA - Alameda County	* Athens Arkansas, USA
* Paris, Arkansas	Dublin, FL - Lake County	* Athens California, USA
* Paris, California	Dublin, GA - Laurens County	* Athens Ohio, USA
* Paris, Idaho	Dublin, IA - Washington County	* Athens Georgia, USA
* Paris, Illinois	Dublin, IN - Wayne County	* Athens Illinois, USA
* Paris, Kentucky	Dublin, KY - Graves County	* Athens Indiana, USA
* Paris, Maine	Dublin, MD - Hartford County	* Athens Kansas, USA
* Paris, Michigan	Dublin, MI - Manistee County	* Athens Lexington Kentucky, USA
* Paris, Missouri	Dublin, MS - Coahoma County	* Athens Louisiana, USA
* Paris, New York	Dublin, NC - Bladen County	* Athens Somerset Maine, USA
* Paris, Ohio	Dublin, NH - Cheshire County	* Athens Calhoun Michigan, USA
* Paris, Pennsylvania	Dublin, NY - Seneca County	* Athens Mississippi, USA
* Paris, Tennessee	Dublin, OH - Franklin County	* Athens Missouri, USA
* Paris, Texas	Dublin, PA - Bucks County	* Athens New York, USA
* Paris, Virginia	Dublin, TX - Erath County	* Athens Ohio, USA
* Paris, Grant County, Wisconsin	Dublin, VA - Pulaski County	* Athens Pennsylvania, USA
* Paris, Kenosha County, Wisconsin		* Athens Tennessee, USA
* Paris Township, Michigan		* Athens Texas, USA
		* Athens Vermont, USA
		* Athens West Virginia, USA
		* Athens Wisconsin, USA
		* Athens Ontario, Canada
		* Athenstedt, Saxony-Anhalt, Germany
		* Athens of Ayrshire – Troon, Scotland
		* Athens of Cuba –

		<p>Matanzas, Cuba</p> <ul style="list-style-type: none"><li>* Athens of Egypt- Alexandria, Egypt</li><li>* Athens of Finland – Jyväskylä, Finland</li><li>* Athens of Florida – DeLand, Florida, USA</li><li>* Athens of Indiana – Crawfordsville, Indiana, USA</li><li>* Athens of Latin America – Santo Domingo, Dominican Republic</li><li>* Athens of Minas Gerais – Juiz de Fora, Brazil</li><li>* Athens of North America – Boston, USA</li><li>* Athens of Sicily – Catania, Italy</li><li>* Athens of South America – Bogotá, Columbia</li><li>* Athens of the Bodrog – Sárospatak, Hungary</li><li>* Athens of the East – Madurai, India</li><li>* Athens of the Middle Ages – Florence, Italy</li><li>* Athens of the North – Edinburgh, Scotland</li><li>* Athens of the South – Nashville, USA</li><li>* Athens of the Southern Hemisphere – Dunedin, New Ziland</li><li>* Athens of the West (early 19th c.) – Lexington, USA</li><li>* Athens of the West – Berkeley, California, USA</li><li>* Athens on the Isar – Munich, Germany</li><li>* Athens on the Spree – Berlin, Germany</li><li>* Athens on the Torysa – Prešov, Slovakia</li></ul>
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		<ul style="list-style-type: none"> <li>* Brazilian Athens – São Luís, Maranhão, Brazil</li> <li>* Czech Athens – Krnov, Scotland</li> <li>* Lusa Athens – Coimbra, Portugal</li> <li>* Sardinian Athens – Nuoro, Italy</li> <li>* Serbian Athens – Novi Sad, Serbia</li> <li>* Siberian Athens – Tomsk, Russia</li> <li>* Athens of the South – Tampa, Florida, USA</li> </ul>
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#### Preliminary Recommendation 11

Work Track 5 recommends continuing to consider the following category a geographic name requiring government support at the top level. Applications for these strings must be accompanied by documentation of support or non-objection from the relevant governments or public authorities:

- An application for a city name, where the applicant declares that it intends to use the gTLD for purposes associated with the city name. An application for a city name will be subject to the geographic names requirements (i.e., will require documentation of support or non-objection from the relevant governments or public authorities) if: (a) It is clear from applicant statements within the application that the applicant will use the TLD primarily for purposes associated with the city name; and (b) The applied-for string is a city name as listed on official city documents

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from 8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation.

