NEW gTLD PROGRAM: NEXT ROUND



DRAFT Applicant Guidebook

Draft Guidebook for the New gTLD Program: Next Round

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Preamble

As enshrined in the ICANN Bylaws,¹ the mission of the Internet Corporation for Assigned Names and Numbers (ICANN) is to "ensure the stable and secure operation of the Internet's unique identifier systems" and further directs ICANN to coordinate the "allocation and assignment of names in the root zone of the Domain Name System ("DNS")." Further, one of ICANN's commitments is to "preserve and enhance the administration of the DNS and the operational stability, reliability, security, global interoperability, resilience, and openness of the DNS and the Internet."

Iterations of the New gTLD Program have been conducted to introduce new generic top-level domains (gTLDs) over time. As a result of the New gTLD Program round in 2012, ICANN added over 1,200 new gTLDs to the Internet's namespace, including gTLDs in various languages and scripts. This expansion has helped foster diversity, encourage competition, and enhance the utility of the DNS. The New gTLD Program creates a means for prospective registry operators to apply for new gTLDs, offering new options for consumers in the market and creating significant potential for new uses and benefits to Internet users across the globe. The DNS is expanding again with the New gTLD Program: Next Round.

The New gTLD Program: Next Round has its origins in carefully deliberated policy development work by the ICANN community. The 2012 round was implemented based on 19 policy recommendations² put forth by the Generic Names Supporting Organization (GNSO) in 2007. The next round of the New gTLD Program, the rules for which are provided in this Applicant Guidebook, is based on over 300 outputs (Affirmations, Affirmations with Modification, Recommendations, and Implementation Guidance) from the Final Report on the New gTLD Subsequent Procedures Policy Development Process³ (SubPro Final Report) as well as the outputs of the Expedited Policy Development Process (EPDP) on Internationalized Domain Names,⁴ Policy Development Process (PDP) Review of All Rights Protection Mechanisms in All gTLDs,⁵ PDP IGO-INGO Access to Curative Rights Protection Mechanisms,⁶ and PDP Protection of IGO and INGO Identifiers in All gTLDs.⁷

https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-singapore-20-06-2011-en.

https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf.



¹ https://www.icann.org/resources/pages/governance/bylaws-en/#article1

² See

³ See

⁴ See https://gnso.icann.org/en/group-activities/active/idn-epdp.

⁵ See https://gnso.icann.org/en/group-activities/active/rpm.

⁶ See https://gnso.icann.org/en/group-activities/active/igo-ingo-crp-access.

⁷ See https://gnso.icann.org/en/group-activities/active/igo-ingo.

These outputs represent the collective efforts of representatives from a wide variety of stakeholder groups — governments, individuals, civil society, business and intellectual property constituencies, and the technology community — over the last several years. Their work considered the 2012 round of the New gTLD Program and potential changes to the New gTLD Program: Next Round. In March 2023, the ICANN Board adopted⁸ a subset of the SubPro Final Report outputs and directed ICANN to begin the work of implementing them. In July 2023, ICANN produced an implementation plan⁹ that set out the work required over the next three years, including the development of this Guidebook and the numerous systems and processes required to bring the New gTLD Program: Next Round to life and open the application submission window for a new generation of potential registry operators.

This Guidebook outlines the rules and procedures for the New gTLD Program: Next Round and leads applicants through the process of becoming registry operators. The Guidebook also includes relevant information for ICANN community members seeking to participate in the New gTLD Program: Next Round.¹⁰

All parts of the ICANN ecosystem collectively look forward to the innovation that will come from New gTLD Program: Next Round.

For current information, timelines, and activities related to the New gTLD Program: Next Round, please visit: https://newgtldprogram.icann.org/en.

¹⁰ See <u>Module 3: Community Input, Objections, and Appeals</u>. This module provides information on how community members can provide comments on applications via the Application Comment Forum; on participation by the Governmental Advisory Committee (GAC); and on processes related to objections to applications.



⁸ See

https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-16-03-2023-en#section2.a.

⁹ See

https://newgtlds.icann.org/sites/default/files/new-gtld-next-round-implementation-plan-31jul23-en.pdf.

Executive Summary

ICANN was founded in 1998 as a nonprofit public benefit corporation. ICANN's mission directs it to coordinate the allocation and assignment of names in the root zone of the Domain Name System and is committed to introducing and promoting competition in the registration of domain names. The New gTLD Program is an ICANN initiative to enable the expansion of the Internet's DNS and has been designed to ensure security and stability of the DNS, promote competition in the DNS, and encourage transparency and community participation.

The <u>SubPro Final Report</u> outputs adopted by the ICANN Board, which cover <u>41</u> <u>different topics</u> related to the New gTLD Program, are the product of diverse participation in the gTLD policy development process. In consultation with the ICANN community, ICANN has implemented several changes to the New gTLD Program: Next Round.

Some key differences from the 2012 round include:

- Applicant Support Program (ASP): The ASP is intended to make the New gTLD Program: Next Round accessible to applicants that want to apply for a new gTLD or operate a registry but face financial and resource constraints. Improving upon the 2012 ASP, qualified applicants may expect to receive percentage-based reductions on the base gTLD evaluation fee and other gTLD evaluation fees. Additionally, they will have access to a training program, pro bono (volunteer) service providers, applicant counselors, and, in cases of string contention resolution, a bid credit to be used in an auction.
- Contention Resolution: Since the 2012 round, contention resolution and the use of private resolution, including via private auctions, have been discussion points within the ICANN community. In consultation with the community, ICANN has implemented certain restrictions and features, described in this Guidebook, to ensure that applicants have a bona fide (good faith) intent to operate an applied-for gTLD. otable new feature is the opportunity for applicants to submit a replacement string along with their original choice of string, reducing string contention and expanding name diversity in the DNS.
- Internationalized Domain Names (IDNs): IDNs play a crucial role in fostering diversity in the DNS by allowing domain names to be represented in characters beyond traditional ASCII (American Standard Code for Information Interchange). Label Generation Rules are currently available for the following twenty-six scripts: Arabic, Armenian, Bangla, Chinese (Han), Cyrillic, Devanagari, Ethiopic, Georgian, Greek, Gujarati, Gurmukhi, Hebrew, Japanese (Hiragana, Katakana, and Kanji [Han]), Kannada, Khmer, Korean (Hangul and



Hanja [Han]), Lao, Latin, Malayalam, Myanmar, Oriya, Sinhala, Tamil, Telugu, and Thai.

- <u>Predictability Framework</u>: The Predictability Framework ensures efficient and transparent management of unexpected issues that may arise during the course of implementing the Program by engaging with the Standing Predictability Implementation Review Team to address changes based on their impact to ICANN's operations of the New gTLD Program or applicants.
- Registry Service Provider (RSP) Evaluation Program: This Program has been
 developed to reduce the cost and time involved in evaluating new gTLDs by
 separating the technical assessment of operating a gTLD from the application
 for the gTLD label. Through the RSP Evaluation Program, RSPs may only need
 to be evaluated once, regardless of the number of gTLDs they intend to
 support.

This Guidebook was developed collaboratively through community input, with ICANN leading the initiative. In consultation with an Implementation Review Team that was composed of ICANN community volunteers, ICANN implemented the selection criteria, evaluation, and allocation processes for gTLDs, and the contractual conditions required for new gTLD registry operators. This work reflects the iterative development of the Guidebook through Public Comment periods. Meaningful community input has directly influenced revisions to the draft. In parallel, ICANN has established the resources needed to successfully launch and operate the Program.



Document Overview

The Applicant Guidebook is comprehensive, consisting of seven modules and 12 appendices. Its structure is designed to guide potential applicants through the entire application process. The modules listed below are organized sequentially, where possible, providing the steps from application submission through evaluation. For a summary of all the rules and procedures for the New gTLD Program: Next Round, readers are directed to Module 1: The Applicant Journey.

More information regarding the flow and contents of each module is found below:

- Module 1: The Applicant Journey: Offers general information regarding application eligibility requirements, fees, and application and string types.
 Prospective applicants will also find information regarding application stages, process overview, posted materials, lifecycle timelines, and application statuses.
- Module 2: Application Submission: Covers the submission process, administrative check, fees and payments, application statuses, reveal day, string confirmation day, application queuing and prioritization, and application change requests.
- Module 3: Community Input, Objections, and Appeals: Describes application comments, Governmental Advisory Committee (GAC) member Early Warnings and GAC Consensus Advice, Singular/Plural Notifications, and potential objections during the application lifecycle.
- Module 4: Contention Set Resolution: Explains string contention and resolution procedures, including replacement strings, Community Priority Evaluation, ICANN Auction, and outcomes for contention sets.
- Module 5: Applicant Evaluation Procedures: Describes applicant evaluation procedures, including background screening and financial and operational evaluations.
- Module 6: String and Application Evaluation Procedures: Provides information
 on string and application types and relevant evaluations, Blocked and Reserved
 Names, Brand TLD eligibility evaluation, Code of Conduct exemption
 evaluation, Geographic Names Review, Internationalized Domain Names,
 Name Collision, Public Interest Commitments, Registry Voluntary
 Commitments, community registration policies, Registry Service Provider
 Review, and String Similarity Evaluation.



- Module 7: General Information: Covers language and supporting documentation, universal acceptance of domain names, applicant freedom of expression, security and stability, legal compliance, data privacy and protection, accountability mechanisms, and subsequent application rounds. It also includes information about frequently asked questions and support for general inquiries and system- and application-specific questions.
- Appendices: The appendices cover an array of topics including:
 - Appendix 1: Application Questions
 - o Appendix 2: Materials related to Geographic Names
 - Appendix 3: Objection and Appeals materials
 - Appendix 4: Base Registry Agreement
 - Appendix 5: Templates for Standard Financial Profile
 - o Appendix 6: Predictability Framework
 - o Appendix 7: Conflict of Interest
 - Appendix 8: Code of Conduct and Conflict of Interest Guidelines for Service Providers
 - Appendix 9: New gTLD Program: Next Round Privacy Policy
 - o Appendix 10: Terms and Conditions
 - Appendix 11: Applicant Support Program
 - Appendix 12: RSP Evaluation Program



Index by New gTLD Subsequent Procedures Final Report Topic

The index below provides links in the Applicant Guidebook to topics that were discussed in the Final Report on the new gTLD Subsequent Procedures Policy Development Process (Final Report).¹¹ The index has been arranged by Final Report topic. This list is non-exhaustive and includes, but is not limited to, the topic sections listed in the table below.

Topic #	Final Report Topic	Applicant Guidebook Module (Non-Exhaustive)
Overarching Issues		
1	Continuing Subsequent Procedures	Subsequent Application Rounds
2	Predictability Framework	Predictability Framework
3	Applications Assessed in Rounds	Subsequent Application Rounds
4	Different TLD Types	String and Application Types
5	Application Submission Limits	Application Submission
6	Registry Service Provider Pre-Evaluation	 String and Application Evaluation Procedures
7	Metrics and Monitoring	• N/A
8	Conflicts of Interest	 Conflict of Interest Conflict of Interest Guidelines for Service Providers
Foundation	nal Issues	
9	Registry Voluntary Commitment/Public Interest Commitments	 <u>Public Interest Commitments, Registry</u> <u>Voluntary Commitments, and Community</u> <u>Registration Policies</u>
10	Applicant Freedom of Expression	Applicant Freedom of Expression
11	Universal Acceptance	 Universal Acceptance of Domain Names and Email Addresses
Pre-Launc	h Activities	
12	Applicant Guidebook	New gTLD Program websitePublic Comment periods
13	Communications	New gTLD Program website
14	Systems	Next Round Implementation Plan
Application	Submission	
15	Application Fees	Applicant Submission: Fees and Payments

¹¹ See

https://gnso.icann.org/sites/default/files/file/field-file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf.



Topic #	Final Report Topic	Applicant Guidebook Module (Non-Exhaustive)
16	Application Submission Period	Application Submission Period
17	Applicant Support	 Executive Summary: Applicant Support Applications for Applicants Eligible for Applicant Support Applicant Support Program
18	Terms and Conditions	Terms and Conditions
Application	n Processing	
19	Application Queuing	 Order of Application Processing and Prioritization Draw
20	Application Change Requests	Application Change Requests
Application	n Evaluation/Criteria	
21	Reserved Names	Blocked and Reserved Names Overview
22	Registrant Protections	Background Screening
23	Closed Generics	Applicant Submission: Closed Generics
24	String Similarity Evaluations	String Similarity Evaluation
25	Internationalized Domain Names	Internationalized Domain Names
26	Security and Stability	Security and Stability
27	Applicant Reviews	Applicant Evaluation Procedures
28	Role of Application Comment	Application Comments
29	Name Collisions	Name Collision
Dispute P	roceedings	
30	GAC Consensus Advice and GAC Member Early Warnings	GAC Member Early WarningsGAC Consensus Advice
31	Objections	 Community Input, Objections and Appeals Objections and Appeals
32	Limited Challenge/Appeal Mechanism	 Community Input, Objections and Appeals Objections and Appeals Objection and Appeal Materials
33	Dispute Resolution Proceedings After Delegation	Dispute Resolution Procedures After Delegation
String Cor	ntention Resolution	
34	Community Applications	 Community Priority Evaluation Applications for Community-Based TLDs Public Interest Commitments, Registry Voluntary Commitments, and Community Registration Policies
35	Auctions: Mechanisms of Last Resort / Private Resolution of Contention Sets	 Prohibition of the Private Resolution of String Contention by Applicants ICANN New gTLD Auction
Contractin	g	
36	Base Registry Agreement	Base Registry Agreement



Topic #	Final Report Topic	Appli	cant Guidebook Module (Non-Exhaustive)
37	Registrar Non-Discrimination / Registry/Registrar Standardization	•	Fundamental Obligations of Registry Operators to Registrars
38	Registrar Support for New gTLDs	•	Fundamental Obligations of Registry Operators to Registrars
Pre-Deleg	ation		
39	Registry System Testing	•	N/A
Post-Deleg	gation		
40	TLD Rollout	•	N/A
41	Contractual Compliance	•	Legal Compliance



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Module 1: The Applicant Journey

This module provides a comprehensive overview of the entire experience a new gTLD applicant undergoes within the New gTLD Program: Next Round, from initial application submission to potential delegation. The process is intricate and multi-staged, encompassing technical, financial, and operational evaluations.

This applicant journey is designed to equip prospective applicants with essential information about each stage, including submission, pre-evaluation, community input, evaluation, string contention, dispute resolution, and contracting.

By offering a clear roadmap, this module guides applicants through the complexities of the application process, ensuring they are prepared for every step toward securing a new gTLD.

1.1 Pre-Submission Information

1.1.1 Eligibility

Only legal entities such as corporations, organizations, and institutions as well as governmental, non-governmental, and inter-governmental entities may apply for a new gTLD. However, applications from individuals or sole proprietorships will not be considered. Additionally, applications from or on behalf of entities that have not yet been formed, or applications that assume the future formation of a legal entity (such as a pending joint venture) will not be accepted.

1.1.2 Fees

Applicants are required to pay the full gTLD evaluation fee of [USD 227,000] for each application, with exceptions for those that qualify for the Applicant Support Program and applicants for variant applications that meet the criteria described in Fees and Payments.

Regardless of the exceptions, all applicants may be required to pay additional fees for conditional evaluations. For example, this applies if they seek designation as a Brand TLD or wish to have a Registry Voluntary Commitment added to their Base Registry Agreement (Base RA). More information can be found in the Fees and Payments section.



1.1.3 Terms and Conditions

All applicants should read and must agree to the TLD Application Terms and Conditions for the New gTLD Program: Next Round. Please refer to the <u>Terms and Conditions</u> for more details.

1.1.4 TLD Application Management System

Applications must be submitted electronically through TAMS. Paper applications will not be allowed. Applicants are encouraged to consult the [TAMS User Guide] for guidance on how to use the system to ensure proper understanding prior to submitting an application.

1.1.5 Good Faith Intent

Applications must be submitted with a written *bona fide* ("good faith") intention to operate the gTLD. Applicants must affirmatively attest to a bona fide intention to operate the gTLD for all submitted applications. ICANN reserves the right to disallow an application from moving forward if it determines that the application was not submitted in good faith.

1.2 Application Stages

This section describes the stages that an application passes through during the application submission window and once submitted. While some stages apply to all applications submitted, others occur only under specific circumstances. This section offers a high-level, non-comprehensive overview of the various processes. For complete information, applicants and other parties should refer to the relevant Applicant Guidebook sections.

1.2.1 Application Submission

Expected Duration: 12 - 15 weeks

1.2.1.1 Creation of an ICANN Account

Before accessing the TLD Application Management System (TAMS) to submit their application, applicants must register for an ICANN user account on the <u>ICANN account website</u>, and enable multi-factor authentication (MFA).

1.2.1.2 Application Submission Period

The application submission period is scheduled to open for [number] days starting on [date] at 00:01 UTC and closing on [date] at 23:59 UTC. To be considered, all



applications must be submitted by the close of the application submission period, as the system will not allow for late submissions. Applicants are encouraged to submit their completed applications as soon as practicable after the application submission period opens. Waiting until the end of this period to begin the process will not provide sufficient time to complete all the necessary steps and submit a complete application on time.

Applicants must pay their gTLD evaluation fee upon receipt of the invoice, and no later than seven days after the close of the application submission period for their application to be considered, as described in <u>Fees and Payments</u>.

After submitting their application, applicants will not be able to make any changes outside the processes described in <u>Application Change Requests</u>. Application Change Requests can only be submitted after String Confirmation Day.

1.2.1.3 Application Questions

The application will consist of the following sections to be completed upon user registration:

- 1. Organization Information
- 2. gTLD Application Information

To complete the application, users must answer a series of questions listed in Application Questions and be asked to provide supporting documents, as required. The system will validate that all mandatory fields include a response before applicants can submit their application.

While applicants may submit as many applications as they wish, the Organization Information will be locked after the first application is submitted and cannot be modified for any subsequent application submission. Therefore, if applicants plan to submit multiple gTLD applications, they should be aware that the Organization Information section will be the same for all applications.

1.2.1.4 Strings in a gTLD Application

Each application is for one gTLD ("primary string") and may include one or more of its allocatable variant strings ("variant strings"), as applicable. An application may also be for one or more allocatable variant strings of an existing gTLD.¹²

1.2.1.5 Replacement String Selection

To potentially reduce the instances of string contention, as part of their application, applicants may also elect to submit replacement strings, as described in Replacement String.



¹² Refer to Internationalized Domain Names for information on variant strings.

1.2.1.6 Application and String Types

As described in <u>Application and String Types</u>, certain application types may require differential treatment according to the nature of the application, string, or applicant.

The different types of applications include the following: General, Community, Geographic Name, Reserved Name, Brand TLD, Internationalized Domain Name (IDN), Variant of Existing gTLD, Primary IDN TLD including one or more Variants, Category 1 Safeguard, and applications from governments, IGOs, and supported applicants (Government/IGO Applicant and Applicant Support Applicant application types).

In addition, certain strings will initiate specific processing and evaluation procedures: Geographic Names, IDN TLDs, Blocked Names, Reserved Names, and Strings Subject to Category 1 Safeguards.

1.2.1.7 Closed/Exclusive Generic Strings

Based on the relevant text in the <u>Base RA</u>, a "closed" gTLD imposes eligibility criteria that limit registrations exclusively to a single person or entity and/or that person's or entity's "Affiliates." The Base RA defines "generic" as "a string consisting of a word or term that denominates or describes a general class of goods, services, groups, organizations or things, as opposed to distinguishing a specific brand of goods, services, groups, organizations or things from those of others." ¹⁴

Applicants should be aware that the ICANN Board has resolved that closed generic strings (also known as exclusive) will not be permitted unless and until an approved methodology and criteria are established to evaluate whether a proposed closed generic domain would serve the public interest.¹⁵

During the application process, applicants will be required to affirm that they are not applying for, nor intend to operate, a closed generic string. It is important to note that this does not affect [Section 9.3 of Specification 13] of the Base RA¹⁶, which states that [".Brand TLDs are TLDs where: (ii) only Registry Operator, its Affiliates or Trademark

¹⁶ [Any references to the Registry Agreement are to the current Base RA, unless otherwise noted. References will be updated to the Base RA for the New gTLD Program: Next Round with the publication of the Final Guidebook, expected in Q4 2025]



¹³ As defined in Section 2.9(c) of the <u>Base RA</u>.

¹⁴ See Specification 11.3(d) of the <u>Base RA</u>.

¹⁵ The Board stated this in the GAC Advice – Hamburg Communiqué: Board Action (21 January 2024)

⁽https://www.icann.org/en/system/files/files/scorecard-gac-advice-hamburg-communique-board-action-21jan24-en.pdf), which the Board resolved to adopt on 21 January 2024 (https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-21-01-2024-en) in response to GAC Advice in the Hamburg Communiqué (30 October 2023)

⁽https://gac.icann.org/advice/communiques/public/ICANN78%20Hamburg%20Communique%C C%81.pdf?language_id=1).

Licensees are registrants of domain names in the TLD and control the DNS records associated with domain names at any level in the TLD." Please see Brand TLD Eligibility Evaluation for more information.

1.2.1.8 Pre-Submission String Validations

Certain <u>validations</u> on the primary and variant strings, including replacement strings, are automatically incorporated into and implemented via TAMS. If a string fails one of the validations or a match is found, the applicant will receive an error or warning message in TAMS explaining the detected issues and will not be allowed to proceed and submit their application or will have to provide additional documentation.

1.2.1.8.1 Blocked Names Identification

Certain strings, referred to as "Blocked Names", are not available for delegation. During the application drafting process, the system will automatically verify whether the applicant's entered string and any applicable variant strings appear on the Blocked Names list. If so, the applicant will not be able to move forward with that string and must select a different one in order to continue the application. For more information, see the Blocked Names section.

1.2.1.8.2 Reserved Names Identification

Certain strings, known as "Reserved Names," are available as gTLD strings at the top level only through a verification process. These names are designated for specific entities, referred to as "Limited International IGO-INGOs," which are the only parties eligible to apply for them. ICANN maintains the Reserved Names list, compiled from various sources, and requires relevant entities to provide appropriate documentation. During the application drafting process, the system will automatically verify whether the applicant's entered string and any applicable variant strings appear on the Reserved Names list. If the string is found on this list, the exception process will be initiated, during which the applicant will be prompted to upload documentation demonstrating that it is the entity for which the name is reserved. For more information, see the Reserved Names section.

1.2.1.8.3 DNS Stability Review

This review assesses whether an applied-for string will adversely affect the security or stability of the Domain Name System (DNS) and comply with DNS and other relevant standards, as described in DNS Stability Review. The DNS Stability Review includes a check for compliance with the applicable Root Zone Label Generation Rules, as per add. If the string fails any of the tests, the applicant will not be able to submit their application.



1.2.1.8.4 Identification of Other Non-Permitted Strings

As described in <u>Identification of Other Non-Permitted Strings</u>, the string will be checked against a list of other strings that cannot be delegated. If the string is found on this list, the applicant will not be able to submit its application.

1.2.1.9 Registry Service Provider Selection

All new gTLD applicants are required to identify one or more evaluated Registry Service Providers (RSPs), evaluated via the <u>RSP Evaluation Program</u> that the applicant intends to use if the applied-for gTLD proceeds to delegation. The list of evaluated RSPs can be found on the <u>Registry Service Provider (RSP) Application page</u>.

As part of application submission, the applicant is encouraged to identify the RSPs it intends to use and the Registry Services it intends to offer in the proposed gTLD(s), but the applicant may choose to specify the RSPs just before Application Evaluation.

Applicants may also engage external third-party RSPs or seek ICANN's approval to deliver critical registry services themselves as RSPs through the RSP Evaluation Program.

Refer to Registry Service Provider Selection for more details.

1.2.2 Pre-Evaluation Processes

1.2.2.1 Administrative Check and Preparation for Reveal Day

Expected duration: 8 weeks

Following the close of the application submission period, ICANN will perform necessary administrative due diligence and verify whether the evaluation fees have been received. ICANN will review the list of submitted applications and manually place applications for identical strings into preliminary contention sets in preparation for Reveal Day. Final contention sets will be published after the String Similarity Evaluation has been completed.

The administrative check is expected to be completed for all applications in a period of approximately eight weeks, subject to the overall application volume. In the event of a high volume of applications that prevents ICANN from processing all applications within the designated period, ICANN will post an updated timeline as soon as feasible.



1.2.2.2 Reveal Day

Absent extraordinary circumstances, ICANN expects to publish the list of all applications that have passed the Administrative Check on Reveal Day no later than nine weeks following the close of the application submission period. This list, which will be posted on the Next Round website, will include the relevant applied-for strings and allocatable variant strings and replacement strings (if applicable). The public portions of each application will also be made available. Although contention sets will not yet be finalized at this stage, identical strings will be put into preliminary contention, as described in Contention as a Result of Applications for Identical gTLD Strings. Applicants should check the [website] for preliminary contention sets. Certain communications and activities will be prohibited starting on Reveal Day; for more information, refer to Prohibited Communications and Activities.

1.2.2.3 Replacement Period

Expected duration: 2 weeks

Once applicants have access to the full list of applied-for strings, allocatable variant strings, and replacement strings, they will have the opportunity to replace their applied-for string with their replacement string. Applicants that have selected an eligible replacement string will have a 14-day Replacement Period to notify ICANN via TAMS of their intention to replace their original applied-for string with the replacement string identified in their application. Refer to Replacement Strings for more information.

1.2.2.4 String Confirmation Day

On String Confirmation Day, ICANN will post an updated list of applications and their chosen strings (whether original or replacement, as noted above). Preliminary contention will be updated according to the chosen strings.

1.2.2.5 Prioritization Draw

A Prioritization Draw is expected to be held no later than 30 days after String Confirmation Day. The Draw will determine the Priority Number of an application and the general order in which it will be processed by ICANN, as described in <u>Order of Application Processing and Prioritization Draw</u>.

1.2.3 Community Input, Objections, and Appeals

Starting on String Confirmation Day, the community will have the opportunity to provide input as described below.



1.2.3.1 Application Comments

Expected duration: 90 days following String Confirmation Day; 30 days following Application Change Requests

The general public will be able to post Application Comments to the Application Comment Forum, as described in <u>Application Comments</u>. ICANN will share these comments and any responses with the evaluators assigned to the relevant applications. Only the comments and responses received during the comment windows — 90 days following String Confirmation Day and 30 days following applicable Application Change Requests¹⁷ — will be considered by the evaluation panels.

1.2.3.2 GAC Member Early Warnings

Expected duration: 90 days following String Confirmation Day

Members of ICANN's Governmental Advisory Committee (GAC) may issue GAC Member Early Warnings within the 90 days following String Confirmation Day, as described in GAC Member Early Warnings.

1.2.3.3 GAC Consensus Advice

The GAC can provide GAC Consensus Advice to the ICANN Board on any application, as outlined in the ICANN Bylaws and as described in GAC Consensus Advice.

1.2.3.4 Singular/Plural Notifications

Expected duration: 30 days following String Confirmation Day

Within 30 days of String Confirmation Day, the public can notify ICANN about:

- Applied-for strings representing singular or plural versions of the same word in the same language.
- An applied-for string being a singular or plural version of a:
 - Delegated string
 - String still being processed from previous new gTLD round
 - Blocked Name

For more information, refer to Singular/Plural Notifications.



¹⁷ See Application Change Requests for more information.

1.2.3.5 Objections and Appeals

Expected duration of objections filing period: 90 days following String Confirmation Day

Expected duration of appeals filing period: 15 days following objection determination for notice of appeal; 15 days to file appeal

In the 90 days following String Confirmation Day, parties with standing may file objections against specific applications, which will be evaluated by a panel of expert(s). Objections may be based on four grounds: string confusion, legal rights, limited public interest, and community.

The party that does not prevail in an objection has a limited opportunity to appeal the decision. The non-prevailing party must notify the Dispute Resolution Service Provider (DRSP) of its intent to appeal within 15 days following the issuance of the objection determination. Subsequently, the non-prevailing party has an additional 15 days from the notice date to file the appeal and pay the required fees.

Objections and appeals are filed directly with DRSPs identified by ICANN. Both filing and processing these involve costs for the parties. Refer to <u>Objections and Appeals</u> for more information on costs and procedures.

1.2.4 String Evaluation

Expected duration: 180 days¹⁸

String Evaluation focuses solely on the evaluation of the applied-for strings and their allocatable variant strings. This process starts after String Confirmation Day and is expected to take 180 days. It is important to note that String Evaluation will partially overlap with the period during which the community can provide their input on the applications, as described in Community Input, Objections, and Appeals. String Evaluation consists of five elements described below, each of which will be assessed concurrently. String Evaluation, unlike Application and Applicant Evaluation, does not follow the priority order.

1.2.4.1 String Similarity Evaluation

The String Similarity Evaluation will be performed by an expert panel with the objective of preventing user confusion and loss of confidence in the DNS resulting from

¹⁸ The indicated durations refer to a simple and standard application part of the first priority batch, not subject to GAC Advice, objections, or conditional evaluations, not in contention, and not having any other issues. See <u>Lifecycle Timelines</u> for more information regarding individual evaluation timelines as well as the applicable Guidebook sections.



delegation of visually Similar¹⁹ strings, as described in detail in <u>String Similarity</u> Evaluation.

1.2.4.2 Name Collision Initial Assessment

The Name Collision Initial Assessment aims to identify strings with a high risk of name collision, as described in Name Collision. If a string is found to be high-risk, the applicant will have an opportunity to submit a Mitigation Plan for evaluation, which will allow the application to proceed if approved. Otherwise, it will be added to the Collision String List, and the application will not proceed. The section also includes information on Temporary Delegation, which is an additional process applicable for strings not initially identified as high-risk.

1.2.4.3 Safeguard Assessment

The Safeguard Assessment will determine if an applied-for string will be required to have specific safeguards as contractual requirements in the applicable Base RA as it relates to consumer protection, sensitive strings, and regulated markets. More information is found in <u>Safeguard Public Interest Commitments</u>.

1.2.4.4 Geographic Names Identification

As part of the Geographic Name Identification, a panel will review all of the applied-for strings and identify which strings may be considered a Geographic Name, as described in <u>Geographic Names</u>. Note that this is separate from the more substantive verification process called Geographic Names Review that would take place as part of <u>Application Evaluation</u>.

1.2.4.5 Singular/Plural Notifications Evaluation

ICANN will review the materials submitted as part of the Singular/Plural Notifications process and will determine whether certain strings represent the singular and plural forms of the same word in the same language. For more information, see Outcome of Singular/Plural Notifications.

1.2.5 Temporary Delegation

Strings that were not identified as high-risk will undergo Temporary Delegation in priority order of the applications for that string (if applicable).²⁰ Temporary Delegation can start as soon as the Name Collision Initial Assessment has been concluded, even if other evaluations that are part of String Evaluation are still being performed, and will

²⁰ Temporary Delegation only applies to strings that were not identified as potentially high-risk in the Name Collision Initial Assessment.



¹⁹ "Similar" means visually confusing strings, or "strings so visually similar that they create a probability of user confusion if more than one of the strings is delegated into the root zone. See <u>String Similarity</u> for more information.

follow the priority order. During Temporary Delegation, the applied-for gTLD string will be delegated to DNS nameservers managed by ICANN in order to collect data about the volume and nature of DNS traffic for that string.

The duration of Temporary Delegation will be defined as part of the Name Collision process and criteria. Should it be found that a string is high-risk, it will be removed from the root zone and the applicant will have an opportunity to submit a Mitigation Plan for evaluation, which will allow the application to proceed if approved. Otherwise, the string will be added to the Collision String List. See more information in Name Collision. The conclusion of Temporary Delegation is not necessary for other processes, such as Application and Applicant Evaluation or contention set resolution, to start. However, an application will be able to proceed to contracting only when Temporary Delegation is concluded and the Mitigation Plan is implemented (if applicable).

1.2.6 Publication of String Evaluation Reports and Contention Sets

Once the String Evaluation is completed, String Evaluation Reports for all applications, as well an updated list of contention sets, will be posted to the <u>Next Round website</u>.

1.2.7 String Confusion Objections and Identification of Potential New Contention Sets

Expected duration: 30 days following publication of initial list of contention sets

As described in <u>Objections and Appeals</u>, following the publication of the initial list of contention sets, there will be a second 30-day submission window for String Confusion Objections only. Applications that received a String Confusion Objection may create additional contention sets depending on the DRSP's determination. Should new contention sets be created, they will be published to the <u>Next Round website</u>.

1.2.8 Community Priority Evaluation

→ Conditional

Once all contention sets have been finalized and all applications in the contention set are eligible to proceed to contention resolution, Community applicants in contention may elect to go through Community Priority Evaluation (CPE).²¹ CPE is an independent analysis conducted by an expert panel that determines whether a community-based application fulfills the CPE criteria. If an applicant meets the CPE criteria, it will receive priority in the contention set. More information on the process and criteria can be found in <u>Lifecycle Timelines</u> and <u>Community Priority Evaluation</u>.



²¹ Note that <u>Community Priority Evaluation</u> and <u>ICANN New gTLD Auction</u> only apply to <u>applications</u> that are part of a contention set.

1.2.9 ICANN New gTLD Auctions

ICANN will hold auctions to resolve string contention among applicants for new gTLDs. If an auction winner is ineligible to execute a Base RA with ICANN, ICANN may, at its discretion, offer the auction runner-up, if any, the opportunity to proceed with its application. More information can be found in ICANN New gTLD Auction.

1.2.10 Applicant Evaluation

Applicant Evaluation occurs after the application has either (a) passed String Evaluation and is not part of a contention set, or (b) passed String Evaluation and has prevailed in the contention set. It is conducted in parallel with <u>Application Evaluation</u> based on the application's priority number, unless other processes prevent the application from proceeding. See <u>Applicant Evaluation</u> for more information.

Applicant evaluation consists of two mandatory assessments, detailed below:

1.2.10.1 Background Screening

→ Mandatory

Background screening is in place to protect the public interest in the allocation of critical Internet resources by ensuring that only established corporations, organizations, or institutions in good standing are allowed to operate a new gTLD. ICANN reserves the right to deny an otherwise qualified application based on findings from the background screening process. See <u>Background Screening</u> for more information.

1.2.10.2 Financial and Operational Evaluation

→ Mandatory

The Financial and Operational Evaluation assesses whether an applicant has the financial and operational capacity to sustain the registry long-term and has implemented reasonable safeguards to ensure robust business operations and address abuse concerns.²² Refer to Financial and Operational Evaluation for more details.

²² All previous ICANN gTLD application rounds included financial as well technical and operational evaluation. Based on experience and feedback from the 2012 round, most technical and operational evaluation and due diligence has been moved to the Registry Service Provider (RSP) Evaluation Program, as these functions are performed by one or more contracted RSPs. However, a very small number of technical and operational questions cover the Applicant's operations (that is, not the operations of a contracted RSP) and therefore remain in the main round application under financial and operational evaluation.



1.2.11 Application Evaluation

Expected Duration: See Lifecycle Timelines

Application evaluation comprises the evaluations described below. Among these, only the Registry Service Provider Selection is mandatory.

1.2.11.1 Registry Services Provider Review

ICANN will verify whether the applicant has selected one or more evaluated RSPs as part of its application. If not, Extended Evaluation is available for an applicant to provide the requested information regarding the chosen RSP(s). Please see RSP Selection for more information.

1.2.11.2 Geographic Names Review

→ Conditional

A Geographic Names Panel will verify the relevance and authenticity of the supporting documentation for any application for a string determined to be a Geographic Name during the String Evaluation process, as described in Geographic Names Review.

1.2.11.3 Reserved Names Review

→ Conditional

The Reserved Names evaluation process will determine whether the appropriate organization has applied for the reserved string and will verify the supporting documentation, as described in <u>Reserved Names</u>.

1.2.11.4 Name Collision High-Risk Mitigation Plan Evaluation

→ Conditional

An applicant for a string that ICANN has deemed to present a high risk of Name Collision and has resolved contention may submit a High-Risk String Mitigation Plan for review. This plan will be reviewed by technical experts. More information can be found in Name Collision.

1.2.11.5 Code of Conduct Exemption Evaluation

→ Conditional

If an applicant proposes to register all domain names in the gTLD exclusively for the registry operator's own use or for use by its affiliates, and wishes to waive the protection for itself and its affiliates, ICANN may grant an exemption to the Code of



Conduct (Specification 9 of the Base RA), provided the gTLD is not a generic string and the registry operator meets the exemption criteria. Please see <u>Code of Conduct Exemption Evaluation</u> for more information regarding this evaluation.

1.2.11.6 Registry Commitment Evaluation

→ Conditional

As described in Registry Voluntary Commitments, each registry commitment proposed by the applicant for inclusion in the applicable Base RA will be assessed by ICANN and published for an application comment period.

1.2.11.6.1 Registry Voluntary Commitments Evaluation

Each proposed Registry Voluntary Commitment (RVC) for each applied-for gTLD string and its applied-for allocatable variant strings, if applicable, will undergo an ICANN evaluation. The objective of this evaluation is to determine whether the proposed RVC meets all the evaluation criteria as set out in Registry Commitments Evaluation for ICANN's approval to include the commitment in Specification 11 of the Base RA.

1.2.11.6.2 Community Registration Policies Evaluation

Proposed Community Registration Policies are also subject to ICANN evaluation and approval before they can be included in Specification 12 of the Base RA. More information can be found in <u>Community Registration Policies</u>.

1.2.11.7 Brand TLD Eligibility Evaluation

→ Conditional

The purpose of the Brand TLD Eligibility Evaluation is to confirm that the applicant meets the criteria for a Brand TLD designation. A successful designation will result in Specification 13 being added to the applicant's Base RA, provided the applicant successfully completes all phases of evaluation. Refer to Brand TLD Eligibility Evaluation for the details.

An applicant for a Brand TLD that is found in contention has the option to change its string and avoid further contention resolution procedures by completing a Brand String Change Request, subject to the requirements set out in Brand TLD String Change Request.

1.2.11.8 Variant String Evaluation

→ Conditional

An applicant seeking one or more allocatable variant string of an applied-for primary IDN or existing gTLD must justify the need for each applied-for variant string. This



justification will be evaluated by a panel based on a general standard of reasonableness. See <u>Variant String Evaluation</u> for more information. Variants will be included in Specification 14 of the <u>Base RA</u>.

1.2.12 Clarifying Questions

Expected duration: Seven days for administrative questions; 21 days for substantive questions

During the evaluation process for each Application and Applicant Evaluation²³ described above, the respective evaluation panel may issue clarifying questions if they require additional information to complete their evaluation or if they intend to fail an applicant. Applicants will have seven days to respond to administrative clarifying questions and 21 days to respond to substantive clarifying questions. If the applicant fails to respond within that defined period, the applicant may forfeit the opportunity to address any issues found by the evaluation panel.

1.2.13 Publication of Application and Applicant Evaluation Reports

Application and Applicant Evaluation reports will be compiled after all required evaluations specific to an application are completed and will be published on a rolling basis.²⁴ Certain processes, such as Application Change Requests, string contention, or objections, may affect the timing of the publication of the reports.

1.2.14 Extended Evaluation and Evaluation Challenge

An extended evaluation or evaluation challenge is available for certain evaluations, as described below. There are no conditional gTLD fees associated with either process.

1.2.14.1 Extended Evaluation

Applicants that are unable to resolve issues through clarifying questions may be eligible to enter extended evaluation, which provides additional time and interaction to address outstanding concerns regarding a specific evaluation. Applicants may request extended evaluation within 15 days of notification of their Application and Applicant Evaluation results. Extended evaluation is conducted by the same set of evaluators who initially conducted the relevant evaluation. Where applicable, an evaluation panel may issue additional clarifying questions as part of extended evaluation.

²⁴Applicants will be evaluated in Application and Applicant Evaluations based on the <u>priority</u> <u>number</u> of their application, but the publication of these results is based on the completion date <u>of the</u> evaluations.



²³ Clarifying questions will not be issued for String Evaluations.

The following evaluations can be subject to extended evaluation:

Table 1-1: Evaluations Subject to Extended Evaluation

Evaluation	Information that the Applicant Can Provide
Background Screening	Provide additional informationClarify information that was already provided
Financial and Operational Evaluation	Clarify information that was already provided
Registry Service Provider Review	Provide additional informationClarify information that was already provided
Geographic Names Review	Provide additional informationClarify information that was already provided
Reserved Names Review	Provide additional informationClarify information that was already provided
Variant String Evaluation	Clarify information that was already provided

1.2.14.2 Evaluation Challenge

The evaluation challenge mechanism allows applicants to challenge an evaluation result based on claims of procedural, factual, or system error in the automatic validations run by TAMS that may have led to an incorrect evaluation outcome. While applicants can provide documentary evidence of a perceived factual or procedural error, they are not allowed to submit any new information that would constitute a material change to the original application. Typically, the challenge mechanism does not provide for clarifying questions.

The challenge mechanism is subject to a "quick look" assessment. The panel may dismiss the challenge based on one or more of the criteria below:

- The challenge is not filed on one of the accepted grounds.
- The party filing the challenge is not relevant to the evaluation.
- Insufficient or no evidence is provided to support the challenge.
- The challenge is far-fetched, clearly invented, or contrary to common sense.
- Multiple challenges on the same ground are filed by the same party.
- Other facts that may clearly show that the challenge is manifestly unfounded or an abuse to the right to challenge.

See <u>Table 1-2: Evaluations that Qualify for Challenge</u> for an overview of the evaluations that qualify for a challenge, the deadline for requesting it, and the grounds.

Table 1-2: Evaluations that Qualify for Challenge

Evaluation	Deadline for Filing	Grounds for Challenge
	l	The automatic validations have been incorrectly applied or miscoded:



Evaluation	Deadline for Filing	Grounds for Challenge
	the application submission period. ²⁵	 Blocked Names Identification: A system error in the automated Blocked Names Identification process resulted in an applicant's string being incorrectly classified as a Blocked Name. Consequently, the applicant was unable to proceed to submission. Reserved Names Identification: A system error in the automated Reserved Names Identification process resulted in an applicant's string being incorrectly classified as a Reserved Name. Consequently, the applicant was able to proceed to submission only by providing the requisite supporting documentation as specified for Reserved Names exceptions. DNS Stability Review: A system error in the automated DNS Stability Review tool calculation and the identified system error caused the applicant to fail the DNS Stability Review. Consequently, the applicant was unable to proceed to submission. This challenge mechanism does not apply for scripts not supported by the RZ-LGR. Identification of Other Non-Permitted TLDs: A system error in the automated Other Non-Permitted TLDs Identification process resulted in an applicant's string being incorrectly classified as a Non-Permitted TLD. Consequently, the applicant was unable to proceed to submission.
String Similarity Evaluation	21 days after the date the applicant receives notice of the string evaluation result	The String Similarity Evaluation Panel made a factual or procedural error when it determined that the applicant's applied-for string (and/or variant strings, if any) is Similar to: 1. An existing gTLD, a Blocked Name, a two-character ASCII string AND the application cannot proceed in the Program OR 2. Another applied-for gTLD AND the application was placed in a contention set.
Singular/Plural Notification Evaluation	21 days after the date the applicant receives notification that the application has been placed in a contention set based on a validated	The Singular/Plural Notification Evaluation Panel made a factual or procedural error when it determined that an applicant's applied-for string is the singular or plural form of: 1. An existing gTLD, a Blocked Name, a two-character ASCII string, or a string being processed from a previous new gTLD round and cannot proceed in the Program OR

²⁵ Applicants should be aware that any challenge submitted after this point will not be accepted and are therefore advised to start their application(s) as soon as possible and submit any challenges no later than 14 days prior to the close of the application submission period. This applies to Blocked Names Identification, Reserved Names Identification, and the DNS Stability Review.