**The RrSG does not support this recommendation. This presumes a city has some rights to the name in any context, which is not true within other offline contexts.**

#### Preliminary Recommendation 12



Work Track 5 recommends continuing to consider the following category a geographic name requiring government support at the top level. Applications for these strings must be accompanied by documentation of support or non-objection from the relevant governments or public authorities:

- An application for any string that is an exact match of a sub-national place name, such as a county, province, or state, listed in the ISO 3166-2 standard.

The 2012 Applicant Guidebook provisions related to this category are inconsistent with the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from 8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation.

**The RrSG does not support this recommendation. This recommendation goes overboard and represents claims that have no legal basis and are not applied in other offline contexts.**

#### Preliminary Recommendation 13

Work Track 5 recommends continuing to consider the following category a geographic name requiring government support at the top level. Applications for these strings must be accompanied by documentation of support or non-objection from the relevant governments or public authorities:

- An application for a string listed as a UNESCO region or appearing on the “Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings” list.

In the case of an application for a string appearing on either of the lists above, documentation of support will be required from at least 60% of the respective national governments in the region, and there may be no more than one written statement of objection to the application from relevant governments in the region and/or public authorities associated with the continent or the region.

Where the 60% rule is applied, and there are common regions on both lists, the regional composition contained in the “Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings” takes precedence.”

The 2012 Applicant Guidebook provisions related to this category are inconsistent the GNSO policy recommendations contained in the Introduction of New Generic Top-Level Domains from

8 August 2007. This recommendation makes the policy consistent with the 2012 Applicant Guidebook, and therefore represents a change to the existing policy recommendation.

**The RrSG does not support this recommendation.**

Question e1

Work Track 5 encourages feedback from applicants or other stakeholders who were involved in the 2012 round. Work Track 5 is particularly interested in hearing about the experiences of the following groups and individuals:

- Applicants who applied for terms defined as geographic names in the 2012 Applicant Guidebook, as well as those who considered applying for such strings but chose not to apply.
- Applicants who applied for terms not defined as geographic names in the 2012 Applicant Guidebook but who had experiences in the process related to the geographic connotations of the applied-for string.
- Other parties who raised objections to an application, provided support for an application, or otherwise engaged during the course of the application process for applications in the two categories above.

Please share any positive or negative experiences, including lessons learned and areas for improvement in subsequent procedures. Please see deliberations section f.1.2.5 on pages 36-41 for context on this question.

**No comment**

Question e2

The definition of the term “geographic name” could impact development of policy and implementation guidance, as well as program implementation details, such as guidance for the Geographic Names Panel in the New gTLD application process. In your view, how should the term “geographic name” be defined for the purposes of the New gTLD Program? Should there be any special requirements or implications for a term that is considered a “geographic name”? Is “geographic name” the appropriate term to use in this context, as opposed to, for example, “term with geographic meaning”? Why or why not? Please see deliberations section f.1.2.4 on pages 34-36 for context on this question.

**The RrSG proposes the following definition:**

**a “geographic name” is a term or string that is exclusively associated with a geographic area and cannot be reasonably confused with any other geographic area or term.**

**This concise and narrow definition would eliminate conflicts where a term has multiple connotations. For example:**

**“Jersey” could be: 1) a type of shirt, 2) a type of dairy cattle, 3) a type of fabric/knit, 4) an English Channel island, 5) informal/slang name for New Jersey, a US State.**

**“Lincoln” could be: 1) a type of car 2) a type of sheep, 3) a city in Nebraska, 4) a city in England, 5) the last name of a US president**

Question e3

Work Track 5 has discussed different types of mechanisms that can be used to protect geographic names in the New gTLD Program. These mechanisms fall broadly into two categories, noting that the categories are not mutually exclusive and measures from both categories can be used in combination:

- Preventative: Measures in this category include reserving certain strings to make them unavailable for delegation or requiring letters of support/non-objection from relevant governments or public authorities, either in all cases or dependent on intended usage of the TLD.
- Curative: Measures in this category include objection mechanisms, contractual provisions incorporated into the registry agreement, enforcement of those provisions, and post-delegation dispute resolution mechanisms.

In your view, what is the right balance or combination of preventative and curative rights mechanisms in relation to protection of geographic names in the New gTLD Program? Please see deliberations section f.1.2.2 on pages 28-29 for context on this question.

**The RrSG is support of curative measures to address conflicts. This is consist with the permissionless model of the DNS.**

Question e4

Work Track members have considered a series of principles that may be used to guide the development of future policy on geographic names. The principles were discussed in the

context of city names and terms not included in the 2012 Application Guidebook, but they may be applicable more broadly. Proposed principles include:

- In alignment with Principle C from the 2007 GNSO recommendations on new gTLDs, the program should allow for the introduction of new gTLDs.
- In alignment with Principle A from the 2007 GNSO recommendations on new gTLDs, enhance the predictability for all parties.
- Reduce the likelihood of conflicts within the process, as well as after the process concludes and TLDs are delegated.
- Policies and processes should be simple to the extent possible.

Do you support these principles? Why or why not? Are there additional principles that Work Track 5 should consider? Please explain. Please see deliberations section f.1.3 on pages 42-43 for context on this question and additional discussion of these principles.

**The RrSG supports these principles as we believe it is helpful to all parties to reduce conflicts while allowing innovation.**

Question e5

To what extent should the following serve as a basis for the development of policies regarding geographic names?

- International law
- National/local law and policy
- Norms and values (please specify)
- Another basis not categorized above (please specify)

Please explain. Please see deliberations section f.1.2.1 on pages 25-28 and section f.1.2.3 on pages 29-34 for context on this question.

Question e6

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 developing recommendations for future treatment of country and territory names, Work Track 5 has considered several alternatives related to translation:

- continue to reserve as unavailable translations in any language
- reserve as unavailable translations in UN languages
- reserve as unavailable translations in UN languages and the official languages of the country
- reserve as unavailable translations in official languages of the country
- reserve as unavailable translations in official and commonly used languages
- reserve as unavailable translations in official and relevant national, regional, and community languages
- reserve as unavailable translations in “principal languages” where the principal languages are the official or de facto national languages and the statutory or de facto provincial languages of that country
- a combination of two or more categories above

In your view, which alternative is the best option? Please explain. Do you have suggestions for alternatives not included in the list above? Please see deliberations section f.2.2.1.2 on pages 46-48 for context on this question.

**The RrSG does not believe translations should be reserved beyond the three categories listed above and the official language(s) of a country (4th bulleted option).**

Question e7

Some Work Track members have expressed that there should be a process in place to delegate 3-letter codes and/or other country and territory names to specific parties, such as relevant governments and public authorities or other entities. Do you believe that this is an issue on which Work Track 5 should make a recommendation? Please see deliberations section f.2.2.1.1 on pages 45-46 for context on this question.

**This is overly broad and should not be a Work Track 5 recommendation.**

Question e8

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” (emphasis added). In developing recommendations for future treatment of capital city names, Work Track 5 has considered several alternatives related to the “in any language” standard:

- translations in UN languages
- translations in UN languages and the official languages of the country
- translations in official languages of the country
- translations in official and commonly used languages
- translations in official and relevant national, regional, and community languages
- translations in “principal languages” where the principal languages are the official or de facto national languages and the statutory or de facto provincial languages of that country
- a combination of two or more categories above

In your view, which alternative is the best option? Please explain. Do you have suggestions for alternatives not included in the list above? Please see deliberations section f.2.3.1 on pages 56-59 for context on this question.

**The RrSG is not in support of any of the options listed above as we do not believe translations should reserved.**

Question e9

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 a city name, where the applicant declares that it intends to use the gTLD for purposes associated with the city name.” The requirement applied if: “(a) It is clear from applicant statements within the application that the applicant will use the TLD primarily for purposes associated with the city name; and (b) The applied-for string is a city name as listed on official city documents.” Do you think that this requirement should be kept, eliminated, or modified in subsequent procedures? Please explain. Please see deliberations section f.2.3.2 on pages 59-69 for context on this question.