Evaluation	Deadline for Filing	Grounds for Challenge
	Singular/Plural Notification.	Another applied-for gTLD AND and the application was placed in a contention set. OR, the panel made a factual or procedural error when it determined that the dictionary submitted to document the singular/plural claim does not meet the criteria established in the Guidebook.
Community Priority Evaluation		The CPE Panel made a factual or procedural error when it determined that an applicant did not meet the criteria to obtain priority over other competing applications for the same and/or Similar string.
Name Collision High-Risk Mitigation Plan Evaluation	21 days after the date the applicant receives notice of the evaluation	The evaluation panel of technical experts made a factual or procedural error when it determined that the Mitigation Plan (a) does not correctly identify the root cause of the collisions or (b) does not have a high probability of being effective.

The Challenge Panel will communicate the result of the Pre-Submission String Validations within five days of an applicant filing the challenge. For the other evaluations listed in the table above, the Challenge Panel will communicate the result within 30 days of an applicant filing such a challenge.

For more detailed information on each evaluation and challenge type, please see the sections linked in the table above. Each evaluation section provides additional details regarding the challenge process and its outcomes.

1.2.15 Contracting

Expected duration: Applicant must complete contracting no later than 90 days following the date of invitation

An applicant that successfully completes all the relevant stages outlined in this section must execute a Base RA with ICANN to be eligible for the delegation of its applied-for gTLD (and allocatable variant strings, where applicable) into the DNS root zone. Applicants that pass the Application and Applicant Evaluation will be invited to provide additional contracting information, including the authorized signatory. In parallel, ICANN will seek confirmation from an applicant's identified RSP that it acknowledges plans to support that particular applicant and gTLD.

The Base RA is the product of extensive community consultation. ICANN will only consider modification to the agreement in extraordinary circumstances, such as unique legal, jurisdictional, or regulatory issues that would legally prevent an entity from executing the Base RA as-is. Applicants that request to negotiate limited amendments to the Base RA will be required to provide a rationale justifying the need for such changes, along with a redline of the requested changes. Applicants must submit a negotiation request to ICANN as soon as possible in the process and no later than 15 days following the date of its invitation to contracting.



Where applicable, a Base RA will include the following based on an applicant's response to the application questions and evaluation results:

- Public Interest Commitments, including Registry Voluntary Commitments and Safeguards, are included in Specification 11.
- Community Registration Policies are included in Specification 12.
- Information on Brand applications are included in Specification 13.
- Information on variant strings are included in Specification 14.
- Special Provision Relating to Intergovernmental Organizations or Governmental Entities in Article 7.

Absent extraordinary circumstances, applicants are required to execute the contract within 90 days from the time they are invited to start the contracting process.

1.2.16 Post Contracting

This Post-Contracting section provides new registry operators with resources to understand the requirements of launching and operating their gTLDs.

After successfully passing evaluation and signing a Base RA with ICANN, the former new gTLD applicant's operation of the gTLD will be governed by this agreement, which outlines the obligations between the registry operator and ICANN. Registry operators must complete onboarding activities for various ICANN systems and processes. This onboarding is critical for ensuring compliance with contractual obligations and operational responsibilities. New registry operators must delegate their TLD within one year from the date of Base RA execution.

New registry operators are referred to the [Post-Contracting Page] on the New gTLD Program website, which will provide comprehensive resources to help emerging registry operators navigate ICANN interactions and understand their contractual obligations. For additional information regarding delegation of gTLDs and the timeline for completion, please review Contracting and Appendix 4: Base RA.

1.2.17 Dispute Resolution Procedures After Delegation

Post-delegation dispute resolution procedures provide an avenue for pursuing complaints against a registry operator's conduct.

Sometimes, a complainant may be required to take specific steps to address their issues before filing a formal complaint. ICANN or qualified third-party providers administer these dispute resolution procedures. An expert panel, if appointed, determines whether a registry operator is at fault and, if so, recommends remedies to ICANN.



Registry operators must comply with the dispute resolution mechanisms outlined in the Base RA and agree to be bound by any determination by ICANN or the expert panel, and to implement and adhere to any remedies subsequently imposed by ICANN.

Currently, there are three post-delegation dispute resolution procedures:

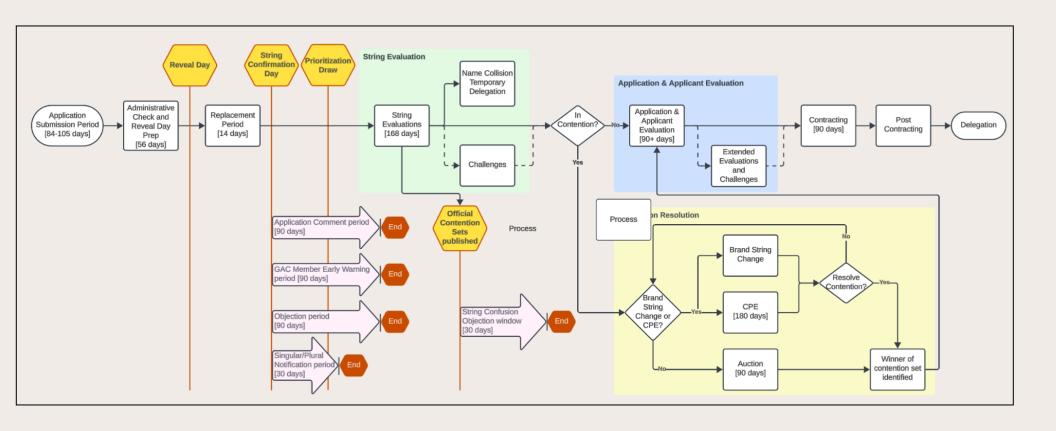
- Public Interest Commitments Dispute Resolution Procedure (PICDRP):
 The PICDRP addresses alleged complaints that a registry operator may not be complying with one or more Public Interest Commitments (PICs) and/or Registry Voluntary Commitments (RVCs) in its Base RA. See Public Interest Commitments, Registry Voluntary Commitments, and Community Registration Policies for further details about PICs and RVCs.
- Registry Registration Dispute Resolution Procedure (RRDRP): The RRDRP addresses circumstances in which a community-based gTLD registry operator allegedly deviates from the registration restrictions outlined in its Base RA. A community-based gTLD is operated for the benefit of a clearly delineated community. See <u>Community Priority Evaluation</u> for further details about community-based gTLDs.
- 3. Trademark Post-Delegation Dispute Resolution Procedure (TM-PDDRP): The TM-PDDRP generally addresses alleged complicity in trademark infringement on the first or second level of a gTLD. Among the three post-delegated dispute resolution procedures, only the TM-PDDRP is specifically intended to address trademark-related issues concerning registry operators. See <u>Rights Protection Mechanisms</u> for further details about requirements for rights protection mechanisms for all gTLDs.

For more information about the scope of procedures, the roles of all parties, and the adjudication process with respect to these post-delegation dispute resolution procedures, see the [Frequently Asked Questions] on newgtldprogram.icann.org.²⁶

²⁶ For further details about additional policies and procedures that apply to various types of disputes over the registration and use of domain names, see here: https://www.icann.org/resources/pages/dndr-2012-02-25-en



1.3 Process Overview



1.4 Posted Materials

ICANN will post the following materials related to the submitted applications to the <u>Next</u> Round website:

- Public portions of the applications
- Assigned Priority Number
- Application status and stage
- Applications with GAC Member Early Warnings and GAC Advice
- Statuses of objections and appeals
- Application Comments
- Changes to the public portion of the application due to Application Change Requests
- Evaluation result reports (String, Application and Applicant, and CPE)
- Name Collision Initial Assessment report
- Temporary Delegation report
- High-Risk Mitigation Plan and report
- Extended Evaluation and Evaluation Challenge reports
- Clarifying Questions (CQs) and Applicant's CQ Responses for the public portions of the applications
- List of contention sets
- CPE election status
- Auction status and results
- Base RAs

1.5 Lifecycle Timelines

The table below provides a high-level estimation of the duration of each process in months, based on the number of applications submitted. The indicated durations refer to a simple and standard application that is part of the first priority batch, not subject to GAC Advice, objections, or conditional evaluations, and not in contention or facing any other issues. Applications in later priority batches may be held until their designated processing time. Applicants with applications requiring conditional evaluations or that are subject to GAC Advice or have otherwise more complex applications may experience longer processing times.



	Estimated duration in months ²⁷					
# apps	Pre- Evaluation Processes	String Evaluations	Application and Applicant Evaluation	Contracting	Post Contracting to Delegation	Total
500	3	4				13
1,000	3	4.5				13.5
1,500	4	5	3	1	2	15
2,000	4	5.5				15.5
3,500	5	7.5				18.5

Table 1-3: Estimated Duration of Each Process

The table below provides an estimation of the duration of some of the conditional processes an application may be subject to.

Table 1-4: Estimated Duration of Some Conditional Processes

Process	Estimated duration in months
Application Change Requests	1-3 ²⁸
Objections	4
Community Priority Evaluation	6
ICANN Auctions	3
Other Evaluations	Varies depending on the evaluation element
Extended Evaluations, Evaluation Challenges, and Appeals	Varies depending on the nature of the challenge or the evaluation element

These tables do not cover all possible scenarios and that a number of factors may influence the duration of each process. Metrics on the various processes will be posted to the Next Round website and regularly updated.

1.6 Application Statuses

An application will have one of the following statuses:

- Active: The application is progressing in the New gTLD Program process.
- **On hold**: The application has pending activities that may impact its progress, such as accountability mechanisms or objections.

²⁸ The estimated duration for an Application Change Request is highly dependent on the type of change. See <u>Application Change Requests</u> for more information.



²⁷ The estimated durations listed here represent the potential path for simple and standard applications part of the first priority batch, not subject to GAC Advice, objections, or conditional evaluations, not in contention, and not having any other issues, such as a change request or challenge proceeding.

- **Withdrawn**: The application is voluntarily terminated by the applicant. This process is irreversible.
- Pending Termination: Application did not meet the criteria set forth in the Applicant Guidebook and cannot proceed further in the Program. An applicant is expected to withdraw its application within 60 days or ICANN may change its application status to Terminated.
- **Terminated**: Applicant has exhausted further actions (including but not limited to challenge²⁹ of an evaluation or appeal to an expert determination) and will not continue in the New gTLD Program.
- Contracted: The Contracted status is assigned after the Base RA is fully signed. The applicant then becomes a registry operator for the applied-for string.
- Delegated: The TLD has been added to the DNS root zone.

²⁹ This is limited to challenges and appeals and does not include Accountability Mechanisms.



Module 2: Application Submission

This module outlines key milestones and expectations for submitting a new gTLD application, highlighting key aspects such as the submission period and limits, backup application process, and application queuing and prioritization.

Module 2: Application Submission also covers additional essential topics, including:

- DNS Stability and Root Zone Label Generation Rules
- Application and string types
- Fees and payments
- Change requests

This information is designed to clarify the application process, enabling applicants to prepare thoroughly and navigate it with confidence.

2.1 Submitting an Application

2.1.1 Application Submission Period

The application submission period is scheduled to open for [number] days starting on [date] at 00:01 UTC and closing on [date] at 23:59 UTC.

To be considered, all applications must be submitted by the close of the application submission period, as the system will not allow for late submissions. Applicants are encouraged to submit their completed applications as soon as practicable after the application submission period opens. Waiting until the end of this period to begin the process will not provide sufficient time to complete all the necessary steps and submit a complete application on time.

Applicants must pay their gTLD evaluation fee upon receipt of the invoice, and no later than seven days after the close of the application submission period for their application to be considered, as described in <u>Fees and Payments</u>.

After submitting their application, applicants will not be able to make any changes outside the processes described in <u>Application Change Requests</u>, which can only be submitted after String Confirmation Day.

2.1.2 TLD Application Management System

Applications must be submitted electronically through TAMS. Paper applications will not be allowed. Applicants are encouraged to consult the [TAMS User Guide] for guidance on how to use the system to ensure proper understanding prior to submitting an application.



2.1.3 Application Questions

The application will consist of the following sections to be completed upon user registration:

- 1. Organization Information
- 2. gTLD Application Information

To complete the application, users must answer a series of questions listed in Application Questions and be asked to provide supporting documents, as required. The system will validate that all mandatory fields include a response before applicants can submit an application.

While applicants may submit as many applications as they wish, the Organization Information will be locked after the first application is submitted and cannot be modified for any subsequent application submission. Therefore, if applicants plan to submit multiple gTLD applications, they should be aware that the Organization Information section will be the same for all applications.

2.1.4 Strings in a gTLD Application

Each application is for one gTLD ("primary string") and may include one or more of its allocatable variant strings ("variant strings"), as applicable. An application may also be for one or more allocatable variant strings of an existing gTLD.³⁰

2.1.5 Replacement String Selection

To potentially reduce the instances of string contention, applicants may also elect to submit replacement strings, as described in Replacement String Eligibility.³¹

2.1.6 Application and String Types

This section outlines the various application types for new gTLD applications, including general, community, Geographic Name, Reserved Name, Brand, IDN, variant of an existing gTLD, Primary IDN variant of a new gTLD, applications from governments, IGOs, and supported applicants (Government/IGO Applicant and Applicant Support Applicant application types). Each type may have unique requirements and processing steps that an applicant should be aware of when submitting an application for these different types.

The table below provides an overview of the various application types, as well as the specific areas where differing requirements may apply. For detailed information, please see the sections linked in the table.



³⁰ Refer to Internationalized Domain Names for information on variant strings.

³¹ Information on the replacement string can be found in <u>String Contention and Contention</u> <u>Resolution Procedures</u>.

Table 2-1: Overview of Application Types and Key Differences in Handling

Туре	Application, String, or Applicant	Processing Prioritization ³²	Contention	Additional Contract Schedules ³³	Conditional Fees ³⁴
<u>General</u>	N/A	Standard	Standard	N/A	None
Community	Application	Standard	May elect CPE	Spec 12	For Spec 12 review ³⁵ ; and if CPE Performed
Geographic Name	String (Identification), Application (Review)	Standard	Standard	None	Yes
Reserved Name	String	Standard	Standard	None	None
<u>Brand</u>	Application	Standard	Standard late string change	Spec 13	Yes
<u>IDN</u>	String	Priority	Standard	None	None
Variant of Existing gTLD	Application	Priority	Standard	(New RA which includes Spec 14)	<= 4 variant strings: None > 4 variant strings: Yes
Primary (IDN)+ Variant of New gTLD	Application	Priority	Standard	Spec 14	<= 4 variant strings: None > 4 variant strings: Yes
Government/ IGO Applicant	Applicant	Standard	Standard	Alternate Provisions	None
Applicant Support Applicant ³⁶	Applicant	Standard	Eligible for Bid Credit	Additional Provisions	None

2.1.7 Closed Generics/Exclusive Generic Strings

Based on the relevant text in the <u>Base Registry Agreement</u> (Base RA), a "closed" string imposes eligibility criteria that limit registrations exclusively to a single person or entity and/or that person's or entity's "Affiliates."³⁷ The Base RA defines "generic" as "a string



³² This refers to "prioritization" as it relates to Application Processing (for example, priority in the order of processing during evaluation). Refer to <u>Order of Application Processing and Prioritization Draw</u> for more information.

³³ Applicants in all categories may adopt Registry Voluntary Commitments as part of Specification 11.

³⁴ See Fees and Payments for more information.

³⁵ There is a fee for Registry Commitment Evaluation that must be conducted on Community Registration Policies that will be enshrined in a community applicant's Specification 12.

³⁶ Note that applicants applying for Applicant Support are subject to the requirements and evaluations of the Applicant Support Program, which are separate from the requirements and evaluations of the New gTLD Program. See the <u>Applicant Support Handbook</u> for more information.

³⁷ As defined in Section 2.9(c) of the Base RA.

consisting of a word or term that denominates or describes a general class of goods, services, groups, organizations or things, as opposed to distinguishing a specific brand of goods, services, groups, organizations or things from those of others."³⁸

Applicants should be aware that the ICANN Board has resolved that closed generic strings (also known as exclusive) will not be permitted unless and until an approved methodology and criteria are established to evaluate whether a proposed closed generic domain would serve the public interest.³⁹

During the application process, applicants will be required to affirm that they are not applying for, nor intend to operate, a closed generic string. It is important to note that this does not affect [Section 9.3 of Specification 13] of the Base RA⁴⁰, which states that [".Brand TLDs are TLDs where: (ii) only Registry Operator, its Affiliates or Trademark Licensees are registrants of domain names in the TLD and control the DNS records associated with domain names at any level in the TLD."] Please see Brand TLD Eligibility Evaluation for more information.

2.1.8 Pre-Submission String Validations

2.1.8.1 Blocked Names Identification

During application drafting, the system will automatically check whether the applicant's chosen string, along with any applicable variant strings, appears on the Blocked Names list, as described in <u>Blocked Names</u>. If the string is found on this list, the system will prevent the applicant from proceeding with that string. To continue with the application, the applicant must revise the entry and select a different string that is not blocked.

2.1.8.2 Reserved Names Identification

During application drafting, the system will automatically check whether the applicant's chosen string, along with any applicable variant strings, appears on the Reserved Names list, as described in Reserved Names. If the string is found on this list, the exception process will be initiated, where the applicant will be prompted to upload

⁴⁰ [Any references to the Registry Agreement are to the current Base RA, unless otherwise noted. References will be updated to the Base RA for the New gTLD Program: Next Round with the publication of the Final Guidebook, expected in Q4 2025]



³⁸ See Specification 11.3(d) of the Base RA.

³⁹ The Board stated this in the GAC Advice – Hamburg Communiqué: Board Action (21 January 2024)

⁽https://www.icann.org/en/system/files/files/scorecard-gac-advice-hamburg-communique-board-action-21jan24-en.pdf), which the Board resolved to adopt on 21 January 2024 (https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-21-01-2024-en) in response to GAC Advice in the Hamburg Communiqué (30 October 2023)

⁽https://gac.icann.org/advice/communiques/public/ICANN78%20Hamburg%20Communique%C C%81.pdf?language_id=1).

supporting documentation demonstrating that they are the entity for which the name is reserved.

2.1.8.3 DNS Stability Review

New gTLD strings must not adversely affect the security or stability of the DNS. The DNS Stability Review determines whether an applied-for gTLD string complies with DNS and other relevant standards. This evaluation includes verifying the string for conformance with the technical requirements specified for gTLD strings. Applications will not proceed unless these checks have been completed successfully.

The applied-for gTLD string must comply with the following requirements:

- 1. The ASCII label must either be an NR-LDH⁴¹ or a valid A-label as described in section 2.3 of RFC 5890⁴².
- 2. The NR-LDH label must consist entirely of letters (alphabetic characters a-z) in accordance with section 2.1 of RFC1123⁴³.
- 3. IDN gTLD strings must comply with IDNA2008⁴⁴ (RFCs 5890-5893) and all standards-track RFCs that update IDNA2008.
- 4. IDN gTLD strings must comply with the applicable Root Zone Label Generation Rules⁴⁵ (see Root Zone Label Generation Rules for additional information on RZ-LGRs and processing of applications).
- 5. If a gTLD string is classified as a variant string of either an existing gTLD in the root zone or an applied-for primary gTLD, it must be an allocatable variant string of that primary gTLD (see Internationalized Domain Names). The RZ-LGR is the sole source for calculating the variant strings of the primary gTLD and their disposition values, whether allocatable or blocked.

The verifications described above are incorporated into and implemented via the [TAMS]. This means that these verifications will occur automatically when the applicant enters the string into its application.

If a string fails one of the verifications described above, the applicant will receive an error message explaining the detected problems, and the application will not be allowed to proceed.

Note that in <u>Name Collision</u> and <u>Security and Stability</u>, additional issues and requirements are described relative to stability and security reviews.



⁴¹ See RFC 5890 for description of relevant terms: https://www.rfc-editor.org/rfc/rfc5890.txt

⁴² https://www.rfc-editor.org/rfc/rfc5890.txt

⁴³ https://www.rfc-editor.org/rfc/rfc1123.html

⁴⁴ https://www.unicode.org/reports/tr41/#IDNA2008

⁴⁵ See https://www.icann.org/resources/pages/root-zone-lgr-2015-06-21-en.

2.1.8.3.1 Root Zone Label Generation Rules

2.1.8.3.1.1 Applicable RZ-LGR Version and Scripts and Languages Supported

IDNs are important to enable a multilingual Internet. In order to ensure a secure and stable DNS, the Root Zone Label Generation Rules (RZ-LGR)⁴⁶ were developed to determine the validity of applied-for primary strings in different scripts as well as their allocatable variant strings.

The DNS is for identifiers, not for writing a language or its literature, so the RZ-LGR is not expected to allow the full range of expression of any natural language in the DNS, nor is any generated string by the RZ-LGR required to be a word in a language.

The RZ-LGR version [5] will be used, which integrates the scripts and writing systems noted below⁴⁷ based on proposals developed by the community-based panels (Generation Panels) and integrated by a list of expert reviewers (Integration Panel).

Arabic, Armenian, Bangla, Chinese (Han), Cyrillic, Devanagari, Ethiopic, Georgian, Greek, Gujarati, Gurmukhi, Hebrew, Japanese (Hiragana, Katakana, and Kanji [Han]), Kannada, Khmer, Korean (Hangul and Hanja [Han]), Lao, Latin, Malayalam, Myanmar, Oriya, Sinhala, Tamil, Telugu, and Thai.

The RZ-LGR contains a distinct LGR for each script or writing system. A writing system may contain more than one script, for example, the Japanese writing system consists of Hiragana, Katakana, and Kanji (Han) scripts.

2.1.8.3.1.2 Unsupported Script Applications

The RZ-LGR will only validate strings in scripts or writing systems integrated into it. Applicants will not be able to submit an application for a string in a script not integrated into the applicable version of the RZ-LGR.

In such a case, the potential applicant should first work with the script community to integrate the relevant script into the RZ-LGR, following the RZ-LGR Procedure⁴⁸. ICANN will support this process actively. The potential applicant may initiate this process with ICANN by emailing globalsupport@icann.org at any time. The applicant may be able to apply in a subsequent application period, if the relevant script has been integrated and made available in the applicable version of the RZ-LGR.

2.1.8.3.1.3 Choosing Primary and/or Variant Strings Using the RZ-LGR

The primary string is the main string submitted by the applicant, which must be valid as per the RZ-LGR calculation. Variant strings of the primary string are also calculated through the RZ-LGR, marked as either the allocatable and blocked variant strings.



⁴⁶ https://www.icann.org/resources/pages/root-zone-lgr-2015-06-21-en

See RZ-LGR-[5] Overview and Summary for further details:
 https://www.icann.org/en/system/files/lgr/rz-lgr-5-overview-26may22-en.pdf
 https://www.icann.org/en/system/files/files/draft-lgr-procedure-20mar13-en.pdf

Collectively, the primary, allocatable and blocked variant strings are called a variant-string-set. For an existing gTLD, it is considered the primary string against which its variant-string-set will be calculated and submitted.

If the applicant is applying for a primary string, the applicant may also apply for additional allocatable variant strings of the primary string as part of a single application, but the applicant cannot apply for blocked variant strings of the primary string. A registry operator of an existing gTLD may also apply for allocatable variant strings of the gTLD in a single application, but cannot apply for blocked variant strings of the gTLD.

The choice of primary string (where primary is not an existing gTLD) within a variant-string-set will not change the total strings in the variant-string-set but it may change the subsets of allocatable and blocked variant strings within this set. Therefore, when selecting the primary string, applicants should consider the corresponding allocatable and blocked variant strings that will be created. The LGR Tool made available by ICANN at https://lgrtool.icann.org/ can be used to determine allocatable variant strings for a primary string.

2.1.8.3.1.4 Outcomes of Using RZ-LGR Calculations

The RZ-LGR will be applied to a primary string to determine if the primary string is valid as a TLD per the RZ-LGR.

The RZ-LGR will be applied to a variant string of a primary string or existing gTLD to:

- 1. Determine if the variant string is valid as a gTLD per the RZ-LGR.
- 2. Determine if it is a variant string of the primary string or the existing gTLD identified by the applicant.
- 3. Determine if it is an allocatable variant string of the primary string or the existing gTLD.

Strings that mix code points in LGRs for different scripts may be marked as invalid.

2.1.8.4 Identification of Other Non-Permitted Strings

Application submissions for strings identical to the following strings will also not be accepted, and the applicant will not be able to submit their application:

- Delegated TLDs.
- The gTLD strings which were applied for in previous gTLD rounds and that are still in process.
- Existing successfully evaluated ccTLDs.
- Strings currently requested as IDN ccTLDs.
- All other one- or two-letter ASCII strings.



2.1.8.5 Challenging the Pre-Submission String Validations

In cases where an applicant believes it is being prevented from submitting its application or has to provide additional documentation because the pre-submission string validations have been incorrectly applied or miscoded, it will have the opportunity to file a challenge no later than 14 days prior to the close of the application submission period⁴⁹, as described in detail below:

- <u>Blocked Names Identification</u>: A system error in the automated Blocked Names
 Identification process resulted in an applicant's string being incorrectly classified
 as a Blocked Name. Consequently, the applicant was unable to proceed to
 submission.
- Reserved Names Identification: A system error in the automated Reserved
 Names Identification process resulted in an applicant's string being incorrectly
 classified as a Reserved Name. Consequently, the applicant was able to
 proceed to submission only by providing the requisite supporting documentation
 as specified for Reserved Names exceptions.
- <u>DNS Stability Review</u>: A system error in the automated DNS Stability Review
 tool calculation and the identified system error caused the applicant to fail the
 DNS Stability Review. Consequently, the applicant was unable to proceed to
 submission. This challenge mechanism does not apply for scripts not supported
 by the RZ-LGR. See <u>Unsupported Script Applications</u> for more details.
- Identification of Other Non-Permitted Strings: A system error in the automated
 Other Non-Permitted Strings Identification process resulted in an applicant's
 string being incorrectly classified as a Non-Permitted String. Consequently, the
 applicant was unable to proceed to submission.

2.1.9 Internationalized Domain Names

IDNs are domain names represented by characters other than the ASCII characters (letters a-z, for top-level domains). Such domain names are formed using characters from a script outside of ASCII (for example, Arabic or Chinese).

ICANN expects a diverse set of applications for new gTLDs, including IDNs, creating significant potential for new uses and benefits to Internet users across the globe, as well as promoting choice and digital inclusion.

⁴⁹ Applicants should be aware that any challenge submitted after this point will not be accepted and are therefore advised to start their application(s) as soon as possible and submit any challenges no later than 14 days prior to the close of the application submission period. This applies to all Pre-Submission String Validations.



2.1.9.1 Rules for IDNs and Their Variants

An applied-for IDNs must comply with IDNA2008⁵⁰ (RFCs 5890-5893⁵¹) and all of its successors. The IDN must also comply with the applicable version of the RZ-LGR (Applicable RZ-LGR and Scripts and Languages Supported).

An IDN can be represented in Unicode characters (called U-label) and its equivalent ASCII mapping prefixed by "xn--" (called A-label) as per IDNA2008. Applied-for IDNs (in U-label format) must be longer than a single character. For additional string requirements, also see <u>DNS Stability Review</u>.

The RZ-LGR is the sole source to calculate the variant strings and their disposition values (allocatable or blocked) for all existing gTLDs and all applied-for primary strings.

The LGR Tool made available by ICANN can be used to determine allocatable variant strings for a primary gTLD or applied-for string.⁵²

2.1.9.2 Application Submission of IDNs

An applied-for IDN that conforms to the mandatory string requirements, including IDNA 2008, as well as the RZ-LGR, can be submitted through [TAMS]. Where the RZ-LGR calculation during the algorithmic check deems an applied-for gTLD as "invalid" or "blocked" (for example, in case the applied-for string is a variant string), such application for a non-conforming string will not be accepted by the application submission system (see DNS Stability Review for a more complete list of checks performed). The applicant may challenge the RZ-LGR calculation by the application submission system (see detail in Applicable RZ-LGR and Scripts and Languages Supported).

2.1.9.2.1 Application Submission of New Primary IDN and its Variant Strings

An applicant can apply for a new primary IDN along with one or more of its allocatable variant strings. These variant strings will only be allocated to the same applicant as the primary IDN gTLD and must share the same back-end registry service provider while they are delegated.

Allocatable variant strings can be applied for from the set generated using the RZ-LGR. An application for an allocatable variant string cannot precede an application for its primary IDN gTLD. A primary IDN gTLD and any of its allocatable variant strings being applied for in the same round must be submitted through one application. After





⁵⁰ https://www.icann.org/resources/pages/rfcs-2012-02-25-en

⁵¹ Also relevant are RFCs 5894-5895, which are informational documents providing background, explanation, and rationale for IDNA2008 as well as mapping characters for IDNA2008 respectively.

⁵² See https://lgrtool.icann.org/.

successful evaluation, the primary gTLD and its applied-for allocatable variant strings will be allocated to the same registry operator through one Base RA. An applicant cannot apply for a blocked variant string of the new primary IDN, as calculated by the RZ-LGR. See Fees and Payments for details on application fees for allocatable variant strings.

Once the primary IDN gTLD is applied for, it cannot be changed, except for the applied-for primary string of a brand IDN gTLD application that has been placed in contention (see <u>String Contention and Contention Resolution Procedures</u> for more information regarding the procedures for a Brand String Change Request).

After submission of an application, the applicant may withdraw any of the applied-for variant strings from that application by submitting an Application Change Request, but cannot add any other allocatable variant string not originally applied for in that application. If an applicant withdraws its application for a primary IDN gTLD, all applied-for variant strings will also be withdrawn.

2.1.9.2.2 Application Submission of Variant Strings of Existing gTLDs

An applicant can apply for variant strings of an existing gTLD only if it is the same legal entity as the registry operator for the existing gTLD. All variant strings must share the same back-end registry service provider as the existing gTLD while they are delegated. The back-end registry service provider must be approved through the RSP Evaluation Program.

Allocatable variant strings of an existing gTLD can be applied for from the set generated using the RZ-LGR and must be submitted in a single application. After successful evaluation, the applied-for allocatable variant strings will be allocated to the existing gTLD registry operator. The registry operator will need to transition to the Next Round Base RA, and the existing gTLD and all variant strings will be allocated through one Base RA. An applicant cannot apply for a blocked variant string of an existing gTLD, as calculated by the RZ-LGR. See Fees and Payments for details on application fees for allocatable variant strings.

After submitting an application, applicants may withdraw any applied-for variant string but cannot add any other allocatable variant string not originally applied-for in that application.

2.1.9.3 Requirements and Processing

2.1.9.3.1 Prioritization of Processing of Variant Strings of Existing gTLDs

As a one-time exception, applications for allocatable variant strings of existing gTLDs from the 2012 round will receive processing priority over all other new gTLD applicants,



including those IDN applicants that choose to participate in the prioritization draw (see Order of Application Processing and Prioritization Draw).

2.1.9.3.2 Multiple Applicants for the Same Primary String or its Variant Strings

If different applicants apply for strings from the same variant-string-set, then such applications will be placed in contention, and only one applicant will be selected through the contention resolution process. This means that applied-for primary strings and their applied-for allocatable variant strings will participate as a set in any contention resolution mechanisms, that is, Community Priority Evaluation or ICANN New gTLD Auction (see Contention Set Resolution).

Note that any application for an allocatable variant string of an existing gTLD will be rejected if it is made by an applicant that is not the registry operator of that existing gTLD.

2.1.10 Registry Service Provider Selection

Applicants must specify which Registry Service Providers (RSPs) will deliver critical registry services if their application proceeds to delegation. The list of evaluated RSPs can be found on the Registry Service Provider (RSP) Applications page.

Applicants may engage external third-party RSPs or seek ICANN's approval to deliver critical registry services themselves as RSPs through the RSP Evaluation Program.

Each RSP needs to only be evaluated once, regardless of the number of gTLDs it supports and receives qualification to provide specific Registry Services.

2.1.10.1 Expectations for RSP Selection When Submitting an Application

Applicants are encouraged to identify its RSPs and intended Registry Services upon submitting their application to avoid potential delays in processing. However, an applicant may also submit the application without specifying RSPs, choosing to do so just before Applicant and Application Evaluation.

As part of application submission, the applicant may identify the RSPs it intends to use and the Registry Services it intends to offer in the proposed gTLD(s). Early selection, ideally during preparation, is encouraged, as applicants may find it important to work closely with the selected RSPs during the application submission period to complete these parts of the application correctly.

If an applicant has not identified an RSP(s) to cover the required minimum critical registry functions by the time of Applicant Evaluation and Application Evaluation,



Extended Evaluation may be selected to allow the applicant more time to provide the requested information from its chosen RSPs.

The applicant may specify or change its selected RSPs after submitting the gTLD application through the <u>Application Change Request</u> process.

During the <u>Contracting process</u>, ICANN will seek confirmation from an applicant's identified RSP that it acknowledges plans to support that particular applicant and gTLD.

2.1.10.2 Registry Functions and Types of RSPs

The Base RA requires that registry operators support the following critical registry functions: Domain Name System (DNS), Domain Name System Security Extensions (DNSSEC), Extensible Provisioning Protocol (EPP), Registration Data Access Protocol (RDAP), and Data Escrow. There are four types of RSPs, each delivering a set of unique functions necessary for the operation of the critical registry functions:

- 1. Main RSPs, which operate the registration database for a gTLD, undertake escrow of domain registration data, and operate the EPP and RDAP services for a gTLD. A gTLD can only have one Main RSP.
- 2. DNS RSPs, which operate one or more DNS servers for a gTLD. A gTLD may use multiple DNS RSPs.
- 3. DNSSEC RSPs, which undertake the cryptographic operations necessary for DNSSEC. A gTLD can only have one DNSSEC RSP.
- 4. Proxy RSPs, which perform registration validation to comply with applicable local law in a given jurisdiction. Note that this is an optional additional registry service that must be approved by ICANN in the RSP Evaluation Program. A gTLD may use multiple Proxy RSPs, each of which provides access to a different jurisdiction.

An organization may be evaluated for one or more types of RSPs in the RSP Evaluation Program.

During the application process, the applicant will be asked to provide the RSPs it intends to use, and the additional Registry Services, if any, it intends to offer in the proposed gTLDs. At a minimum, the applicant must provide a Main RSP, a DNSSEC RSP, and a DNS RSP.

2.2 Administrative Check and Preparation for Reveal Day

Following the close of the application submission period, ICANN will perform necessary administrative due diligence and verify whether the evaluation fees have been received. ICANN will review the list of submitted applications and manually place



applications for identical strings into preliminary contention sets in preparation for Reveal Day. Final contention sets will be published after the <u>String Similarity Evaluation</u> has been completed.

The administrative check is expected to be completed for all applications in a period of approximately eight weeks, subject to the overall application volume. In the event of a high volume of applications that prevents ICANN from processing all applications within the designated period, ICANN will post an updated timeline as soon as feasible.

2.3 Fees and Payments

This section describes the fees to be paid by the applicant, including payment instructions.

2.3.1 gTLD Evaluation Fee

The gTLD evaluation fee is set so that ICANN can recover all applicable costs associated with the New gTLD Program. This approach ensures that the Program is fully funded and revenue-neutral, and will not be subsidized by contributions from other ICANN funding sources, including gTLD registry operator and registrar fees and contributions from ccTLDs and Regional Internet Registries. ICANN has estimated that Next Round evaluations, contracting and delegation processes will continue through approximately 30 June 2030, 53 by which time all applications submitted are expected to have proceeded through these stages of the application process. The gTLD evaluation fee covers all required evaluations, including Extended Evaluation where applicable, during that timeframe.

ICANN recognizes that exceptional cases may arise, requiring the extension of these services for a limited number of applications beyond the June 2030 timeframe.

The gTLD evaluation fee is [USD 227,000] per application for all applicants, except for those submitted by qualified Applicant Support Program (ASP) applicants and variant applications that meet the criteria below. The fee is due upon receipt of the invoice, and complete payment must be received by ICANN no later than seven days after the close of the application submission period. If the applicant has not paid the gTLD evaluation fee within this seven-day period, the application will generally not be processed any further and will be cancelled. In the unlikely scenario of an ASP applicant still awaiting results of the ASP evaluation, the applicant may need to submit a gTLD application without payment. The gTLD application would be put on hold until the appropriate gTLD evaluation fee has been determined and payment has been received.

⁵³ Based on 2,000 applications received.





2.3.1.1 gTLD Evaluation Fee for Applications with Variant Strings

2.3.1.1.1 For New Applicants

The gTLD evaluation fee covers one application for a primary gTLD and up to four variant strings. If an applicant wants to apply for more than four variant strings under one primary string, the applicant must pay the [USD 227,000] evaluation fee for each additional allocatable variant beyond the fourth variant. Additional fees for <u>conditional evaluations</u> may apply.

2.3.1.1.2 For Existing gTLD Registry Operators from the 2012 Round

In this next round, a gTLD registry operator from the 2012 round may apply for up to four variant strings of its existing gTLD with its application fee waived as a one-time exception. If applying for more than four variant strings, it will pay the full gTLD evaluation fee for each additional allocatable variant beyond the fourth variant. Additional fees for conditional evaluations may apply.

2.3.1.2 gTLD Evaluation Fee for Qualified Applicant Support Program Applicants

Qualified ASP applicants will receive a 75-85% reduction of the gTLD evaluation fee. Therefore, the discounted gTLD evaluation fee for a qualified ASP applicant will range between [USD 34,500] and [USD 56,750] (including the [USD 2,500] deposit submitted to confirm ASP financial viability). The exact amount will depend on the final number of qualified ASP applicants. ICANN will inform qualified ASP applicants of the final discounted fee before the closing of the gTLD application submission period. As indicated in gTLD Application Fee for Applications with Variant Strings, the discount on the gTLD evaluation fee includes up to four variant strings. Supported applicants that apply for more than four variant strings will need to pay the USD [227,000] evaluation fee for each additional variant beyond the fourth.

2.3.2 Conditional Evaluations

In addition to the required evaluations covered by the gTLD evaluation fee, there are a number of conditional evaluations that applicants may elect or are required to undergo to obtain a specific status or exemption. In some cases, an application may not proceed in the Program if the applicant does not pay the fee for the conditional evaluation. The applicant fees for these conditional evaluations are also set to recover the costs associated with conducting these evaluations, which may be carried out or supported by third-party vendors. This will ensure that the Program is fully funded and revenue neutral, and will not be subsidized by contributions from other ICANN funding sources, including gTLD registry operator and registrar fees and contributions from



ccTLDs and Regional Internet Registries. Selection of some of these conditional evaluations, such as Name Collision High-Risk String Mitigation Plan review, will only be available later in the evaluation process. For further details about what each of these evaluations entails, please see the relevant sections that have been indicated in the table below.

Applicants will be notified by ICANN when fees for conditional evaluations are due. This may be shortly after the close of the application submission period or at the time the evaluations take place.

For evaluations marked with one asterisk (*), a qualified ASP applicant will receive the same percentage reduction as it received on the gTLD evaluation fee. Before granting this reduction, ICANN will request that the ASP applicant verify continued eligibility to receive further financial support (see also ASP Terms & Conditions: https://newgtldprogram.icann.org/en/application-rounds/round2/asp/tandcs).

Name Collision High-Risk String Mitigation Plan Evaluation has been marked with two asterisks (**) and must be performed for each string that has been identified as a high-risk string in a variant set. As a result, the conditional fee must be paid for each string in the set that has been identified as a high-risk string.

Table 2-2: Conditional Evaluations and Fees

Conditional Evaluation	Fees
Brand TLD Eligibility Evaluation (Specification 13)	USD 500
Code of Conduct Exemption Evaluation (Specification 9)	USD 400
Community Priority Evaluation (CPE)*	In the event that the applicant participates in a Community Priority Evaluation, this fee is payable to cover the cost of the panel's review of that application (currently estimated between USD 50,000 – USD 80,000). An applicant will be informed of the fee to be paid before having to confirm whether they elect to participate in CPE.
Geographic Names Review*	This fee is payable to cover the cost of the panel's review of the application (currently estimated between \$18,000 USD – \$25,000 USD). ICANN anticipates that a 'does not exceed' fee will be included before the Guidebook is finalized, which will be informed by an RFI that is in the process of being carried out.
Name Collision High-Risk Mitigation Plan Evaluation**	In the event that the applicant decides to submit a Name Collision High-Risk Mitigation Plan, this fee is payable to cover the cost of the panel's review of that application (currently estimated between USD 100,000 – USD 150,000). An applicant will be informed of the fee to be paid before having to confirm whether they want to submit a plan.



Re-evaluations as a result of Application Change Requests* (if applicable, for example, background screening)	Costs depend on what needs to be re-evaluated. The applicant will be informed following the submission of the Application Change Request on which additional costs, if any, may be applicable.
Registry Commitments Evaluation* (Specification 11 for RVCs and/or Specification 12 for Community Registration Policies)	USD 15,000 (one-time fixed fee, regardless of number of Community Registration Policies and/or RVCs submitted per application. Note, for applicants that proceed to CPE, this fee will be deducted from the CPE fee that is to be paid)

2.3.3 Refunds

2.3.3.1 gTLD Evaluation Fee Refunds

In certain circumstances, applicants may request a partial refund of the fees paid to ICANN as part of the new gTLD application process, as set out below. The refund amount will vary based on the stage of the process at which the withdrawal is requested or the application status changes to Terminated.

The next round application process will include three distinct refund windows, as follows:

- The first window spans from the receipt of the applicant's gTLD evaluation fee to ten days after String Confirmation Day, during which 65% of the gTLD evaluation fee paid is eligible for refund.
- 2. The second window covers the period from 11 days after String Confirmation Day until the start of the Application and Applicant Evaluation, with 35% of the gTLD evaluation fee paid eligible as a refund.
- The third window extends from the initiation of an Application and Applicant Evaluation up to the point at which the applicant enters into a Registry Agreement with ICANN, allowing for a 20% refund of the gTLD evaluation fee paid.

For further details on these windows and which evaluations and processes take place in these windows, please see <u>Applicant Journey</u>.

Fees for conditional evaluations that have been paid but for which the evaluation has not started yet may also be refunded if the application status is categorized as Withdrawn, Will Not Proceed or Terminated.



2.3.3.1.1 Applicant Withdrawal

An applicant may withdraw an application at any time prior to its execution of the Base RA with ICANN. An applicant that elects to withdraw its application is permitted to request a partial refund of the fees paid to ICANN, as set forth below. The refund request must be made as part of the withdrawal request. If the applicant does not request a refund at that time, it will forfeit the right to do so later.

2.3.3.1.2 Terminated Applications

ICANN will notify an applicant if its application will not proceed and has been assigned the Terminated status (see <u>Application Statuses</u>). Upon receiving this notification from ICANN, the applicant may request a refund consistent with the refund window and percentage of the gTLD evaluation fee eligible for refund, as outlined below. To be eligible for a refund, the applicant must request a refund within 90 days of being notified of the Terminated status. Applicants that do not request a refund within this 90-day window will be considered to have forfeited its ability to request a refund.

2.3.3.1.3 Refund as a Result of Material Changes

Any applications that are withdrawn due to material changes to the Applicant Guidebook or Program processes as defined in the <u>Predictability Framework</u> will be eligible for a refund. As part of its decision on any material change to the Guidebook or Program processes, the ICANN Board will confirm applicant eligibility for a refund as well as the percentage of the gTLD evaluation fee paid that is eligible as a refund. An applicant that withdraws its application as a result of such material changes must provide a formal declaration accompanied by supporting documentation to demonstrate that the change: (1) altered the status of its application, or (2) affected the outcome of the application's evaluation, or (3) had a non-trivial financial or operational impact on the applicant, or (4) had a non-trivial impact on the timeline of its application processing and evaluation.