**The RrSG believes this requirement should be eliminated based on evidence previously provided in Recommendation 10**

Question e10

Section f.2.3.2 of this report outlines a series of proposals that Work Track members have put forward for the future treatment of non-capital city names. What is your view of these proposals? Are there any that you support Work Track 5 considering further? Do you have alternate proposals you would like Work Track 5 to consider? Please explain. Please see deliberations section f.2.3.2 for context on this question.

**The RrSG does not believe that government support/non-objection should not be required for non-capital city names. Accordingly, we are supportive of Proposal 20, which eliminates preventative protections and focus instead on curative protections. All parties may raise issues with an application using objections.**

Question e11

In the 2012 round, the Applicant Guidebook listed categories of terms that were considered geographic names and had specific rules (see section b for additional information about these categories).

- Some Work Track members have expressed support for protecting/restricting additional categories of geographic names in future versions of Applicant Guidebook.
- Some Work Track members have expressed that no additional types of terms should be protected/restricted beyond those included in the 2012 Applicant Guidebook.
- Some Work Track members have expressed that compared to the 2012 round, fewer types of terms should be protected/restricted in subsequent procedures.

Work Track members who support including additional terms in the Applicant Guidebook have proposed protecting/restricting the following categories:

- Geographic features (rivers, mountains, etc)
- Names of additional sub-national and regional places not included in the 2012 Applicant Guidebook
- Non-ASCII geographic terms not included in the 2012 Applicant Guidebook
- Any term that can be considered geographic in nature
- Geographical Indications

Two Work Track members stated that currency codes listed under ISO 4217 should be protected as geographic names. A number of other Work Track members responded that they do not view these codes as geographic names, and believe that such codes are therefore out of scope, noting that the broader issue of reserved names is in scope for the full New gTLD Subsequent Procedures PDP Working Group.

Should additional types of strings have special treatment or rules in the Applicant Guidebook? If so, which ones and on what basis? Can the scope of the category be effectively established and limited? What are the boundaries of the category? If not, why not? As opposed to preventative restrictions, would any changes to objections, post-delegation mechanisms, or contractual provisions mitigate concerns related to these strings? Please see deliberations section f.2.4 on pages 72-78 for context on this question.

**The RrSG does not support the inclusion of any additional types of string reservations.**

#### Proposal 1

Develop an online tool for prospective applicants. The searchable tool indicates whether a string is eligible for delegation and whether there are issues that require further action (for example obtaining a letter of support or non-objection from relevant governments or public authorities). This could be a stand-alone tool or a function integrated into the application system that flags if a term is geographic and has special requirements/restrictions.

**The RrSG generally supports this proposal but is concerned where funding for such an undertaking will be derived. We are also concerned about abuse of the data collected to preemptively expand lists of restrictive strings.**

#### Proposal 2

GAC members could assist applicants in identifying which governments and/or public authorities would be applicable in cases where an applicant must obtain a letter of government support or non-objection.

**The RrSG generally supports this proposal.**

#### Proposal 3

If government support/non-objection is required for an application, provide mediation services to assist if the applicant disagrees with the response received by a government or public authority.

**The RrSG generally supports this proposal but is concerned where funding for such an undertaking will be derived.**

#### Proposal 4

Establish a program to heighten the awareness of governments and others regarding the gTLD program so that they will be more likely to seek or support a registration for the relevant geographic name. This could be accompanied by structured support and advice to maximize the opportunities for future applicants for geographic names.

**The RrSG is not in support of ICANN Org facilitating such a program. Any such program should fall to the governments who have expressed concern over registration of geographic names and should be fully funded by said governments.**

#### Proposal 5



In any circumstance where a letter of support or non-objection is required from a relevant government authority, establish a deadline by which the government must respond to the request. If no response is received, this is taken as non-objection.

**The RrSG supports this proposal and suggests that the timeframe for governments to response should not exceed 15 business days.**

Proposal 6

Once a gTLD is delegated with an intended use that is geographic in nature, all other variations and translations of this term are unconditionally available for application by any entity or person. Objection procedures could potentially still apply.

**The RrSG supports this proposal. However, we also believe that variations and translations should be open prior to delegation.**

Proposal 7

An applicant for a string with geographic meaning must provide notice to each relevant government or public authority that the applicant is applying for the string. The applicant is not required to obtain a letter of support or non-objection. This proposal relies on curative mechanisms to protect geographic names in contrast with support/non-objection requirements that are preventative in nature. Each government or public authority has a defined opportunity to object based on standards to be established. The right to object expires after a set period of time. Objections are filed through one of the existing objection processes or a variation on an existing process. A set of standards would need to be established to determine what constitutes a relevant government or public authority. This proposal could apply to all or some of the categories of geographic names included in the 2012 Applicant Guidebook.

**The RrSG does not support this proposal. Putting the onus on the applicant to provide notice to “each relevant government or public authority” is not reasonable. The onus should be on the governments to monitor.**

Proposal 8

If an applicant applies for a string that is confusingly similar to a geographic term that requires a letter of government support or non-objection, the applicant should be required to obtain a letter of government support/non-objection. As an example, a common misspelling of a geographic name would be considered confusingly similar.

**The RrSG does not support this proposal. The requirement to provide a letter of government support or non-objection cannot be unilaterally extended to cover “confusingly similar” strings.**

#### Proposal 9

At the end of the registry contract period, a government entity has the option of becoming engaged and can add provisions to the contract that specifies conditions rather than there being an assumption that the contract will be renewed.

**The idea that a government entity could insert itself into a contract is disturbing, could have a chilling effect on the industry, and sets a bad precedent. This is a violation of the multistakeholder model.**

#### Proposal 10

A TLD associated with geography should be incorporated within the jurisdiction of the relevant government and subject to local law.

**The RrSG does not support this proposal.**

#### Proposal 11

Delegate alpha-3 codes on the ISO 3166 Part 1 standard as gTLDs with the requirement of government support/non-objection until a future process is designed specifically for the delegation of three-character codes.

**The RrSG does not support this proposal.**

#### Proposal 12

Delegate alpha-3 codes on the ISO 3166 Part 1 standard as gTLDs with the requirement of government support/non-objection only in cases where the applicant intends to use the TLD as it relates to the geographic meaning of the term. For all other cases, the TLD should be available with no letter of support/non-objection.

**The RrSG supports this proposal.**

#### Proposal 13

The ISO should not be the source of 3-character strings used by ICANN to identify geographic names.

**The RrSG does not support this proposal, we should continue to use ISO reference list for these purposes.**

Proposal 14

Individual governments should be asked which permutations should be reserved in connection with a corresponding country or territory name.

**The RrSG does not support this proposal.**

Proposal 15

As long as a country can provide substantial evidence that the country is recognized by a name, the term should be included under the reserved names category “A name by which a country is commonly known.”

**What is “substantial evidence” and who will be making that determination? The RrSG would need this term to be defined before commenting further.**

Proposal 16

Add translations “in any language” to the category of reserved names “A name by which a country is commonly known, as demonstrated by evidence that the country is recognized by that name by an intergovernmental or treaty organization.”

**The RrSG does not support this proposal.**

Proposal 17

Require support/non-objection for capital city names only if the applicant intends to use the gTLD for purposes associated with the capital city name.

**The RrSG does not support this proposal.**

Proposal 18

Eliminate support/non-objection requirements for capital city names.

**The RrSG supports this proposal.**

Proposal 19

Maintain provisions included in the 2012 Applicant Guidebook that require applicants to obtain letters of support or non-objection from the relevant governments or public authorities for “An application for a city name, where the applicant declares that it intends to use the gTLD for purposes associated with the city name.” The requirement applies if: “(a) It is clear from

applicant statements within the application that the applicant will use the TLD primarily for purposes associated with the city name; and (b) The applied-for string is a city name as listed on official city documents.” As with other applications, curative measures available include objections processes, use of Public Interest Commitments, contractual provisions and enforcement, and post-delegation dispute resolution.

#### Proposal 19, Variant 1

Variant 1: Implement provisions to prevent misrepresentation. Applicants who intend to represent a connection to the authority of a non-capital city will need to provide a letter of support/non-objection. However, if the applicant does not intend to represent a connection to the authority of non-capital city names, protections will be enhanced by inserting contractual requirements into the Registry Agreement that prevent the applicant from misrepresenting their connection or association to the geographic term. This proposal changes the standard for when a letter is needed for non-capital city names from usage associated with the city name to usage intended to represent a connection to the authority of the non-capital city name. This proposal increases contractual requirements and therefore enhances protections for geographic places.