2.3.3.1.4 Refunds for Strings Identified as High Risk of Name Collision

An applicant that decides to withdraw its application within 90 days of its applied-for string being determined as high risk of name collision, and that does not submit a Name Collision High-Risk String Mitigation Plan for evaluation, is eligible to receive a refund of 65% of the gTLD evaluation fee paid. Any applications for strings that have been determined to be at high risk of name collision in a previous round and/or were not approved as a result of such determination will not be eligible for this refund (.HOME, .CORP, .MAIL).



2.3.3.1.5 Refund When a String is Eliminated Because of IDN ccTLD Application Process

In instances where a gTLD applicant has obtained the support or non-objection from the relevant government or public authority, yet the gTLD application does not proceed due to String Similarity with a string requested in the IDN ccTLD application process, a full refund of the gTLD evaluation fee shall be issued to the gTLD applicant. This refund is applicable provided that the gTLD application was submitted prior to the publication of the successfully evaluated ccTLD.

3.3.2 Application Volume Refund

ICANN applied a conservative approach in estimating the recovery of implementation costs before receiving a single application. To ensure that implementation efforts are recovered, the portion of the gTLD evaluation fee pertaining to estimated implementation expenses was based on an assumption of 1,000 applications.

Applicants will be requested to indicate at the time of submission whether they want to receive a volume refund, should one be applicable. If the applicant does not select the option to receive a volume refund, it will be considered to have forfeited its ability to receive a volume refund. ICANN will notify applicants that have selected the volume refund option once total application volume exceeds 1,000 submissions and aggregate implementation costs, estimated at USD 70 million, have been recovered. The refund amount will be calculated proportionally based on the total number of applications received and the extent of costs recovered beyond the initial estimate.

2.3.4 Fees Required in Some Cases

Applicants may incur additional fees and costs when specialized process steps are applicable. Further details can be found in the respective sections that cover these specialized processes. Those possible additional fees include:

- Objections and appeal fees. See <u>Objections and Appeals Costs</u>.
- Auctions. See <u>ICANN New gTLD Auction</u>.
- Brand TLD String Change Request documentation verification. See <u>Brand TLD</u> <u>String Change Request</u>.

2.3.5 Fees During Registry Operations

There are other fees a successful applicant will need to pay as a registry operator. These are outlined in the <u>Base RA</u> and include the registry fixed fee and registry-level transaction fees.



2.3.6 Payment Methods

Payments to ICANN must be made via wire transfer, Automated Clearing House (ACH), International SWIFT payment, or other method approved by ICANN for this service. Checks, cash and credit card payments are not accepted. Instructions for making a payment will be available in TAMS.

Payments to Dispute Resolution Service Providers should be submitted in accordance with the provider's rules. See <u>Objections and Appeals Costs</u>.

2.4 Reveal Day

Absent extraordinary circumstances, ICANN expects to publish the list of all applications that have passed the Administrative Check on Reveal Day no later than nine weeks following the close of the application submission period. ICANN will post to the list of all applications that have passed the Administrative Check to the Next Round website, including the relevant applied-for strings and allocatable variant strings and replacement strings (if applicable). The public portions of each application will also be made available. Although contention sets will not yet be finalized at this stage, identical strings will be put into preliminary contention, as described in Contention as a Result of Applications for Identical gTLD Strings. Certain communications and activities will be prohibited starting on Reveal Day for applications in preliminary contention; for more information, refer to Prohibited Communications and Activities.

2.5 Replacement Period

Once applicants have access to the full list of applied-for strings, allocatable variant strings, and replacement strings, they will have the opportunity to replace their applied-for string with their replacement string. Applicants that have selected an eligible replacement string will have a 14-day Replacement Period to notify ICANN via TAMS of their intention to replace their original applied-for string with the replacement string identified in their application. Refer to Replacement Strings for more information.

2.6 String Confirmation Day

On String Confirmation Day, ICANN will post an updated list of applications and their chosen strings (whether original or replacement, as noted above). Although contention sets will not yet be finalized at this stage, identical strings will enter preliminary contention, as described in Contention as a Result of Applications for Identical gTLD Strings.



2.7 Order of Application Processing and Prioritization Draw

The Priority Number assigned to an application determines the general order in which ICANN processes the successive stages of the new gTLD application process. Priority Numbers will also be used to determine the general order of the release of evaluation results and execution of Base RAs.⁵⁴

Once assigned, an application's Priority Number will not change, nor can it be transferred between applicants or applications.

Specific rules apply to the prioritization of applications for IDNs. See <u>Prioritization of IDN Applications</u>.

2.7.1 The Prioritization Draw

Application processing priority will be established by a Prioritization Draw event ("the Draw"), which will be a live event. During this event, each application entered into the Draw will have a physical paper ticket drawn manually from the pool of participating applications and will be assigned a Priority Number.

Participation in the Draw is optional. For details on how processing priority is assigned to applications not entered into the Draw, please see <u>Applications Not Included in the Prioritization Draw</u>.

2.7.2 Participation in the Draw

A Prioritization Draw is expected to be held no later than 30 days after String Confirmation Day. Tickets for the Draw will cost USD [placeholder] and must be purchased in person; online purchases are not available. To participate in the Draw, an Applicant, through a designated representative or proxy must purchase a ticket in person for each application that the Applicant wants prioritized.

The Applicants cannot attend the Draw in person but can follow the live event virtually.

ICANN expects to announce full details of the Draw no less than 30 days in advance.

⁵⁴ As noted in Exceptions to Processing According to Priority Number below, "ICANN will aim to maintain priority order across the applications currently being processed at each application stage, though this may be impacted by operational capacity and other application-related issues". Therefore, a lower Priority Number will not guarantee an earlier delegation, as factors such as Challenge, Extended Evaluation, Contention Resolution, Objections, Appeals, Accountability Mechanisms, GAC Advice and others may impact the timing of the application lifecycle.



Only one ticket may be purchased per application. If an applicant submits multiple applications, the applicant must buy a separate ticket for each application it would like to enter into the Draw.

2.7.3 Prioritization of IDN Applications

Applications entered into the Draw will be randomly drawn in groups of 500 until all applications have received a Priority Number. IDN applications will be prioritized in the Draw according to the following order and rules:

- 1. IDN Applications for allocatable variant strings of 2012 IDN gTLDs.
 - As an exception for this application round, applications for allocatable variant strings of IDN gTLDs from the 2012 round will be processed ahead of other new gTLD applications, including all other applications for IDN primary strings that have been entered into the Draw. These applications will be automatically included in the Draw without the need for applicants to purchase a ticket. These applications will be separated and drawn first.
- Once all applications for variant strings of 2012 IDN gTLDs have been drawn, if there are fewer than 125 remaining IDN applications electing to participate in the Draw:
 - All IDN applications will be drawn first and assigned Priority Numbers before any non-IDN applications.
- 3. However, if there are 125 or more remaining IDN applications electing to participate in the Draw:
 - 25% (125) of the first group of 500 applications will be IDN applications, selected at random as part of the Draw. These selected IDN applications will then be drawn first and assigned Priority Numbers.
 - The remaining 75% (375) of applications in the first group to receive Priority Numbers will comprise both IDN and non-IDN applications.
 These will be randomly selected from the remaining pool of applications taking part in the Draw and will be drawn and prioritized at random.
- 4. For each subsequent group of 500 applications electing to participate in the Draw:
 - The first 10% of each group will be IDN applications selected at random, drawn first and prioritized, continuing until no IDN applications remain.
 - The remaining applications in each group will be randomly selected from the pool of remaining IDN and non-IDN applications, drawn and prioritized at random.



2.7.4 Applications Not Included in the Prioritization Draw

Applications not entered into the Draw will also be randomly drawn and allocated a Priority Number in groups of 500 applications, but only after all applications entered into the Draw have been drawn and prioritized. For example, if the final Priority Number allocated via the Draw is 1000, the lowest Priority Number an application not entered into the Draw can receive is 1001.

In each group of 500 applications, the first 10% must consist of IDN applications until there are no more left to draw. The remaining applications in each group will be selected at random and prioritized from the pool of remaining IDN and non-IDN applications.

2.7.5 Exceptions to Processing According to Priority Number

ICANN will aim to maintain priority order across applications being processed at each stage. However, this order may be affected by operational capacity and other application-related issues such as, but not limited to: active objections, GAC Advice, extended evaluations, contention sets, active ICANN Accountability Mechanisms, or processing holds due to Application Change Requests. Ongoing processing activities are likely to be paused until these processes have been completed. To avoid delays and ensure continued progress for other applications, ICANN will proceed with the next application in the priority order. Once ICANN determines that the issues affecting the paused application have been cleared, it will resume processing according to the assigned Priority Number.

2.8 Application Change Requests

This section describes the process for applicants to update inaccurate or outdated information in their application and to make other changes, as required. These Application Change Requests (ACRs) are reviewed by ICANN based on the change request determination criteria (described in Change Request Determination Criteria) and are subject to ICANN's approval.

Material ACRs will be published for a 30-day comment period, as described in Application Change Request Types and Required Processes, giving the general public the opportunity to provide their input.



2.8.1 Application Change Requests Overview

Applicants may request changes or updates to Organization or gTLD Application Information throughout the application processing, from String Confirmation Day through Base RA execution.

If at any time during the Program information submitted in response to <u>Application</u> <u>Questions</u> or the Organization Information becomes untrue or inaccurate, the applicant must submit an ACR. ICANN reserves the right to require a re-evaluation of the application in the event of a material change, ⁵⁵ which could result in additional fees. Failure to notify ICANN of any change in circumstances that would render any information provided in the application false or misleading may result in the application not being allowed to proceed.

An applicant may request changes to many aspects of its application, as described in <u>Application Change Request Types and Required Processes</u>. However, it is important to note that an applicant may not change the applied-for string, except in cases where the applicant has qualified as a Brand TLD and is in contention (see the Section on Brand Eligibility Evaluation). Brand String Change Requests are not considered regular ACRs and follow a different process, as described in <u>Brand String Change Request</u>. ⁵⁶

Certain ACRs may require re-evaluations or other processes, as described in <u>Application Change Request Types and Required Processes</u>, which may involve additional fees for the applicant. For more information on evaluations and fees, please refer to <u>Applicant Evaluation</u>, <u>Application Evaluation</u> and <u>Fees</u>.

ACRs from supported applicants will also be considered in relation to the applicant's eligibility to receive further financial support via the Applicant Support Program. Please see the Applicant Support Program Terms and Conditions for more information.

2.8.2 Change Request Determination Criteria

When evaluating each ACR, ICANN will consider all available information against seven criteria, which were developed to allow necessary updates to applicant-specific information or applications while ensuring a fair and equitable process for all applicants. The weighting of each criterion may vary based on the specific circumstances of the change request and the application, including the applicant and the strings involved. Approval of changes will be determined by balancing the following factors:

⁵⁶ During the Replacement Period, applicants that designated a replacement string as part of their application will have the opportunity to indicate to ICANN if they elect to replace their original applied-for string with their replacement string. This is not considered a Brand String Change Request or an Application Change Request.



⁵⁵ A material change is a change that will likely (1) change the status of an application, and/or (2) change the outcome of an evaluation of an application.

 Correcting Submission Errors: This criterion applies when the applicant requests a change to correct an error. The applicant must provide adequate information to support the request. Such requests are rare, but when submitted, this criterion carries significant weight.

Is there evidence to support an assertion or claim that the change is requested for the sole purpose of correcting an error?

2. **Explanation**: This criterion requires that the applicant provide an explanation for the requested changes. If an explanation is not provided, the applicant is given an opportunity to remediate.

Is a reasonable explanation provided?

3. Cause for Change:

Is the change requested in response to third-party input, such as application comments, objections, GAC Consensus Advice, or GAC Member Early Warnings? Is the change requested to reflect an organizational change (for example, a change to the organization name or mailing address)?

4. **Precedents**: ICANN assesses whether approving the change request would set a new precedent, or align with previously approved similar requests. At this stage of the New gTLD Program, requests that would set a new precedent are unlikely to be approved.

Is the change similar to others that have already been approved? Could the change lead others to request similar changes that could affect third parties or result in undesirable effects on the Program?

Impact to third parties, including other applicants: ICANN evaluates
whether the change request materially impacts third parties, particularly other
applicants. If a change could materially impact another applicant's status, this
criterion is heavily weighted.

What impact, positive or negative, would the change have on third parties, including other applicants? Would it be fair to the general community? Would it create an unfair advantage or disadvantage?

6. **Materiality**: ICANN assesses how the change request will impact the application's status and its competing applications, the string, the contention set, and any additional Program processes such as Community Priority Evaluation. A material change will not automatically cause rejection but will influence the weight of other criteria.

Would the change affect evaluation outcomes, string contention, or potentially lead to objections?



7. **Timing**: This criterion determines whether the timing of the change request impacts criteria 4 - 6 above. If timing is found to impact these criteria, it will be heavily weighted.

Does the timing interfere with the application processing in some way?

Changes that result in material changes to public portions of the application will be subject to a 30-day comment period. ⁵⁷ Changes that require a 30-day comment period will be posted on the Next Round website where the updated information will be displayed.

2.8.3 Application Change Request Types and Required Processes

The table below presents a non-exhaustive list of potential ACR types, specifying whether the ACR is allowed, and detailing the necessary processes for each type. The table also differentiates between the two distinct workflows that different ACR types will trigger. More information can be found below in Application Change Request Workflows.

Except what is included in the table, relevant evaluations, such as <u>String and Application Evaluation</u> and <u>Applicant Evaluation</u>, will be performed again based on the specific areas affected by the ACR; this will be assessed on a case-by-case basis.

Note that the approval of application changes may depend on the specific facts and circumstances surrounding the ACR and the application, including the applicant and the strings involved. If an ACR's approval necessitates re-evaluation, an additional fee may be charged.

Table 2-3: Application Change Request Types and Required Processes

		Process required?				
Change Type	Allowed ?	Comment period	Registry Commitments Evaluation	Background Screening		RSP re-evaluation
Workflow 1	Workflow 1					
Changes to the app	Changes to the applicant information ⁵⁸					
Changes to key individuals, such as Board members, officers/directors etc.	Y			Y		

⁵⁷ See Application Comments for more information on the comment period.

⁵⁸ ACRs submitted by supported applicants may require the applicant to be considered for eligibility to receive ongoing financial benefits of the Applicant Support Program. See <u>Applicant Support Program Terms and Conditions</u> for more information.



		Process required?				
Change Type	Allowed ?	Comment period	Registry Commitments Evaluation	Background Screening	Financial Evaluation	RSP re-evaluation
Material changes to financial condition or related information	Y				Y	
Changes in the control of the applicant	Y			Y		
Changes to the administrative details associated with the application (for example, contacts, users, address, email, phone, website URL)	Y					
Changes to applicant's stock symbol	Y					
Changes to name of applying entity ⁵⁹ Note: Supporting documentation will be required	Y					
Changes to other sections of the application						
Changes to mission/purpose of proposed gTLD	Y	Y				
Change of RSP	Y					
Changes from any application type to another application type, excluding from or to Community applications	Y	Y				
Changes from or to Community applications	N					
Removal of variant(s)	Y					

⁵⁹ This item refers to a simple name change of the applying entity only. It does not apply to changes in the applying entity itself such as the case of the application being assigned from a parent entity to a wholly-owned subsidiary.



		Process required?				
Change Type	Allowed ?	Comment period	Registry Commitments Evaluation	Background Screening	Financial Evaluation	RSP re-evaluation
Addition of a High-Risk String Mitigation Plan	Y	Y				
Workflow 2						
Community gTLD r	egistration	n policy				
Agreed between applicant and ICANN during the Registry Commitment Evaluation:	Y	Y				
Other material changes to community gTLD registration policy	N					
Non-material changes to community gTLD registration policy	Y					
Registry Voluntary	Commitm	ents				
All RVCs						
Addition of RVC	Υ	Υ	Y			
Non-material changes to RVC	Y					
RVCs Pursuant to	Commitme	ents Made to	Overcome Ob	jections or G	AC Consen	sus Advice ⁶⁰
Material changes to RVC	N ⁶¹					
Removal of RVC	N ⁶²					
All RVCs Excluding the RVCs that are Commitments Made to Overcome Objections or GAC Consensus Advice						
Proposed by applicant: Material changes	Y	Y	Y			
Agreed between applicant and ICANN during the	Y	Y				

⁶⁰ See <u>Commitments Made to Overcome Objections or GAC Consensus Advice</u> for more information. Note that the ACRs listed in this section of the table apply to RVCs that have already been approved by ICANN.

61 Such material changes may be allowed in extraordinary circumstances.
62 Such removal may be allowed in extraordinary circumstances.



		Process required?				
Change Type	Allowed ?	Comment period	Registry Commitments Evaluation	Background Screening	Financial Evaluation	RSP re-evaluation
Registry Commitment Evaluation: Material changes						
Removal of RVC	Y	Y				

2.8.4 Application Change Request Workflows

Different types of ACRs trigger different workflows, as described below. Specifically, absent extraordinary circumstances, ACRs will follow one of the two workflows below:

- Workflow 1: ACRs relating to all areas except Community Registration Policies and Registry Voluntary Commitments follow Workflow 1.
- Workflow 2: ACRs relating to Community Registration Policies and Registry Voluntary Commitments follow Workflow 2.

Each workflow is tailored to address the specific requirements and considerations associated with the respective types of ACRs.

2.8.4.1 Application Change Requests: Workflow 1

All ACRs, except those relating to Community Registration Policies and Registry Voluntary Commitments, will follow the workflow described below:

- 1. **Submission**: The applicant submits an ACR.
- Administrative Review: ICANN determines whether the ACR type is generally allowed, as outlined in the table in <u>Application Change Request Types and</u> <u>Required Processes</u>. If the change is not permitted, ICANN will inform the applicant that the ACR is not approved.
- 3. **ICANN Review**: ICANN reviews the change request materials against the seven change request determination criteria above. If additional information is required, ICANN will request it from the applicant.
- 4. **Determination**: After completing the review, ICANN will inform the applicant of its decision in the following ways:
 - a. If the ACR is not approved, the applicant will be informed.
 - b. If the ACR is approved, the proposed changes will be posted to the Next Round website, the application will be updated, and the applicant will be informed. Additionally, the applicant will be informed of one of the following outcomes:



- No comment period or re-evaluation is required (process ends here).
- ii. A comment period is required (see step 5).
- iii. A comment period and re-evaluations are required (see steps 5 and 6).
- 5. Comment Period: If a comment period is required, the ACR will be posted for a 30-day comment period. This period will allow time for the community to review and submit comments on the changed portion of the application.
- 6. Re-evaluation: ICANN will issue an invoice for re-evaluation, where applicable. Upon payment, ICANN will perform re-evaluation on the affected evaluation areas concurrently with the Comment Period.

Figure 2-1: Application Change Requests: Workflow 1

[flowchart]

2.8.4.2 Application Change Requests: Workflow 2

ACRs relating to Community Registration Policies and Registry Voluntary Commitments (RVCs) will follow the process described below.

- 1. **Submission**: The applicant submits an ACR.
- 2. **Administrative Review**: ICANN first determines whether the type of ACR is generally allowed, in accordance with the table in <u>Application Change Request Types and Required Processes</u>. If the change is not permitted, ICANN will inform the applicant that the ACR is not approved.
- ICANN Review: ICANN reviews the change request materials against the seven change request determination criteria above. If additional information is required, ICANN will request it from the applicant.
- 4. **Determination**: ICANN determines whether the change is material and takes the following steps:
 - a. If not material, the proposed changes are posted to the [Next Round website], the application is updated, and the applicant is informed (process ends here).
 - b. If material, please see step 5.
- 5. **Registry Commitment Evaluation (RCE)**: Material changes require an RCE.
- 6. **Determination**: Upon completing the RCE, ICANN will make a determination regarding the requested change. The determination will result in one of the following outcomes:



- a. If the requested change passes RCE, proceed to step 7.
- b. If the requested change does not pass RCE, the application will not be updated as requested via the ACR and will proceed without the requested change.
- c. If the requested change does not pass RCE, the change was requested following GAC Advice or an Expert Determination in the context of an objection, and it was determined that the application cannot proceed without the change, the application cannot proceed. See RVC Additions, Changes, and Removals for more information on this type of RVC.
- 7. Publication: All submitted RVCs or Community Registration Policies will be published alongside their respective ICANN determination following the RCE. If the submitted RVCs or Community Registration Policies undergo any changes as a result of the negotiation between the applicant and ICANN in order to be approved by ICANN, the approved RVCs or Community Registration Policies will be published alongside the original version submitted by the applicant.
- 8. **Comment Period**: A 30-day comment period will be launched. ICANN reserves the right to re-initiate negotiations or discuss comments raised during this period with the applicant.

Figure 2-2: Application Change Requests: Workflow 2

[flowchart]

2.9 Application Statuses

An application will have one of the following statuses:

- Active: The application is progressing in the New gTLD Program process.
- **On hold**: The application has pending activities that may impact its progress, for example, accountability mechanisms or objections.
- **Withdrawn**: The application is voluntarily terminated by the applicant. This process is irreversible.
- Pending Termination: Application did not meet the criteria set forth in the Applicant Guidebook and cannot proceed further in the Program. An applicant is expected to withdraw its application within 60 days or ICANN may change its application status to Terminated.
- Terminated: Applicant has exhausted further actions (including but not limited to challenge⁶³ of an evaluation or appeal to an expert determination) and will not continue in the New gTLD Program.

⁶³This is limited to challenges and appeals and does not include Accountability Mechanisms.



- **Contracted**: The Contracted status is assigned after the Base RA is fully signed. The applicant then becomes a registry operator for the applied-for string.
- **Delegated**: The TLD has been added to the DNS root zone.



Module 3: Community Input, Objections, and Appeals

After String Confirmation Day, the community will have the opportunity to provide input in several ways during the timeframes and according to the guidelines described in the sections below.

3.1 Application Comments

Comment mechanisms are part of ICANN's policy development, implementation, and operational processes. ICANN is committed to maintaining the Internet's operational security and stability. It also aims to promote competition and ensure broad representation of global Internet communities. ICANN develops policy appropriate to its mission through bottom-up, consensus-based processes. In furtherance of these commitments, the public will have the opportunity to submit comments on posted applications.⁶⁴

Applicants and commenters should be aware that application comments allow the public to bring relevant information and issues to the attention of ICANN, applicants, and evaluators. If a comment is relevant to specific evaluation criteria and is not patently frivolous, factually misleading, unreasonable, or vexatious, it may be taken into account in the course of the evaluation. If a comment includes factual claims, evaluators have the discretion to verify these facts and may request additional information from the commenter if needed.

A single application comment period applies to all applications, including community-based applications. Third-party comments on community-based applications must be submitted before the comment period ends to be considered during Community Priority Evaluation.⁶⁵

3.1.1 How to Submit Application Comments

Comments will be posted on the Application Comment Forum (ACF), allowing all interested parties, including applicants, to review and comment on the applications.

To submit a comment, commenters will need to have an ICANN account. Commenters will be asked to indicate their affiliation and whether they have a relationship with any

⁶⁵ As further described in <u>Community Priority Evaluation</u>, applicants will also have the chance to attach letters of support to their application before submitting it.



⁶⁴ Application comments are not to be confused with ICANN's <u>Public Comment</u> process. While ICANN's Public Comment gives the ICANN community, Internet stakeholders, and the general public an opportunity to provide input on ICANN's work and policies, application comments relate specifically to applications for new gTLDs.

applicants or applications.⁶⁶ In addition, commenters will be required to specify the applications, strings, and specific evaluations and processes to which their comments relate. Attachments can be included along with their comments.

If a commenter believes they have information related to confidential portions of an application that may not be appropriate to submit publicly, they can opt to submit a confidential comment. This confidential comment will only be visible to ICANN, the applicant, and evaluators. To ensure transparency, this option should only be used for comments related to confidential portions of the application, and ICANN will review the comment before making it visible to the applicant and the relevant evaluators. Should ICANN determine that the comment submitted confidentially refers to public portions of the application, the comment will not be accepted as confidential and the commenter will be asked to submit that comment publicly. ICANN will not process confidential comments received outside of official comment periods.

Any party posting comments must abide by the <u>ICANN Terms of Service</u>.

3.1.2 Application Comments Timeline

The ACF will remain open through all stages of the evaluation process, to provide a means for the public to bring forward any relevant information or issues regarding an application.

3.1.2.1 Application Comments Timeline after Application Publication

ICANN will open an application comment period on String Confirmation Day. Only application comments received during the following 90 days (starting on the day after String Confirmation Day) will be considered by the evaluation panels. ICANN reserves the right to extend the comment period for one, more, or all applications.

Applicants that wish to respond to comments related to their application and ensure their response is available to evaluation panels can do so through the ACF, within 30 days following the end of the comment period.

The applicant is a family member, that is, your brother or sister (whether by the whole or half-blood), spouse (other than a spouse who is legally separated from the individual under a decree of divorce or separate maintenance), parent, grandparent, child, grandchild, in-law; or any of these in a step relationship or through legal adoption.



⁶⁶ An individual or entity or an individual or entity on whose behalf the commenter is filing their comment have a relationship with an applicant if they are:

[•] Employed by, under contract with, or affiliated with them; and/or

[•] Have a financial relationship with them; and/or

3.1.2.2 Application Comments Timeline Following an Application Change Request

As described in detail in section <u>Application Change Requests</u>, applicants may request to change or update their applications during the processing, evaluation and contracting stages. Changes that result in material changes to public portions of the application will be subject to a 30-day comment period, during which the community will have the opportunity to raise any concerns they might have on the changes. Additionally, the general public can opt in to be notified whenever an application comment period opens following an Application Change Request.

3.1.3 Application Comments in the Evaluation Process

ICANN will supply evaluators with the comments and responses related to the applications they will evaluate. Only those comments and responses received during the time periods described in <u>Application Comments Timeline after Application Publication</u> will be considered by the evaluation panels. For more information on how application comments are integrated into the evaluation process and Community Priority Evaluation, please refer to sections <u>Application Evaluation</u> and <u>Community Priority Evaluation</u> respectively.

3.1.4 Application Comments in the Dispute Resolution Process

Application comments have a very limited role in the dispute resolution process. A distinction should be made between application comments, which may be relevant to ICANN's task of determining whether applications meet the established criteria, and objections, which are handled through a separate process.⁶⁷

An Independent Objector (IO) may consider application comments when making an independent assessment of whether an objection is warranted. The IO will be able to file an objection only if at least one comment in opposition to the relevant application was submitted.⁶⁸

3.2 GAC Member Early Warnings

After applications are publicly posted on the <u>Next Round's website</u>, members of ICANN's Governmental Advisory Committee (GAC) may issue a GAC Member Early Warning ("Early Warning") concerning an application.⁶⁹ An Early Warning provides the

⁶⁹ For more information on the GAC Early Warnings issued during the 2012 new gTLD round, please see https://gac.icann.org/activity/gac-early-warnings.



⁶⁷ See Objections and Appeals.

⁶⁸ See Independent Objector.

applicant with an indication that the application is seen as potentially sensitive or problematic, for example, by potentially violating national law or raising sensitivities, which must be specified in the Early Warning notice.⁷⁰

GAC Member Early Warnings should be submitted in the 90 days following String Confirmation Day, and must include a written explanation describing why the Early Warning was submitted and how the applicant may address the GAC member's concerns. GAC members should provide contact details for communication with the applicant. ICANN will notify applicants of Early Warnings as soon as practicable after receipt. Applicants that receive Early Warnings are encouraged to enter dialogue directly with concerned parties (including GAC members and governments) as soon as possible to address the concerns voiced.

An Early Warning is a notice only. It is not a formal objection, nor does it have an immediate impact on the application. However, applicants should take Early Warnings seriously as these signal the likelihood that the application could later be the subject of GAC Consensus Advice⁷¹ or of an objection.⁷² Evaluator panels may consider GAC Member Early Warnings. As part of an Early Warning, a GAC member may indicate that its concern can only be addressed by the applicant withdrawing its application.

The GAC has not issued definitive guidance on what constitutes a sensitive string. However, during the 2012 round, the GAC indicated that strings that could raise sensitivities include those that "purport to represent or that embody a particular group of people or interests based on historical, cultural, or social components of identity, such as nationality, race or ethnicity, religion, belief, culture or particular social origin or group, political opinion, membership of a national minority, disability, age, and/or a language or linguistic group (non-exhaustive)" and "those strings that refer to particular sectors, such as those subject to national regulation (such as .bank, .pharmacy) or those that describe or are targeted to a population or industry that is vulnerable to online fraud or abuse."⁷³

During the 2012 round, the GAC also issued advice on categories of strings that impacted several applications.⁷⁴ While this information pertains to the 2012 round,

(https://newgtlds.icann.org/en/applicants/gac-advice/cat1-safeguards) and Category 2 (https://newgtlds.icann.org/en/applicants/gac-advice/cat2-safeguards) safeguards.



⁷⁰ ICANN reserves the right to extend the period given for GAC members to provide Early Warnings.

⁷¹ See GAC Consensus Advice.

⁷² See Objections and Appeals.

⁷³ See https://archive.icann.org/en/topics/new-gtlds/gac-scorecard-23feb11-en.pdf.

⁷⁴ In the ICANN46 Beijing Communiqué

⁽https://gac.icann.org/contentMigrated/icann46-beijing-communique), the GAC advised the ICANN Board that "strings that are linked to regulated or professional sectors should operate in a way that is consistent with applicable laws." The GAC proposed specific safeguards that would apply to a broad category of strings related to "consumer protection, sensitive strings, and regulated markets." As a result of the advice, additional safeguards were added to Specification 11 of the Registry Agreement. For these applications, these safeguards are mandatory requirements. See Category 1

applicants may wish to take this information into account when determining how to respond to an Early Warning.

To reduce the possibility of receiving an Early Warning or GAC Consensus Advice regarding an application, all applicants are encouraged to identify potential sensitivities in advance of application submission, and to work with the relevant parties (including GAC members and governments) beforehand to mitigate concerns related to the application. Note that while an Early Warning is a potential indicator that an application could be the subject of GAC Consensus Advice on New gTLDs, an Early Warning is not required for the GAC to issue Advice.

3.2.1 Other Mechanisms for GAC Members to Submit Concerns About an Application

While the Early Warning process is available for members of the GAC to submit their concerns about an application, it does not preclude concerned parties from using other mechanisms available to the public. These alternatives include utilizing the Application Comment Forum to communicate concerns, or communicating directly to applicants using the contact information posted in the application. For example, parties might notify applicants that an applied-for gTLD string might be contrary to a national law, and to try to address any concerns with the applicant. Note, however, that concerns submitted via these mechanisms do not constitute an Early Warning.

GAC consensus is not required for Early Warnings to be issued. Members issuing Early Warnings must include a written explanation describing why the Early Warning was submitted and, if applicable, how the applicant may address the concerns of those GAC members.

3.2.2 Options for Applicants in Receipt of GAC Member Early Warnings

Upon receipt of an Early Warning, an applicant wishing to continue with its application may meet with representatives from the concerned party or parties on the applicant's own accord and/or submit an <u>Application Change Request</u> to try to address the concerns.

Applicants may also elect not to take action and continue with their application as is. While applicants are generally encouraged to engage with the relevant GAC members to address any concerns raised, failure to do so may or may not result in GAC Consensus Advice.

Should an applicant decide to withdraw its application following an Early Warning, the refund schedule as outlined in <u>Fees and Payments</u> will apply.



3.3 GAC Consensus Advice

ICANN's Governmental Advisory Committee (GAC) was formed to consider and provide advice on the activities of ICANN as they relate to concerns of governments, particularly matters where there may be an interaction between ICANN's policies and various laws and international agreements or where they may affect public policy issues.

The process for GAC Consensus Advice on new gTLD applications is intended to address applications that are identified to be problematic, such as those that may potentially violate national law or raise sensitivities.

3.3.1 Notice to Applicants regarding Receipt of GAC Consensus Advice

The GAC can provide advice to the ICANN Board on any application. While the GAC is encouraged to submit advice in the 90 days following String Confirmation Day, allowing the Board to consider it during the evaluation process, the GAC retains the flexibility to submit advice on a particular application or aspect of the New gTLD Program at any time.

GAC Consensus Advice must clearly state that it is GAC Consensus Advice, include a clearly articulated rationale, be limited to the scope set out in the applicable Bylaws provisions, and elaborate on any "interaction between ICANN's policies and various laws and international agreements or where they may affect public policy issues."

When the Board receives GAC Consensus Advice concerning an application, ICANN will publish the advice and notify the relevant applicants.

The Board will consider the GAC Consensus Advice on applications in accordance with the Bylaws. The Board will make a decision on the advice, and based on that the application may or may not be able to proceed.

Upon notification via [TAMS] that their application is subject to GAC Consensus Advice, the applicant will have 21 days to submit a statement to ICANN in response to the GAC Consensus Advice. This statement will be made available to the Board and the GAC to consider. In their statement, applicants may suggest amendments to the application intended to address the concerns. Applicants wishing to withdraw their application should refer to Fees and Payments for more information on the withdrawal process and schedule of refunds.



⁷⁵ See the GAC Advice Consideration Process:

https://www.icann.org/en/system/files/files/gac-advice-process-handbook-06mar18-en.pdf

3.3.2 GAC Consensus Advice and Application Change Requests

Applicants are encouraged to explore solutions to address issues raised in GAC Consensus Advice regarding an applied-for string or application (see <u>Commitments</u> <u>Made to Overcome Objections or GAC Consensus Advice</u>). For example, an applicant could consider incorporating relevant commitments into its registry policies, terms of use, or entering into a separate agreement with the third party. However, an applicant also is permitted to submit an ACR, which may include proposing the addition, removal, or modification of Registry Voluntary Commitments (RVC).⁷⁶

3.3.3 GAC Consensus Advice and Registry Voluntary Commitments

The GAC, in its advice, might advise the Board that an application cannot proceed unless agreement is reached on a new or amended RVC that ICANN approves for inclusion in the applicable Base Registry Agreement (Base RA) (see Commitments GAC Consensus Advice). The applicant may elect to address the concern via an RVC in two different scenarios:

- Existing RVC: An applicant believes that an existing RVC in its application addresses the concerns raised in the GAC Consensus Advice. The Board will determine whether the GAC's concern must be addressed and whether the existing RVC suffices (see <u>Commitments Made to Overcome Objections or GAC Consensus Advice</u>).
- 2. New or amended RVC: An applicant files an ACR including the addition of a new or amended RVC to address GAC Consensus Advice. If the ACR is accepted and the Registry Commitment Evaluation approved, the Board will take the new or amended RVC into account. The Board will determine whether the concern raised in the GAC Consensus Advice must be addressed, and whether the new or amended RVC addresses the concern (see Commitments Made to Overcome Objections or GAC Consensus Advice).

3.4 Singular/Plural Notifications

Some applicants may apply for strings that inadvertently or purposefully form meaningful words across different languages, and these words can have different meanings in different languages and may have singular and plural forms.

In order to reduce the risk of end user confusion, the delegation of singulars and plurals of the same word in the same language is prohibited in case that ICANN receives a notification and the notification is determined to be legitimate per the criteria below.

See Application Change Requests and PICs/RVCs.





This section provides rules governing strings that represent singular and plural forms of the same word within a single language, regardless of the applicant's intended language.

3.4.1 Singular/Plural Notifications Requirements

Anyone, including but not limited to applicants to the New gTLD Program, operators of delegated gTLDs, governments, and members of the general public can raise concerns regarding singular/plural issues. Notifications can be submitted via the [Singular/Plural Notifications page] on the New gTLD Program website. All legitimate⁷⁷ notifications received will be publicly archived.

When notifying ICANN of a singular/plural issue, the following information must be submitted:

- The basis for the notification, which must be one of the following:
 - The applied-for gTLD string that is the singular or plural form of the same word in the same language as another applied-for string in the same application round.
 - The applied-for gTLD string that is the singular or plural form of an existing gTLD, a string being processed from a previous new gTLD round, or of a Blocked Name.
- Reference to a dictionary, published no earlier than 1 January 1970. For all international or national languages, the dictionary must be a published and authoritative reference work, produced by a reputable publishing house or institution. For all other languages, the dictionary, if not produced by a reputable publishing house or institution, must be recognized by the community using the language. For all languages, the following information from the dictionary needs to be included in the notification to ICANN:
 - Name of the dictionary
 - Name of the language
 - International Standard Book Number (ISBN)
 - Name of the publisher
 - Year and place of publication
 - Page number on which the word can be found
 - Name and address (physical or online) where the dictionary can be acquired or a public library where it can be accessed for evaluation.

⁷⁷ Notifications will not be considered legitimate if, for example, they do not include the required information, are not in line with the ICANN's Terms of Service, or are generated by automated systems or bots. See https://www.icann.org/privacy/tos.



To help ICANN in verifying the notification, the notifier must also submit images of the dictionary's ISBN, cover and imprint pages, as well as images of the pages on which the word in question is listed.

If a notification to ICANN lacks any of the required information and images listed above, ICANN may be unable to verify the claim. This could result in the string being processed without consideration of the identified singular/plural issue.

ICANN may independently verify the authenticity of the provided source material.

If there are two applied-for gTLD strings that represent words that are singular and plural forms of each other in the same language, but ICANN does not receive a notification, both strings will proceed without being put in a contention set. Equally, if an applied-for string is the singular or plural form of a delegated TLD, a string being processed from a previous new gTLD round, or a blocked name, the application for that gTLD string will proceed unless ICANN receives a notification as outlined in Singular/Plural Notification Requirements.

3.4.2 Singular/Plural Notifications Filing Window

The Singular/Plural Notification period will occur during the 30 days immediately following String Confirmation Day.

3.4.3 Outcome of Singular/Plural Notifications

When a Singular/Plural Notification is issued, there are three possible outcomes for the affected gTLD applications, which are described below:

- No Impact on the Application: The singular/plural issue was not confirmed.
- Strings Placed in Contention Set: If it is confirmed that an applied-for gTLD string represents a word that is the singular or plural version of the same word of another applied-for gTLD string in the same language, then both strings must be put in contention to avoid end-user confusion.
- Application Cannot Proceed: If an applied-for string represents a word that is
 the singular or plural version of a delegated gTLD, a string being processed
 from a previous new gTLD round, or a Blocked Name, the application cannot
 proceed.

Once ICANN has reviewed the materials submitted, it will determine how to proceed with the relevant applications. Applicants will be notified of the outcome and it will be posted on the relevant application status pages.



3.4.4 Challenging the Singular/Plural Notifications Evaluation

Applicants have a one-time opportunity to challenge the results of a Singular/Plural Notification by filing through the application system within 21 days of notification. An applicant must submit all facts necessary to demonstrate the rationale for its challenge and must not use it to materially change their application by substituting new information for what was submitted in its original application. ICANN will review the challenge.

The review will determine whether ICANN made a factual or procedural error when it finds that:

- 1. The applicant's applied-for string is a singular or plural form of another applied-for string.
- 2. The dictionary submitted to document the singular/plural claim meets the criteria established in the Guidebook.

The challenge will be assessed under a "clearly erroneous" standard of review. Specifically, ICANN's determination will stand unless:

- 1. It failed to follow the appropriate procedures.
- 2. It failed to consider or solicit necessary material evidence or information.

ICANN will communicate the conclusions resulting from the challenge within 30 days of an applicant filing such a challenge.

3.5 Objections and Appeals

Parties with standing, including other applicants, have the opportunity to file objections to any application on specific grounds and have them considered before a panel of qualified experts. If an application is subject to an objection, the applicant will have an opportunity to file a response. All applied-for gTLDs and applied-for allocatable variant strings will be subject to the objection processes. Additionally, for String Confusion Objections only, blocked variant strings will also be subject to the objection processes.

Applicants are therefore encouraged to identify possible regional, cultural, intellectual property interests, or other sensitivities regarding gTLD strings and their uses before applying and, where possible, consult with interested parties to mitigate any concerns in advance.

The New gTLD Program includes mechanisms that allow for relevant parties to appeal an Objection Panel Determination of an objection. Please refer to <u>Appeals Filing and Processing</u> for further details.



In filing an application for a gTLD, the applicant agrees to accept the applicability of these gTLD dispute resolution processes. Similarly, an objector accepts the applicability of the relevant gTLD dispute resolution process by filing an objection.⁷⁸

Information on the criteria and procedures for filing and responding to objections, as well as on the dispute resolution process, can be found in this section of the Guidebook and in the relevant <u>Dispute Resolution Service Provider's Rules</u>.

A high-level overview of the objection grounds, parties with standing, and dispute resolution outcomes can be found in the table below.

⁷⁸ As described in section <u>GAC Consensus Advice</u>, ICANN's Governmental Advisory Committee (GAC) has a designated process for providing advice to the ICANN Board on matters affecting public policy issues, and these objection procedures would not be applicable in such a case. The GAC may provide advice on any topic and is not limited to the grounds for objection enumerated in the public objection and dispute resolution process.



Table 3-1: Overview of the Objection Grounds, Parties with Standing, and Outcomes⁷⁹

(Ground	Claim	Parties with Standing	Outcomes		
	String onfusion	The applied-for primary string, its allocatable variant label, or its blocked variant label is confusingly similar visually, aurally, or in meaning to an existing TLD and/or another applied-for primary gTLD string and/or any of its allocatable or blocked variant strings.	 An existing gTLD operator An existing ccTLD operator or a Significantly Interested Party in the respective country or territory A gTLD applicant in this application round 	 If the objector prevails: Where the objector is another applicant, both the applicant's and objector's applied-for strings and their variant strings (if applicable) must be placed in the contention set. Where the objector is an existing gTLD operator, an existing ccTLD operator, or a Significantly Interested Party in the respective country or territory, the application is ineligible to proceed to the next stage of the application process. If the objector does not prevail, that application may proceed to the next stage of the application process, unless other processes prevent it from proceeding. 		
	Legal Rights	An applied-for string and/or one or more applied-for allocatable variant string(s) infringes its existing legal rights.	A rights holderAn IGO	If an objection against an applied-for primary string prevails, that application is ineligible to proceed to the next stage of the application process. If an objection provide against one or more applied for		
	Limited Public nterest	The applied-for string and/or one or more applied-for allocatable variant string(s) are contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law.	Anyone	 If an objection prevails against one or more applied-for allocatable variant strings, the application for the primary string and any unaffected allocatable variant strings may proceed to the next stage, excluding the variant strings that have been rendered ineligible by the objection. If the objection does not prevail, that application may proceed to the next stage of the application process, unless other 		
Co	ommunity	There is well-substantiated opposition to an applied-for string and/or one or more applied-for allocatable variant string(s) from a significant portion of the community which the string may be explicitly or implicitly targeting.	Established institutions associated with clearly delineated communities	 processes prevent it from proceeding. The application cannot proceed unless agreement is reached on a new or modified RVC that is approved by ICANN. 		

⁷⁹ This table provides a high-level simplified overview to provide context for the detailed rules and procedures in this section. For full information and details, refer to the Guidebook sections below.



3.5.1 Grounds for Objection

An objection can be filed only on four specific grounds: String Confusion, Legal Rights, Limited Public Interest, and Community. These grounds are described in more detail below.

3.5.1.1 Ground for Objection: String Confusion

A party with standing that believes that an applied-for primary string, its allocatable variant string(s), or its blocked variant string(s) is Similar⁸⁰ visually, aurally, or in meaning to an existing gTLD and/or another applied-for primary string and/or any of its allocatable or blocked variant strings may file a String Confusion Objection.

The only exception is that a blocked variant string cannot be claimed as Similar to the blocked variant string of an existing gTLD or another applied-for primary string.