#### Proposal 19, Variant 2

Variant 2: Change the text of part (a) describing when support/non-objection applies. Change the text “(a) It is clear from applicant statements within the application that the applicant will use the TLD primarily for purposes associated with the city name” to “(a) The Geographic Names Panel determines that the foreseeable use of 2nd level domains by registrants will be to a significant degree for purposes associated with the city name.”

#### Proposal 19, Variant 3

Variant 3: Change the text of part (a) describing when support/non-objection applies. Change the text “(a) It is clear from applicant statements within the application that the applicant will use the TLD primarily for purposes associated with the city name” to “(a) The applicant is able and will confirm that neither he nor his sales channel will use the TLD as a geographic identifier.”

#### Proposal 20

Eliminate preventative protections for non-capital city names and focus instead on curative protections. All parties may raise issues with an application using objections. No letters of support or non-objection are required from governments or public authorities. Applicants may include evidence of support in an application. Groups, individuals, and other parties, including governments, may file objections to applications.

Objections by all parties must refer to international law, domestic law, ISO standards or other objective measures that are relevant to the applicant and the application. Applicants take responsibility for ensuring that they submit applications which address those points and avoid an objection. Objectors pay to make the objection and submit any objections within appropriate time frames. Evaluators take objections into account in the evaluation and may discard

objections. Work Track 5 has not yet discussed whether this proposal could rely exclusively on existing objections mechanisms, or if it would require change to existing objections mechanisms or addition of new objections mechanisms.

**The RrSG supports this proposal.**

Proposal 21

Always require a letter of support or non-objection from the relevant governments or public authorities for non-capital city names regardless of intended use.

**The RrSG does not support this proposal.**

Proposal 22

Give small cities, towns, and geographic communities the first right to apply for a TLD associated with the place.

**The RrSG does not support this proposal.**

Proposal 23

Develop a list of large cities around the world and require that applicants obtain letters of support or non-objection from the relevant governments or public authorities for strings on this list, regardless of the way the applicant intends to use the string. The list of large cities could be developed based one of the following standards or a combination of these standards:

- Absolute population of the city: the city has a certain minimum population, for example 500,000 residents or 1,000,000 residents.
- Relative population of the city: the city is relatively large by population compared to other cities in the country or sub-national region, for example it is one of the 10 largest cities in a country or 3 largest cities in a sub-national region.
- Percentage of a country's population: The city holds a certain minimum percentage of the country's population.

**Who would develop this list? The RrSG feels that use of resources and funding to create such a list as well as the determination itself and development of the list is outside the remit of ICANN Org or the community. The onus should be on relevant governments and public authorities to work with the relevant countries (which may conflict with each other) to make such determinations and take appropriate steps.**

Proposal 24

Each country decides what it considers to be a city within its own country based on national laws and policies. If the country determines that a place fits in the “city” category, the applicant must obtain support/non-objections from the 2012 AGB (see deliberations section f.2.3.2 for context) objection from the government. A variant on the above proposal proposes that each country designates a set number of cities that they consider to be particularly significant. City names on the resulting list are subject to support/non-objection by the relevant governments or public authorities.

**The RrSG does not support this proposal.**

Proposal 25

Reserve non-capital city names that have “global recognition.” If a city wants apply for a gTLD, it can apply for a string containing the name of the city followed by the applicable country code. This would allow multiple cities with the same name located in different countries to obtain a gTLD.

**What constitutes “global recognition”? This is not a defined term and therefore would be open to interpretation. While the RrSG is supportive of cities utilizing ccTLDs to distinguish themselves, creating a reserve list is not warranted. How large is the actual problem? How many non-capital city names are currently unavailable because they were not reserved in 2012? We should not be creating policy based on fear and speculation.**

Proposal 26

Raise awareness and increase knowledge among potential applicants about the opportunity to apply for TLDs. This proposal does not impact the level of protection/restriction and could supplement any of the above proposals.