As mentioned above, String Confusion Objections may be filed not only based on visual similarity, but also aural similarity and similarity in meaning, as described in the section Principles: String Confusion. The objector must clearly describe how it believes the strings are Similar. For the case of visual similarity, the objector must refer to the Guidelines for visual String Similarity.

A String Confusion Objection may, if successful, change the configuration of the contention sets, resulting in the two applied-for gTLD strings being considered in direct contention with one another, as described in <u>Contention Set Resolution</u>. The objection process will not result in the removal of an application from a contention set. If an applicant believes that its applied-for string should not be part of a contention set following the String Similarity Evaluation, the applicant will have the opportunity to challenge such determination as described in <u>Challenging String Similarity Evaluation</u>. More information on the possible outcomes can be found in <u>Expert Determination</u>.

3.5.1.2 Ground for Objection: Legal Rights

A party with standing that believes that an applied-for gTLD string and/or one or more applied-for allocatable variant strings infringes their existing legal rights may file a Legal Rights Objection. A Legal Rights Objection may not be filed against non-applied-for allocatable variant strings or blocked variant strings.

3.5.1.3 Ground for Objection: Limited Public Interest

A party with standing that believes that the applied-for gTLD string and/or one or more applied-for allocatable variant strings are contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law may

⁸⁰ "Similar" means visually confusing strings, or "strings so visually similar that they create a probability of user confusion if more than one of the strings is delegated into the root zone. See String Similarity for more information.



file a Limited Public Interest Objection. A Limited Public Interest Objection may not be filed against non-applied-for allocatable variant strings or blocked variant strings.

3.5.1.4 Ground for Objection: Community

A party with standing that believes that there is well-substantiated opposition to an applied-for gTLD string and/or one or more applied-for allocatable variant strings from a significant portion of the community that the string may be explicitly or implicitly targeting may file a Community Objection. A Community Objection may not be filed against non-applied-for allocatable variant strings or blocked variant strings.

3.5.2 Standing to Object

As part of the dispute proceedings, all objections will be reviewed by a panel of expert(s) designated by the applicable Dispute Resolution Service Provider (DRSP) to determine whether the objector has standing to object. This review will occur as part of the Quick Look Review.⁸¹ Standing requirements for the four objection grounds are described below.

3.5.2.1 Standing to Object: String Confusion

The String Confusion Objection process allows specific stakeholders to challenge potential string confusion, provided that string confusion has not already been determined during the String Similarity Evaluation.⁸² This means that an applicant would not have standing to object to another application with which it is already in a contention set. The following entities may submit a String Confusion Objection:

An existing gTLD operator may file a String Confusion Objection to assert that an applied-for primary string, an allocatable variant string of an applied-for primary string, and/or a blocked variant string of an applied-for primary string is Similar to its existing gTLD string and/or its allocatable or blocked variant strings.

An existing ccTLD operator or a Significantly Interested Party⁸³ in the relevant country or territory may file a String Confusion Objection to assert that the applied-for primary

⁽https://ccnso.icann.org/sites/default/files/field-attached/ccpdp4-final-report-23feb24-en.pdf), which is in turn derived from RFC 1591 (https://www.rfc-editor.org/rfc/rfc1591.html). Significantly Interested Parties "include, but [are] not be limited to: a) the government or territorial authority for the country or territory associated with the ccTLD and b) any other individuals, organizations, companies, associations, educational institutions, or others that have a direct, material, substantial, legitimate, and demonstrable interest in the operation of the ccTLD(s) including the incumbent manager. To be considered a Significantly Interested Party, any party other than the manager or the government or territorial authority for the country or territory associated with the ccTLD must demonstrate that it [...] has a direct, material, and legitimate interest in the operation of the ccTLD(s)."



⁸¹ See Quick Look Review for more information.

⁸² See String Similarity Evaluation for more information.

⁸³ For reference, the definition of Significantly Interested Parties reflects the one in Final Report ccPDP4

string, an allocatable variant string of an applied-for primary string, and/or a blocked variant string of an applied-for primary string is Similar to an existing ccTLD string or its allocatable or blocked variant strings.

A gTLD applicant⁸⁴ in this application round may file a String Confusion Objection to assert that the applied-for primary string, an allocatable variant string of an applied-for primary string, and/or a blocked variant string of an applied-for primary string is Similar to its applied-for primary string or its allocatable or blocked variant strings.

3.5.2.2 Standing to Object: Legal Rights

Below is a list of entities with the standing to file a Legal Rights Objection:

- A rights holder⁸⁵ may have standing to file a Legal Rights Objection. The source and documentation of the existing legal rights the objector is claiming are infringed by the applied-for gTLD must be included in the filing (for example, documentation regarding either registered or unregistered trademarks). For more information on which legal rights are covered, refer to Principles: Legal Rights.
- An intergovernmental organization (IGO) is eligible to file a Legal Rights
 Objection if it meets the criteria for registration of a .INT domain name as
 described in IANA's .INT Policy & Procedures. The specialized agencies of the
 UN and the organizations having observer status at the UN General Assembly
 are also recognized as meeting the criteria.

3.5.2.3 Standing to Object: Limited Public Interest

Anyone may file a Limited Public Interest Objection. Limited Public Interest Objections may only be brought on the grounds that the relevant string(s)⁸⁶ is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law. Objections brought on other grounds will be dismissed for lack of standing.

3.5.2.4 Standing to Object: Community

Established institutions associated with clearly delineated communities are eligible to file a Community Objection. The community named by the objector must be a community strongly associated with the applied-for gTLD string in the application that is the subject of the objection.

⁸⁶ For the sake of readability, in this section, "relevant string(s)" refers to the string or strings a party files an objection against.



⁸⁴ The applicant could be an existing gTLD operator for other strings.

⁸⁵ A rights holder could be a trademark holder, a trademark holder's licensee, or a party claiming rights to an unregistered trademark.

To qualify for standing for a Community Objection, the objector must show both of the following:

- It is an established institution. Factors that may be considered in making this determination include, but are not limited to:
 - Level of global recognition of the institution.
 - Length of time the institution has been in existence.
 - Public historical evidence of its existence, such as the presence of a formal charter or national or international registration, or validation by a government, inter-governmental organization, or treaty. The institution must not have been established solely in conjunction with the gTLD application process.
- It has an ongoing relationship with a clearly delineated community. Factors that may be considered in making this determination include, but are not limited to:
 - The presence of mechanisms for participation in activities, membership, and leadership.
 - Institutional purpose related to the benefit of the associated community.
 - Performance of regular activities that benefit the associated community.
 - o The level of formal boundaries around the community.

The dispute resolution panel will perform a balancing of the factors listed above, as well as other relevant information, in making its determination. It is not expected that an objector must demonstrate satisfaction of each and every factor considered in order to satisfy the standing requirements.

3.5.3 Dispute Resolution Service Providers

To trigger a dispute resolution proceeding, an objection must be filed by the posted deadline date, directly with the appropriate DRSP for each objection ground:

String Confusion: [placeholder]

Legal Rights: [placeholder]

Limited Public Interest: [placeholder]

Community: [placeholder]

Before the opening of the application submission period, each DRSP will publish a schedule of costs or statement of how costs will be calculated for the proceedings that it administers under this procedure. These costs cover the fees and expenses of the members of the panel and the DRSP's administrative costs.

Links to the respective DRSP webpages, including information on the fees, will be published on the Next Round website.



3.5.4 Independent Objectors

An objection to a gTLD application may also be filed by one of the three IOs. The IOs do not act on behalf of any particular persons or entities, but solely in the best interests of the public who use the global Internet. The IOs will file objections at the same time as all other parties.

To mitigate possible conflict of interest issues that may arise from having a single panelist serving as the IO, ICANN has established a standing panel of three IOs. Neither ICANN nor the ICANN Board has authority to direct or require the IOs to file or not file any particular objection.

If an individual IO determines that an objection should be filed, the IO will initiate and pursue the objection in the public interest. The IO may file objections against highly objectionable gTLD applications to which no objection has been filed. The IO may only file objections on the grounds of Limited Public Interest and Community, notwithstanding the regular standing requirements for such objections.⁸⁷

The IOs:

- Shall not object to an application unless at least one comment opposing the application has been made in the public sphere, in light of the public interest goal noted above.
- Will not have their objection considered if another objection on the same ground has passed the Quick Look Review, absent extraordinary circumstances.⁸⁸
- Must consider application comments when making an independent assessment whether an objection is warranted. The IOs will have access to application comments received during the comment period.

3.5.5 Options in the Event of an Objection

Applicants of applications that are the subject of an objection have the following options:

 The applicant can contact the objector via the DRSP and work to reach a settlement with the objector, as described in <u>Settlement</u>, which may result in withdrawal of either the objection or the application.⁸⁹

⁸⁹ The applicant and objector may agree on a settlement requiring the applicant to submit an Application Change Request. There is no guarantee that the change request will be approved, and ICANN will not be involved in the settlement. For more information, refer to Application Change Requests in the Objections Process.



⁸⁷ See Standing to Object.

⁸⁸ The IO will describe such extraordinary circumstances in its objection.

- The applicant can file a response to the objection within the set timeframe, as specified in <u>Responding to an Objection</u>, and enter the dispute resolution process.
- The applicant can choose to withdraw the application, in which case the objector will prevail by default and the application will not proceed further.

If for any reason the applicant does not file a response to an objection within the set timeframe, the objector will prevail by default.

An applicant subject to a String Confusion Objection claiming that the relevant string(s) are Similar to another applied-for string may decide to accept that its string(s) will be placed in a contention set and not advance with the objection proceeding by not filing a response. In such a case, the applicant is strongly encouraged to inform the DRSP as soon as possible in the process so that the objection can be resolved and all parties informed.

3.5.6 Objections and Appeals Costs

The Objection and Appeal Procedures will require different payments to be submitted directly to the DRSPs at different times. Instructions as well as the amounts are indicated in the respective DRSP Rules.

Filing fees

- An objector will pay a filing fee at the time of submitting its objection.
 Should the objector fail to pay the fee as described in the respective DRSP Rules, the objection shall be dismissed. The objection filing fee will not be refunded under any circumstances.
- A respondent (which is also the applicant) will pay a filing fee at the time of submitting its response to the objection. Should the respondent to the objection fail to pay the fee as described in the respective DRSP Rules, the objector will prevail. The response filing fee will not be refunded under any circumstances.
- o If an appeal is filed to an Objection Panel Determination, the appellant will pay a filing fee at the time of submitting its appeal to the DRSP. Should the appellant fail to pay the fee as described in the respective DRSP Rules, the appeal will be dismissed without prejudice. The appeal filing fee will not be refunded under any circumstances.
- The respondent to an appeal will pay a filing fee at the time it responds to an appeal. Should the appellant to an appeal fail to pay the fee as described in the respective DRSP Rules, the response will be disregarded.



⁹⁰ See Fees and Payments for more information on refund and withdrawals.

Advance payment

- o Both parties to an objection will make an advance payment as instructed by the DRSP if the relevant objection passes the Quick Look Review. This may be either an hourly fee based on the estimated number of hours the panel will spend on the case (including review of submissions, facilitation of a hearing, if allowed, and preparation of a decision), or a fixed amount. In cases where disputes are consolidated and there are more than two parties involved, the advance payment will occur according to the respective DRSP Rules. The prevailing party in a dispute resolution proceeding will have its advance payment refunded (not the filing fee), while the non-prevailing party will not receive a refund and thus will bear the cost of the proceeding. In cases where disputes are consolidated and there are more than two parties involved, the refund of fees will occur according to the DRSP Rules. Should neither party make the advance payment, the objection will be dismissed.
- The appellant will make an advance payment as instructed by the DRSP if the relevant appeal passes the Administrative Review. Should the appellant fail to make the advance payment as described in the respective DRSP Rules, the appeal will be dismissed. The DRSP will refund the advance costs to the prevailing party. In the case that a portion of the advance fee is due from the respondent and is not paid, the response will be disregarded.

Additional fees

- In extraordinary circumstances, the DRSP may require the payment of additional fees as part of the dispute resolution process. Should one of the parties fail to make the additional fee payment as described in the respective DRSP Rules, the other party will prevail and will be refunded the advance payment. Should neither party make the advance payment, the objection will be dismissed.
- In extraordinary circumstances, the DRSP may require the payment of additional fees as part of the appeal process. Should the additional fees not be paid by the appellant, the appeal will be dismissed. In the case that a portion of the additional fee is due from the respondent and is not paid, the response will be disregarded.

3.5.7 Objections and Appeals Funding Possibilities

To support the multistakeholder model, ICANN offers certain funding possibilities to the At-Large Advisory Committee (ALAC) and national governments, as described below. Such funding is to cover costs payable to the DRSP and made directly to the DRSP, that is, filing fees and advance payment of costs, as described in Objections and Appeals Costs; it does not cover other costs such as fees for legal advice. More



information will be published on [the Objections and Appeals webpage] of the New gTLD Program website.

- Funding for ALAC is contingent on publication by ALAC of its approved process for considering and making objections. At a minimum, the process for objecting to a gTLD application will require:
 - o bottom-up development of potential objections,
 - discussion and approval of objections at the Regional At-Large Organization (RALO) level, and
 - a process for consideration and approval of the objection by the At-Large Advisory Committee.

The ALAC Procedure for Filing Comments and Objections in the New gTLD Program Next Round can be found at https://icann-community.atlassian.net/wiki/x/DwBAD.

 Funding from ICANN is available to individual national governments in the amount of USD 50,000 with the guarantee that a minimum of one objection and appeal per government will be fully funded by ICANN where requested, even if it exceeds USD 50,000.

3.5.8 Objection Filing and Processing

The information below provides an overview of the process by which objectors can file and respondents can respond to objections, as well as by which DRSPs administer dispute proceedings that have been initiated. For comprehensive information, please refer to the Objection Procedure. In the event of any discrepancy between the information presented in this module and the procedure, the procedure shall prevail. Note that the rules and procedures of each DRSP specific to each objection ground, which are published here, must also be followed.

3.5.8.1 Objections Filing Window

The general public will have the opportunity to file objections during the following timeframes:

- For 90 days, for all objection grounds, starting on String Confirmation Day.
- For 30 days, for String Confusion only, following the publication of contention sets.
- For 30 days, for all objections grounds, in case of Brand String Change, starting on the day the String Evaluation Reports are published, and only if the string evaluation is successful.



More information can be found in <u>Application Stages</u> and <u>Brand String Change</u> Request.

3.5.8.2 Filing an Objection

The procedures outlined in this subsection must be followed by any party wishing to file an objection to a gTLD application.

- All objections must be filed electronically with the appropriate DRSP by the posted deadline date. Objections will not be accepted by the DRSPs after this date.
- All objections must be filed in English.
- Each objection must be filed separately. An objector wishing to object to several applications must file a separate objection and pay the accompanying filing fees for each application that is the subject of an objection, unless the objector is filing several objections against applications for the same string. If an objector wishes to object to an application on more than one ground, the objector must file separate objections and pay the accompanying filing fees for each objection ground.
- Objections are limited to 5000 words excluding attachments.
- An objector must provide copies of all submissions to the DRSP associated with the objection proceedings to the applicant.

Each objection must include:

- The name and contact information of the objector.
- A statement of the objector's basis for standing; that is, why the objector believes it meets the standing requirements to object.
- A description of the basis for the objection, including:
 - A statement giving the specific ground upon which the objection is being filed
 - A detailed explanation of the validity of the objection and why it should be upheld.
- Copies of any documents that the objector considers to be a basis for the objection.



At the time an objection is filed, the objector is required to pay a filing fee in the amount set and published by the relevant DRSP.⁹¹ If the filing fee is not paid, the DRSP will dismiss the objection without prejudice.

Should a party with standing wish to file a String Confusion Objection against an application for a string for which several applicants have applied, it may file an objection against one, some, or all applications for that string. If the objection is filed against several applications for an identical string, each applicant receiving an objection may file a response to the objection; if an applicant fails to do so, the objection will be upheld against those applications. The same panel will review all documentation associated with the objection, and each response will be reviewed on its own merits. The panel will issue a single determination identifying which parties prevail in the objection, where applicable.

3.5.8.3 Administrative Review of the Objection

Each DRSP will conduct an administrative review of each objection for compliance with all procedural rules within 14 days of receiving the objection. Depending on the number of objections received, the DRSP may ask ICANN for a short extension of this deadline. The administrative review includes the determination whether the objection was filed with the correct DRSP.

The possible outcomes of the administrative review are described below:

- If the DRSP finds that the objection complies with the procedure and the applicable DRSP Rules the objection will be deemed filed, and the proceedings will continue.
- If the DRSP finds that the objection does not comply with procedural rules, the DRSP will notify the objector, who will have five days to rectify the issues identified.
 - If the objector rectifies the issues within the specified timeframe, the objection will be deemed filed.
 - If the objector does not rectify the issues within the specified timeframe, the objection will be dismissed.

3.5.8.4 Publication and Notification of the Objection

The DRSP will publish and regularly update a list on its website identifying all objections that have passed the administrative review, and notify ICANN. ICANN will then post on the Next Round website a notice of all objections that pass the

https://newgtlds.icann.org/sites/default/files/icc-expertise-rules-appx-iii-12jun12-en.pdf



⁹¹ Information on the objection fees in the 2012 round is available here:

WIPO: https://newgtlds.icann.org/sites/default/files/wipo-fees-11jan12-en.pdf)

ICDR: https://newqtlds.icann.org/sites/default/files/icdr-fees-25mav12-en.pdf)

[•] ICC:

administrative review. After an applicant has been notified that an objection is filed against its application, it may decide to withdraw its application for a new gTLD, in which case the objection would be dismissed.

3.5.8.5 DRSP Consolidation of Objections

Once the DRSP receives and processes all objections, at its discretion, it may elect to consolidate certain objections. The DRSP shall endeavor to decide upon consolidation prior to issuing its notice to applicants that the response should be filed and, where appropriate, shall inform the parties of the consolidation in that notice.

In assessing whether to consolidate objections, the DRSP will weigh the efficiencies in time, money, effort, and consistency that may be gained by consolidation against the prejudice or inconvenience consolidation may cause. The DRSPs will endeavor to have all objections resolved on a similar timeline. It is intended that no sequencing of objections will be established.

Either party also will be permitted to propose consolidation of objections within 14 days of the deadline for filing objections, but it will be at the DRSP's discretion whether to agree to the proposal.

Should they have any concerns, the parties will have the opportunity to make a submission to the DRSP regarding the proposed consolidation.

3.5.8.6 Appointment of the Objection Panel

The DRSP will appoint a panel for each objection that passes the administrative review. The parties to a proceeding will be given the opportunity to mutually agree upon a single or a three-person panel, bearing the costs accordingly. Absent agreement from all parties to have a three-expert panel, the default will be a one-expert panel.

A panel will consist of appropriately qualified experts appointed to each proceeding by the designated DRSP. Panelists must be independent of the parties to a dispute resolution proceeding. Each DRSP will follow its adopted procedures for requiring such independence, including procedures for challenging and replacing an expert for lack of independence.⁹²

The panel will consist of one or three panelists, ideally with the following expertise:

- **String Confusion Objections**: Experience in legal rights disputes, with at least one panelist knowledgeable about the relevant scripts.
- Legal Rights Objections: Experience in legal rights disputes.

⁹² See <u>Conflict of Interest</u> and <u>Code of Conduct and Conflict of Interest Guidelines for Service Providers</u>.



- Limited Public Interest Objections: Recognized as eminent jurists of international reputation, with expertise in relevant fields such as social sciences, political science, sociology, health sciences, and others.
- Community Objections: Recognized as eminent jurists of international reputation, with expertise in relevant fields such as social sciences, political science, sociology, and others. Ideally, at least one of the panelists should understand or be knowledgeable about the relevant community.

Neither the panelists, the DRSP, ICANN, nor their respective affiliates, staff members, employees, directors, or consultants will be liable to any party in any action for damages or injunctive relief for any act or omission in connection with any proceeding under the procedures, except in cases of willful misconduct or gross negligence.

The DRSP rules will establish the procedures to raise and address conflicts of interest concerns with the assigned panel.

3.5.8.7 Quick Look Review

The Quick Look Review is designed to identify and eliminate objections that are manifestly unfounded and/or an abuse of the right to object.

An objection will be considered manifestly unfounded and/or an abuse of the right to object in the following cases:

- 1. The objection is not filed on one of the accepted objection grounds or principles.
- 2. The party filing the objection does not have standing.
- 3. Insufficient or no evidence is provided to support the objection.
- 4. The objection is far-fetched, clearly invented, manifestly contrary to common sense, or so ambiguous that it is objectively impossible for the DRSP to make sense of it.
- 5. The objection spreads, incites, promotes, or justifies hatred based on intolerance towards a certain group.
- 6. Multiple objections on the same ground are filed by the same or affiliated parties against the same applicant in a manner that constitutes harassment of the applicant.
- 7. Other facts clearly show that the objection is manifestly unfounded and/or an abuse to the right to object.

The Quick Look Review represents the panel's first substantive task, providing a decisive determination on the objection. This review must be completed within 30 days of the panel's appointment, with the timeline starting after the resolution of any conflicts of interest challenges submitted by the parties involved.

The dismissal of an objection that is manifestly unfounded and/or an abuse of the right to object would be deemed a Panel Determination, rendered in accordance with <u>Article</u> 22 of the <u>ICANN Objection Procedure</u>.



If the Quick Look Review results in such a dismissal, the subsequent proceedings, including payment of the full advance of costs, will not take place.

3.5.8.8 Payment of the Dispute Resolution Fees

Within 10 days of completing the Quick Look Review, the DRSP will estimate the total costs and request full advance payment from both the objector and the applicant. Each party must make its advance payment within 10 days of receiving the DRSP's request for payment and provide evidence of such payment to the DRSP. The respective filing fees paid by the parties will be credited against the amounts due for this advance payment of costs.

The DRSP may revise its total cost estimate and request additional advance payments from the parties during the resolution proceedings. Additional fees may be required in specific circumstances, such as if the DRSP receives supplemental submissions or elects to hold a hearing.

If an objector fails to pay these costs in advance, the DRSP will dismiss the objection and no fees paid by the objector will be refunded. If a respondent fails to pay these costs in advance, the objector will prevail and no fees paid by the respondent will be refunded. The application will not be allowed to proceed.⁹³ Should neither party make the advance payment, the objection will be dismissed.

3.5.8.9 Responding to an Objection

After both parties have made the advance payment, the DRSPs will notify the respondent that it has 30 days to file a response to the objection after the receipt of the Quick Look Review results. DRSPs will not accept late responses. At the time a respondent files its response, it is required to pay a filing fee in the amount set and published by the relevant DRSP, which will be the same as the filing fee paid by the objector. If the respondent does not pay the filing fee within 10 days of filing the response, the response will be disregarded, which will result in the objector prevailing, and the application will not be allowed to proceed.⁹⁴

If the respondent fails to file a response within the 30-day time limit, the respondent will be in default, deeming the objection successful. In this case, no fees will be refunded to the respondent. If the response is found to be non-compliant with the Objections Procedure and applicable DRSP rules, the respondent will have five days to correct it.

Respondents must adhere to the following guidelines regarding responses:

All responses must be filed in English.



⁹³ See Application Statuses.

⁹⁴ See Application Statuses.

- Each response must be filed separately. If an applicant is responding to several objections, a separate response and accompanying filing fee must be submitted for each objection.
- Responses must be filed electronically.
- The maximum length for each response is limited to 5000 words, excluding attachments.
- Each respondent must provide copies of all submissions to the DRSP associated with the objection proceedings to the objector.

Each response filed by a respondent must include:

- The name and contact information of the respondent.
- A point-by-point response to the claims made by the objector.
- Any copies of documents that it considers to be a basis for the response.

3.5.8.10 Additional Evidence and Hearing

The panel may decide whether the parties shall submit any written statements in addition to the filed objection and response, and may specify time limits⁹⁵ for such submissions. To ensure disputes are resolved rapidly and at a reasonable cost, document production shall be very limited, if allowed at all, and solely at the request of the panel. Only where the panel deems necessary and appropriate, the panel may require a party to produce additional evidence or hold a virtual hearing, though disputes will usually be resolved without a hearing. Under no circumstances will an in-person hearing be held.

3.5.8.11 Mediation and Settlement

When objections occur, the parties may engage in mediation or negotiate settlements to resolve disputes as described below.

3.5.8.11.1 Mediation and Settlement Overview

The parties to a dispute resolution proceeding are encouraged — but not required — to participate in mediation aimed at settling the dispute. Each DRSP has experts who can be retained as mediators to facilitate this process, should the parties elect to do so, and the DRSPs will communicate with the parties concerning this option and any associated fees.

If a mediator is appointed, that person may not serve on the panel constituted to issue an Expert Determination in the related dispute. The parties are free to negotiate without mediation at any time, or to engage a mutually acceptable mediator of their own accord.



⁹⁵ The time limit should not exceed 30 days, unless the panel, having consulted the DRSP, determines that exceptional circumstances justify a longer time limit.

ICANN will at no stage be involved in the mediation.

3.5.8.11.2 Cooling-off Period

There are no automatic time extensions for conducting negotiations or mediation. However, after the respondent has filed a response to the objection, the parties may submit a joint request for a cooling-off period to the DRSP according to its procedures. The DRSP or the panel, if appointed, will decide whether to grant the request, and the filing and other deadlines will be paused.

Absent exceptional circumstances, the parties must limit the cooling-off period to 30 days. However, it must be noted that if the applicant files an Application Change Request (ACR) in response to concerns raised in an objection, the dispute resolution process might be put on hold for a longer time, if both parties agree and as described in Application Change Requests in the Objection Process.

3.5.8.11.3 Settlement

At any stage of the process, the objector and respondent can reach a settlement. There are two possible outcomes:

- 1. The objector withdraws the objection. In this case, unless subject to any other processes, the application will proceed.
- 2. The respondent/applicant withdraws its application.

Should the settlement require the respondent/applicant to submit an ACR, both parties should be aware that the change will not necessarily be approved. More information on ACRs in the objections process can be found in the section below.

If the parties agree on a settlement, they shall inform the DRSP, which shall terminate the proceedings, provided that the parties have satisfied their payment obligations. The DRSP shall also inform ICANN and the parties of the termination accordingly.

All settlements must abide by the rules in the Applicant Guidebook relating to the private resolution of contention sets, as described in <u>Contention Sets</u>.

3.5.8.12 Application Change Requests in the Objections Process

Applicants have the opportunity to request amendments to their applications including, but not limited to, the addition or modification of Registry Voluntary Commitments (RVCs) or community registration policies, in response to concerns raised in an objection, via an ACR. ⁹⁶ Absent extraordinary circumstances, ICANN will not be involved in objection processes, and will process ACRs without prejudice or consideration of ongoing objection procedures.

⁹⁶ For more information, refer to Application Change Requests.





If an applicant submits an ACR after responding to an objection, it may request that the DRSP put the objection process on hold, provided the objector agrees, as described in Cooling-off Period. If the DRSP considers the joint request legitimate, the dispute resolution process will be frozen until the ACR process and the corresponding re-evaluation (if necessary/applicable) conclude. If the applicant does not submit the ACR within 30 days of requesting a cooling off period, the DRSP will resume the dispute resolution process. If the DRSP does not approve the request, the applicant will still be able to submit an ACR, but the dispute resolution process will not be put on hold.

The panel will have to consider the results of the ACR as part of its evaluation. It must be noted that, in this case, the panel might still determine that an application can proceed even if the ACR was not accepted. The objector and the applicant may also reach a settlement, as described in Settlement.

3.5.8.13 Objections and Registry Voluntary Commitments

The panel, in extraordinary circumstances⁹⁷ and as part of their Expert Determination, might order that an application cannot proceed unless a new or amended RVC that is approved by ICANN is included in the Base RA. Such RVCs will be considered RVCs Pursuant to Commitments Made to Overcome Objections or GAC Consensus Advice. There are three different scenarios:

- An applicant believes that an existing RVC in its application addresses the
 concerns raised in the objection. Should the panel determine that the concern
 has merit and that the already existing RVC will address it, in its Expert
 Determination, the panel will indicate that the RVC is an RVC Pursuant to
 Commitments Made to Overcome Objections or GAC Consensus Advice.
- 2. An applicant and the objector in a given objection proceeding reach a settlement that includes the addition of a new or the amendment of an existing RVC. In such cases, the applicant will have to file an ACR which, if accepted by ICANN, will be followed by a Registry Commitment Evaluation (RCE). If the RVC passes the RCE, the objector will withdraw the objection upon the condition that the RVC will be considered an RVC Pursuant to Commitments Made to Overcome Objections or GAC Consensus Advice.
- 3. The panel determines that a new or amended RVC will address the concerns raised in an objection. In such an instance, the applicant will update the existing or draft a new RVC and file an ACR which, if accepted, will be followed by the RCE. If the RVC passes the ACR and RCE, in its Expert Determination, the panel will indicate that the RVC is an RVC Pursuant to Commitments Made to Overcome Objections or GAC Consensus Advice if the panel finds that the new

⁹⁷ DRSPs should be aware that this option should be limited to extraordinary circumstances since by the time the Expert Determination is issued the parties will have already had the opportunity to attempt to agree on an RVC but failed or opted not to do so.



or amended RVC would enable the applicant to overcome the objection. If the panel finds that the new or amended RVC does not resolve the objection, the objector will prevail.

3.5.8.14 Expert Determination

The DRSP's final Expert Determinations will be in writing and will include:

- A summary of the dispute and findings.
- An identification of the prevailing party.
- The reasoning upon which the Expert Determination is based.

Unless the panel decides otherwise, each DRSP will publish all decisions rendered by its panels in full on its website.

The findings of the panel will be considered an Expert Determination, which ICANN will accept within the dispute resolution process.

The outcomes of String Confusion Objections may include the following:

- If the objector prevails:
 - Where the objector is another applicant, then both the applicant's and objector's applied-for strings and their variant strings (if applicable) must be placed in the contention set.
 - Where the objector is an existing gTLD operator, or existing ccTLD operator or a Significantly Interested Party in the relevant country or territory, the application (including primary and allocatable variant strings) is ineligible to proceed to the next stage of the application process.
- If the objector does not prevail, that application may proceed to the next stage
 of the application process, unless other processes prevent it from proceeding.

The possible outcomes for Limited Public Interest, Legal Rights, and Community Objections are as follows:

- If an objection against an applied-for primary string prevails, then that application is ineligible to proceed to the next stage of the application process.
- If an objection prevails against one or more applied-for allocatable variant strings, the application for the primary string and any unaffected allocatable variant strings may proceed to the next stage, excluding the variant strings that have been rendered ineligible by the objection.
- If the objection does not prevail, then that application may proceed to the next stage of the application process, unless other processes prevent it from proceeding.



 The application cannot proceed unless agreement is reached on a new or modified RVC that is approved by ICANN. Refer to <u>Objections and Registry</u> <u>Voluntary Commitments</u> for more information.

After the panel renders its Expert Determination, the DRSP will refund the advance payment of costs to the prevailing party. If the Expert Determination indicates that the application cannot proceed unless agreement is reached on a new or modified RVC that is approved by ICANN, the objector will be considered as the prevailing party.

3.5.9 Appeals Filing and Processing

The non-successful party in an objection will have the opportunity to appeal an Expert Determination and such appeal would be considered under a clearly erroneous standard of review. The process for appealing to an Expert Determination is described in the ICANN Objection Appeal Procedure. In the event of any discrepancy between the information presented in this section and the procedure, the procedure shall prevail. Note that the rules of each DRSP specific to each objection ground, which can be found here, must also be followed.

3.5.9.1 Filing an Appeal

A party to an objection shall have 15 days from the date the Expert Determination is issued by the DRSP to notify the DRSP of its intent to appeal the Expert Determination (the "Notice of Appeal"). The Notice of Appeal must specify the elements of the Expert Determination that are being appealed and contain a brief statement of the basis for the appeal. The appellant will have 15 days from the date of filing the Notice of Appeal to file the appeal and pay the required fees. An appellant that wishes to appeal Expert Determinations from more than one objection proceeding must file separate appeals with the appropriate DRSPs.

The Notice of Appeal shall contain, among other details, the following information:

- The names and contact information (address, telephone number, email address, etc.) of the appellant.
- Identification of the underlying objection being appealed.
- A description of the basis for the appeal, including:
 - A statement of the ground upon which the appeal is being filed, as stated in <u>Article 1</u> of the Objection Appeal Procedure.
 - An explanation of the validity of the appeal and reasons why it should be upheld.

The substantive portion of the appeal is limited to 5,000 words, excluding attachments.



At the same time as the appeal is filed, the appellant shall pay a filing fee in the amount set in accordance with the applicable DRSP Appellate Rules and include evidence of such payment in the Notice of Appeal. If the filing fee is not paid, the appeal shall be dismissed without prejudice.

3.5.9.2 Administrative Review of the Appeal

The DRSP shall conduct an administrative review of the appeal to verify compliance with all procedural rules and inform the appellant, the respondent, and ICANN of the result of its review within 14 days of its receipt of the appeal. The DRSP may extend this time limit if necessary. If the DRSP finds that the appeal is in compliance with the Appeal Procedure, the appeal will be registered for processing. However, if the DRSP finds that the appeal is not in compliance, the DRSP may request that any administrative deficiencies be corrected within five days. If the deficiencies are not corrected within the specified time, the appeal will be dismissed.

3.5.9.3 Publication of the Appeal

Upon registering an appeal for processing, the DRSP shall post the following information about the appeal on its website:

- The proposed string to which the appeal is directed.
- The name of the appellant.
- A weblink to the Expert Determination from the underlying objection proceeding.
- The grounds for the appeal.
- The dates of the DRSP's receipt of the appeal.

3.5.9.4 Responding to an Appeal

The respondent may, but is not required to, file a response to an appeal within 30 days of the transmission of the notice by the DRSP. If a response is not filed, the Appeals Panel will presume that respondent takes no position on the appeal.

If a response is submitted, it must include, among other information:

- The names and contact information (address, telephone number, email address, etc.) of the respondent.
- A point-by-point response to the statements made in the appeal.

The substantive portion of any response shall be limited to 5,000 words, excluding attachments.

When the response is filed, the respondent shall pay a filing fee in the amount set and published by the relevant DRSP (which shall be the same as the filing fee paid by the appellant) and include evidence of such payment in the response. If the filing fee is not paid within 10 days of the DRSP's receipt of the response, any response shall be



disregarded and the Appeals Panel will presume that respondent takes no position on the appeal.

If the DRSP finds that the response does not comply with all procedural rules, the DRSP shall have the discretion to request that any administrative deficiencies in the response be corrected within five days.

3.5.9.5 Consolidation of Appeals

When two or more parties with aligned interests are eligible to appeal an Expert Determination, they may file a joint Notice of Appeal and proceed as a single appellant. If parties have filed separate timely notices of appeal, the DRSP may join or consolidate these appeals, either independently or upon a party's request within 14 days of the Notice of Appeal's publication on the DRSP's website.

In deciding whether to consolidate appeals, the DRSP shall weigh the benefits (in terms of time, cost, consistency of decisions, etc.) that may result from the consolidation against the possible prejudice or inconvenience that the consolidation may cause. The DRSP's determination on consolidation shall be final and not subject to further appeal.

3.5.9.6 Appointment of the Appeal Panel

The DRSP will appoint a panel for each appeal that passes the Administrative Review. The parties to a proceeding will be given the opportunity to mutually agree upon a single or a three-person panel, bearing the costs accordingly. Absent agreement from all parties to have a three-expert panel, the default will be a one-expert panel.

A panel will consist of appropriately qualified experts appointed by the designated DRSP. Panelists must be independent of the parties involved in the dispute resolution proceeding. Each DRSP will follow its adopted procedures for requiring such independence, including procedures for challenging and replacing a panelist for lack of independence.

3.5.9.7 Quick Look Review

The Quick Look Review is designed to identify and eliminate appeals that are manifestly unfounded and/or an abuse of the right to appeal.

An appeal will be considered manifestly unfounded and/or an abuse of the right to appeal in the following cases:

- 1. The appeal is not filed by the non-prevailing party to the objection.
- 2. Insufficient or no evidence is provided to support the appeal.
- 3. The appeal is far-fetched, clearly invented, manifestly contrary to common sense, or so ambiguous that it is objectively impossible for the DRSP to make sense of it.



- 4. The appeal spreads, incites, promotes, or justifies hatred based on intolerance towards a certain group.
- 5. The appeal constitutes harassment of the other party or the objections itself.
- 6. The appeal includes facts that clearly show that it is manifestly unfounded and/or an abuse to the right to appeal.

The Quick Look Review is the Appeals Panel's first task and is dispositive of the appeal. The Quick Look Review must be completed within 30 days of the panel appointment.

The dismissal of an appeal that is manifestly unfounded and/or an abuse of the right to appeal would be an appellate Expert Determination, rendered in accordance with Article 18 of the Objection Appeal Procedure.

3.5.9.8 Payment of the Appeal Fees

Within 10 days of constituting the Appeals Panel, the DRSP shall estimate the total costs. The appellant must bear initial appeal costs and submit advance payment within 10 days of the DRSP's payment request, providing evidence of payment. The DRSP may revise its estimate of the total costs and request additional advance payments from the parties during the proceedings. If the appellant fails to make the advance payment of costs, its appeal shall be dismissed and no fees that it has paid shall be refunded. Upon the termination of the proceedings, after the Appeals Panel has rendered its Appellate Expert Determination, the DRSP shall refund to the prevailing party, as determined by the Appeals Panel, its advance payments of costs.

3.5.9.9 Appeal Standards

The Appeals Panel shall apply the "clearly erroneous" standard of review for each category of appeal as established in the New gTLD Program. Under a clearly erroneous standard of review, the Appeals Panel must accept the Objection Panel's findings of fact unless the Objection Panel failed to:

- Follow the appropriate procedures.
- Consider or solicit necessary material evidence or information in the objection proceeding.

The appellant bears the burden of proving that its appeal should be sustained in accordance with the applicable standard.

3.5.9.10 Appellate Expert Determination

The Appellate Expert Determination will be in writing, identify the prevailing party and state the reasons upon which it is based. The Appeals Panel will take one of the following actions:

1. Adopt the underlying Objection Expert Determination as its own.



2. Substitute its own determination for the underlying Objection Expert Determination.

The Appeals Panel may not order a new objection proceeding or send the matter back to the original objection panel for corrections or further review.

The Appellate Expert Determination shall state the date when it is made, and it shall be signed by the Appeals Panel. If any panelist fails to sign the Appellate Expert Determination, it shall be accompanied by a statement of the reason for the absence of such signature.

Unless the Appeals Panel decides otherwise, the Appellate Expert Determination shall be published in full on the DRSP's website. Upon the conclusion of the appeal process, the Appellate Expert Determination shall become the final determination and not subject to further appeal.

3.5.10 Objection Principles

A panel will evaluate the merits of each objection using appropriate general principles, with specific adjudication principles detailed for each objection type. A panel may additionally reference relevant rules of international law in connection with the principles. The objector bears the burden of proof in each case. The principles outlined below remain dynamic, subject to ongoing refinement through consultation with DRSPs, legal experts, and the public.

3.5.10.1 Principles: String Confusion

The String Confusion Objection process complements the <u>String Similarity Evaluation</u>. While the String Similarity Evaluation is limited to visual similarity, String Confusion Objections may be filed based on any type of similarity — visual, aural, or in meaning.

A panel hearing a String Confusion Objection will consider whether the relevant strings are likely to result in string confusion. String confusion exists when a string so nearly resembles another that it is likely to deceive or cause confusion. For a likelihood of confusion to exist, it must be probable, not merely possible that confusion will arise in the mind of the average, reasonable Internet user. Mere association, in the sense that the string brings another string to mind, is insufficient to find a likelihood of confusion.

3.5.10.2 Principles: Legal Rights

A panel presiding over a Legal Rights Objection will determine whether the applicant's potential use of the relevant string would:

 Take unfair advantage of the distinctive character or the reputation of the objector's registered or unregistered trademark or service mark ("mark") or IGO name or acronym (as identified in the treaty establishing the organization).



- 2. Unjustifiably impair the distinctive character or the reputation of the objector's mark or IGO name or acronym.
- 3. Otherwise create an impermissible likelihood of confusion between the relevant string and the objector's mark or IGO name or acronym.

For trademark-based objections, the panel will consider the following non-exclusive factors:

- 1. Whether the relevant string is identical or Similar, including in appearance, phonetic sound, or meaning, to the objector's existing mark.
- 2. Whether the objector's acquisition and use of rights in the mark has been bona fide.
- 3. Whether and to what extent there is recognition in the relevant sector of the public of the sign corresponding to the string, as the mark of the objector, of the applicant, or of a third party.
- 4. Applicant's intent in applying for the relevant string, including whether the applicant, at the time of application for the gTLD, had knowledge of the objector's mark, or could not have reasonably been unaware of that mark, and including whether the applicant has engaged in a pattern of conduct whereby it applied for or operates gTLDs or registrations in gTLDs which are identical or Similar to the marks of others.
- 5. Whether and to what extent the applicant has used, or has made demonstrable preparations to use, the sign corresponding to the gTLD in connection with a bona fide offering of goods or services or a bona fide provision of information in a way that does not interfere with the legitimate exercise by the objector of its mark rights.
- 6. Whether the applicant has marks or other intellectual property rights in the sign corresponding to the gTLD, and, if so, whether any acquisition of such a right in the sign, and use of the sign, has been bona fide, and whether the purported or likely use of the gTLD by the applicant is consistent with such acquisition or use.
- 7. Whether and to what extent the applicant has been commonly known by the sign corresponding to the gTLD, and if so, whether any purported or likely use of the gTLD by the applicant is consistent therewith and bona fide.
- 8. Whether the applicant's intended use of the gTLD would create a likelihood of confusion with the objector's mark as to the source, sponsorship, affiliation, or endorsement of the gTLD.



Whether the applicant's intended use of a common dictionary term that is also a trademark is intended to take advantage of such common meaning or targets a trademark.

In the case where a Legal Rights Objection has been filed by an IGO, the panel will consider the following non-exclusive factors:

- 1. Whether the relevant gTLD is identical or Similar, including in appearance, phonetic sound or meaning, to the name or acronym of the objecting IGO.
- 2. Historical coexistence of the IGO and the applicant's use of a similar name or acronym. Factors considered may include:
 - a. Level of global recognition of both entities.
 - b. Length of time the entities have been in existence.
 - c. Public historical evidence of their existence, which may include whether the objecting IGO has communicated its name or abbreviation under Article 6ter of the Paris Convention for the Protection of Industrial Property.
- 3. Whether and to what extent the applicant has used, or has made demonstrable preparations to use, the sign corresponding to the gTLD in connection with a bona fide offering of goods or services or a bona fide provision of information in a way that does not interfere with the legitimate exercise of the objecting IGO's name or acronym.
- 4. Whether and to what extent the applicant has been commonly known by the sign corresponding to the relevant gTLD and if so, whether any purported or likely use of the gTLD by the applicant is consistent therewith and bona fide.
- 5. Whether the applicant's intended use of the relevant gTLD would create a likelihood of confusion with the objecting IGO's name or acronym as to the source, sponsorship, affiliation, or endorsement of the gTLD.

3.5.10.3 Principles: Limited Public Interest

A panel hearing a Limited Public Interest Objection will consider whether the relevant gTLD string is contrary to general principles of international law for morality and public order.