**The RrSG supports this proposal.**

Proposal 27

Eliminate support/non-objection requirements for sub-national place names, such as counties, provinces, or states listed in ISO 3166 Part 2 standard.

**The RrSG supports this proposal.**

Proposal 28

Applicants who intend to represent a connection the authority of a sub-national place will need to provide a letter of support/non-objection. However, if the applicant does not intend to represent a connection to the authority of the geographic terms listed above, protections will

instead be achieved by inserting contractual requirements into the Registry Agreement that prevent the applicant from misrepresenting their connection or association to the geographic term.

**The RrSG does not support this proposal. There should be no requirements attached to sub-national place names.**

Proposal 29

If the string corresponds to a sub-national place name, such as a county, province, or state listed in ISO 3166 Part 2 standard, but the applicant intends to use the string in a generic or brand context, there is no requirement for a letter of support or non-objection from any governments or public authorities.

**The RrSG does not support this proposal and emphasizes again that there should be no requirements attached to sub-national place names.**

Proposal 30

Eliminate support/non-objection requirements for strings listed as UNESCO Regions or appearing on the “Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings” list.

**The RrSG supports this proposal.**

Proposal 31

Applicants who intend to represent a connection the authority of a UNESCO region, or region appearing on the “Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings” list will need to provide a letter of support/non-objection. However, if the applicant does not intend to represent a connection to the authority of the geographic terms listed above, protections will instead be achieved by inserting contractual requirements into the Registry Agreement that prevent the applicant from misrepresenting their connection or association to the geographic term.

**The RrSG does not support this proposal. There should be no requirements attached to these regions.**

Proposal 32

If the string corresponds to a name listed as a UNESCO region or appearing on the “Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings” list but the applicant intends to use the string in a

generic or brand context, there is no requirement for a letter of support or non-objection from any governments or public authorities.

**The RrSG does not support this proposal. There should be no requirements attached to these regions.**

Proposal 33

Apply a clear and unambiguous rule that any geographic term that is not explicitly and expressly protected is unprotected. A lack of letter of support/non-objection alone will not be a cause to hinder or suspend an application for such unprotected term.

**The RrSG supports this proposal.**

Proposal 34

Provide an advisory panel that applicants could contact to assist in identifying if a string is related to a geographic term. The panel could also help applicants identify which governments and/or public authorities would be applicable. Alternately, the Geographic Names Panel used to evaluate whether an applied for string was a geographic TLD in the 2012 round could be made available to advise applicants before they submit applications.

**If it is not possible to provide a simple list/database for reference and an advisory panel is needed to identify a geographic term then this process has been made overly complicated and will have a chilling effect on the industry as a whole. Accordingly, the RrSG does not support this proposal.**

Proposal 35

Maintain a repository of geographic names reflecting terms that governments consider sensitive and/or important as geographic names. Countries and territories could contribute terms to this repository but it would not require binding action on the part of potential applicants.

**To what end? What purpose would this serve? Is the point to allow governments a place to reflect terms that are of concern just as an FYI to any potential applicant? Is the point to allow an applicant to know that a specific term may cause heartburn with one or more countries? Accordingly, the RrSG does not support this proposal.**

Proposal 36

Leverage the expertise of GAC members to help applicants determine if a string is related to a geographic location. GAC members could also assist applicants in identifying which



governments and/or public authorities would be applicable in cases where an applicant must obtain a letter of government support or non-objection.

**Having submitted queries to GAC members before, we are well aware of how difficult it can be to get a response. Having applicants rely on GAC members does not seem fair to either side and a recipe for disaster. Furthermore, GAC members do not have government authority and therefore, if there is a question regarding geographic relevance of a term, an applicant may be better off going directly to a government official/authority. Accordingly, the RrSG does not support this proposal.**

#### Proposal 37

Require that an applicant demonstrates that it has researched whether the applied-for string has a geographic meaning and performed any outreach deemed necessary by the applicant prior to submitting the application. The proposal would be in addition to the existing measures related to the Geographic Names Panel.

**The RrSG does not support this proposal.**

#### Proposal 38

If the applicant is applying for a geographic name, including terms not listed in the 2012 Applicant Guidebook, the applicant is required to contact/consult with the relevant government authority and provide evidence that it has done so.

**The RrSG does not support this proposal.**