Examples of instruments containing such general principles include:

- The Universal Declaration of Human Rights (UDHR)
- The International Covenant on Civil and Political Rights (ICCPR)
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)



- The International Convention on the Elimination of All Forms of Racial Discrimination
- Declaration on the Elimination of Violence against Women
- The International Covenant on Economic, Social, and Cultural Rights
- The Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment
- The International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families
- Slavery Convention
- Convention on the Prevention and Punishment of the Crime of Genocide
- Convention on the Rights of the Child

Note that these are included to serve as examples, rather than an exhaustive list. These instruments vary in their ratification status. Additionally, states may limit the scope of certain provisions through reservations and declarations indicating how they will interpret and apply certain provisions. National laws not based on principles of international law are not a valid ground for a Limited Public Interest Objection.

Under these principles, everyone has the right to freedom of expression, but the exercise of this right carries with it special duties and responsibilities. Accordingly, certain limited restrictions may apply.⁹⁸

The grounds upon which a gTLD string may be considered contrary to generally accepted legal norms relating to morality and public order that are recognized under principles of international law are:

- Incitement to or promotion of violent lawless action.
- Incitement to or promotion of discrimination based upon race, color, gender, ethnicity, religion or national origin, or other similar types of discrimination that violate generally accepted legal norms recognized under principles of international law.
- Incitement to or promotion of child pornography or other sexual abuse of children.
- A determination that a gTLD string would be contrary to specific principles of international law as reflected in relevant international instruments of law.

The panel will conduct its analysis on the basis of the gTLD string itself. The panel may, if needed, use as additional context the intended purpose of the gTLD as stated in the application.

3.5.10.4 Principles: Community

The four tests described here will enable a panel to determine whether there is substantial opposition to the applicant's proposed representation of the community



⁹⁸ See Applicant Freedom of Expression for more information.

from a significant portion of the community to which the string may be targeted. For an objection to be successful, the objector must prove that:

- The community invoked by the objector is a clearly delineated community.
- Community opposition to the application is substantial.
- There is a strong association between the community invoked and the relevant gTLD string.
- The application creates a likelihood of material detriment to the rights or legitimate interests of a significant portion of the community to which the string may be explicitly or implicitly targeted.

Each of these tests is described in further detail below. The objector must meet all four tests in the standard for the objection to prevail.

3.5.10.4.1 Community

The objector must prove that the community expressing opposition to the applicant's proposed representation of the community can be regarded as a clearly delineated community. A panel could balance a number of factors to determine this, including but not limited to:

- The level of public recognition of the group as a community at a local and/or global level.
- The level of formal boundaries around the community and what persons or entities are considered to form the community.
- The length of time the community has been in existence.
- The global distribution of the community (this may not apply if the community is territorial).
- The number of people or entities that make up the community.

If opposition to the applicant's proposed representation of the community by a number of people or entities is found, but the group represented by the objector is not determined to be a clearly delineated community, the objection will fail.

3.5.10.4.2 Substantial Opposition

The objector must prove substantial opposition to the applicant's proposed representation of the community within the community it has identified itself as representing. A panel could balance a number of factors to determine whether there is substantial opposition, including but not limited to:

- Number of expressions of opposition relative to the composition of the community.
- The representative nature of entities expressing opposition.
- Level of recognized stature or weight among sources of opposition.



- Distribution or diversity among sources of expressions of opposition, including:
 - Regional
 - Subsectors of community
 - Leadership of community
 - Membership of community
- Historical defense of the community in other contexts.
- Costs incurred by objector in expressing opposition, including other channels the objector may have used to convey opposition.

If some opposition within the community is determined, but it does not meet the standard of substantial opposition, the objection will fail.

3.5.10.4.3 Targeting

The objector must prove a strong association between the relevant gTLD string and the community represented by the objector. Factors that could be balanced by a panel to determine this include but are not limited to:

- Statements contained in application.
- Other public statements by the applicant.
- Associations by the public.

If opposition to the applicant's proposed representation of the community by a community is determined, but there is no strong association between the community and the relevant gTLD string, the objection will fail.

3.5.10.4.4 Detriment

The objector must prove that the string creates a likelihood of material detriment to the rights or legitimate interests of a significant portion of the community to which the string may be explicitly or implicitly targeted. An allegation of material detriment based solely on the applicant's operation of the relevant gTLD string will not be considered substantive grounds for objection.

Factors that could be used by a panel in making this determination include but are not limited to:

- Nature and extent of damage to the reputation of the community represented by the objector that would result from the applicant's operation of the relevant gTLD string.
- Evidence that the applicant is not acting or does not intend to act in accordance
 with the interests of the community or of users more widely, including evidence
 that the applicant has not proposed or does not intend to institute effective
 security protection for user interests.



- Interference with the core activities of the community that would result from the applicant's operation of the relevant gTLD string.
- Dependence of the community represented by the objector on the DNS for its core activities.
- Nature and extent of concrete or economic damage to the community represented by the objector that would result from the applicant's operation of the relevant gTLD string.
- Level of certainty that alleged detrimental outcomes would occur.

If opposition by a community is determined, but there is no likelihood of material detriment to the targeted community resulting from the applicant's operation of the relevant gTLD, the objection will fail.



Module 4: Contention Set Resolution

String contention occurs when one or more applied-for strings are identical, Similar,⁹⁹ or variant to another string applied for by a different applicant. These competing strings form a contention set, which can be identified at various stages of the application process.

This module describes string contention, how and when it occurs, and the methods available to avoid or resolve it.

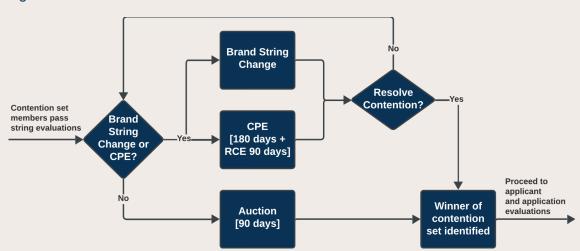


Figure 4-1: Contention Set Resolution Process

Contention sets composed of identical applied-for primary strings and/or their variant strings will be identified and published by ICANN on String Confirmation Day. These contention sets may be further identified or modified depending on the outcome of the applicable processes and evaluations described in <u>Contention Set Formation</u>.

An application that has successfully completed all previous stages and is no longer part of a contention set due to changes in the composition of the contention set may proceed to the next stage of the evaluation process.

A contention set is finalized once changes are no longer possible to its composition, other than when an applicant withdraws their application. The contention set will then proceed to string contention resolution procedures, as described below.

⁹⁹ "Similar" means visually confusing strings, or "strings so visually similar that they create a probability of user confusion if more than one of the strings is delegated into the root zone. See String Similarity for more information.



4.1 Replacement Strings

To potentially reduce the instances of string contention, applicants are encouraged to designate a replacement string alongside their original choice of string. Applicants may only designate one replacement string per application. Using a replacement string is not considered a string change. String changes, which would occur after String Confirmation Day, are only available to Brand TLD applicants, subject to the details in Brand String Change Request below.

Designating a replacement string may provide applicants with the option to avoid contention before the list of applied-for strings is finalized (see Replacement Period). An applicant can avoid contention in such cases by replacing its original applied-for string with its designated replacement string, subject to the conditions and criteria detailed in this section.

Applicants choosing to replace an applied-for string does not preclude the replacement string from being placed in contention at a later stage of the application process as a result of Singular/Plural Notification, String Similarity Evaluation, or String Confusion Objection. For example, if an applicant applies for .SNEEZE and elects to use its replacement string .AHCHOO, the applicant could later find itself in contention following a String Similarity Evaluation if another applied-for string, .ACHOO, is deemed Similar. In such a case the applicant could not switch back to .SNEEZE and must remain in contention with .AHCHOO.

Following the publication of the list of new gTLD applications on Reveal Day (see Reveal Day), an applicant will be given 14 days — referred to as the "Replacement Period" — to review the published application information and notify ICANN if it elects to replace its original string with its replacement string in the application system, subject to certain conditions defined below.

Applications in which the original string is replaced will then proceed through the remaining gTLD application process stages using the replacement string, which becomes the applicant's applied-for string. An applicant that opts for its replacement string will be unable to revert to its original string. An applicant that does not indicate its intention to use its replacement string during the Replacement Period forfeits this option and will proceed with its original applied-for string.

Applicants should be aware of the following:

Due to the risk of creating new or adding to existing instances of contention, an
applicant will not be allowed to use its replacement string if it is identical to the
original applied-for string or replacement string of another applicant. This
means that if an applicant's replacement string matches that of one or more
other applicants, it will not be able to opt for its replacement string under any
circumstance, even if those other applicants decide not to use them.



 Additionally, if an applicant designates a replacement string that is identical to another applicant's applied-for string, the applicant will also be unable to use it, regardless of whether the other applicant decides to switch to its replacement string.

4.1.2 Replacement String Eligibility

Any applicant, regardless of its applied-for gTLD type (see <u>Application and String Types</u>), can designate a replacement string as part of its application.¹⁰⁰

While designating a replacement string is not compulsory, an applicant will be unable to retroactively designate a replacement string after submitting the application.

Applicants should also be aware that once an applied-for string is replaced, it cannot be reinstated, even if it would otherwise remain undelegated in that application round. Applicants should therefore be willing to operate a gTLD on the basis of the string that is finalized by ICANN at the end of the Replacement Period, whether it is their original or replacement string.

4.1.3 Designating a Replacement String

Applicants will have the option to designate a replacement string, including applicable variant strings, when completing an application in the application system. The eligibility rules for replacement strings are the same as those that apply to all applied-for gTLDs.

An applicant may have to supply additional information for its designated replacement string when completing the application, including answers to any string-specific application questions. This ensures alignment with its chosen replacement string and business model.

4.1.4 Additional Considerations for Designating a Replacement String

An applicant should be mindful when designating its replacement string, as the applicant will be prohibited from using a replacement string that is identical to another designated replacement string or an original applied-for string. The purpose of designating a replacement string is to provide applicants with the opportunity to avoid contention and the associated resolution procedures; therefore, it should be chosen with this goal in mind.

Specifically, an applied-for string may enter contention if ICANN confirms, following a notification, that two strings are the singular or plural forms of the same word in the

The replacement string process is different from the String Change Request process available to eligible Brand applicants. Brand applicants are also free to designate a replacement string as part of their applications. A Brand String Change Request is a separate outcome occurring later in the application process, detailed in Brand String Change Request.



same language and are used in another application within the same application round (see <u>Singular/Plural Notifications</u>). To minimize this risk, applicants should choose a replacement string that is not simply the plural or singular version of the original applied-for string.

For example, if an applicant's original applied-for string is .EXAMPLE, designating .EXAMPLES as a replacement string may entail a high risk of it being identified as a plural and placed in contention.

Failure to give careful consideration to the choice of replacement string may increase the risk of a string ending up in contention at a later stage of the application process.

4.1.5 Replacement Period

After the application submission window has closed, ICANN will perform an administrative check on all submitted applications. After this process has been completed, ICANN will publish non-confidential details of all applications for new gTLD strings on Reveal Day (see Reveal Day), including but not limited to:

- The list of applied-for strings
- The identity of the applicants
- The list of designated replacement strings

An applicant that designated a replacement string that is not identical to another applied-for or replacement string will then have 14 days — known as the Replacement Period — to review the published application information and notify ICANN if it elects to replace the original applied-for string with its replacement string. An applicant can do this by accessing its application on the application system and selecting the appropriate option. If an applicant does not take this action, its replacement string will not be utilized. The applicant will then continue through the remaining stages of the application process based on the original applied-for string.

If all applicants for a given string opt for their respective replacement strings, there may be no remaining active application for the original applied-for string.

For example, if Applicants A and B both apply for .EXAMPLE and decide to use their replacement strings to avoid contention, and no other applicant has applied for .EXAMPLE, it will remain undelegated in this application round.

The Replacement Period is subject to the general prohibition on private resolution and applicant collusion discussed in <u>Prohibition of the Private Resolution of String Contention by Applicants</u>. Applicants may not discuss their decisions regarding their replacement strings with each other, or propose or entertain proposals for any sort of compensation to any applicant or related party in exchange for opting or not opting to switch to a replacement string.



4.1.6 String Confirmation Day

Once the Replacement Period has ended, ICANN will publish the finalized list of applied-for strings on String Confirmation Day (subject to any accepted <u>Brand String Change Requests</u>). As no further string replacement is possible, any remaining instances of contention may be resolved using one or more of the alternative procedures described in the <u>String Contention Resolution</u> section.

4.2 String Contention and Contention Resolution Procedures

String contention occurs when one or more applied-for strings are:

- Identical to another applied-for string
- A variant of another applied-for string
- Notified as a singular or plural form in the same language
- Considered to be Similar to another applied-for string

Applied for by different applicants, these strings are known as contending strings. A group of contending strings forms a contention set.

Contention may be identified during various stages of the application process from Reveal Day through the conclusion of the string evaluation and potential subsequent challenges, objections, appeals, and Singular/Plural Notifications processes.

4.2.1 Contention Types

4.2.1.1 Direct Contention

Two strings are in direct contention if they are identical to, a variant of, or Similar to one another.

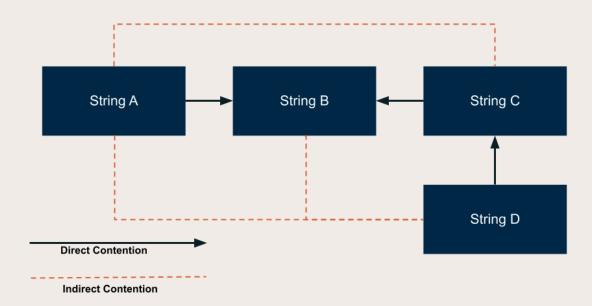
A direct contention situation can involve more than two applicants. For example, if four different applicants applied for the same gTLD string, they would all be in direct contention with one another, meaning only one can proceed to the application and applicant evaluation phase and potential contracting.

4.2.1.2 Indirect Contention

Two strings are in indirect contention if they are both in direct contention with at least one other string, but not with each other. It is also possible for multiple contention sets to overlap and be in contention with one another indirectly.



Figure 4-2: Direct and Indirect Contention Set Overview



In <u>Figure 4-2</u>, Strings A and B are an example of direct contention and Strings B and C are an example of direct contention. Strings C and A are an example of indirect contention. Strings C and A both contend with String B, but not with one another. In the same figure, while Strings B and C are in indirect contention, String C is also in contention with String D. Strings A and D are therefore also indirectly in contention.

In some cases, an applicant that is indirectly in contention and that is not the outright winner of a contention resolution process may still continue to the Application and Applicant Evaluation phase. This means that more than one application in the contention set could potentially proceed towards contracting:

For example, in a case where:

- String A is in contention with String B
- String B is in contention with String C
- String C is in contention with String D
- String C is not in direct contention with String A
- String D is not in direct contention with String B or String A

Then, if String B wins the contention resolution process, Strings A and C are eliminated but String D can proceed, as String D is not in direct contention with the winner and both strings can coexist in the DNS without risk of user confusion.



Indirect Contention

Winner

String B

String D

Can Proceed

Figure 4-3: Example of Indirect Contention Set Resolution

4.2.2 String Contention Resolution

Determining which applications in a contention set will proceed to the Application and Applicant Evaluation phase and potential contracting for the contested string is known as string contention resolution.

Contention sets can be formed, changed, and resolved during the application process as a result of the processes described in <u>Contention Set Formation</u>. For qualifying Brand TLD applicants only, the option to submit a Brand String Change to avoid contention (and therefore avoid resolution procedures) is also available. Please see the <u>Brand String Change Request</u> section for more information.

Once contention sets are finalized, ICANN will administer two methods of contention resolution:

- Community Priority Evaluation (CPE)¹⁰¹
- An ICANN New gTLD Auction

Applicants prevailing in a string contention resolution procedure, after completing applicable Application and Applicant Evaluations (see <u>Applicant Evaluation</u> and <u>Application Evaluation</u>), will proceed toward contracting of the applied-for gTLD. Alternative procedures apply to strings designated as high risk for Name Collision (see <u>Name Collision</u>). The time required for string contention resolution will vary because some contention sets may be resolved by more than one process. For example, in the



¹⁰¹ Available to eligible community applicants that elect to participate.

case of two applicants for the same string prevailing in CPE, an auction between these applicants may be necessary to resolve contention.

4.2.3 Prohibition of the Private Resolution of String Contention by Applicants

The New gTLD Program processes leading up to and including, where applicable, a New gTLD Auction (including any Community Priority Evaluation that may occur prior to, and which could eliminate the need for, a New gTLD Auction) provide the only permissible path to contention resolution. Any other resolution methods, such as private auctions or joint ventures, are strictly prohibited. The contention resolution processes and restrictions are intended to ensure that prospective applicants have a bona fide (good faith) intent to operate an applied-for gTLD and support the Program's goals of fostering diversity, encouraging competition, and enhancing the utility of the DNS.

4.2.3.1 Prohibited Communications and Activities

To prevent applicants from using methods not permitted in the Applicant Guidebook to resolve contention, the New gTLD Program includes rules prohibiting certain communications and activities as outlined in this section.

The New gTLD Program includes various points in time when contention sets are identified and updated as new information is available, namely: Reveal Day, String Confirmation Day, publication of Singular/Plural Notification results, publication of String Similarity Evaluation results, and resolution of Objection proceedings.

Applicants for strings in the same contention set — including their agents and affiliates — are strictly prohibited from communicating, either directly or indirectly, with other applicants in that same contention set. This prohibition applies to communications regarding their respective applications or any strategies related to the in-contention string.

Applicants, along with their agents and affiliates, are prohibited from directly or indirectly sharing any information about their applications or strategies for contested strings with other applicants.

Communications are prohibited from Reveal Day until the earlier of (1) the date a prevailing applicant signs a Base Registry Agreement (Base RA) for a specific contending gTLD string, or (2) the applicant withdraws the relevant application. The prohibition on "communicating directly or indirectly" includes public disclosures as well as private communications.



Examples of prohibited communications and conduct by applicants include, but are not limited to:

- 1. Discussing, offering, or accepting of money or other things of value for withdrawing an application.
- 2. Discussing or negotiating settlement agreements or post-auction transfer arrangements in any manner with another applicant in contention for the same string with respect to any contending strings.

The Applicant Guidebook restricts methods for resolving contention. However, applicants may communicate in specific cases, with a critical requirement: they must take all commercially reasonable steps to prevent third parties from becoming intermediaries that could disclose information about their application or application portfolio to other applicants. These specific cases are as follows:

- Communications to third-party professional advisors, including counsel, consultants, financial advisors, or lenders.
- Communications during the course of obtaining consent or non-objection from a
 governmental authority for an application of a geographic name as required by
 the <u>Geographic Names</u> section.
- Communications during the course of engaging with a governmental authority as a result of an application receiving a GAC Member Early Warning or GAC Advice.

ICANN recognizes that applicants may also be existing participants in the DNS ecosystem, such as existing gTLD registries, back-end registry service providers, or registrars.

Applicants may enter into various business arrangements with one another or affiliated entities that are not directly related to contending strings in the New gTLD Program. These arrangements can include, but are not limited to, registry-registrar agreements, registry service provider agreements, as well as data escrow agreements.

Routine business communications do not violate the rule prohibiting private resolution of contention sets if they do not convey information related to applications or application strategies. These communication rules are designed to minimally disrupt routine business practices in the DNS ecosystem.

4.2.3.2 Exceptions

The New gTLD Program does not prohibit applicants from communicating directly or indirectly any information related to applications or application strategies:

- For strings that are not in contention.
- That occur outside of the defined periods where communication is prohibited.



The New gTLD Program specifically permits applicants for strings in contention to communicate with one another during established periods as part of settlement discussions to resolve an Objection, provided that no settlement shall discuss or include as part of its terms exchange of money or other things of value, including any post-auction transfer arrangements for strings that were formerly in contention.

In the event that an applicant believes that a particular disclosure required by law or regulation will result in a violation of these rules, applicants are encouraged to consult with ICANN before making the disclosure.

4.2.3.3 Violation of the Rules Prohibiting Private Resolution of Contention Strings

Prior to signing a Base RA or withdrawing an application, all applicants must certify compliance with the Guidebook, including these rules prohibiting private resolution of contention. An applicant is required to disclose to ICANN any violation on its part of these rules, and such disclosure must be promptly made after the applicant becomes aware of the violation. Also, applicants will be required to cooperate with any ICANN inquiry or investigation concerning a possible breach of these rules.

ICANN expressly reserves the right to take appropriate action against applicants for violation of the rules prohibiting private resolution of contention strings. Actions taken by ICANN in response to an applicant's violation of these rules could include:

- Disqualification from current and future New gTLD Program rounds
- Forfeiture of all evaluation and conditional evaluation fees
- Denial of refunds identified in the Guidebook
- Financial penalties for interfering with auction outcomes
- Legal action

ICANN may also report violations to the relevant authorities and address false claims of rule breaches.

4.2.4 Contention Set Formation

Contention sets can be formed under certain conditions during the application process including, but not limited to:

- Applications for identical gTLD strings
- The outcome of the String Similarity Evaluation
- A successful Singular/Plural Notification
- A successful String Confusion Objection

An application can only be deemed not to be in contention once the string evaluation, dispute resolution, and appeal processes have concluded, and the outcomes of any Brand String Change Requests are known, as described in the <u>Brand String Change</u>



<u>Request</u> section. This is because any application that is altered or unable to proceed as a result of these processes might modify a contention set identified earlier.

4.2.4.1 Contention as a Result of Applications for Identical gTLD Strings

On <u>Reveal Day</u>, all applications for identical strings will be in contention with each other, forming a preliminary contention set. Final contention sets will be published after the <u>String Similarity Evaluation</u> has been completed. Applicants should check the <u>[website]</u> for preliminary contention sets. Certain communications and activities will be prohibited starting on Reveal Day; for more information, refer to <u>Prohibited</u> Communications and Activities.

For example, if Applicant A and Applicant B both apply for .NEWGTLDSTRING, their strings would be contending strings, with only one application allowed to proceed to the Application and Applicant Evaluation phase and potential contracting.

Additionally, two or more applications with applied-for strings or designated variant strings identified by ICANN as variant strings of one another, as defined in Contention Set Resolution, would also be considered in direct contention and placed in a contention set. For instance, if one applicant applies for String A and another applies for String B, and Strings A and B are variant TLD strings of one another — such as an IDN gTLD in simplified Han Chinese script and its variant IDN gTLD in traditional Han Chinese script, as specified in the Root Zone Label Generation Rules — then the two applications will be in contention.

4.2.4.2 Contention as an Outcome of the String Similarity Evaluation

The String Similarity Evaluation Panel will review the entire set of applied-for strings and their applied-for variant strings to determine whether the strings proposed in any two or more applications are so visually similar that they would create a probability of user confusion if allowed to coexist in the DNS. The panel will make such a determination for each pair of applied-for gTLD strings. One of the outcomes of the String Similarity Evaluation will be to place applications into a contention set once the panel has identified contention relationships, based on the confusability of the applied-for strings. Please see String Similarity for more information.

4.2.4.3 Contention Due to Singular/Plural Notification

If ICANN confirms, following a notification, that an applied-for gTLD string represents a word that is either the singular or plural version of another applied-for gTLD string in the same language, both strings will be put in contention to prevent end-user confusion. Please see <u>Singular/Plural Notification</u> for more information.



4.2.4.4 Contention Arising From a Successful String Confusion Objection

If an applicant files a String Confusion Objection against another application and the panel finds in favor of the objector, determining that user confusion is probable, both applications will be placed in direct contention and referred to a contention resolution procedure.

In contrast, if a String Confusion Objection by one gTLD applicant against another is unsuccessful, both applicants may move forward in the process without being considered in direct contention. This means that both may potentially have their applied-for strings delegated. The non-prevailing party may appeal the decision of the panel. Refer to Appeals for more information.

4.3 Brand String Change Requests

If an application for a Brand TLD is found in contention, the applicant will have the option to change the applied-for string to try to avoid further contention by submitting a Brand String Change Request, subject to the requirements set out in this section.

4.3.1 Submitting a Brand String Change Request

A Brand String Change Request can only be submitted by an applicant for a Brand TLD that is in contention with another applied-for string. If ICANN has not done so already, it will evaluate an application's eligibility for Brand designation upon receiving a Brand String Change Request. ICANN will not consider a Brand String Change Request before the associated application has been successfully evaluated as qualifying for Brand designation based on the applied-for string. A Brand String Change Request for an application that is found ineligible for the Brand TLD designation will be rejected. See Brand TLD Eligibility Evaluation.

A Brand String Change can only be submitted up to 30 days following:

- The formation of contention sets after String Similarity Evaluation; or
- The publication of a String Confusion Objection Expert Determination; or
- Appellate Expert Determination involving the application subject to the Brand String Change Request.

¹⁰³ The string change process for Brand applicants is distinct from the replacement string process, which occurs earlier in the application process, prior to String Confirmation Day. Brand applicants that choose to utilize their <u>replacement strings</u> will be evaluated for Specification 13 eligibility on that basis.



¹⁰² Brand TLD applicants that do not submit a Brand String Change Request may also have their applications evaluated for Specification 13 designation at a later stage, depending on the outcome of the application process.

If an applicant does not submit a Brand String Change Request within the applicable 30-day period, the relevant application will proceed on the basis of the original applied-for Brand string.

4.3.2 Brand String Change Requests Requirements

A Brand String Change Request must satisfy the following requirements to be accepted by ICANN:

- The proposed change must add one or more words to the applied-for string, subject to the following conditions:
 - The additional word or words must be added to the original string.
 - The additional word or words must appear in the description of goods and services of the applicant's Trademark Registration or equivalent document in the applicant's jurisdiction, submitted by the applicant in support of its application for a Brand TLD.¹⁰⁴ Another Trademark Registration or equivalent document in the applicant's possession may also be submitted in support of the Brand String Change Request, if accompanied by legal confirmation that the submitted trademark is owned by the entity with the application and respective brand. ICANN reserves the right to verify any additional documentation submitted for this purpose. Additionally, should Brand TLD Eligibility Evaluation or re-evaluation¹⁰⁵ be required, any associated costs¹⁰⁶ will be borne by the applicant.
 - No translations of words contained in the Trademark Registration will be accepted.
- The new string with the added word or words must not create or expand a contention set.

4.3.3 Brand String Change Requests and Input from the Community

If a Brand String Change Request meets the criteria in the <u>Brand String Change</u> <u>Request</u> section above, then the new Brand TLD will be subject to String Evaluation, as described in <u>String and Application Evaluation Procedures</u>. If the new Brand TLD does not pass String Evaluation, the applicant must revert to its original applied-for Brand TLD and proceed to string contention, as described in the <u>Replacement Strings</u> section.

¹⁰⁶ See Conditional Evaluations for information on fees associated with conditional evaluations.



¹⁰⁴ In recognition of potential differences in documentation, terminology or language when evidencing Trademark Registration between countries and jurisdictions, ICANN will accept legal documentation equivalent to a Trademark Registration where this cannot be supplied.

¹⁰⁵ See <u>Application Change Requests</u> for information on required re-evaluations.

For any new Brand TLDs that successfully pass string evaluation, the application will be subject to an additional 30-day <u>objections</u>, <u>application comments</u>, and <u>Singular/Plural Notifications</u> window. If the proposed Brand string change satisfies the <u>Brand String Change Requests Requirements</u> and successfully passes all subsequent string evaluations, does not receive any comments of major concern, ¹⁰⁷ does not receive any successful objections, and is not subject to a verified Singular/Plural Notification, the Brand String Change Request will be accepted. ICANN will then update the application in TAMS to the new Brand TLD and inform the applicant.

4.3.4 Impact on Brand TLD Variants

Variants of applied-for Brand TLDs must satisfy the same eligibility requirements as the primary applied-for Brand TLD. Any variant strings originally selected by Brand applicants as part of their application will no longer be available if the Brand String Change Request meets the criteria. When submitting a Brand String Change Request, an applicant wishing to apply for variant strings must choose from a new set of allocatable variant strings based on its new Brand TLD string.

4.4 Community Priority Evaluation

Community Priority Evaluation (CPE) is a method to resolve string contention. It will only occur if a community application is in contention and the community applicant elects to pursue CPE. The evaluation is an analysis conducted by independent experts. Applicants that successfully complete CPE will automatically prevail in contention, unless more than one applicant in a contention set passes the evaluation. In such cases, the successful CPE applicants will proceed to an ICANN New gTLD Auction.

In the 2007 GNSO Final Report on the Introduction of New Generic Top-Level Domains, Implementation Guidance F states that "[i]f there is contention for strings, applicants may: i) resolve contention between them within a pre-established timeframe[;] ii) if there is no mutual agreement, a claim to support a community by one party will be a reason to award priority to that application." In the Final Report on the new gTLD Subsequent Procedures Policy Development Process ("SubPro PDP Final Report"), the SubPro PDP Working Group affirmed "the continued prioritization of applications in contention sets that have passed Community Priority Evaluation (CPE)."

CPE is an independent analysis conducted by a third-party expert panel. The panel's role is to determine whether a community-based application fulfills the CPE criteria and should receive priority in the contention set. The scoring process looks at a set of criteria related to community establishment, the nexus between the community and



¹⁰⁷ Please see <u>Application Comments</u> for more information on how ICANN will treat application comments

¹⁰⁸ See https://qnso.icann.org/en/issues/new-qtlds/pdp-dec05-fr-parta-08aug07.htm.

¹⁰⁹ See Affirmation with Modification 34.1.

applied-for string, registration policies, and community support. It is designed to identify qualified community-based applications while preventing false positives — awarding priority to unqualified applications for a coveted generic string — and false negatives — overlooking qualified community applications.

ICANN notes that the term "community" has evolved considerably from its Latin origin ("communitas" meaning "fellowship"), now emphasizing cohesion over mere commonality of interest. Although the SubPro PDP Final Report does not define "community" for purposes of CPE, it does note, in the context of community objections, that "a community should be interpreted broadly and will include, for example, an economic sector, a cultural community, or a linguistic community."¹¹⁰

4.4.1 Eligibility for Community Priority Evaluation

As described in subsection <u>Application and String Types</u>, an applicant will have the opportunity to designate its application as community-based¹¹¹ at its sole discretion. An applicant designating its application as community-based¹¹² is required to respond to a set of questions in the application form to provide relevant information about the community (see <u>Application Questions</u>). The information provided by the applicant in response to the application questions will be used in CPE (and evaluated against the <u>CPE Criteria</u>).

In general, an applicant for a community-based gTLD is expected to:

- Demonstrate a relationship with an organized community, as well as show how
 that identified community engages with its members; awareness of the
 identified community between members; the established presence and external
 awareness of the identified community, and show that the identified community
 has longevity.
- Have applied for a gTLD string strongly and specifically related to the identified community.
- Have proposed dedicated registration policies for registrants in its proposed gTLD, commensurate with the purpose of the identified community.

¹¹⁰ See Affirmation 31.1: "Subject to the recommendations/implementation guidance below, the Working Group affirms the following recommendations and implementation guidance from 2007[...]Recommendation 20: 'An application will be rejected if it is determined, based on public comments or otherwise, that there is substantial opposition to it from among significant established institutions of the economic sector, or cultural or language community, to which it is targeted or which it is intended to support.' [...] 'c) community – community should be interpreted broadly and will include, for example, an economic sector, a cultural community, or a linguistic community. It may be a closely related community which believes it is impacted."

¹¹¹ Note that an application may have more than one type, for example, an application could be both a geographic name and community-based. See <u>Application and String Types</u>.

¹¹² Applicants for community-based strings are also required to submit written endorsements of the applied-for string from the community. If an applicant for a community-based string is also seeking one or more variant strings, the endorsements must also apply to the variant strings.



 Have its application endorsed in writing by one or more established institutions representing the identified community.

CPE will only occur if a community-based application is in contention and the applicant opts to participate. 113 Applicants will be given the opportunity to opt into CPE once the following conditions are met:

- Contention sets have been finalized.
- All applications in the contention set are eligible to proceed to contention resolution.
- The applicant does not have any pending <u>Application Change Requests</u> that may affect the evaluation of the applicant or application.

4.4.2 Conditional Fees for Community Priority Evaluation

Once the above criteria are met, any applicant with a community-based application within a contention set will be notified of the opportunity to participate in CPE and will be requested to submit the required fees within 30 days of notification transmission (see Fees and Payments for more information regarding fees). If the fees are not received within 30 days, the applicant will forfeit the opportunity to participate in CPE and will proceed to contention set resolution (see String Contention and Contention Resolution).

Applications will be given priority numbers, which will be used to determine the general order of the release of evaluation results (as described in Order of Application Processing and Prioritization Draw). However, processing for CPE will largely be dictated by when an application and contention set become eligible, as noted above. Timing for CPE is also dependent upon Registry Commitment Evaluation, see Community Registration Policies and Registry Commitment Evaluation for more information.

4.4.3 Required Documentation

While only community-based applications in contention are eligible for CPE, a community applicant must submit required information about its community, including Community Registration Policies, with its application (see <u>Application Questions</u>).

Additionally, as part of its application, an applicant must submit written endorsements from the majority¹¹⁴ of the community as identified. During the application comment period, additional organizations may express their support or opposition (see



¹¹³ Note that CPE is one contention resolution method. However, to potentially reduce the instances of string contention, an applicant is encouraged to designate a replacement string alongside the original choice of string. See <u>Replacement Strings</u>.

¹¹⁴ See Community Endorsement for more information regarding "majority" and "minority."

<u>Application Comments</u> for more information). While applicants are encouraged to submit as much supporting documentation as possible with their applications, the panel may also consider additional endorsements or comments of opposition received during the comment period.

4.4.4 Community Registration Policies and Registry Commitment Evaluation

During application submission, applicants submitting community-based gTLD applications must propose and obtain ICANN's approval of, at a minimum, Community Registration Policies concerning registrant eligibility and naming selection for inclusion in Specification 12 of the applicable RAs.¹¹⁵ ICANN must approve a Community Registration Policy before a community-based gTLD application can participate in CPE.

Community-based gTLD registry operators may implement any additional Community Registration Policies outside of the RA, so long as the policies do not conflict with ICANN agreements and policies.¹¹⁶

Applicants should be aware that, absent extraordinary circumstances, the <u>Registry</u> <u>Commitments Evaluation (RCE)</u> is estimated to take 60 to 90 days, and occurs before CPE begins.

The CPE Panel will evaluate the approved Community Registration Policies for consistency with the community-based objective of the application (see <u>Criterion 3</u>). This differs from the RCE, which verifies that applicant-proposed policies for inclusion in the applicable RA are enforceable and are compatible with the ICANN Bylaws.

4.4.5 Community Priority Evaluation Outcomes

CPE will be performed by a third-party expert panel appointed by ICANN. The panel's role is to determine whether a community-based application fulfills the CPE criteria and receives priority over other applications in the contention set. In making its determination, the panel will review the applicant's responses to the <u>application</u> <u>questions</u> to ensure all elements of the application are supported by evidence.

¹¹⁵ If an applicant for a community-based gTLD desires for a Community Registration Policy to be scored in the CPE, it must propose such a policy for inclusion in Specification 12 of the applicable Base RA when submitting an application for a community-based gTLD.
¹¹⁶ If a Community-based TLD applicant believes additional Community Registration Policies that the applicant plans to implement but does not propose to include in the applicable RA may be of interest to the public or relevant to the application, the applicant may include these as a response to Question Set 11 in the application for the public to review and comment. The applicant's responses to this question will be for informational purposes only, and will not be evaluated (for example, it will not be considered in any applicable scoring during CPE) or binding on the applicant via the RA. Accordingly, applicants should carefully consider whether and what additional information they wish to disclose in response to Question Set 11. For example, it could be used by a third party to support an objection, but may also help address third-party concerns and avoid a potential objection.



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The panel may conduct limited independent research deemed necessary to evaluate the application according to the criteria. The panel is expected to focus its limited research on the fact-checking required to verify information provided by the applicant. Additionally, as part of this research, the panel may consult with relevant community-related experts to gain insight into highly specialized or localized communities.¹¹⁷

If the panel conducts independent research or consults with community experts, it must disclose the results to the applicant and include a citation or link to the relevant research. The applicant will have 30 days to respond before the evaluation decision is rendered. When conducting any such research, panelists are cautioned not to assume an advocacy role either for or against the applicant or application.

Additionally, panelists may issue Clarifying Questions and/or engage in written dialogue with applicants with applications undergoing CPE, as well as those that have submitted letters of opposition to community-based applications, in order to address potential issues (see CPE Clarifying Questions for more information).

If a single community-based application in a contention set is found to meet the <u>CPE</u> <u>criteria</u>, that application will prevail and may proceed to the next step in the application process, subject to meeting all other Program requirements. Other applications in the contention set will be ineligible to proceed at that time.¹¹⁸

If more than one community-based application in a contention set is found to meet the criteria, these applications will proceed to an ICANN auction, while other applications in the contention set will be ineligible to proceed. If none of the community-based applications (as there could be more than one) in a contention set meet the CPE criteria, then all of the applications in the contention set will proceed to an ICANN auction. See String Contention and Contention Resolution for more information.

ICANN anticipates that the CPE process will take approximately 180 days from the time that an applicant elects CPE until the publication of results.

¹¹⁹ An applicant self-identifies its application as community-based; CPE does not determine community-based status. Additionally, as noted in the <u>Application Change Requests</u> section, a community applicant is not able to change its community status (that is, from a community-based application to a "general" application); it must remain a community application even if it does not pass CPE, and the community registration policies must be included in the applicable Base RA if the application proceeds to delegation.



¹¹⁷ For example, the panel may consult with such experts to understand what "longevity" means in the context of different types of communities. See the <u>Community Priority Evaluation Criteria</u> for more information.

¹¹⁸ See <u>Application Statuses</u> for more information regarding procedures for applications in different statuses.

4.4.5.1 CPE Clarifying Questions

The panel may issue CPE Clarifying Questions¹²⁰ to applicants for applications participating in CPE. Clarifying Questions may also be directed to a person or entity that submitted a letter of opposition to a CPE applicant. The applicant, or those who submitted a letter of opposition, will have 21 days to respond from the day after receiving a clarifying question.

4.4.5.2 Challenging CPE

If the panel determines that the application has not met the CPE criteria and the applicant believes there is a factual or procedural error, the applicant may initiate an Evaluation Challenge proceeding within 21 days from the date of transmission of the evaluation determination (see Evaluation Challenges). The same CPE provider will review the challenge, using a different set of panelists to form a Challenge Panel, when practicable. If the Challenge Panel finds a factual, procedural, or system error, the application will be reevaluated with those findings in mind. If no error is found, the application will continue to the next stage in the process of contention resolution. There are no conditional fees associated with an Evaluation Challenge proceeding.

4.4.6 Community Priority Evaluation Scoring

The CPE Panel will review and score the community-based application against the four criteria listed in <u>CPE Criteria</u>. An application must achieve a score of at least 75% (12 out of 16 points) to prevail in CPE.

The scoring process is designed to identify qualified community-based applications, while preventing both "false positives" (awarding undue priority to an application that refers to a "community" construed merely to get a highly desired generic word as a gTLD string) and "false negatives" (not awarding priority to a qualified community application). This calls for a holistic approach, taking multiple criteria into account, as reflected in the process. The panel scores applications based on information provided in the application, plus other relevant information available, such as: public information regarding the community represented, responses to CPE Clarifying Questions, application comments, letters of support or opposition, or any limited research conducted by the panel.

A qualified community application receives priority over all directly competing applications, allowing it to advance while others cannot. This underscores the strict qualification criteria described below. A panel's failure to award community priority does not imply the community is inadequate or invalid; it simply indicates the application does not qualify to supersede all other contenders.

¹²⁰ CPE Clarifying Questions should not be confused with any other clarifying questions that might be issued to applicants during applicant or application evaluations.



4.4.7 Community Priority Evaluation Criteria

CPE is based upon the panel's evaluation of the application against four main criteria:

- <u>Criterion 1</u>: Community Establishment (6 points)
- Criterion 2: Nexus between Proposed String and Community (4 points)
- Criterion 3: Registration Policies (2 points)
- Criterion 4: Community Endorsement (4 points)

4.4.7.1 Criterion 1: Community Establishment

Criterion 1 is used to evaluate the community as explicitly identified in the application. The panel will address the following key questions to assess this criterion:

- A. Organization (2 points): Is the applicant the organizing body for the community? If not, is the applicant able to demonstrate that the community is organized, with an organizing body(ies) relevant to the community or to each member category of the community?
- B. <u>Engagement</u> (1 point): Is the applicant able to demonstrate that there is active engagement with community members?
- C. <u>Awareness</u> (1 point): Is the applicant able to demonstrate awareness among and between community members of the identified community?
- D. <u>Established Presence</u> (1 point): Is the applicant able to demonstrate a global external awareness of the community as well as an established presence of the community prior to the opening of the application submission period?
- E. <u>Longevity</u> (1 point): Is the applicant able to demonstrate the longevity of the community's pursuits, showing that they are enduring and sustainable rather than temporary?

An application can receive up to six points, with a maximum of two points awarded for the organization sub-criterion, and a maximum of one point for the engagement, awareness, established presence, and longevity sub-criteria. See scoring guides below:



4.4.7.1.1 Organization

Table 4-1: Criterion 1 - Organization

2 - Applicant is the organizing body for the identified community	1 - Identified community has evidence of organizing bodies	0 - Identified community has no evidence of organizing bodies
The applicant serves as the sole organizing body for the identified community and all its member categories, with exclusive responsibility for representing or administering the identified community.	The applicant is not the sole organizing body for the identified community, but is able to demonstrate that the identified community has an organizing body or bodies relevant to the identified community as a whole or relevant to each identified member category of the community. These organizing bodies may either represent or administer the identified community.	The applicant is not able to demonstrate that there is an organizing body or bodies relevant to the identified community or to each member category of the identified community.

Guidelines for Organization:

- a. Is the applicant able to demonstrate that it is the sole organizing body for the identified community, whether to represent or administer it? If not, is the applicant able to demonstrate that there are organizing bodies relevant to the identified community?
- b. Is there one association dedicated to the identified community as a whole, or are there multiple individual organizations that represent, administer or are relevant to different segments or groups within the identified community?
 - i. Multiple entities may administer or represent an identified community. An organization representing an identified community should be regarded with the same level of importance and legitimacy as one that administers the identified community.
- c. In support of providing evidence related to organization, the applicant should provide:
 - i. An overview of the identified community structure, as applicable, and whether it is formal or informal:
 - Formal communities typically have well-defined organizational structures and membership lists, such as economic communities or coalitions of nonprofit organizations.



- Non-formal communities may consist of self-identified members, or individuals, such as those in linguistic or cultural groups.
- ii. The names of relevant organizations.
- iii. Relevant leaders within the identified community, as applicable.
- iv. Information regarding how an individual would join the identified community, such as through paying membership fees, skill and/or accreditation requirements, or certifications aligned with community goals; or, any privileges or benefits entitled to members upon joining the identified community.
- Information regarding whether organizing bodies were established to administer or represent the identified community. Relevant information may include the mission statements of the identified organizing bodies.
- d. Does an Internet search corroborate the evidence provided by the applicant of organization within the identified community, for example, the existence of bodies or groups that are relevant to the identified community, or, if applicable, evidence of the applicant acting on behalf of the identified community?

4.4.7.1.2 Engagement

Table 4-2: Criterion 1 - Engagement

1 - Demonstration of engagement activities	0 - Limited or no demonstration of engagement activities
Applicant is able to sufficiently demonstrate ¹²¹ its active ¹²² efforts to engage and connect with community members.	The applicant is not able to sufficiently demonstrate its active efforts to engage and connect with community members.

Guidelines for Engagement:

a. As noted in the Organization sub-criterion, an identified community may have one or multiple organizations representing or administering it. In the same way, there may be one or multiple organizations or entities conducting engagement activities on behalf of the identified community.

¹²² Active engagement suggests that the identified community is engaging with community members at a defined frequency. The frequency of the activities may vary by community, but regardless of frequency, the applicant should show evidence of ongoing activities or efforts within the last two years. The inability to demonstrate recent and ongoing active engagement may be an indicator of an inactive community. However, the panel should take into account different types of communities in evaluating this sub-criterion and the relevance and frequency of recent activity.



¹²¹ Either as the organizing body itself or through the organizing bodies that it has identified as relevant to the community. In the latter case, the applicant, in submitting its application, may be acting as an "aggregator" for the identified community, obtaining the relevant information on and support from the community.

- b. In support of demonstrating active Engagement, the applicant should provide documentation of the following practices, which should have occurred within the two years leading up to application submission:
 - Offering support.
 - Sharing information.
 - Responding to specific community needs.
 - Fostering and strengthening relationships within the identified community.
 - The inability to demonstrate recent Engagement-related activities may be an indicator of a community that lacks engagement. However, the panel should take into account different types of communities in evaluating this sub-criterion and the relevance of recent activity.
- c. An Internet search should corroborate the evidence provided by the applicant regarding activities held by the identified community's organizing body(ies) (or the applicant itself).

4.4.7.1.3 Awareness

Table 4-3: Criterion 1 - Awareness

1 - Demonstration of awareness among community members	0 - No demonstration of awareness among community members
Applicant is able to demonstrate an awareness among and between the community members of the identified community and its various sub-groups or member categories.	Applicant is not able to demonstrate an awareness among and between the identified community and its various sub-groups or member categories.

Guidelines for Awareness:

- a. Are community members aware of the existence of the identified community? Do community members recognize the identified community? The panel should take into account the nature of the identified community. For example, for some communities, awareness or recognition of a community and public acknowledgment of membership in such a community may be limited by national law. The panel should consider that awareness would be assessed differently for such a community.
- b. In support of demonstrating Awareness, the applicant should provide documentation of the following practices, which should have occurred within the two years leading up to application submission:
 - Surveys conducted.
 - Records of activities involving a diversity of community groups, segments, or members.



- The inability to demonstrate recent Awareness-related activities may be an indicator of a community that lacks awareness. However, the panel should take into account different types of communities in evaluating this sub-criterion and the relevance of recent activity.
- b. An Internet search should corroborate the evidence provided by the applicant regarding awareness among community members, including across different segments, for example, interaction in community activities or on online forums.

4.4.7.1.4 Established Presence

Table 4-4: Criterion 1 - Established Presence

1 - Demonstration of established presence of the community	0 - No demonstration of established presence of the community
Applicant is able to demonstrate an external awareness of the identified community, including that there was an established presence of the identified community prior to the opening of the application submission period.	Applicant is not able to demonstrate an external awareness of the identified community. There is no evidence of an established presence of the identified community prior to the opening of the application submission period.

Guidelines for Established Presence:

- a. There should be evidence of an established presence of the identified community prior to the opening of the application submission period. The identified community's existence should be verifiable, and individuals and groups outside of the identified community should be aware of it. Awareness levels may vary based on the identified community's size, scope, or nature. For example, a large, global sports community should demonstrate worldwide recognition, while a small regional linguistic community may only require localized awareness evidence.
- b. To demonstrate established presence and external awareness, the applicant should provide documentation of the following practices from the two years leading up to application submission:
 - Media or other public information regarding the identified community and its activities or members.
 - Discussion of the identified community in various fora, whether online or in person.
 - Evidence of partnerships or collaborations with groups outside of the identified community.
 - Evidence of the chartering or organization of the identified community prior to the opening of the application submission window.



- Evidence of contributions (for example, cultural or scientific) to a larger society or population.
- The inability to demonstrate an "established presence" may be an indicator of a community that lacks such presence. However, the panel should take into account different types of communities in evaluating this sub-criterion and the relevance of recent activity and how different communities might show presence.
- c. An Internet search should corroborate the evidence provided by the applicant regarding awareness of the identified community by those outside of it.

4.4.7.1.5 Longevity

Table 4-5: Criterion 1 - Longevity

1 - Demonstration of longevity of the identified community's pursuits	0 - No demonstration of longevity of the identified community's pursuits
Applicant is able to demonstrate that the identified community's pursuits are enduring and sustainable.	Applicant is not able to demonstrate that the identified community's pursuits are enduring or sustainable.

Guidelines for Longevity:

- a. Is the identified community a relatively short-lived congregation (for example, a group that is formed to represent a one-off event)? Is the identified community forward-looking (that is, will it continue to exist in the future)? The panel should keep in mind that longevity may differ based on the nature of the identified community. For example, in some countries or regions, the continued existence of certain communities may be threatened by national or international policies, and the panel should consider that longevity would be measured differently for such a community.
- b. To demonstrate longevity, the applicant should provide documentation of the following practices, which should have occurred within the two years leading up to application submission:
 - i. Evidence of recurring or scheduled activities that demonstrate continuity over time.
 - ii. Documented records of past activities that demonstrate a long-standing tradition or practice.
 - iii. Records of discussions emphasizing the identified community's enduring presence or its cultural significance.
 - iv. Note that the inability to demonstrate recent longevity-related activities may be an indicator of a community that does not demonstrate longevity. However, the panel should take into



account different types of communities in evaluating this sub-criterion and the relevance of recent activity.

c. An Internet search should corroborate the evidence provided by the applicant regarding the identified community's activities, whether past or planned, and its enduring presence, for example, availability of information on community events or articles on community presence within a community.

4.4.7.2 Criterion 2: Nexus

Criterion 2 is used to evaluate the relevance of the applied-for string to the identified community. The panel will seek to answer the following core question in evaluating the applied-for string against this criterion:

Nexus (4 points): Does the string match the name of the identified community or is it a well-known alternative of the identified community's name? Would the general public associate the string with the identified community?

An application can receive up to four points. See scoring guide below:

Table 4-6: Criterion 2 - Nexus

4 - Full Match	2 - Strong match	1 - Partial match	0 - Weak or No match
String matches the name of the identified community or is a well-known alternative name of the identified community. The general public would associate the string with the identified community.	String matches the name of the identified community or is a well-known alternative name of the identified community, but there may be other meanings of the string—while not in common usage—that the general public may associate with the string.	String partially matches the identified community or the community members but may have a commonly used meaning or connotation beyond the identified community that the general public may associate with the string.	String does not match or identify the community or has a weak association with the identified community. The general public would likely not associate the string with the identified community.

• Guidelines for Nexus:

a. What is the name of the identified community? A reference to the name of the identified community is a reference to the established name by which the community is commonly known by others (that is, individuals outside of the community itself or from other organizations, such as quasi-official, publicly recognized institutions, or other peer groups. The name may be, but does not need to be, the name of an organization dedicated to any member category within the identified community.



- b. Will the general public instinctively think of the identified community when thinking of the applied-for string? Additional limited research can be conducted to help understand whether the string matches the identified community and is known by others. The limited research should also reveal whether there are repeated and frequent references to legal entities or communities other than the identified community referenced in the application.
- c. Does the string identify a wider geographic or thematic remit than is related to the identified community? Does the string indicate a community of which the applicant is a part, but is not specific to the applicant's identified community?
- d. Is the size or definition of the identified community consistent with the string?
- e. An Internet search should corroborate the evidence provided by the applicant regarding the string as it relates to the identified community. This may include verifying whether the applicant's responses to the application questions align with the mission statements of the relevant organizing bodies.

4.4.7.3 Criterion 3: Registration Policies

Criterion 3 is used to evaluate the applicant's registration policies as indicated in the application. Registration policies are the conditions that the future registry will set for prospective registrants, that is, those desiring to register second-level domain names under the registry.

Accordingly, the panel will seek to answer the following core questions when evaluating the application against this criterion:

- A. <u>Eligibility</u> (1 point): Is eligibility for registrants restricted? Who is qualified to register a domain in the applied-for gTLD? Are there specific qualifications provided that entities or individuals must meet to be eligible as registrants by the registry?
- B. Name selection (1 point): Do the applicant's policies include name selection rules? Are name selection rules consistent with the mission statement and articulated community-based purpose of the applied-for gTLD? What domain names are acceptable in the applied-for gTLD? Are there specific conditions provided that must be fulfilled for a second-level domain name to be considered acceptable by the registry?

An application can receive up to two points in Criterion 3. See scoring guides below:



4.4.7.3.1 Eligibility

Table 4-7: Criterion 3 - Eligibility

1 - Restricted	0 - Unrestricted
Eligibility is restricted to members within the identified community.	The identified community has an unrestricted approach to eligibility.

Guidelines for Eligibility:

- a. What limitations are imposed on potential registrants?
- b. With respect to "Eligibility," the limitation to community members may involve formal membership or be fulfilled in other ways, depending on the structure and focus of the community at hand. Some informal communities may have different methods for determining membership in a particular community.

For example, for a geographic location community gTLD, a limitation to members of the community can be achieved by requiring documentation, such as a business license or proof of a local address to verify physical presence in the associated geographic location.

4.4.7.3.2 Name Selection

Table 4-8: Criterion 3 - Name Selection

1 - Consistent with community-based purpose	0 - Not consistent with community-based purpose
Policies include name selection rules ¹²³ that are consistent with the articulated community-based purpose of the applied-for gTLD. ¹²⁴	Policies do not include name selection rules consistent with the articulated community-based purpose of the applied-for gTLD.

Guidelines for Name Selection:

- a. Do the applicant's policies include name selection rules?
- b. Are name selection rules consistent with the articulated community-based purpose of the applied-for gTLD?



¹²³ Name Selection means the conditions that must be fulfilled for any second-level domain name to be deemed acceptable by the registry.

¹²⁴ As detailed in the responses to the application questions.

4.4.7.4 Criterion 4: Community Endorsement

Criterion 4 is used to evaluate community support and/or opposition to the application. The panel will seek to answer the following core question when evaluating the application against this criterion:

Support and Opposition (4 points): Is the applicant the organizing body for the identified community? Or does the applicant have support from a majority of the identified community? Does the applicant have any opposition, from either within the identified community or outside of it?¹²⁵

An application can receive up to four points. See scoring guide below:

Table 4-9: Criterion 4 - Community Endorsement

4 - Applicant has majority support and does not have relevant opposition	3 - Applicant has majority support and has relevant minority opposition	2 - Applicant has majority support but also has relevant significant opposition	0 - Applicant does not have majority support
The applicant has demonstrated support with clear rationale from the organizing body(ies) from the identified community. The applicant does	The applicant has demonstrated majority support with clear rationale from the identified community.	The applicant has demonstrated majority support with clear rationale from the identified community.	The applicant has not demonstrated majority support with clear rationale from the identified community.
not have any relevant opposition.	However, the applicant has relevant minority opposition with clear rationale.	However, the applicant also has relevant significant opposition with clear rationale.	

• Guidelines for the scoring of support or opposition:

- a. To earn full points, the applicant must demonstrate that a majority of the identified community supports the applicant and that the applicant does not have any relevant opposition. The panel should evaluate the applicant's evidence on community size to determine whether there is majority support or significant opposition.
- b. There may be cases where the applied-for string carries more than one meaning or when an applicant has identified a community that is narrower than the scope suggested by the applied-for string. In those

¹²⁵ CPE, and the Community Endorsement criterion, is separate from the Community Objection process, which allows for a party with standing to object to an application on the basis that there is well-substantiated opposition to an applied-for string and/or one or more applied-for allocatable variant string(s) from a significant portion of the community which the string may be explicitly or implicitly targeting. Please see <u>Objections and Appeals</u>.



- instances, the panel should consider whether the applicant can demonstrate relevant support or no relevant opposition from outside the identified community.
- c. The panel should consider any objections or comments from this application round noting opposition. While these will be assessed, they do not automatically influence the Opposition score.
- d. The panel should consider whether the sources of opposition are clearly spurious, unsubstantiated, or filed for the purpose of obstruction.
- e. The panel should assess whether reputable organizations (quasi-official, publicly recognized, or peer organizations) oppose the proposal, and if such opposition represents a minority or majority within the community. See guidelines below regarding relevant organizations.

Guidelines for majority and minority support or opposition:

- a. Majority and minority are based on the size of the community as specified by the applicant. The panel should consider the applicant's evidence on the identified community's size to determine whether there is majority support or notable opposition.
- b. The applicant should clearly define its community, providing estimates of the total size and any sub-groups.
- c. The majority of the identified community may be determined by, but not restricted to, factors like headcount or the geographic reach.
- d. Applicants without evidence of support from a majority of the identified community will not receive points. In some cases, the panel may consider support from outside the community if the applied-for string has multiple meanings or the applicant has identified a narrower community than the scope suggested by the applied-for string.
- e. In some cases, an applicant may have majority support but significant opposition, especially when the community is divided or external parties oppose, such as when a string has multiple meanings. Despite substantial outside opposition, the applicant may still have strong support within the community.

Guidelines for determining relevant organizations:

- a. The terms relevance and relevant refer to organizations, groups, or communities associated with the string. This means that support or opposition from communities not identified in the application but connected to the applied-for string would be considered relevant.
- b. Limited research should help determine relevance and size of the objecting or supporting organization(s).
- c. As noted in <u>Criterion 1</u>, there may be one organizing body mainly dedicated to a community or multiple entities dedicated to a community. The panel will consider the following questions in its evaluation:



- i. Are multiple institutions/organizations supporting the application, with documented support from institutions/organizations representing a majority of the overall identified community?
- ii. Does the applicant have support from the majority of the recognized community institution/member organizations?
- iii. Has the applicant provided full documentation that it has authority to represent the identified community with its application?
- d. In considering relevant support or opposition, the panel should consider both the size of the group or groups expressing support or opposition as well as the relevancy to the identified community or the string. For example, a letter of opposition from an organization claiming to represent millions but weakly connected to the community may carry less weight. In contrast, a letter from a small, closely connected group may be more relevant and impactful. The same principle applies to letters of support.
- Guidelines for reviewing the content of the documentation of support¹²⁶ or opposition:
 - a. The documentation clearly expresses the organization's support or opposition for the identified community. 127
 - b. The documentation demonstrates the organization's understanding of the string being requested.
 - c. The applicant's documentation is valid, confirming the organization's existence and the letter's authenticity.
 - d. The documentation should contain a description of the process and rationale used in arriving at the expression of support or opposition. Consideration of support or opposition is not based merely on the number of comments or expressions of support or opposition received. Documentation lacking a clear rationale or substantive explanation for support or opposition will not be considered.

4.5 Contention Resolution for Geographic Names Applications

Due to the sensitivity of contention involving geographic names, their resolution is governed by specific rules.



¹²⁶ An applicant for a community-based TLD string and its allocatable variant string(s) is required to submit a written endorsement of its applied-for primary gTLD.

¹²⁷ The information provided by the applicant in response to Criterion 1: Community

Establishment will play an important role in the panel's scoring of Criterion 4: Endorsement.

The following list provides four detailed scenarios and procedures for resolving contention sets involving Geographic Name applications:

- 1. Capital City Names: As detailed in Geographic Names, an application for a string that represents a name of the capital city of any country or territory listed in the ISO 3166-1 standard, in any language, will only pass the Geographic Name Evaluation if the Geographic Names Panel (GNP) confirms "that the applicant has provided the required documentation from the relevant governments or public authorities, and that the communication from the government or public authority is legitimate and contains the required content." This means that any string that represents such a capital city name but is not supported by the relevant authority or authorities will not pass Geographic Name Evaluation. If an application for a string representing a capital city name, as defined above, is found to be Similar to another applied-for string regardless of what gTLD type that string is then these strings are in contention and will proceed to contention resolution.
- 2. Similar Brand and Geographic Names: If an application for a Geographic Name gTLD passes the Geographic Name Evaluation and is part of a contention set containing one or more non-Geographic Name applications (and no other applications supported by another government authority), the contention set will be resolved via contention resolution.

Example: If two applications are submitted for .GENERICOPOLIS, one as a Geographic Name application for a city in Genericstan, and the other as a Brand TLD application not intended to be operated as a Geographic Name, both will proceed to contention resolution if the applications pass all other applicable string evaluations.

3. **Support from the Same Government Authorities**: If two or more applications for strings that represent the same geographic location pass the Geographic Name Evaluation with documentation of support or non-objection from the <u>same</u> relevant government or public authority, ¹³⁰ as determined by the GNP, and also pass all applicable string evaluations, these applications will proceed to auction to resolve contention.

Example: If three applications for .GENERICOPOLIS have all received letters of support from the relevant government authority of *Genericopolis*, *Genericstan*, then all three will proceed to contention resolution.

¹³⁰ Applications for country names and capital cities are subject to specific rules. The example here is relevant for non-country names and non-capital cities per ISO 3166-1 standard. See Geographic Names.



¹²⁸ See Geographic Names.

¹²⁹ Contention will be resolved either by CPE (if community application prevails in CPE), or by auction.

4. **Support from Different Government Authorities**: If two or more contending applications for Geographic Name strings pass the Geographic Name Evaluation with documentation of support or non-objection from <u>different</u> relevant governments or public authorities, ¹³¹ as determined by the GNP, and also pass all applicable string evaluations, these applications will undergo Extended Evaluation by the GNP. If, during Extended Evaluation, the GNP determines that all of the different relevant authorities have issued support for or non-objection to the applications they support to proceed to contention resolution, then the contention set will be resolved via contention resolution.

However, if the GNP determines that one or more relevant authorities have refused to support, or did not issue a statement of non-objection, to contention resolution, then no application in the contention set can proceed. All applicants in the contention set will become eligible to receive refunds in accordance with the refund schedule (see Fees and Payments).

Example: Should ICANN receive two applications for .GENERICOPOLIS and one is supported by *Genericopolis, Genericstan* and the other one is supported by *Genericopolis, Genericland*, then the GNP will move these applications to Extended Evaluation. If, during Extended Evaluation, the GNP is satisfied that the supporting authorities of both *Genericopolis, Genericstan* and *Genericopolis, Genericland* support or do not object that "their" applications can proceed to contention resolution, then they will proceed accordingly. If the GNP is not satisfied that the supporting authorities of *Genericopolis, Genericstan* and *Genericopolis, Genericland* agree that these applications can proceed to contention resolution then neither application can proceed, and applicants will receive refunds in accordance with the refund schedule.

4.6 ICANN New gTLD Auction

This section provides applicants a high-level overview of the principal features of an ICANN New gTLD Auction. A detailed set of auction rules and procedures, based on those published for the 2012 Round, 132 along with an auction schedule, will be developed by ICANN in consultation with the auction provider and available no later than 60 days before the first auction.

4.6.1 Auction Overview

The auction is the final method for addressing string contention which has not been eliminated previously in the course of the application process or resolved through Community Priority Evaluation (CPE). If CPE occurs and more than one application



¹³¹ Ibid

¹³² Two sets of auction rules were published for the 2012 Round, covering both <u>direct</u> and <u>indirect</u> contention sets.

passes CPE, the successful CPE applications will also proceed to the auction to resolve the contention among the applications that received priority.

The auction is intended to resolve string contention among applicants in a contention set for a new gTLD. Once the auction has concluded, only one of the participating applications in direct contention for an applied-for gTLD will be eligible to proceed towards delegation, pending the outcome of the Applicant and Application Evaluation and the successful execution of a contract for the applied-for gTLD.

4.6.2 Scheduling of Auctions

In general, auctions will be scheduled on a rolling basis as all applications in a contention set meet the following auction eligibility criteria:

- Completed string evaluation and all related processes (see <u>String and Application Evaluation Procedures</u>)
- All applicable objections and appeals are resolved (see <u>Objections and Appeals</u>)
- All evaluation challenges, if applicable, are completed 133
- Completed CPE, if applicable
- Have no open, relevant application change requests (see <u>Application Change</u> <u>Requests</u>)
- Have no pending accountability mechanisms (see <u>Accountability Mechanisms</u>)

The time required for contention sets to become eligible for auction will vary, depending on the duration of the above mentioned processes.

Applicants will be notified of the auction time and date via the application system at least 30 days before the auction date.

4.6.3 Auction Method

The auction will be conducted using the "ascending-clock, second-price" auction method, which was also used in the 2012 round of the new gTLD Program.¹³⁴

In an "ascending-clock, second-price" auction:

- The auction price increases in a series of timed steps.
- As the price rises, participating bidders successively choose to exit from the auction.
- The auction concludes when only one bidder remains.



¹³³ Available evaluation challenges are described in the respective evaluation sections of the Guidebook. See <u>Applicant Evaluation Procedures</u> and <u>String and Application Evaluation</u>

Procedures

¹³⁴ See p. 20 in Module 4 of the 2012 Applicant Guidebook:

https://newgtlds.icann.org/sites/default/files/string-contention-procedures-04jun12-en.pdf.

- The bidder with the highest bid will win the auction and pay the second-highest bid.
- Indirect contention sets will be resolved via a single auction, which may result in more than one winner (see <u>Figure 4-3</u>).

4.6.4 Winning Bids Payments

Details regarding the requirements for winning bid payments will be outlined in the auction rules and procedures that will be published no later than 60 days before the first auction.

If the applicant of the application that prevailed in the auction, having paid its winning bid payment as detailed in the forthcoming auction rules and procedures, fails any of the <u>Applicant Evaluation Procedures</u> or <u>String and Application Evaluation Procedures</u> and cannot proceed, the applicant will receive a refund of its winning auction bid in addition to any applicable refund of its application fee. In such a circumstance, ICANN reserves the right to withhold any costs or fees that the auction provider has charged or will charge for their services.

If an applicant of the application that prevailed in the auction — for any reason — is ineligible to execute the Registry Agreement, ICANN may, at its option, offer the runner-up applicant the opportunity to proceed with its application. In such a case, the runner-up would be required to pay its exit bid to proceed. However, the runner-up applicant in a contention resolution process has no automatic right to an applied-for gTLD string if the first place winner does not execute a contract for any reason.

4.6.5 Bid Credits for Applicant Support Program Applicants in Auctions

An applicant receiving Applicant Support as part of the Applicant Support Program (ASP) will receive a bid credit to increase its chances of winning an auction by providing a discount on the amount otherwise due on a winning bid.

In this application round, ICANN has set a level of bid credit at a maximum of 35%, not to exceed a monetary value of USD 1.75 million per application. This means that a supported applicant has the ability, with this bid credit, to bid up to 35% higher than maximum cash on hand the applicant was required to demonstrate eligibility for the ASP. The bid credit provides up to a 35% discount applied to the amount due to be paid by the winning supported applicant, as well as to any deposit that may be required according to the final auction rules. In the case that the winning price (second highest price) auction dues exceed USD 5 million (the threshold indicating Financial Need to qualify for support), the bid credit applied will be reduced in a phased approach (see Example 2 below and Bid Credit Table).



For example:

- Example 1: A supported applicant submits the highest bid of USD 1 million.
 Another application submits the second highest bid of USD 900,000. The winning supported applicant pays USD 585,000 (35% bid credit applied to the second highest bid of USD 900,000).
- Example 2: A supported applicant submits the highest bid of USD 7 million.
 Another application submits the second highest bid of USD 6 million. The winning supported applicant pays USD 4.8 million (based on the phased approach indicated a 20% bid credit applied to the second highest bid of USD 6 million). See Table 4-10 for more detail.

Table 4-10: Phased-out Bid Credit for Supported Applicants for Winning Bids >5 Million USD

Winning price (second highest bid)	Bid credit applied	Cash equivalent of bid credit	Payment due by supported applicant	
≤5m USD	35%	≤1.75m USD	≤3.25m USD	
>5m-7m USD	20%	>1m-1.5m USD	4m-5.5m USD	
>7-9m USD	10%	>0.7m-0.9m USD	6.3m-8.1m USD	
>9m USD	0%	0	>9m USD	

Full details of the bid credit procedures for eligible auction participants will be included in the ICANN New gTLD Auction rules and procedures.



Module 5: Applicant Evaluation Procedures

Understanding applicants for new gTLDs is vital for safeguarding end-users and organizations dependent on these domains. New gTLD Program evaluation procedures confirm that prospective registry operators possess the necessary financial, operational, and technical capabilities to uphold this infrastructure and comply with ICANN policies.

Module 5: Applicant Evaluation Procedures outlines the comprehensive assessment process, which includes:

- Conducting applicant background screenings.
- Reviewing financial statements and operational practices.
- Examining registry service provisions.
- Evaluating security policies and abuse mitigation strategies.

By thoroughly vetting potential registry operators, ICANN aims to maintain the integrity and reliability of the domain name ecosystem. This process supports ICANN's mission to maintain a secure, stable, and interoperable Internet.

5.1 Background Screening

ICANN has designed the New gTLD Program: Next Round to prioritize registrant protections. Beyond the features of the gTLD Base Registry Agreement (Base RA) and the implementation of data and financial escrow mechanisms, background screening serves as a crucial tool in safeguarding registrants. This process ensures only established corporations, organizations, or institutions in good standing are eligible to apply for a new gTLD.

Background screening is in place to protect the public interest in the allocation of critical Internet resources. ICANN reserves the right to deny an otherwise qualified application based on findings from the background screening process.

5.1.1 Background Screening Procedures

5.1.1.1 Application Information

The application requires applicants to furnish details regarding the legal establishment of the applying entity, 135 along with the identification of its directors, officers, partners,

¹³⁵ Established corporations, organizations, or institutions in good standing may apply for a new gTLD. Applications from individuals or sole proprietorships will not be considered. Applications from or on behalf of yet-to-be-formed legal entities, or applications presupposing the future formation of a legal entity (for example, a pending Joint Venture) will not be considered.



and major shareholders,¹³⁶ as well as the ultimate parent and/or individuals with control of the applicant. The names and positions of individuals included in the application will be published as part of the application; other information collected about the individuals will not be published.¹³⁷ Any information shared as part of the background screening process and related to the criteria listed in <u>Background Screening Criteria</u> below will not be disclosed publicly by ICANN.

5.1.1.2 Publicly Traded Corporations

Publicly traded corporations that are listed and in good standing on any of the world's largest 25 stock exchanges (as determined by the World Federation of Exchanges) may be subject to a more limited background screening process (see <u>Background Screening Criteria</u>). The top 25 exchanges are identified based on domestic market capitalization reported at the end of the most recent year prior to launching the round. ¹³⁸

Before being listed on an exchange, an entity must undergo significant due diligence including an investigation by the exchange, regulators, and investment banks. As a publicly listed corporation, the entity is continuously scrutinized by shareholders, analysts, regulators, and exchanges. These requirements are expected to meet or exceed the eligibility criteria as described in <u>Background Screening Criteria</u>.

5.1.1.3 Background Screening Inquiry

ICANN will submit identifying information for the applicant (that is, entity, officers, directors, and major shareholders) to an international background screening service. The service providers will use the criteria listed in Background Screening Criteria and return results that match these criteria. Only publicly available information will be used in this inquiry.

The inquiry is based on the applicant Organization information provided during the application pre-submission phase (for example, applicant information, primary and secondary contact information, and proof of legal establishment). An applicant is responsible for ensuring that its inclusion of any personal data from individuals or data from entities in the application complies with local laws and regulations. This may include obtaining consent from individuals or entering into specific agreements with legal entities. If requested by ICANN, applicants must demonstrate to ICANN and/or ICANN's background screening vendor that the data of entities and/or individuals named in the Organizational Account Record, concerning background screening activities, is shared in compliance with local laws and regulations, which may include providing consents from individuals.



¹³⁶ "Major shareholders" shall be those holding at least 15% of shares.

¹³⁷ All data will be handled according to the New gTLD Program: Next Round Privacy Policy.

¹³⁸ See https://focus.world-exchanges.org/issue/may-2024/market-statistics.

5.1.1.4 Timing of Background Screening

Background screening will generally be conducted for all applicants as part of applicant evaluation. If there is a change in the application that requires additional or repeat background screening (for example, a change¹³⁹ in applying entity or change to major shareholders, officers, or directors of the applying entity) this additional background screening on any changes or new information will occur during the contracting process (see Contracting).

5.1.2 Background Screening Criteria

Background screening will be conducted at both the organizational and individual levels to confirm eligibility and assess risk. Information may vary based on the accessibility of data and local data protection laws. ICANN may take into account information received from any source if it is relevant to the criteria listed below and in compliance with local data protection laws, such as comments received via the Application Comment Forum (see <u>Application Comments</u> for more information).

ICANN, in compliance with local laws and regulations, will perform background screening to ensure the applicant meets the New gTLD Program Eligibility Criteria described below. The eligibility criteria are aligned with the "crimes of trust" standard sometimes used in the banking and finance industry. ICANN reserves the right to reject an application, even if the applicant is otherwise qualified, based on information uncovered during the background screening process.

In the absence of exceptional circumstances, applications from an entity that includes individuals who do not meet the eligibility criteria listed below will be disqualified from the Program.

5.1.2.1 New gTLD Program Eligibility Criteria

- Applicant and individuals named within the Organizational Account Record must be in good corporate standing under their applicable laws and regulations.
- 2. Applicant and individuals named within the Organizational Account Record must confirm that they are free and absent of:
 - a. Convictions of any crime related to financial or corporate governance activities, or judgments by a court to have committed fraud or breach of fiduciary duty, or subject of a judicial determination that is the substantive equivalent of any of these within the last ten years.
 - b. Disciplinary actions by any government or industry regulatory body for conduct involving dishonesty or misuse of funds of others within the last ten years.



¹³⁹ See Application Change Requests for more information regarding application changes.

- c. Convictions of any willful tax-related fraud or willful evasion of tax liabilities within the last ten years.
- d. Convictions of perjury, forswearing, failing to cooperate with a law enforcement investigation, or making false statements to a law enforcement agency or representative within the last ten years.
- e. Convictions of any crime involving the use of computers, telephony systems, telecommunications or the Internet to facilitate the commission of crimes.
- f. Convictions of any crime involving the use of a weapon, force, or the threat of force.
- g. Convictions of any violent or sexual offense victimizing children, the elderly, or individuals with disabilities.
- h. Convictions within the last ten years of the illegal sale, manufacture, or distribution of pharmaceutical drugs, or a conviction or successful extradited for any offense described in Article 3 of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.
 - Note: A past conviction for an offense that is no longer a criminal offense in the jurisdiction at the time of application shall not be considered.
- Convictions or been successfully extradited for any offense described in the United Nations Convention against Transnational Organized Crime (all Protocols).
- j. Convictions of aiding, abetting, facilitating, enabling, conspiring to commit, any of the listed crimes above.
- k. Entrance of a guilty plea as part of a plea agreement or having a court case in any jurisdiction with a disposition of Adjudicated Guilty or Adjudication Withheld (or regional equivalents) within the respective timeframes listed above for any of the listed crimes.
- I. Systematic or repetitive engagement in cybersquatting, as defined in the Uniform Domain Name Dispute Resolution Policy (UDRP), Anti-cybersquatting Consumer Protection Act (ACPA), or other equivalent legislation, or was engaged in reverse domain name hijacking under the UDRP or bad faith or reckless disregard under the ACPA or equivalent legislation. Three or more such decisions with one occurring in the last four years will generally be considered to constitute a systematic or repetitive engagement in cybersquatting.
- m. A final determination by a dispute resolution provider or a court of competent jurisdiction of intellectual property infringement relating to registration or use of a domain name by the applicant or any of the individuals named in the Organizational Account Record respectively, within the last 10 years.



5.1.2.2 Applicant Onboarding Questions

An applicant must answer the following questions concerning the eligibility criteria, ensuring that all information provided complies with applicable laws and regulations:

- Confirm to have read and understood the eligibility criteria and declare that neither the applicant nor any individuals named within the Organizational Account Record are subject to any of the above criteria that could impede eligibility.
- 2. Confirm that neither the applicant nor any of the individuals or entities named within the Organizational Account whether in their current capacity or as part of a previous entity over which they had ownership or control have been subject to any decisions indicating involvement in cybersquatting, as defined in the Uniform Domain Name Dispute Resolution Policy (UDRP), Anti-cybersquatting Consumer Protection Act (ACPA), or equivalent legislation. This includes engagement in reverse domain name hijacking under the UDRP or bad faith or reckless disregard under the ACPA or equivalent legislation within the last ten years. If unable to confirm, please provide an explanation.

Note related to question 2 above: Three or more such decisions with one occurring in the last four years will generally be considered to constitute a pattern.

- a. Confirm that neither the applicant nor any individuals named in the Organizational Account Record – either in their current capacity or as part of a previous entity over which they had ownership or control – has been subject to a final determination by a dispute resolution provider or a court of competent jurisdiction for intellectual property infringement related to registration or use of a domain name within the last ten years. If unable to confirm, please provide an explanation.
- b. Confirm that the applicant and individuals or entities named within the Organizational Account – either in their current capacity or as part of a previous entity over which they had ownership or control – have not been subject to a final determination related to the Uniform Rapid Suspension System (URS) Policy or Post-Delegation Dispute Resolution Procedures (PDDRP). If unable to confirm, please provide an explanation.

5.1.3 Background Screening Clarifying Questions

If the background screening provider identifies any areas where the applicant has not met the criteria, clarifying questions may be issued to obtain additional information. To ensure timely processing of applications, all applicants are encouraged to respond to clarifying questions as quickly as possible, but no later than 21 days after receiving the clarifying question.



5.1.4 Background Screening Results

Based on the background screening results, ICANN reserves the right to approve or deny an application progression in the process. For example, a final and legally binding decision issued by a national law enforcement or consumer protection authority, finding the applicant engaged in fraudulent and deceptive commercial practices as defined in the Organization for Economic Co-operation and Development (OECD) Guidelines for Protecting Consumers from Fraudulent and Deceptive Commercial Practices Across Borders¹⁴⁰ may lead to application rejection. ICANN may also contact the applicant with additional questions based on information obtained in the background screening process (see more in <u>String Similarity Evaluation</u>).

5.1.5 Extended Evaluation for Background Screening

If an applicant does not meet the background screening criteria, it may request an Extended Evaluation. During this process, the background screening provider may issue additional clarifying questions or request additional information to facilitate additional analysis. Applicants have 21 days to provide the requested information. If the applicant does not respond or its responses do not satisfy the background screening criteria, the applicant will not pass the screening.

5.2 Financial and Operational Evaluation

The Financial and Operational Evaluation assesses whether an applicant has the financial capacity to fund the registry long-term, thereby ensuring DNS stability, and mitigating financial risks like revenue shortfalls or cost overruns, including for those managing multiple TLDs. This evaluation also mitigates risks to the security and stability of the DNS and overall Internet security, stability, and resiliency. The operational component ensures that the applying entity has reasonable safeguards in place to support robust business operations and effective handling of abuse concerns.

The Financial and Operational Evaluation is based on an applicant's responses to application questions, which are determined based on the applicant profile model. This model recognizes that different criteria are required for different types of applicants.

The evaluation occurs during the <u>Applicant</u> and <u>Application Evaluation Phase</u>. Financial and Operational Evaluation is performed at the applying entity level. If the applicant applies for multiple strings, the results of the Financial and Operational Evaluation performed at the applying entity level will apply to each of its strings.

As the term is used below, "Affiliate" is as defined in the template Base RA.

https://www.oecd-ilibrary.org/industry-and-services/oecd-guidelines-for-protecting-consumers-from-fraudulent-and-deceptive-commercial-practices-across-borders 9789264103573-en-fr.



¹⁴⁰ See

A third-party evaluation panel will conduct the Financial and Operational Evaluation, assessing whether the applicant's responses satisfy the specific criteria for the applicant's profile.

Most financial information submitted by the applicant remains confidential; the application questions are individually marked as to whether the responses are published or remain confidential.

5.2.1 Execution of Evaluation

ICANN will assign each applicant a profile based on its unique traits, determined by responses to the applicant profile selection questions.

The applicant will answer a series of "Yes" or "No" questions to select the profile. Based on the applicant's responses, the TLD Application Management System (TAMS) directs the applicant to the questions specifically assigned to that profile. Below is the list of the questions in the order that they are asked:

- 1. Is the applying entity a governmental entity or an intergovernmental organization recognized in its jurisdiction? If "Yes," assign the Government profile.
- Is the applying entity a current registry operator or an affiliated entity of a current registry operator with one or more active Base RAs? If "Yes," assign the Registry Operator profile.
- 3. Is the applying entity a publicly traded company listed on any of the Top 25 Public Stock Exchanges or an Affiliated entity of a publicly traded company listed on a the Top 25 Public Stock Exchanges, as defined by the World Federation of Exchanges and specifically included on ICANN's list dated (Month/Day/Year) at https://www.icann.org/some/as/yet/undetermined/link. If "Yes," assign the Top 25 profile.
- 4. If the applying entity is none of the above profiles, assign the Standard profile.

5.2.2 Financial and Operational Evaluation Criteria

Based on an applicant's responses to the questions in <u>Application Questions and Strings</u> and the profile assigned to an applicant, an applicant must meet different criteria for the evaluation. The three components of the evaluation are Financial Statements, Self-Certification, and Operational/Planning.

 Financial Statements: The applicant (except for Government profile) must provide audited, reviewed, or compiled financial statements, prepared by a third-party accounting firm, for the applying entity that complies with the accounting standards required by the jurisdiction of the applying entity.
 Alternatively, the applicant may provide third-party audited, reviewed, or



- compiled statements from an ICANN-approved Affiliate, prepared by a third-party accounting firm.
- Self-Certification: The applicant must provide a self-certification document, signed by the CEO, President, and/or CFO of the applying entity. If financials are provided by an Affiliate, that Affiliate must co-sign the certification document. Self-certification statements may vary depending on the applicant's profile.
- Operational/Planning: Applicants must submit various operational and planning documents as required by their profile.

Table 5-1: Applicant Financial and Operational Evaluation Criteria by Profile

	Applicant Profiles	Standard	Registry Operator	Publicly Traded on Top 25 Exchanges	Government
	Entity Statements	Required	Required	Required	
nts	Affiliate Statements	Alternative	Alternative	Alternative	Alternative
Financial Statements	Third-Party Audited, Reviewed, or Compiled	Required	Required	Required (Audited)	
	Government Commitment				Required
	Accounting Standard for the Jurisdiction of the Applicant	Required	Required	Required	

	Certified by CEO or CFO of Applicant and Affiliate, if Applicable	Required	Required	Required	Required
ation	Long-Term Funding	Required	Required	Required	Required
Self-Certification	Cash On Hand (per string, capped at USD 300,000)	Required, USD 50,000 +25% App Fee			
Self	Good Standing			Required	
	Bound by Law of Jurisdiction	Required	Required	Required	Required

ng	List of Applied-For and/or Current TLDs	Required	Required	Required	Required
Planning	Forecast of DUMs for Year 1, 2, and 3	Required	Required	Required	Required
	Three-Year Operating Plan	Required			
erational	Good Standing for Registry Operators and Registrars covered in contracting				



EBERO Event disclosure covered in Administrative Check prior to evaluation

DNS Abuse Plan / Security Policy and Plan

5.2.3 Financial and Operational Evaluation Clarifying Questions

The evaluation panel may issue clarifying questions (CQs) to request additional information needed to sufficiently evaluate the application. Applicants are required to respond within 21 days following receipt of the CQ.

5.2.4 Extended Evaluation for Financial and **Operational Evaluation**

An Extended Evaluation is a secondary review process available to applicants that do not pass Financial and Operational Evaluation. An applicant may request Extended Evaluation to provide clarifying information that addresses deficiencies in its initial application. To qualify, an applicant must formally elect to undergo Extended Evaluation after receiving their Financial and Operational Evaluation results. There is no fee associated with Extended Evaluation.

5.2.5 Financial and Operational Evaluation Instructions

The Financial and Operational Evaluation assesses an applicant's ability to fund registry start-up and long-term operations through four distinct profiles:

- Government Profile: Applies to governmental entities or intergovernmental organizations within a recognized government's jurisdiction.
- Registry Operator Profile: Applies to current registry operators with active Base RAs or their affiliated entities.
- Top 25 Public Stock Exchange Profile: Applies to publicly traded companies on the Top 25 Public Stock Exchanges, as defined by the World Federation of Exchanges list (as of May 2025), 141 or their affiliated entities.
- Standard Profile: Applies to applicants not meeting criteria for the other three profiles.

All applicants must complete "Security Policy and Planning" and "DNS Abuse" questions, in addition to profile-specific questions. ICANN will assign each applicant to a profile based on the criteria defined above in Execution of Evaluation.

¹⁴¹ See https://focus.world-exchanges.org/issue/may-2025/market-statistics.





The Questions for each of the four applicant profiles in the Financial and Operational Evaluation are located in <u>Application Questions</u>. Additionally, the templates used for the Standard profile are located in the <u>Appendix</u>.

The following general instructions and guidelines apply to the Financial and Operational Evaluation:

- The applicant must answer all questions.
- The applicant must follow the instructions without exception and provide complete, commercially reasonable, and good-faith responses.
- If, for any reason, the applicant believes a question does not apply to its profile, they must explain why.
- Once the application is submitted, the applicant cannot provide any additional information unless requested by ICANN or in response to an application comment. ICANN is not obligated to request any additional information or clarification of the submitted information.
- When asked "why," "describe," "explain," or "provide detail," the applicant must respond with content that demonstrates due diligence appropriate for the request. Most responses should consist of several paragraphs, but should not exceed two pages. Exceptions to this guidance are all types of financial statements, contracts, reference material, or any documentation that may require some additional content.
- All currency values must be in USD (United States dollars) or the nationally recognized currency for the jurisdiction of the applicant or Qualified Parent Entity (QPE).
- For applicants submitting multiple applications, financial responses apply to all applications planned for this round. Applicants will complete Financial and Operational Evaluation (including templates) only once for their first application, providing aggregate information for all applied-for strings in the response.
- Financial and Operational Evaluation is performed once per applying entity.
 One Financial and Operational Evaluation will consider all applied-for strings and their variant strings (if any) for a single applying entity.
- When completing the Financial and Operational Evaluation templates (Most Likely Scenario, Worst Case Scenario, etc), applicants must consolidate all Domains Under Management (DUMs) across all applied-for strings, including any variant strings. When providing expenses, including RSP expenses, applicants must consolidate all expected expenses across all applied-for gTLDs and variant strings.



Module 6: String and Application Evaluation Procedures

The New gTLD Program: Next Round represents a critical evolution of Internet infrastructure. While enthusiasm for potential new domain name extensions is high, the string and application evaluation process is designed to safeguard DNS stability while addressing stakeholder concerns. Each string must be meticulously analyzed for uniqueness, clarity, and potential confusion with existing strings or trademarks to ensure it does not compromise overall DNS integrity.

For specific application types, the assessment of an applicant's community engagement and commitment to transparency and accountability is especially critical.

Module 6: String and Application Evaluation Procedures outlines the assessment process, including:

- Overview of application types and handling methods.
- Examination of TLD types, like geographic names and internationalized domain names.
- Strategies to mitigate name collisions.
- String Similarity Evaluation.

This module provides a detailed look at this essential, carefully devised process to ensure DNS stability and security.

6.1 String and Application Types

Applicants may encounter different requirements and processing steps depending on the type of application or string they apply for. These variations can affect the following aspects:

- Application Questions: Some application types will require the applicant to answer specialized questions as part of its application (for example, questions related to an applicant's community-based objectives).
- Prioritization: Certain application types could receive priority in the prioritization draw¹⁴² (for example, an IDN).
- Evaluation: The nature, focus, or goal of an application may require a specialized evaluation (for example, for a geographic name).

¹⁴² See <u>Applicant Journey</u> for more information on the <u>Prioritization Draw</u>, which is a draw that will be held to determine the Priority Number of an application and the general order in which it will be processed by ICANN.



- Contention: Contention procedures might be specialized depending upon the application type (for example, Community Priority Evaluation; or a Brand String Change request).
- Registry Agreement: Some application types may be considered exempt from certain provisions while others may be required to include specialized provisions in their Base Registry Agreements (Base RAs) (for example, Code of Conduct Exemption).
- **Fees**: Additional evaluation or application fees may be required (for example, for conditional evaluations such as Community Priority Evaluation).

Applicants should review the information in this section to understand the potential for differing requirements for different application types.¹⁴³

6.1.1 General Applications

A general application is one that does not fall into one of the application types defined in <u>Specialized Applications</u> and is subject to the standard set of requirements defined throughout this Applicant Guidebook.

6.1.2 Specialized Applications

Specialized applications are those that may have different requirements based on the application (for example, an application for a community-based gTLD), string (for example, an IDN), or applicant type (for example, an IGO or Applicant Support applicant). This section provides an overview of these specialized application types. It is important to note that an application may qualify for multiple designations simultaneously; for example, an application could be classified as both IDN and community-based.

6.1.2.1 Applications for Community-Based TLDs

At the time of application, an applicant may wish to designate an applied-for gTLD string as community-based. An applicant that elects to designate its applied-for gTLD string as community-based (hereinafter referred to as a "community gTLD string") must operate the community gTLD string for the benefit of a clearly delineated community (see Community Priority Evaluation). Applicants submitting an application for a community gTLD string will be subject to additional requirements throughout various stages of the application lifecycle, including the following areas:

¹⁴³ Note that there may also be different requirements for application change requests, including what types of application designations can or cannot be changed. Refer to <u>Changing Application Types</u> below for more information as well as <u>Application Change Requests</u> for full <u>details</u> regarding application change requests.



- Application Questions: The applicant must answer additional questions regarding the community represented by the applied-for community gTLD string.¹⁴⁴ Refer to <u>Application Questions and Strings</u> for more information.
- Evaluation: Evaluation of community registration policies proposed for the
 operation of an applied-for community gTLD string will occur during Application
 Evaluation, unless the community applicant opts to participate in CPE. If the
 applicant opts to participate in CPE, the Registry Commitments Evaluation will
 occur earlier, before Application Evaluation, because this evaluation must occur
 before the application is eligible to participate in CPE. Refer to Public Interest
 Commitments, Registry Voluntary Commitments, and Community Registration
 Policies for more information.
- Contention: If in contention with other applications for the same string, the
 applicant may elect to participate in <u>Community Priority Evaluation</u> and
 potentially an ICANN Auction. Refer to <u>String Contention Procedures</u> for more
 information.
- Contracting: The applicant must enumerate community registration policies
 that are evaluated and approved by ICANN and, where relevant, evaluated
 during CPE, in Specification 12 of its Base RA. Refer to Contracting for more
 information. See also Evaluation of Community Registration Policies below
 concerning the evaluation of community registration policies.
- **Fees**: Should an applicant opt to participate in CPE, the applicant must pay an additional evaluation fee. Refer to Fees and Payments for more information.

ICANN will evaluate all community registration policies proposed by applicants for community gTLDs for inclusion in the applicable Base RA during application evaluation. This evaluation aligns with ICANN's approach to evaluating all supplemental commitments proposed by applicants using a uniform framework. More information about this framework is available in Public Interest Commitments, Registry Voluntary Commitments, and Commitments, and Community Registration Policies.

To be considered during CPE, proposed community registration policies must be assessed in Registry Commitments Evaluation (before CPE). This ensures that the commitments can be mutually agreed upon between the applicant and ICANN for inclusion in the applicable Base RA. If such commitments cannot be agreed upon, they will not be considered during CPE.

Any applicant designating its application as community-based will be required, if the application is approved, to include the community registration policies agreed upon with ICANN during the application evaluation in Specification 12 of the applicable Base RA.

¹⁴⁴ Note that an application change request to change the community status of an application will not be allowed. Please see <u>Application Change Requests</u> for more information regarding allowable change requests.



This requirement applies even if there are no contending applicants. See <u>Community Priority Evaluation</u> for more information on Community Priority Evaluation and <u>Public Interest Commitments</u>, <u>Registry Voluntary Commitments</u>, <u>and Community Registration Policies</u>. Please also note there will be a fee for the Registry Commitment Evaluation (RCE) process for Specification 12. See <u>Fees and Payments</u> for more information.

6.1.2.2 Applications for Geographic Names

An applicant may designate its application as a geographic name.¹⁴⁵ It is the applicant's responsibility to identify whether its applied-for gTLD string falls into any of the defined geographic names categories (see <u>Geographic Names</u>), consult with the relevant governments or public authorities, and determine the level of government support required.

In addition, as part of initial string evaluation, ICANN will review all applications to determine whether an applied-for string qualifies as a geographic name, as described later in this section. If an applicant does not self-designate its application as a geographic name but it is later identified as such by ICANN, the application will still be subject to the additional requirements for a geographic name. Applicants can expect to find differing requirements in the following areas of the application lifecycle:

- Application Questions: The applicant will be asked additional questions regarding the geographic name for which it is applying. Refer to <u>Application</u> Questions for more information.
- Evaluation: The applicant for a geographic name must submit documentation
 of support or non-objection from the relevant government entity. A Geographic
 Names Panel (GNP) will determine whether the applied-for string represents a
 geographic name, and verify the relevance and authenticity of the supporting
 documentation where necessary. Refer to Geographic Names Review for more
 information.
- **Fees**: There will be a conditional fee for the <u>Geographic Names Review</u>. Refer to <u>Fees and Payments</u> for more information.

6.1.2.3 Applications for Reserved Names

All applied-for gTLD strings are compared with both the Reserved and Blocked Names lists. While Blocked Names cannot be applied for, eligible entities may apply for a Reserved Name as defined in <u>Blocked and Reserved Names</u>. ¹⁴⁶ For example, the Red

The section details an exception process, which allows for applicants to apply for a name from the Reserved Names list. This process applies exclusively to Red Cross Red Crescent (RCRC), International Olympic Committee (IOC), and International Governmental Organization (IGO) - International Non-Governmental Organizations (INGO) names.



¹⁴⁵ Refer to <u>Geographic Names</u> for a full list of categories of strings that would qualify as geographic names.

Cross Red Crescent (RCRC) or an authorized member organization may wish to apply for a name currently on the Reserved list. To apply for such a name, the applicant must follow the process defined in the Exception Process to Apply for a Reserved Name. Applicants submitting applications for a Reserved Name can expect to find differing requirements in the following areas of the application lifecycle:

- Application Questions: An applicant will be required to answer additional questions regarding the Reserved Name for which it is applying. Refer to <u>Application Questions</u> for more information.
- Evaluation: An applicant for a Reserved Name must submit documentation, including a Certification of Incorporation and a letter from the parent organization, along with documentation of support or non-objection, which may include a signed letter, if applicable. Refer to <u>Reserved Names</u> for more information.

6.1.2.4 Applications for Brand TLDs

An applicant has the ability to self-designate its application as a Brand TLD. This application type allows an applicant to use its company or brand name as a TLD.¹⁴⁷ A Brand TLD is a string that is identical to the textual elements (for example, a name, word, or phrase) of a registered trademark valid under applicable law,¹⁴⁸ and which the applicant operates as a Brand TLD.¹⁴⁹ Applicants submitting applications for a Brand TLD should anticipate differing requirements in the following areas of the application lifecycle:

- Application Questions: An applicant will be asked additional questions regarding the application for which it is applying as a Brand TLD (for example, its brand/trademark). Refer to <u>Application Questions</u> for more information.
- Evaluation: An application for a Brand TLD will be reviewed to determine eligibility for obtaining Brand TLD status.¹⁵⁰ Refer to <u>Brand TLD Eligibility</u> Evaluation for more information.

¹⁵⁰ In some cases, an applicant for a Brand TLD may obtain a Code of Conduct (Specification 9) Exemption but not be eligible for Specification 13. See this FAQ for more information on Specification 9: https://newgtlds.icann.org/sites/default/files/faqs-18mar14-en.pdf.



¹⁴⁷ For reference, see Specification 13 9.3(i) of the April 2023 version of Base RA Specification 13 for more information concerning Brand TLDs and requirements: https://itp.cdn.icann.org/en/files/registry-agreements/base-registry-agreement-specification-13-3 0-04-2023-en.pdf.

¹⁴⁸ Note that in cases of contention with other applicants, a Brand TLD may have the opportunity to change its string to add a descriptor to the domain name, in which case the domain name may no longer be an exact match to the textual elements of a registered trademark. See Application Change Requests.

Note it is not always the case that a string that matches a brand name will be operated as a Brand. It is possible that an applicant applies for a string, which matches a brand name, not intending to operate as a Brand.

- Contention: If an application is in contention with other applications for the same applied-for string, an applicant for a Brand TLD may have the opportunity to request a change to its applied-for string to resolve the contention. Refer to <u>String Contention and Contention Resolution Procedures</u> for more information.¹⁵¹
- **Contracting**: If eligible, Specification 13 would be included in its Base RA for execution. 152 Refer to Contracting for more information.
- **Fees**: There will be a conditional fee for the Brand TLD Eligibility Evaluation. Refer to Fees and Payments for more information.

If an applicant for a Brand TLD qualifies as a Brand TLD, Specification 13 will be included in its applicable RA and the applicant will also obtain a Code of Conduct Exemption (related to Specification 9). However, in some cases, an applicant for a Brand TLD may obtain a Code of Conduct (Specification 9) Exemption but not be eligible for Specification 13. See this FAQ for more information on Specification 9: https://newqtlds.icann.org/sites/default/files/faqs-18mar14-en.pdf.

6.1.2.5 Applications for Internationalized Domain Names

Applicants will have the ability to apply for IDNs. Applications for IDNs must comply with the requirements defined in <u>Internationalized Domain Names</u>, and applicants can expect to find differing requirements in the following areas of the application lifecycle:

 Prioritization: Subject to the limits and requirements identified in Order of <u>Application Processing and Prioritization Draw</u>, applications for IDNs may receive priority in processing over applications for non-IDNs.

6.1.2.6 Applications for Variants of Existing gTLDs

Existing registry operators will have the opportunity to apply for allocatable variant strings of existing gTLDs. ¹⁵³ Applications for these variant strings must comply with the requirements defined in <u>Internationalized Domain Names</u>, and applicants can expect to find differing requirements in the following areas of the application lifecycle:

 Application Questions: An applicant will be asked additional questions regarding the variant string it is applying for. Refer to <u>Application Questions</u> for more information.



¹⁵¹ See also <u>Application Change Requests</u> regarding application change requests for eligibility and evaluation requirements.

¹⁵² As noted above, eligible applicants may also apply for a Code of Conduct (Specification 9) exemption. See this FAQ for more information:

https://newgtlds.icann.org/sites/default/files/fags-18mar14-en.pdf.

¹⁵³ Applicants will also have the opportunity to apply for variants of "new" IDN TLDs. See <u>Applications for New IDN TLD Including One or More Variants</u>.

- Prioritization: Subject to the limits and requirements identified in Order of Application Processing and Prioritization Draw, applications for allocatable variant strings may be prioritized over applications for non-IDNs.
- Evaluation: An applicant for an allocatable variant of an existing gTLD will be subject to review by a panel and will be expected to provide justification for the need for the variant (for example, explanation of how the primary and variant labels are considered the same).¹⁵⁴ Additional requirements may include using the same RSP for the variant registry as the primary registry. Refer to Application Questions and String Similarity Evaluation for more information.
- Contracting: Specification 14 will be added to the Base RA for execution. Refer to Contracting for more information.
- Fees: Existing registry operators applying for allocatable variant strings of existing gTLDs will have the base application fee waived for up to four variant strings;¹⁵⁵ applications for more than four variant strings will incur additional fees. Refer to Fees and Payments for more information.¹⁵⁶

6.1.2.7 Applications for New IDNs Including One or More Variants

Applicants will have the opportunity to apply for a new IDN TLD plus its allocatable variant strings. Applications for a new IDN TLD and its allocatable variant strings must comply with the requirements defined in Internationalized Domain Names and can expect to find differing requirements in the following areas of the application lifecycle:

- Application Questions: An applicant will be asked additional questions regarding the IDN TLD and its allocatable variant strings for which it is applying. Refer to <u>Application Questions</u> for more information.
- Prioritization: Subject to the limits and requirements identified in <u>Order of Application Processing and Prioritization Draw</u>, applications for IDN TLDs, including allocatable variant strings, may receive priority in processing over applications for non-IDNs.
- Evaluation: An applicant for a new IDN TLD and its variant strings will be subject to review by a panel and will be expected to provide justification in its application for the necessity of the variant (for example, explaining how the

¹⁵⁵ *Ibid*. See Recommendations 3.11 and 3.12. The total number of variants that can be applied for is based upon the calculation in the RZ-LGR.

¹⁵⁶ *Ibid*.



¹⁵⁴ See Recommendation 3.5 of the Phase 1 Final Report on the Internationalized Domain Names Expedited Policy Development Process:

https://gnso.icann.org/sites/default/files/policy/2023/correspondence/epdp-idns2-leadership-team-et-al-to-gnso-council-et-al-08nov23-en.pdf.

primary and variant labels are considered the same). Additional requirements may apply such as using the same RSP for the variant registry as the primary registry, as well as ensuring that the TLD types are consistent across the primary string and variant strings. Refer to String Similarity Evaluation for more information.

- Contracting: Specification 14 will be added to the Base RA for execution. Refer to Contracting for more information.
- Fees: New applicants applying for a primary string plus its variant strings will
 not incur additional application fees beyond the base fee for up to four variant
 strings. However, applications for the primary string plus more than four variant
 strings will incur additional fees. Refer to Fees and Payments for more
 information.¹⁵⁸

6.1.2.8 Applications from Intergovernmental Organizations or Governmental Entities

An application from intergovernmental organizations (IGOs)¹⁵⁹ or governmental entities¹⁶⁰ will be accepted. Applicants in this category should consider the requirements for geographic names defined in <u>Geographic Names</u>, as well as requirements for reserved names specified in <u>Blocked and Reserved Names</u>. These applicants can expect to find differing requirements in the following areas of the application lifecycle:

- Application Questions: These entities may be asked additional questions regarding their particular organizations. Refer to <u>Application Questions</u> for more information.
- Evaluation: Any such entity will be required to provide documentation to verify its status as an intergovernmental or governmental organization, as applicable. Refer to <u>Geographic Names Review</u> and <u>Reserved Names Review</u> for more information.
- Contracting: A "Special Provision Relating to Intergovernmental Organizations or Governmental Entities" could be included in the applicant's Base RA for execution, if requested. Refer to Contracting for more information.

https://gnso.icann.org/sites/default/files/policy/2023/correspondence/epdp-idns2-leadership-team-et-al-to-gnso-council-et-al-08nov23-en.pdf.

¹⁶⁰ Typically defined as a national government or any department, agency, or subdivision thereof with the relevant authority.



¹⁵⁷ *Ibid.* See Recommendation 3.5.

¹⁵⁸ See

¹⁵⁹ An IGO is an organization composed primarily of sovereign states, or of other intergovernmental organizations. IGOs are established by treaty or other agreement that acts as a charter creating the group. Examples include the United Nations, the World Bank, or the European Union. Source: Union of International Associations, https://uia.org/faq/yb3.

6.1.2.9 Applications for Applicants Eligible for Applicant Support

Before the current round opened, prospective applicants had the opportunity to apply to participate in the Applicant Support Program. Applicants that applied to participate were evaluated based upon the criteria set forth in the Applicant Support Handbook. It is important to note that an application for Applicant Support is distinct from an application for a new gTLD. Applicants that receive Applicant Support must also meet the requirements and eligibility criteria for a new gTLD application, as defined in this Applicant Guidebook.

Eligible applicants for Applicant Support can expect to find differing requirements in the following areas of the application lifecycle:

- Contention: Applicant Support applicants participating in an ICANN Auction will receive a bid-credit. Refer to <u>Bid Credits for Applicant Support Program</u> <u>Applicants in Auctions</u> for more information.
- Contracting: If an applicant successfully obtains Applicant Support and its application prevails in an auction, the applicant will be restricted from assigning the Base RA, and/or undergoing any Change of Control for a minimum of three years. Refer to Contracting for more information.
- Fees: An applicant qualifying for Applicant Support will be eligible to pay a
 reduced gTLD application fee. Refer to <u>Fees and Payments</u> as well as the
 Applicant Support Program Handbook for more information.

6.1.3 Changing Application Types

In some cases, an applicant may wish to change its application type. This may or may not be permitted, based on the application type. For example, an applicant will not be permitted to change a community TLD designation. Please refer to Application Change Requests for more information regarding which changes to an application and/or string type may be permitted.

6.2 Blocked and Reserved Names Overview

Certain names are blocked and therefore not available for use as gTLD strings, as detailed in this section. Other names are reserved at the top level and maintained on a list by ICANN. This list is informed by a range of sources and inputs, as described below.

As part of the Identification process, all applied-for gTLD strings are compared with both the Reserved and Blocked Names lists, which can be on the [Reserved and Blocked Names List page] of the New gTLD Program website. This comparison ensures that the applied-for gTLD string does not appear on either list.



In the 2012 Applicant Guidebook, the list called "Strings Ineligible for Delegation" is now referred to as the <u>Reserved Names List</u>, and the list previously called the "Top-Level Reserved Names List" is now known as the <u>Blocked Names List</u>.

6.2.1 Blocked Names

gTLD strings and their allocatable variants on the Blocked Names list are not eligible for application in any future application round, as per existing GNSO policy. However, the list does not apply to gTLDs that have already been delegated into the root zone.

The following gTLD strings and their allocatable variant strings are on the Blocked Names list and cannot be applied for:

- Special-Use Domain Names: These are specific strings reserved by technical standards for purposes inconsistent with delegation, as explicitly noted on IANA's Special-Use Domain Names Registry.¹⁶¹
 - As a result of SAC113¹⁶² and subsequent work as directed by the ICANN Board, the following string will be added to the Blocked Names list and be ineligible for delegation in addition to all other labels on the list: .INTERNAL
- Technical Standards: Certain technical standards prohibit entire
 categories of strings (for example, Reserved LDH strings (R-LDH strings)
 containing "--" in the third and fourth positions, while still conforming to LDH
 string rules (RFC 5890¹⁶³), as well as prohibited IDNA strings and TLDs that
 include numerals).
- Country or Territory Names in relation to Geographic Names: See Geographic Names for more details.
- Three letter ASCII country codes: Strings assigned in the ISO 3166-1 alpha-3 standard¹⁶⁴ are not eligible for delegation.
- ICANN-related and other entities in the DNS ecosystem: These include, for example, ICANN's Supporting Organizations (SOs) and Advisory Committees (ACs),¹⁶⁵ Regional Internet Registries,¹⁶⁶ and IETF bodies.¹⁶⁷



¹⁶¹ See

https://www.iana.org/assignments/special-use-domain-names/special-use-domain-names.xhtml ¹⁶² See

https://itp.cdn.icann.org/en/files/security-and-stability-advisory-committee-ssac-reports/sac-113-en.pdf.

¹⁶³ See https://datatracker.ietf.org/doc/html/rfc5890.

¹⁶⁴ See https://www.iso.org/obp/ui.

¹⁶⁵ See https://www.icann.org/community.

¹⁶⁶ See https://aso.icann.org/about/aso-and-nro/rirs/.

¹⁶⁷ See https://www.ietf.org/about/groups/.

6.2.2 Reserved Names

The Reserved Names evaluation process is divided into two parts: Reserved Names Identification, an automated check that identifies whether an applied-for string appears on the Reserved Names list, and Reserved Names Review, which includes both the exception process for an applicant to apply for a Limited International IGO-INGO name and the verification of required documentation.

ICANN will review the Evaluation Challenge. If ICANN determines that a system error led to the incorrect classification of the string as a Reserved Name, the system error will be corrected, allowing the application to proceed to the next appropriate stage in the process. If no error is found, the application will proceed, but must meet the Reserved Name criteria during the Reserved Names Review phase. There are no conditional fees associated with an Evaluation Challenge related to Reserved Names. Applicants are responsible for ensuring compliance with all Reserved Names requirements, even in cases of system error.

6.2.2.2 Reserved Names Review

6.2.2.2.1 Exception Process to Apply for Reserved Names

During the Reserved Names Review, the exception process provides a limited opportunity for applicants to request names from the Reserved Names list, including any allocatable variant strings.

The following Limited International IGO-INGOs strings are on the Reserved Names list and may be applied for through an exception process only by the relevant entity, provided it submits appropriate documentation as detailed below:

- Names added based on recommendations from the IGO-INGO PDP Working Group regarding the protections of IGO-INGO identifiers in all gTLDs,¹⁶⁸ including their allocatable variant strings, are eligible for delegation upon verification.
- Red Cross Red Crescent (RCRC), International Olympic Committee (IOC), and International Governmental Organization (IGO) – International Non-Governmental Organizations (INGO) Names.¹⁶⁹

To apply for a Reserved Name through the exception process, applicants must submit the following types of documentation at the time of application:

Certification of Incorporation and, if applicable, letter from parent organization.



¹⁶⁸ See ICANN Board Resolution (2019.01.27.19),

https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-27-01-2019-en#2.d.

¹⁶⁹ See https://gnso.icann.org/en/group-activities/active/igo-ingo.

 Documentation of support or non-objection including a signed letter from the relevant public authority (if applicable).

6.2.2.2.1.1 Verification of Submitted Documentation

If an applicant from one of the Limited International IGO-INGOs listed above uses the exception process to apply for a name from the Reserved Names list, including its allocatable variant strings, a verification process will be initiated. This process will confirm that the applicant has submitted satisfactory documentation establishing its eligibility to apply for that particular TLD. The verification process for the applying organization/entity will occur as part of Application Evaluation.

ICANN may consult with the relevant authorities for further verification.

If applicable, for further assistance in determining who the relevant government or public authority may be for a request, the requester may wish to consult with the relevant GAC representative.¹⁷⁰

6.2.2.2.2 Extended Evaluation for Reserved Names Review

An applicant that does not provide adequate documentation demonstrating its eligibility to apply for a TLD listed on the Reserved Names list will fail the Reserved Names Review.

However, if it is determined that an application does not meet the criteria identified for the Reserved Names Review, the applicant may request Extended Evaluation. During Extended Evaluation, Clarifying Questions may be issued to obtain additional information. To ensure timely processing, applicants will be encouraged to respond as soon as possible, but no later than 21 days after receiving the Clarifying Questions. If the additional information provided does not satisfy the Reserved Names criteria, the application will not pass the review and will not proceed.

6.3 Brand TLD Eligibility Evaluation

Applicants will have the ability to self-designate an application as a Brand TLD. This application type allows a business or corporation to use its company or brand name as a TLD. See <u>Application and String Types</u>.

6.3.1 Eligibility for Brand TLD Eligibility Evaluation

An applicant that seeks to designate its applied-for string as a Brand TLD must undergo the Brand Eligibility Evaluation. The purpose of this evaluation is to confirm that the applicant meets the criteria for the Brand TLD designation. Applications that pass the Brand Eligibility Evaluation will have Specification 13 added to the applicable

¹⁷⁰ See https://gac.icann.org/about/members.





Base RA if the application proceeds to delegation. Please see the <u>Base RA</u> for Specification 13 terms.¹⁷¹

An applicant may request the Brand Eligibility Evaluation in its application or via an Application Change Request (see <u>Application Change Requests</u>).

6.3.2 Conditional Fee for Brand TLD Eligibility Evaluation

An applicant that requests the Brand TLD Eligibility Evaluation must pay an additional evaluation fee as specified in <u>Fees and Payments</u>. The Brand TLD Eligibility Evaluation will not be performed until ICANN receives the relevant fee.

6.3.3 Evaluation and Outcomes of Brand TLD Eligibility Evaluation

To qualify for a Brand TLD designation, an applicant must provide one or more Trademark Clearinghouse (TMCH) Signed Mark Data (SMD) files. Please refer to the TMCH guidelines for eligibility requirements. See https://trademark-clearinghouse.com/.

6.3.3.1 Engagement with Trademark Clearinghouse Before Submitting a Brand TLD Application

An applicant that plans to designate its applied-for string as a Brand TLD should take preparatory actions well in advance of initiating the application to ensure it can demonstrate eligibility upon submission.

Brand TLD applications must include one or more Trademark Clearing House (TMCH) Signed Mark Data (SMD) files in support of the Brand designation. Because adding or adjusting TMCH filings may take several months to complete and may involve fees paid directly to TMCH, Brand TLD applicants should carefully review their existing TMCH SMD files and/or acquire new SMD files as soon as practicable. Brand TLD applicants should take the following steps in relation to the TMCH (where applicable) before applying for a Brand TLD:

 A Brand TLD applicant without a relationship with the TMCH or without SMD files covering the strings for which it wishes to apply should initiate the TMCH vetting.¹⁷²



¹⁷¹ Eligible applicants may also apply for a Code of Conduct (Specification 9) exemption. See this FAQ for more information: https://newgtlds.icann.org/sites/default/files/faqs-18mar14-en.pdf as well as Code of Conduct Exemption Evaluation.

¹⁷² See https://trademark-clearinghouse.com/.

- Ensure that any desired TLD labels are listed in <mark:label> elements in SMD files. Any string that a Brand TLD applicant wishes to apply for must exactly match a <mark:label> element in a valid SMD dated prior to application submission.
- Ensure that any desired variant labels of the primary Brand string are listed in <mark:label> elements in SMD files. All applied-for variant strings of a Brand TLD must exactly match a <mark:label> element in a valid SMD dated prior to application submission.
- Ensure that the <mark:goodsAndServices> elements are correct, complete, and include a word that the applicant may want to use in a Brand String Change pursuant to Brand String Change Request. Additional words used to augment the applied-for Brand string should appear in a <mark:goodsAndServices> element of a valid SMD file dated prior to the submission of a Brand String Change Request.

If the words used to augment the applied-for string do not appear in a SMD file, it may still be possible to submit a Brand String Change Request using alternate documentation, see <u>Brand String Change Request Requirements</u>.

6.3.3.2 Brand TLD Eligibility Evaluation Criteria

The Brand TLD Eligibility Evaluation will be performed by a Brand TLD Eligibility Evaluation Panel. An applicant seeking the Brand TLD designation must demonstrate that the application meets the following criteria:

- 1a. The applied-for gTLD string must exactly match the textual elements of a registered trademark verified by the TMCH in the provided SMD files; or
- 1b. If the applicant changed its applied-for string using a <u>Brand String Change</u> <u>Request</u>, the final string must meet all of the requirements set forth therein.
- 2. The applicant and the final string (including all allocatable variant strings) must meet all of the requirements set forth in Specification 13 of the <u>Base RA</u>.

The applicant will be required in its application to self-certify affirming compliance with the criteria as set forth above and in Specification 13 of the <u>Base RA</u>. Additionally, mission and purpose statements must demonstrate non-generic usage.

6.3.3.3 Brand TLD Eligibility Evaluation Clarifying Questions

ICANN may issue Clarifying Questions during the Brand TLD Eligibility Evaluation. Applicants will have seven days to respond to administrative clarifying questions and 21 days to respond to substantive clarifying questions. If the applicant fails to respond within that defined period, the applicant may forfeit the opportunity to address any issues found by the evaluation panel.



6.3.3.4 Results of Brand TLD Eligibility Evaluation

The results of the Brand TLD Eligibility Evaluation will be included in the Application and Applicant Evaluation Reports, as described in <u>Publication of Application and Applicant Evaluation Reports</u>.

If an application passes the Brand TLD Eligibility Evaluation, Specification 13 will be added to the applicable Base RA if the application proceeds to delegation.

If a Brand TLD Eligibility Evaluation is not successful, the applicant may elect to continue with its application without the Brand TLD designation, that is, without the addition of Specification 13. In such cases, the applicant must submit an Application Change Request to reflect the applicant's intention to proceed without the Brand TLD designation.

If the Brand TLD request is made outside of the application submission window by an Application Change Request, or an applicant wishes to withdraw its request for a Brand TLD designation, a comment window will be available for 30 days.

6.3.4 Challenges and Extended Evaluation for Brand TLD Eligibility Evaluation

Applicants will have the ability to resubmit the required documentation if the initial submission of such documentation is non-compliant. Because of this, extended evaluation or a challenge mechanism are not applicable for this evaluation.

6.3.5 String Contention and String Change

An applicant that successfully completes the Brand TLD Eligibility Evaluation may be permitted to change its primary string to avoid string contention. Please see Brand String Change Request for more information regarding the procedures for a Brand TLD String Change Request.

6.4 Code of Conduct Exemption Evaluation

Specification 9 of the Base RA contains the Registry Operator Code of Conduct. The purpose of the Registry Operator Code of Conduct is to protect a gTLD's registrants. In some cases, an exemption from the Code of Conduct may be requested.

6.4.1 Eligibility for Code of Conduct Exemption Evaluation

If a registry operator registers all domain names in the gTLD exclusively for and to be used only by itself or its Affiliates, ("Affiliate" as defined in the <u>Base RA</u>) and the Registry Operator would like to waive the protection for itself and its Affiliates, ICANN



may grant the Registry Operator an exemption to the Code of Conduct, provided the gTLD is not a generic string (see <u>Closed Generics</u>) and the Registry Operator can satisfy all exemption criteria. Please see the <u>Base RA</u> for Specification 9 text.

An applicant is permitted to request a Code of Conduct Exemption in its gTLD Program application or, after the submission of the application, using an Application Change Request. The request for Code of Conduct Exemption is open to the public for review and input via the application comment period. See <u>Application Comments in the Evaluation Process</u> for more information.

6.4.2 Conditional Fees for Code of Conduct Exemption Evaluation

Applicants that request the Code of Conduct Exemption Evaluation must pay an additional fee, as specified in <u>Fees and Payments</u>. The Code of Conduct Exemption Evaluation will not be performed until the relevant fees are received by ICANN.

6.4.3 Code of Conduct Exemption Evaluation Criteria

The Code of Conduct Exemption Evaluation will be performed by the Code of Conduct Exemption Evaluation Panel. The determination of whether ICANN will grant an exemption to the Code of Conduct will consist of a review of the assertions in the exemption request to verify that if the applicant becomes a registry operator, it will satisfy all three of the exemption criteria:¹⁷³

- All domain name registrations in the gTLD will be registered to, and maintained by, Registry Operator for the exclusive use of Registry Operator or its Affiliates (as defined in the Base RA);
- Registry Operator will not sell, distribute or transfer control or use of any registrations in the gTLD to any third party that is not an Affiliate of Registry Operator; and
- 3. Application of the Code of Conduct to the gTLD is not necessary to protect the public interest.

An applicant requesting a Code of Conduct Exemption will be required in its application to self-certify affirming compliance with the criteria as set forth above. Additionally, mission and purpose statements must demonstrate non-generic usage. That is, in order to ensure that approval of a Code of Conduct Exemption will not conflict with Specification 11 of the Base RA, which prohibits generic gTLDs from being operated on an exclusive basis, the string must not be a closed generic as defined in Closed Generics.



¹⁷³ See https://newgtlds.icann.org/sites/default/files/faqs-18mar14-en.pdf.

6.4.4 Code of Conduct Exemption Evaluation Clarifying Questions

ICANN may issue Clarifying Questions as part of the Code of Conduct Exemption Evaluation. An applicant will have seven days to respond to administrative clarifying questions and 21 days to respond to substantive clarifying questions. If the applicant fails to respond within that defined period, the applicant may forfeit the opportunity to address any issues found by the evaluation panel.

6.4.5 Results

The results of the Code of Conduct Exemption Evaluation will be included in the Application and Applicant Evaluation Reports, as described in the <u>Publication of Application and Applicant Evaluation Reports</u>.

If an application passes the Code of Conduct Eligibility Evaluation, an exemption to the Code of Conduct will be granted.

If an application does not successfully complete the Code of Conduct Exemption Evaluation, the application may continue with Specification 9 remaining in place; however, an Application Change Request is expected to reflect the application's current intent to proceed with Specification 9 in place.

6.4.6 Challenges and Extended Evaluation for Code of Conduct Exemption Evaluation

Applicants will have the ability to resubmit the required documentation if the initial submission of such documentation is non-compliant. Because of this, extended evaluation or a challenge mechanism are not applicable for this evaluation.

6.5 Geographic Names

Applicants for gTLD strings must carefully consider the interests of governments or public authorities concerning Geographic Names. The following sections outline the requirements and procedures that ICANN will follow during the evaluation process. An applicant should review these requirements even if it does not believe its intended gTLD string qualifies as a Geographic Name. All applied-for gTLD strings and their allocatable variant strings will be reviewed according to the requirements in this section, regardless of whether the application indicates it is for a Geographic Name.

The processing of Geographic Names comprises:

 Geographic Names Identification: a string-level check which is part of String Evaluation.



 Geographic Names Review: verification and substantive review of application responses for strings determined to be geographic. This review takes place during the application evaluation phase.

Additionally, an applicant for a Geographic Name TLD string can apply for its allocatable variant strings. In such cases, all allocatable variant strings must adhere to the same application requirements and evaluation criteria as the associated primary Geographic Name gTLD string. Specifically, the same documentation requirements apply. See Internationalized Domain Names for more information.

6.5.1 Treatment of Country or Territory Names

Applications for strings that are country or territory names will not be approved, as they are not available under the New gTLD Program: Next Round.¹⁷⁴ A string is considered a country or territory name if it meets any of the following criteria:

- 1. It is an alpha-3 code listed in the ISO 3166-1 standard. 175
- 2. It is a long-form name listed in the ISO 3166-1 standard, or a translation of the long-form name in any language.
- 3. It is a short-form name listed in the ISO 3166-1 standard, or a translation of the short-form name in any language.
- 4. It is the short- or long-form name associated with a code that has been designated as "exceptionally reserved" by the ISO 3166 Maintenance Agency.
- 5. It is a separable component of a country name designated on the "Separable Country Names List," or is a translation of a name appearing on the list, in any language. See Appendix 2: Materials related to Geographic Names.
- 6. Permutations and transpositions of the following strings are reserved and unavailable for delegation:
 - a. Long-form names listed in the ISO 3166-1 standard.
 - b. Short-form names listed in the ISO 3166-1 standard.
 - Short- or long-form names associated with a code that has been designated as "exceptionally reserved" by the ISO 3166 Maintenance Agency.

¹⁷⁴ Country and territory names are excluded from the process based on advice from the Governmental Advisory Committee in past communiqués. These communiqués interpret Principle 2.2 of the GAC Principles regarding New gTLDs stating that strings which are a meaningful representation or abbreviation of a country or territory name should be handled through a ccPDP, and other geographic strings could be allowed in the gTLD space if in agreement with the relevant government or public authority.

175 See https://www.iso.org/obp/ui.



d. Separable component of a country name designated on the "Separable Country Names List, or is a translation of a name appearing on the list, in any language."

Strings resulting from permutations and transpositions of alpha-3 codes listed in the ISO 3166-1 standard are available for delegation, unless the strings resulting from permutations and transpositions are themselves on that list.¹⁷⁶

7. It is 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.

6.5.2 Geographic Names Requiring Government or Public Authority Documentation

Certain types of applied-for strings, including their allocatable variant strings, are considered Geographic Names and must be accompanied by documentation of support or non-objection from the relevant governments or public authorities. These types are:

- 1. Strings that represent, in any language, the <u>capital city name</u> of any country or territory listed in the ISO 3166-1 standard.
- 2. <u>City names</u> where the applicant declares that it intends to use the gTLD for purposes associated with the city name.

City names can present challenges because they may also be generic terms or brand names, and they are often not unique. Unlike other types of Geographic Names, city names do not have established lists for objective references during evaluation. Thus, city names are not universally protected. However, the process does provide a means for cities and applicants to work together where desired.

A city name application will be subject to the Geographic Names requirements (that is, 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.

¹⁷⁶ 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."



- b) The applied-for string is a city name as listed on official city documents.¹⁷⁷
- 3. Strings that are exact matches of <u>sub-national place names</u>, such as counties, provinces, or states, listed in the ISO 3166-2 standard.
- 4. Strings listed as UNESCO regions¹⁷⁸ or appearing on the Geographic Regions section of the "Standard country or area codes for statistical use (M49)".¹⁷⁹

Translations of regions included on the list mentioned above will be limited to the languages specified on that list. Region names that do not conform to the framework of DNS permissible characters will be converted into DNS labels that contain only letters, digits and hyphens as noted in the Root Zone Label Generation Rules (RZ-LGR).¹⁸⁰

For strings on these lists, documentation of support/non-objection will be required from at least 60% of the respective national governments in the region, with no more than one written objection to the application from relevant governments in the region or public authorities associated with the continent or the region.

When the 60% rule is applied and regions are common to both lists, the regional composition contained in the "Standard country or area codes for statistical use (M49)" takes precedence.

An applied-for gTLD string that falls into any of the types 1 through 4 listed above is considered to represent a Geographic Name. In cases of uncertainty, it is advisable for the applicant to consult with relevant governments and public authorities to enlist their support or non-objection prior to submission of the application. This proactive approach can help prevent possible objections and clarify any ambiguities concerning the string and applicable requirements.

Strings that include but do not exactly match a Geographic Name as defined in this section will not be considered Geographic Names. Therefore, they will not require documentation of government support or non-objection during the evaluation process.

For each application, the Geographic Names Panel will determine which governments or public authorities are relevant based on the inputs of the applicant, governments,



¹⁷⁷ City governments with concerns about strings that are duplicates, nicknames or close renderings of a city name should not rely on the evaluation process as the primary means of protecting their interests in a string. Rather, relevant concerned parties may elect to file a formal objection to an application that is opposed to by the relevant community, or may submit its own application for the string.

¹⁷⁸ The 5 regions recognized by UNESCO include: Africa, Arab States, Asia and the Pacific, Europe and North America, Latin America and the Caribbean (as of May 2025).

¹⁷⁹ See https://unstats.un.org/unsd/methodology/m49/ published as of May 2025.

¹⁸⁰ See Root Zone Label Generation Rules Version 5:

https://www.icann.org/resources/pages/root-zone-lgr-2015-06-21-en.

and its own research and analysis. If there is more than one relevant government or public authority for the applied-for gTLD string, the applicant must provide documentation of support or non-objection from all the relevant governments or public authorities. It is anticipated that this may apply to the case of a sub-national place name.

It is the applicant's responsibility to:

- Identify whether its applied-for gTLD string falls into any of the above categories.
- Identify and consult with the relevant governments or public authorities.
- Identify which level of government support is required.

Note: The level of government and which administrative agency is needed for the filing of letters of support or non-objection is a matter for each national administration to determine. Applicants should consult within the relevant jurisdiction to determine the appropriate level of support.

The requirement to include documentation of support or non-objection for certain applications does not preclude or exempt applications from being the subject of objections on community grounds (refer to <u>Ground for Objection: Community</u>). Applications may still be rejected if objections asserting substantial opposition from the targeted community are successful.

6.5.2.1 Documentation Requirements

The documentation of support or non-objection should include a signed letter from the relevant government(s) or public authority(ies). Recognizing that this will differ across jurisdictions, the letter could be signed by the minister responsible for domain name administration, ICT, foreign affairs, or the Office of the Prime Minister or President of the relevant jurisdiction. Alternatively, a senior representative of the agency or department responsible for domain name administration, ICT, foreign affairs, or the Office of the Prime Minister. To assist in identifying the relevant government(s) or public authority(ies) for a potential Geographic Name, the applicant may wish to consult with the relevant Governmental Advisory Committee (GAC) representative.¹⁸¹

The letter must clearly express the government's or public authority's support for or non-objection to the applicant's application and demonstrate the government's or public authority's understanding of the string being requested and its intended use.

The letter should also demonstrate the government's or public authority's understanding that the string is being sought through the gTLD application process and that the applicant is willing to accept the conditions under which the string will be available, that is, entry into a Base RA with ICANN requiring compliance with consensus policies and payment of fees. See Post Contracting and Fundamental

¹⁸¹ See https://gac.icann.org/about/gac-members.





<u>Obligations of Registry Operators to Registrars</u> for a discussion of the obligations of a gTLD registry operator.

A sample letter of support/non-objection is available in <u>Appendix 2: Materials related to Geographic Names</u>.

Applicants and governments may conduct discussions concerning government support or non-objection for an application at any time. Applicants are encouraged to begin such discussions at the earliest possible stage, enabling governments to follow the processes that may be necessary to consider, approve, and generate a letter of support or non-objection. If the letter of support or non-objection is dated more than four months from the opening of the New gTLD Program application submission period, a fresh letter of support or non-objection will be required. However, applicants should provide contact information for a designated person in case the Geographic Names Panel (GNP) needs clarification or has questions.

It is important to note that a government or public authority is under no obligation to provide documentation of support or non-objection in response to a request by an applicant, and that if support or non-objection is withdrawn during the application process, the application will fail the Geographic Name Review.

Applicants should be aware that ICANN has committed to governments that, in the event of a dispute between a government (or public authority) and a registry operator that submitted documentation of support from that government or public authority, ICANN will comply with a legally binding order from a court in the jurisdiction of the government or public authority that has given support to an application. If support is withdrawn through a legally binding court order, the registry operator will no longer have the necessary documentation, and the Registry Transition Processes¹⁸² referred to in the Registry Agreement will be followed.

6.5.3 Processing of Geographic Names

6.5.3.1 Geographic Name Identification

As part of the Geographic Name Identification, the Geographic Names Panel will review all applied-for strings to identify which strings may be considered Geographic Names. This process is distinct from and occurs before the more substantive verification process conducted during the Geographic Names Review, which occurs as part of Application and Application<

City names that do not fall under the categories defined in Sections 1, 3, and 4 of Geographic Names Requiring Government or Public Authority Documentation will not be classified as Geographic Names during the Geographic Names Identification.

https://www.icann.org/en/contracted-parties/registry-operators/services/registry-transition-process



¹⁸²

However, if the applicant indicates an intent to use the applied-for string as a city name, as described in Section 2 of <u>Geographic Names Requiring Government or Public Authority Documentation</u>, the application will be evaluated by the Geographic Names Panel during the Application and Applicant Evaluation phase. This evaluation will include an assessment of the intended purpose and any required documentation.

6.5.3.2 Geographic Names Review

A Geographic Names Panel (GNP) will determine whether each applied-for gTLD string represents a Geographic Name, and verify the relevance and authenticity of the supporting documentation where necessary.

The GNP will review all applications received, not only those where the applicant has noted its applied-for gTLD string as a Geographic Name. For any application where the GNP determines that the applied-for gTLD string is a country or territory name (as defined in this module), the application will not pass the Geographic Names Review and will be denied. No additional reviews will be available.

For any application where the GNP determines that the applied-for gTLD string is not a Geographic Name requiring government support or non-objection (as described in this module), the application will pass the Geographic Names Review with no additional steps required.

For any application where the GNP determines that the applied-for gTLD string is a Geographic Name requiring government support or non-objection, the GNP will confirm that the applicant has provided the required documentation from the relevant governments or public authorities, and that the communication from the government or public authority is legitimate and contains the required content. ICANN may confirm the authenticity of the communication by consulting with the relevant diplomatic authorities or members of ICANN's Governmental Advisory Committee for the government or public authority concerned on the competent authority and appropriate point of contact within their administration for communications.

The GNP may communicate with the signing entity of the letter to confirm their intent and their understanding of the terms on which the support or non-objection for an application is given.

6.5.3.2.1 Extended Evaluation for Geographic Names Review

A Geographic Names Review will qualify for Extended Evaluation in the following instances:

Issues with Documentation Provided: In cases where an applicant has not
provided the required documentation, the applicant will be contacted and
notified of the requirement, and given a limited time frame to provide the
documentation. If the applicant is able to provide the documentation before the
close of the evaluation period, and the documentation is found to meet the



requirements, the applicant will pass the Geographic Names Review. If not, the applicant may elect Extended Evaluation where it will have additional time to obtain the required documentation; however, if the applicant has not produced the required documentation by the required date (at least 90 days from the date of notice), the applicant will not have additional time and/or opportunities in the current application round to do so. The applicant may reapply in subsequent application rounds, if desired, subject to the fees and requirements of the specific application rounds. See Applicant Evaluation Procedures and String and Application Evaluation Procedures on Evaluation Challenges for more information.

• Conflicting Support or Non-Objection for the Same Geographic Name: As noted in Contention Resolution for Geographic Names Applications, in the event that there is more than one application for a string that represents the same Geographic Name and has received documentation of support or non-objection from different government or public authorities, as determined by the Geographic Names Panel, these applications will also undergo Extended Evaluation. If during Extended Evaluation the Geographic Names Panel is satisfied that the supporting authorities of all relevant applications, and agree that these applications can proceed to contention resolution, then they will either proceed to auction or to CPE, if one of the applications is a community application and elects to undergo CPE.

6.6 Variant String Evaluation

An applicant seeking one or more allocatable variant strings ("variant strings") of an applied-for primary IDN or existing gTLD must provide justification for the necessity of each variant string. This justification will be evaluated by a panel using a general standard of reasonableness based on the following criteria, in the context of the applied-for primary IDN gTLD or existing gTLD:

- The meaning or intended meaning (for non-dictionary words) of each of the applied-for variant strings is consistent, as demonstrated by sources provided by the applicant.
- 2. The variant string is recognized as equivalent by the intended user community.
- 3. The benefits and the user communities who will gain from the introduction of the applied-for variant string.
- 4. Steps the applicant will take to minimize the operational and management complexities of the variant string and resulting variant domain names that impact registrars, resellers and/or registrants.

The applicant must meet each criterion for each applied-for variant string to proceed in the Program. The evaluation outcome of any one applied-for variant string will not



impact the evaluation outcome of a primary applied-for IDN or any other applied-for variant string in the application.

The ability to manage the applied-for variant strings along with the applied-for primary IDN or the existing gTLD will be evaluated from both a technical and operational perspective, as described in the RSP Handbook.

6.6.1 Additional Application Requirements for Variant Strings

An applied-for variant string will be subject to the same application requirements and evaluation criteria as the associated primary applied-for IDN or existing gTLD. Specifically, the same documentation requirements apply to both the primary applied-for IDN and its applied-for variant strings. For purposes of clarity, an applied-for primary string and its applied-for variant strings will be evaluated together as a set but will require relevant documentation for each variant string, as needed.

With respect to the following three specialized application types:

- Applicants for community-based IDN and their variant strings must submit the same endorsement for applied-for variant strings as needed for the primary IDN. If a community-based IDN is in contention (as described in <u>String</u> <u>Contention and Contention Set Resolution</u>) and opts to participate in Community Priority Evaluation (CPE), then the community-based IDN and their applied-for variant strings will be evaluated together as a set (see <u>Community</u> <u>Priority Evaluation</u>).
- An applicant for a Geographic Name IDN and its variant strings must submit documentation of support or non-objection to its applied-for primary string and applied-for variant strings from relevant governments or public authorities. That is, the requisite documentation of support or non-objection should reference both the applied-for IDN and its applied-for variant strings (see <u>Geographic</u> <u>Names</u>).
- An applicant for an IDN applying as a Brand and its variant strings is required to submit proof that its applied-for primary string and applied-for variant strings are identical to registered trademarks owned and used by the applicant. That is, any applied-for variant string must also show proof that it is identical to registered trademarks owned and used by the applicant (see <u>Brand TLD</u> <u>Eligibility Evaluation</u>).



6.6.2 Application for Variant Strings of Reserved Names List

When a Reserved Name is the primary string, only the organization associated with that Reserved Name (see <u>Reserved Names</u>) is allowed to apply for its variant strings at the top level. Although the variant string does not need to be a Reserved Name, it is generated as a variant string of the Reserved Name using the RZ-LGR. An application for variant strings of a Reserved Name cannot precede an application for the Reserved Name, which serves as the primary string for generating the variant strings.

6.6.3 Additional Dependence of Variant Strings

All variant strings depend on their primary IDN for application evaluation. If a primary applied-for IDN is disqualified for any reason, as described in this section or other relevant sections of the Guidebook, then all the associated variant strings will also be disqualified. In such cases, the entire application will not be allowed to proceed.

However, if any applied-for variant strings are disqualified and not able to proceed, then the applicant must file an Application Change Request (ACR) to remove the disqualified applied-for variant string in order for the application to proceed. If the ACR is successful, the corresponding applied-for primary IDN and any remaining applied-for variant strings that are not disqualified will still be able to proceed.

6.7 Name Collision

The delegation of almost any new gTLD carries some risk of Name Collision. Name Collision refers to the situation in which a resource name that is intended to be resolved in one namespace is inadvertently resolved in a different namespace, potentially leading to unexpected behavior such as communication being disrupted or redirected from its intended recipient.¹⁸³

In order to assess and mitigate this risk, ICANN has implemented the Name Collision Risk Management framework, following recommendations from the Name Collision Analysis Project Study Two Report, ¹⁸⁴ as directed by the ICANN Board on 7 September 2024. ¹⁸⁵

All applied-for gTLD strings must be assessed in this framework before being approved for contracting and delegation. This section describes this framework, and the

https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-regular-meeting-of-the-icann-board-07-09-2024-en.



¹⁸³ For examples of name collisions, please refer to section 2.2 of the Name Collision Analysis Project (NCAP) Study report:

https://icann-community.atlassian.net/wiki/download/attachments/99319865/ncap-study-1-report -19iun20-en.pdf.

¹⁸⁴ See https://www.icann.org/en/system/files/files/ncap-study-2-report-05apr24-en.pdf.

procedures that will be used to assess and, if necessary, mitigate any Name Collision risks associated with such strings.

6.7.1 Applicant Access to Longitudinal Risk Data

Before the opening of the application submission period, ICANN will publish datasets related to all strings above a certain threshold of query volume that may help applicants to assess the risk of Name Collision.

The metrics for an applied-for string are only one of several factors, both quantitative and qualitative in nature, that will be considered when assessing the risk associated with that string.

Applicants should also note that out of the approximately 1,400 unique strings that were applied for during the last round, only three (.CORP, .HOME, and .MAIL) were assessed to be high-risk. 186 Nevertheless, applicants should not assume that if the datasets indicate a low volume of Name Collision occurrences that the string will be assessed as safe to be delegated.

6.7.2 Name Collision Initial Assessment

Each applied-for string and any allocatable variant strings will undergo the Name Collision Initial Assessment using relevant data sets that can be procured, for example, root server logs, and DNS recursive server logs, using both volume and diversity of queries, origins, query names (labels), and query types; Identifier Technologies Health Indicators (ITHI)¹⁸⁷ data sets; and qualitative evidence that can help deduce the severity of harm. The purpose of this assessment is to preliminarily identify high-risk strings.

The Initial Assessment will take place following the <u>String Confirmation Day</u>. ICANN will publish an Initial Assessment report describing the assessment, its methodology, and findings, once completed. A Public Comment period will be carried out for the report to allow the community to provide feedback on the methodology and findings.

6.7.3 Temporary Delegation and Final Assessment

Strings (including variant strings) that are not identified as high-risk during the Initial Assessment (see Initial Assessment of Applied-for Strings) will be queued for Temporary Delegation. Temporary Delegation will start once the Initial Assessment has been concluded, even if other evaluations that are part of String Evaluation are still being performed. The prioritization of Temporary Delegation will be determined based



¹⁸⁶ For further information about how Name Collisions were managed during the last round, see https://www.icann.org/resources/pages/name-collision-2013-12-06-en.

¹⁸⁷ See https://ithi.research.icann.org/.

on the application's assigned priority number. The duration of Temporary Delegation will be outlined in the [Name Collision Temporary Delegation Operating Procedure]. The conclusion of Temporary Delegation is not necessary for other evaluations or contention resolution. However, an application will be able to proceed to contracting only when Temporary Delegation is concluded and the Mitigation Plan has been implemented (if applicable).

The rate at which strings will be temporarily delegated will be limited to ensure that the number of TLDs delegated in the DNS root zone does not increase by more than approximately five percent per month. It is expected that this rate limit corresponds to roughly 75 Temporary Delegations per month initially and will increase as more new gTLDs are temporarily delegated. However, as permanent delegations take precedence over Temporary Delegations, this number may vary from month to month.

During Temporary Delegation, the applied-for gTLD string will be delegated to DNS nameservers managed by ICANN in order to collect data about the volume and nature of DNS traffic for that string. Four different assessment methods for notification and data generation will be used during Temporary Delegation. These are outlined in the Appendix 2 of the Name Collision Analysis Project Study Two Report and are named: No Interruption (NI); Controlled Interruption (CI); Visible Interruption (VI); and Visible Interruption and Notification (VIN). The assessment will be conducted by the Technical Review Team (TRT), which consists of internal experts from relevant ICANN departments. The TRT will determine on a case-by-case basis which method or methods will be used for each assessment.

The TRT will evaluate the data collected during Temporary Delegation, which includes DNS queries to TLD servers, diversity of queries, origins, query names (labels), query types, etc., as well as data collected using the assessment methods, to determine whether the string will be:

- 1. Designated as high-risk, in which case the string will be immediately removed from the root zone.
- 2. Eligible to proceed with the remainder of the application processing.

Irrespective of the outcome of Temporary Delegation, the TRT will produce a Temporary Delegation report outlining the findings, which will be published for applicants and other interested parties to review.

6.7.4 The Collision String List

ICANN will maintain a Collision String List, which is a list of strings which ICANN has determined to present a high risk of Name Collision.



¹⁸⁸ For details on how strings are assigned priority, please refer to <u>Order of Application</u> <u>Processing and Prioritization Draw</u>.

An applied-for string will be added to the Collision String List if (1) no Mitigation Plan is submitted for that string, (2) the Mitigation Plan fails Mitigation Plan Evaluation, or (3) the Mitigation Plan is not effective.

6.7.5 Name Collision High-Risk Mitigation Plan Evaluation

The applicant for a string on the Collision String List that has cleared contention may amend its application to add a High-Risk String Mitigation Plan, which will then be evaluated. This evaluation is subject to an additional fee (see <u>Fees and Payments</u>).

Applicants must submit an Application Change Request to add a Mitigation Plan within 90 days (extendable upon reasonable request up to 180 days) of (a) the designation of the string as High Risk or (b) contention resolution (if applicable). If the Application Change Request is not submitted within this time frame, the application status will move to Terminated (see <u>Application Statuses</u>).

The applicant will be provided with relevant data generated during the Initial Assessment and/or Temporary Delegation of the string to assist in developing the Mitigation Plan, subject to applicable data protection requirements. In cases where the data includes personal data and where technical safeguards, such as anonymization or aggregation, cannot be effectively applied, ICANN may request to enter into a Data Processing Agreement (DPA) with the applicant.

The Mitigation Plan submitted by the applicant must contain at minimum the following:

- 1. A summary of the findings from the Initial Assessment, and, if applicable, of the Technical Review Team's findings during Temporary Delegation.
- 2. A Root Cause Analysis and any other relevant evidence, which identifies the underlying reasons why Name Collisions may occur for the string.
- 3. A Mitigation Plan, which outlines the specific preventative and corrective actions the applicant will take to mitigate the risk of Name Collisions, including any communication activities with affected end-users. Each mitigation action must have a specific timeframe for implementation. The total time frame must not exceed two years.

The Mitigation Plan will be evaluated by a panel of technical experts, which may advise the applicant on possible improvements to it. In the event that amendments are required, a further 90 days will be allowed for such amendments. The evaluation will determine whether or not the plan (a) correctly identifies the root cause of the collisions and (b) has a high probability of being effective.

Within the Mitigation Plan, applicants may identify sections that contain information which, if published, could undermine the effectiveness of the plan, such as where it



might allow a malicious actor to interfere with mitigations, and mark these sections for redaction. If the panel agrees, the marked sections will be redacted before publication.

If the Mitigation Plan contemplates mitigation activities that take place before the delegation of the string, then the application will not proceed until those activities have taken place, and their effectiveness has been confirmed by the Evaluation Panel using the same criteria used during the Initial Assessment.

In cases where the Evaluation Panel determines that a mitigation measure must, for technical reasons, be implemented after the string is delegated for operation by the registry operator (after evaluation has been finalized), for example, if the Name Collision issues are limited to a second-level name that the registry agrees to never delegate, the application may be allowed to proceed with the remainder of the application processing as long as the applicant agrees to add the applicable requirements from the Mitigation Plan to its Base RA.

If the Evaluation Panel finds that the Mitigation Plan (a) does not correctly identify the root cause of the collisions or (b) does not have a high probability of being effective, the application will not be allowed to proceed, and the application status will move to Terminated.

6.7.5.1 Challenging the Mitigation Plan Evaluation

The applicant will be given the opportunity to challenge the outcome of a Mitigation Plan Evaluation if it believes the panel has made a factual or procedural error when it determined that the Mitigation Plan (a) does not correctly identify the root cause of the collisions or (b) does not have a high probability of being effective. To initiate an Evaluation Challenge proceeding, the applicant must file a challenge within 21 days from the date of transmission of the evaluation determination. A Challenge Panel, consisting of the same individuals responsible for the initial plan evaluation, shall conduct the challenge review.

The Evaluation Challenge will be assessed under a "clearly erroneous" standard of review. Specifically, the Challenge Panel must accept the Evaluation Panel's Expert Determination unless the Evaluation Panel: (1) failed to follow the appropriate procedures, or (2) failed to consider/solicit necessary material evidence or information.

The deadline for filing a challenge will be within 21 days from the date the applicant receives notice of the evaluation determination it seeks to challenge. The Challenge Panel will communicate the result of the Challenge Proceeding within 30 days of an applicant filing such a challenge.

If the Challenge Panel finds a factual or procedural error, the Mitigation Plan will be reevaluated. The Evaluation panel will conduct the re-evaluation and provide the result to ICANN. ICANN will post the results and provide a 30-day comment period. After the comment period has ended, ICANN will consider all available information and take a



final decision on whether to accept or reject the Mitigation Plan. If the plan is rejected, the application status will move to Terminated.

If the Challenge Panel does not find a factual or procedural error with the initial evaluation of the Mitigation Plan, the application will not be allowed to proceed and the application status will be moved to Terminated.

6.7.6 Interaction with Variant Strings

All applied-for primary strings, including the applied-for allocatable variant strings, will be assessed for Name Collision risk through the Initial Assessment and Temporary Delegation processes outlined above.

If either a primary string or allocatable variant string is found to be high-risk, then the application cannot proceed until the Mitigation Plan Evaluation process has been carried out. However, in the case of an allocatable variant string, the application may be amended to remove that string, allowing the amended application to proceed. Removal of an allocatable variant string may occur at any time as long as the application status has not been moved to Terminated.

6.8 Public Interest Commitments, Registry Voluntary Commitments, and Community Registration Policies

ICANN's Mission is to ensure the stable and secure operation of the Internet's unique identifier systems. ¹⁸⁹ The New gTLD Program supports this with many built-in protections, including robust evaluation of applied-for gTLD strings, applications, and operators, and enforcement of compliance with the Base RA.

Public Interest Commitments (PICs), specifically the Mandatory PICs and Safeguard PICs, are one important protection built into the New gTLD Program. Those PICs are binding RA commitments in Specification 11, and ICANN enforces compliance with them. Mandatory PICs and Safeguard PICs are uniform across the relevant RAs, and were implemented in response to the Governmental Advisory Committee (GAC) concerns about applications in the 2012 application round. The primary issues



¹⁸⁹ See ICANN Bylaws, Article 1, Section 1.1(a).

addressed include consumer protection, intellectual property rights, and regulated market sectors such as financial, health, and charities. 190

In addition to PICs, an applicant will be permitted to propose one or more Registry Voluntary Commitments (RVCs) to provide additional safeguards with regard to the operation of an applied-for gTLD string. An applicant may propose an RVC to address concerns that are not already addressed by Mandatory and/or Safeguard PICs or via other means. As set out in further detail in Registry Voluntary Commitments, proposed RVCs are subject to a separate evaluation process, namely the Registry Commitments Evaluation (RCE). ICANN will only approve a proposed RVC if: (1) the RVC meets the RCE criteria; and (2) the applicant and ICANN each agree that the proposed RVC, if included in the RA, would be enforceable under the ICANN Bylaws and as a practicable matter. As with PICs, RVCs (once approved and incorporated into the RA) are binding commitments in RA Specification 11.¹⁹¹

Both PICs and RVCs are subject to the Public Interest Commitments Dispute Resolution Procedure (PICDRP). 192

As detailed in the <u>String and Application Types</u>, an applicant may choose to designate an applied-for gTLD string as "community-based." If the applicant identifies an applied-for gTLD string as community-based, ICANN will evaluate any <u>Community Registration Policies</u> proposed by the applicant for inclusion in the applicable RA by applying the <u>RCE criteria</u>.

¹⁹¹ In the Base RAs between ICANN and existing registry operators from the 2012 round of the New gTLD Program, the terms "Registry Voluntary Commitments" and "RVCs" did not exist and instead, the term "specific public interest commitments" was used (the terms "voluntary PICs" and "private PICs" were also used informally in the past). [It is expected that the draft Base RAs for future new gTLDs to be applied-for during the Next Round of the New gTLD Program (see draft shared with IRT on 22 May 2025) will use the term "specific voluntary public interest commitments" to refer to what we now call "Registry Voluntary Commitments" or "RVCs". This approach would conform to the existing structure and phrasing of the Base RA Specification 11, as well as ICANN's Public Interest Commitments Dispute Resolution Procedure (PICDRP), which continues to be the dispute resolution procedure for addressing alleged complaints that a registry operator may not be complying with one or more Mandatory and Safeguard PICs, as well as future approved RVCs in its Base RA going forward. See Base RA at Specification 11 and Dispute Resolution Procedures After Delegation for more information.]



¹⁹⁰ See more details in the GAC ICANN45 Toronto Communiqué

⁽https://gac.icann.org/contentMigrated/icann45-toronto-communique), the GAC ICANN46 Beijing Communiqué (https://gac.icann.org/contentMigrated/icann46-beijing-communique), and the subsequent ICANN Board resolution (2014.02.05.NG01,

https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-meeting-of-the-new-gtld-program-committee-05-02-2014-en); see more background on the GAC Consensus Advice and its impact on the 2012 round of the New gTLD Program: https://newgtlds.icann.org/en/applicants/gac-advice#gac-1-applicant-advisories.

6.8.1 Mandatory Public Interest Commitments

Mandatory PICs are included in every RA. Mandatory PICs require each registry operator to implement measures to protect gTLD registrants and Internet users more broadly, and include obligations related to: mitigation of abusive activity; security checks; and transparency in operation. The Mandatory PICs are included in Specification 11 Section 3(a)-(d) of the Base RA, namely:

- a. Registry Operator will include a provision in its Registry-Registrar Agreement that requires registrars to include in their Registration Agreements a provision prohibiting Registered Name Holders from distributing malware, abusively operating botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law, and providing (consistent with applicable law and any related procedures) consequences for such activities including suspension of the domain name.
- b. Registry Operator will periodically conduct a technical analysis to assess whether domains in the TLD are being used to perpetrate DNS Abuse. Registry Operator will maintain statistical reports on identified DNS Abuse and the actions taken as a result of the periodic security checks. Registry Operator will maintain these reports for the term of the Agreement unless a shorter period is required by law or approved by ICANN, and will provide them to ICANN upon request.¹⁹³
- c. Registry Operator will operate the TLD in a transparent manner consistent with general principles of openness and nondiscrimination by establishing, publishing and adhering to clear registration policies.
- d. Registry Operator of a "Generic String" TLD may not impose eligibility criteria for registering names in the TLD that limit registrations exclusively to a single person or entity and/or that person's or entity's "Affiliates" (as defined in Section 2.9(c) of the Base RA). "Generic String" means a string consisting of a word or term that denominates or describes a general class of goods, services, groups, organizations or things, as opposed to distinguishing a specific brand of goods, services, groups, organizations or things from those of others.

For more information about Generic Strings, see Closed Generics.

¹⁹³ This item reflects the Base RA Specification 11 Section 3(b) as amended on 5 April 2024. For the purpose of the Base RA, "DNS Abuse" is defined as malware, botnets, phishing, pharming, and spam (when spam serves as a delivery mechanism for the other forms of DNS Abuse) as those terms are defined in Section 2.1 of <u>SAC 115</u>. See Section 4.1 on p. 2 of the <u>2024 Global Amendment to Registry Agreements</u>.



6.8.2 Safeguard Public Interest Commitments

Safeguard PICs are provisions required in certain RAs, in addition to the Mandatory PICs included in all RAs.

ICANN classifies gTLDs needing Safeguard PICs into four risk-based groups:

- Regulated Sectors/Open Entry Requirements: Strings invoking consumer trust but with heightened risks.
- Highly Regulated Sectors/Closed Entry Requirements: Strings associated with industries requiring licensing or accreditation.
- Potential for Cyber Bullying/Harassment: Strings that could facilitate harassment.
- Inherently Governmental Functions: Strings associated with government domains.

See more detailed information and examples listed in the table under <u>Applicable Safequard PICs by String Category</u>.

If ICANN determines during evaluation that an applied-for gTLD string falls into one or more of the categories set out in <u>Applicable Safeguard PICs</u> by <u>String Category</u>, the applicable <u>Safeguard PICs</u> must be included in Specification 11 of the applicable RA without modification.¹⁹⁴

Safeguard PICs were developed and implemented in response to the GAC Consensus Advice in the ICANN46 Beijing Communiqué¹⁹⁵ and subsequent ICANN Board Resolution¹⁹⁶ during the 2012 round of the New gTLD Program.¹⁹⁷

6.8.2.1 String Group Determination

In the new gTLD application, the applicant must answer questions to assess which Safeguard PICs, if any, would be required in the RA. Please see <u>Application Questions</u> for more information. The applicant's responses will be published with the application.

At the closure of an application comment period, ICANN will determine whether or not each applied-for gTLD string falls into one of the four Safeguard PIC groups. This determination concludes the evaluation and serves as input into the contracting

https://www.icann.org/en/board-activities-and-meetings/materials/approved-resolutions-meeting-of-the-new-gtld-program-committee-05-02-2014-en.



¹⁹⁴ The Base RA is the product of extensive community consultation. ICANN will only consider modification to the agreement in extraordinary circumstances, such as situations in which unique legal, jurisdictional, or regulatory issues would legally prevent an entity from executing the Base RA as-is. See <u>Contracting</u> for more information.

¹⁹⁵ See https://gac.icann.org/contentMigrated/icann46-beijing-communique.

¹⁹⁶ See

¹⁹⁷ For more information, see

https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-2-05feb14-en.pdf.

procedure. It cannot be challenged under <u>Extended Evaluation and Evaluation</u> <u>Challenges</u>, as it does not have an impact on the application's progression.

See <u>Application Comments</u> for more information about application comment periods.

6.8.2.2 Applicable Safeguard PICs by String Category

ICANN will use the framework below to determine whether an applied-for gTLD string requires Safeguard PICs, and if so, which Safeguard PICs apply. The framework identifies the four string groups established in response to the GAC Consensus Advice in the ICANN46 Beijing Communiqué and provides description and relevant examples. ¹⁹⁸ ICANN will apply Safeguard PICs to applied-for gTLD strings that are identified as falling within the groups of strings set out in the GAC's ICANN46 Communiqué.

The framework identifies which of the ten Safeguard PICs are applied to each of the four string categories.

Table 6-1: Safeguard PICs Framework

String Group No.	String Group	Description	Required Safeguards
1	Regulated Sectors/Open Entry Requirements in Multiple Jurisdictions	 String is likely to invoke a level of implied trust from consumers String is likely to carry heightened risks of consumer harm String is associated to a generally open sector, but may require limited registration See the non-exhaustive list of strings identified by the GAC as falling within this group in the ICANN46 Communiqué. Examples: .kid, .degree, .audio, .town 	1-3
2	Highly-Regulated Sectors/Closed Entry Requirements in Multiple Jurisdictions	String is associated with an industry where licensing or accreditation is required by local, regional, or national governments. This typically involves an assessment of qualifications, regular inspections, and ongoing government oversight See the non-exhaustive list of strings identified by the GAC as falling within this group in the ICANN46 Communiqué. Examples: .cash, .bet, .abogado, .earth, .care	1-8

¹⁹⁸ The ICANN46 Beijing Communiqué

(https://gac.icann.org/contentMigrated/icann46-beijing-communique) identified a non-exhaustive list of strings that were applied for in the 2012 Round of the New gTLD Program and advised the Board that Safeguard PICs should apply to those applied-for strings. The GAC organized these identified strings into applicable sub-groups.



String Group No.	String Group	Description	Required Safeguards
3	Potential for Cyber Bullying/Harassment	String's implied or actual meaning could result in gTLD being used to facilitate harassment or cyberbullying Example strings identified by the GAC as falling within this group in the ICANN46 Communiqué: .fail, .gripe, .sucks, .wtf	1-9
4	Inherently Governmental Functions	String is associated with a function that is inherently in the domain of government such as military branches Example strings identified by the GAC as falling within this group in the ICANN46 Communiqué: .army, .navy, .airforce	1-8 and 10

6.8.2.3 Safeguard PICs

The ten Safeguard PICs include requirements for registrants to comply with applicable laws, implement appropriate security measures, provide contact information, possess necessary credentials, and report material changes to credentials, among other obligations. The Safeguard PICs are outlined in the following table:

Safeguard PIC	Safeguard PIC Text
1	Registry Operator will include a provision in its Registry-Registrar Agreements that requires registrars to include in their Registration Agreements a provision requiring registrants to comply with all applicable laws, including those that relate to privacy, data collection, consumer protection (including in relation to misleading and deceptive conduct), fair lending, debt collection, organic farming, disclosure of data, and financial disclosures.
2	Registry Operator will include a provision in its Registry-Registrar Agreements that requires registrars at the time of registration to notify registrants of the requirement to comply with all applicable laws.
3	Registry Operator will include a provision in its Registry-Registrar Agreements that requires registrars to include in their Registration Agreements a provision requiring that registrants who collect and maintain sensitive health and financial data implement reasonable and appropriate security measures commensurate with the offering of those services, as defined by applicable law.
4	Registry Operator will proactively create a clear pathway for the creation of a working relationship with the relevant regulatory or industry self-regulatory bodies by publicizing a point of contact and inviting such bodies to establish a channel of communication, including for the purpose of facilitating the development of a strategy to mitigate the risks of fraudulent and other illegal activities.
5	Registry Operator will include a provision in its Registry-Registrar Agreements that requires registrars to include in their Registration Agreements a provision requiring registrants to provide administrative contact information, which must be kept up-to-date, for the notification of complaints or reports of registration abuse, as well as the contact details of the relevant regulatory, or industry self-regulatory, bodies in their main place of business.
6	Registry Operator will include a provision in its Registry-Registrar Agreements that requires registrars to include in their Registration Agreements a provision requiring a



Safeguard PIC	Safeguard PIC Text		
	representation that the registrant possesses any necessary authorizations, charters, licenses and/or other related credentials for participation in the sector associated with the TLD string.		
7	If Registry Operator receives a complaint expressing doubt with regard to the authenticity of licenses or credentials, Registry Operator should consult with relevant national supervisory authorities, or their equivalents regarding the authenticity.		
8	Registry Operator will include a provision in its Registry-Registrar Agreements that requires registrars to include in their Registration Agreements a provision requiring registrants to report any material changes to the validity of the registrants' authorizations, charters, licenses and/or other related credentials for participation in the sector associated with the TLD string in order to ensure they continue to conform to appropriate regulations and licensing requirements and generally conduct their activities in the interests of the consumers they serve.		
9	Registry Operator will develop and publish registration policies to minimize the risk of cyber bullying and/or harassment.		
10	Registry Operator will include a provision in its Registry-Registrar Agreements that requires registrars to include in their Registration Agreements a provision requiring a representation that the registrant will take reasonable steps to avoid misrepresenting or falsely implying that the registrant or its business is affiliated with, sponsored or endorsed by one or more country's or government's military forces if such affiliation, sponsorship or endorsement does not exist.		

Table 6-2: Types of Safeguard PICs6.8.3 Registry Voluntary Commitments

There may be circumstances in which the multitude of safeguards built into the application process and into the RA, including the Mandatory and Safeguard PICs, do not completely address a specific issue with a gTLD application and/or proposed RA. In these circumstances, an applicant may consider proposing an RVC to help resolve the potential issue.

An applicant's decision to propose an RVC is typically voluntary, except for those recognized by ICANN to resolve an objection or to address GAC Consensus Advice (see explanation in <u>Situation 1: Commitments Made to Overcome Objections or GAC Consensus Advice</u>). These commitments will be contractually binding if approved and included in the RA. RVCs may vary, potentially increasing commitments related to the public interest or codifying stakeholder commitments. An RVC could also institute safeguards that may help overcome a third-party concern with an applied-for gTLD string or application. For example, applicants could propose RVCs in response to Objections, GAC Member Early Warnings or GAC Consensus Advice, application comments, or other issues that might otherwise negatively impact the application's evaluation process. See <u>Application Change Requests</u> and <u>Community Input</u>, <u>Objections</u>, and <u>Appeals</u> for further details about these topics.

An applicant may include a proposed RVC in its application or request to add one afterward via the <u>Application Change Request</u> process, which includes an application comment period and other conditions.



All proposed RVCs submitted with the application or as an Application Change Request will appear in the public application section, accessible on https://newgtldprogram.icann.org/, and be open to the public for review and comment during the application comment period. See Community Input, Objections, and Appeals for more information about application comments.

6.8.3.1 Factors to Consider Before Proposing an RVC

Before deciding to propose an RVC, applicants are encouraged to review ICANN's Bylaws; relevant ICANN agreements, including but not limited to the RA and the Registrar Accreditation Agreement (RAA); and the ICANN Consensus Policies and Temporary Policies. Applicants and any third parties that raise concerns about any new gTLD applications should consider whether the pre-existing, standardized provisions could provide sufficient safeguards for the applied-for gTLD string, to avoid the need for the evaluation and implementation of a customized RVC.¹⁹⁹

The ICANN community recommended that ICANN include the Mandatory PICs in each RA and also include Safeguard PICs (where applicable) in RAs for strings identified during the evaluation process as falling within the four string groups set out in Safeguard Public Interest Commitments. In some cases, it may be possible for an applicant that is not required to implement the Safeguard PICs to propose to use one or more of the approved Safeguard PICs as an RVC to resolve issues or concerns raised regarding an applied-for gTLD string or application.

In addition, an applicant should consider whether the performance of a proposed RVC requires the operation of an additional Registry Service.²⁰⁰ If so, the applicant shall engage its selected Registry Service Provider (RSP) to discuss the implementation of such an additional Registry Service, which must be evaluated through the RSP Program and approved by ICANN. If ICANN identifies a proposed RVC that requires the operation through an additional Registry Service, and such a Registry Service has not yet been approved for the applicant's selected RSP, then the RSP must seek ICANN's approval via the RSP Program before ICANN considers approving the proposed commitment as an RVC.²⁰¹

²⁰¹ If the performance of an approved RVC requires the operation of an approved Registry Service, the commitment itself is expected to be included in Specification 11 of the applicable Base RA, but the approved Registry Service is expected to be included in Exhibit A of the RA.



¹⁹⁹ See the current ICANN Consensus Policies: https://www.icann.org/consensus-policies-en.

²⁰⁰ Additional Registry Services refer to the services offered by a Registry Service Provider outside of the Critical Functions (that is, DNS Service, DNSSEC proper resolution, EPP, RDDS, and Data Escrow). See more explanation of the additional Registry Service under section 1.1A-D in the Registry Services Evaluation Policy (https://www.icann.org/rsep-en). See details about the Critical Functions in Section 6 of Specification 10 in the Base RA (version approved on 21 January 2024,

https://itp.cdn.icann.org/en/files/registry-agreements/base-registry-agreement-21-01-2024-en.html#specification10.6).

Any proposed RVC that is incompatible with ICANN's Bylaws, policies, and agreements will not be approved, as explained in RCE Criteria.

An applicant is encouraged to consider whether there are other means, separate from the RA, that could help resolve the issues raised regarding the applied-for gTLD string or application. For example, an applicant may consider addressing the concerns, possibly in consultation with the third party that raised the concerns, by including relevant commitments in the applicant's own registry policies, terms of use, or through a separate agreement between the applicant and the third party. Any such separate agreement shall not be enforced by ICANN, and any such third party shall not be a "third-party beneficiary" of the Base RA with ICANN.²⁰²

6.8.3.2 Registry Commitments Evaluation

Each proposed RVC for each applied-for gTLD string (and its applied-for allocatable variant strings, if applicable) will be subject to ICANN evaluation and approval via the Registry Commitments Evaluation (RCE). The purpose of the RCE is to determine whether a proposed commitment meets all the evaluation criteria as set out in RCE Criteria for inclusion in the RA.

Each Community Registration Policy proposed for inclusion in the applicable RA will also be subject to the Registry Commitments Evaluation. See <u>Community Registration Policies</u> for more information. See <u>Proposed RVC for Variant Strings</u> for more information regarding this evaluation for variant strings.

In the new gTLD application, applicants that wish to submit proposed RVCs and Community Registration Policies for inclusion in the RA must answer a series of questions that are designed to facilitate ICANN's evaluation. Please see <u>Application Questions</u> for more information.

An applicant that submits RVCs and/or Community Registration Policies is required to pay a fixed, one-time payment that covers the cost of the Registry Commitments Evaluation. For details on fees associated with the RCE, please refer to Conditional Evaluations.

²⁰² As a response to Question 233 in the <u>Application Questions</u>, an applicant can include additional information and supporting materials that may be of interest to the public or relevant to the application. For example, an applicant may include links to its separate agreements with a third party and its additional commitments outside the RA. The applicant's responses to this question will be for informational purposes only, and will not be evaluated or binding on the applicant via the RA. However, these responses will be open to the public for review and comment. Accordingly, applicants should carefully consider whether and what additional information they wish to disclose in response to Question 233. For example, it could be used by a third party to support an objection, but may also help address third-party concerns and avoid a potential objection.



6.8.3.2.1 Applicants Must Identify Purposes for Proposed RVC

The applicant must provide background information to explain why its proposed RVC is relevant, important, and necessary in support of the application. ICANN will conduct a completeness check for this requirement when the RVC is proposed by the applicant, prior to the Registry Commitments Evaluation. This information will help to provide context for the proposed RVC and, in certain cases, could be useful if adjustments to the terms of the RVC are needed to meet the aims of the proposed commitment while also meeting the criteria for an RVC to be included in the RA, as explained in RCE Criteria.

For example, if a proposed RVC responds to a third-party objection, the applicant should identify the specific objection and objector, provide the relevant references or links to the objection, and offer other pertinent details. These details could include, but are not limited to, how the applicant constructed the proposed RVC to address the concern, whether the applicant consulted with the objector in the development of the proposed RVC, and the means and systems in place to ensure compliance with the RVC.

6.8.3.2.2 General Rule: Registry Commitments Evaluation of Proposed RVCs Does Not Impact Application Progression

In circumstances other than those identified in Exception: Registry Commitments
Evaluation of Proposed RVCs Impacts Application Progression, the Registry Commitments Evaluation of proposed RVCs will not impact the ability of the application to proceed. Outside of these exceptional circumstances, the Registry Commitments Evaluation has no impact on the evaluation of an applicant's or application's ability to proceed to contracting, but merely determines whether the proposed RVC meets the criteria for inclusion in the applicable RA if the application advances.

The evaluation will not determine whether the proposed RVC successfully addresses third-party concerns. Although ICANN may consider application comments and other inputs and may consult third parties during the evaluation, it will not typically involve third parties in this evaluation.

Applicants intending to propose an RVC to resolve an objection or other third-party concern are encouraged to engage with the concerned party or parties first. If they can agree on an RVC that addresses the issue before submitting an Application Change Request, it may prevent ICANN from evaluating a proposed RVC that the third party believes does not adequately resolve the concern regarding the applied-for gTLD or application. If an applicant proposes an RVC during objection proceedings to resolve an objection or third-party concern, and that RVC is approved by ICANN, the objector or other third party must separately decide whether and how to continue pursuing their concerns.



For example, if an application proposes an RVC to address an objection during the "cooling off" period, once the Registry Commitments Evaluation concludes — either approving or rejecting the RVC — the objector can then decide whether to continue pursuing the objection. To give another example, an applicant might propose an RVC as an Application Change Request after receiving a GAC Member Early Warning to reduce the risk of later receiving GAC Consensus Advice that could hinder the application's progress. In this case, the evaluation would not determine whether the proposed RVC would be likely to alleviate the concern raised in the GAC Member Early Warning, but approval of the RVC could inform GAC discussions on issuing Consensus Advice to the Board regarding the application or applied-for gTLD string.

If an applicant plans to propose an RVC as an Application Change Request to address a third-party concern, the applicant should keep in mind the relevant timelines and processes for objections, GAC Consensus Advice, GAC Member Early Warnings, application comments, etc., if it wants the RVC to be taken into account in those processes. See Community Input, Objections, and Appeals for further details. As noted above, all proposed RVCs that are submitted as an Application Change Request are subject to an application comment period. See more information in Application Change Requests.

6.8.3.2.3 Exception: Registry Commitments Evaluation of Proposed RVCs Impacts Application Progression

The Registry Commitments Evaluation result for a proposed RVC can only impact the application's progression in two scenarios. See <u>Application Statuses</u> to learn what to expect when an application is deemed unable to proceed.

6.8.3.2.3.1 Situation 1: Commitments Made to Overcome Objections or GAC Consensus Advice

If an RVC is recognized by ICANN for resolving an objection or addressing GAC Consensus Advice, it will be subject to heightened restrictions during the application process and after contract execution.

Although the RVCs proposed in this circumstance are labeled as "voluntary", ICANN recognizes that they are not solely proposed at the applicant's own discretion but are conditions necessary for the application to proceed.

An RVC must be approved by ICANN via the Registry Commitments Evaluation to resolve an objection or address GAC Consensus Advice. Without such approval, the application cannot proceed. See <u>Objections and Registry Voluntary Commitments</u> and <u>GAC Consensus Advice and Registry Voluntary Commitments</u> for more information.

Proposed RVCs to overcome objections or GAC Consensus Advice are open to the public for review and comment via an application comment period. If negotiations with ICANN lead to changes for approval, both the original proposal and the



ICANN-approved versions will be published for comment. See more information in Application Change Requests.

Due to the specific purpose these RVCs serve, applicants and registry operators generally will not, absent extraordinary circumstances, be able to materially change or remove these commitments once they are approved by ICANN. These commitments are expected to be included in a separate subsection of Specification 11 to make clear that they are subject to heightened restrictions. See RVC Addition, Changes, and Removals for more information.

6.8.3.2.3.2 Situation 2: Application Change Request Required Following Rejection of Proposed RVC

If an applicant proposes an RVC in its initial submission, and it does not pass the Registry Commitments Evaluation, the applicant must file an Application Change Request to modify or remove the proposed RVC for the application to proceed. The Application Change Request will be reviewed by ICANN according to the published criteria. See Application Change Requests for more information.

Absent extraordinary circumstances, if the applicant does not submit an Application Change Request within 30 days of notification that the proposed RVC did not pass the evaluation, the application will not be permitted to proceed.

6.8.3.2.4 Registry Commitments Evaluation Timing and Result Notification

Regarding the timing of Registry Commitments Evaluation for proposed RVCs under Situation 1: Commitments Made to Overcome Objections or GAC Consensus Advice and proposed Community Registration Policies submitted by community-based TLD applicants participating in the Community Priority Evaluation (CPE), the Registry Commitments Evaluation will be conducted as soon as possible after ICANN has received the applicable fee. ICANN acknowledges the importance of conducting the RCE in a timely manner to ensure that dependent processes can proceed without delay.

In all other cases, the Registry Commitments Evaluation is expected to occur later in the application process, prior to contracting, after the evaluation fee is received by ICANN.

Absent extraordinary circumstances, the estimated timeline for RCE is 60 to 90 days.

ICANN will publish and regularly update the RCE results of all submitted RVCs and Community Registration Policies on the New gTLD Program site and notify the respective applicants of the outcomes.



6.8.3.3 Registry Commitments Evaluation Criteria

ICANN will reject any proposed RVC that is not compatible with the ICANN Bylaws.²⁰³ See criterion 5 in the table below for details.

ICANN will evaluate each proposed RVC based on the following criteria, and approval depends on meeting all of them. Applicants should follow the associated guidance and consider each criterion's relevance when preparing their RVC.

Each commitment in the <u>Community Registration Policy</u> that is proposed for inclusion in the applicable RA must also meet all of the Registry Commitments Evaluation criteria in order to be approved.

As noted in <u>Factors to Consider Before Proposing an RVC</u>, applicants may consider including certain commitments outside of the RA, in vehicles such as the applicant's own registry policies, terms of use, or through a separate agreement between the applicant and a third party. Any such commitment not proposed for inclusion in the Base RA will not be subject to the Registry Commitments Evaluation.²⁰⁴

Table 6-3: RVC Evaluation Criteria

Criterion		Description	Guidance	
1.	RVC must clearly state what commitments "must" be implemented.	A proposed RVC must be a compulsory commitment or obligation and must clearly state what commitments the registry operator "must" implement, not what commitments the registry operator "may" or "might" implement.	Use definitive language: Avoid qualifiers, and express certainty when describing the proposed RVC. State what the applicant proposes that the registry operator "must" do.	
2.	RVC must be clear, detailed,	Each RVC must clearly state what the RVC requires the registry	Be clear: Use simple and straightforward language that is	

the ICANN Board when it directed ICANN org to implement evaluation criteria and processes for the consideration of commitments proposed by applicants for inclusion in the applicable RAs: "In order to enter into any agreement, ICANN must believe that the proposed terms (including any public interest commitments) are being entered into in service of ICANN's Mission, which is to ensure the stable and secure operation of the Internet's unique identifier systems." (See rationale for ICANN Board resolutions 2024.06.08.08 – 2024.06.08.10 at https://www.icann.org/en/board-08-06-2024-en#section2.b).

²⁰⁴ If the applicant believes such commitments not proposed for inclusion in the RA may be of interest to the public or relevant to the application, the applicant may include these as a response to Question 233 in the <u>Application Questions</u> for the public to review and comment. The applicant's responses to this question will be for informational purposes only, and will not be evaluated or binding on the applicant via the RA. Accordingly, applicants should carefully consider whether and what additional information they wish to disclose in response to Question 233. For example, it could be used by a third party to support an objection, but may also help address third-party concerns and avoid a potential objection.



Criterion		Description	Guidance		
	mutually understood between the applicant and ICANN, objective, and measurable.	operator to do. This level of detail in the RVC is necessary to ensure that the RVC is enforceable as a practicable matter. The RVC must be clear, so that in the event of a contractual compliance issue, the registry operator's actions can be measured against the objective language in the RVC to determine whether or not the registry operator complied with the RVC.	 easy to understand. Be precise and specific: Avoid vague or ambiguous statements that could lead to misunderstanding. Be detailed: Specify which entity will be responsible for implementing the RVC; describe the actions, steps or tasks required to implement the RVC; outline the specific actions that the registry operator must take to fulfill the RVC. Consider registry operator's internal compliance monitoring: Describe how the registry operator will monitor and assess its implementation of and compliance with the RVC. 		
3.	RVC must specify any applicable limitations.	The applicant must provide details on whether, how, and why a proposed RVC is limited in time, duration, scope, or any other factors, if applicable.	Define any applicable limitations of the proposed RVC: For example, if an RVC is time-limited, it must state if it will apply for the lifetime of the gTLD, only during a specified launch period, or for some other defined period.		
4.	RVC should ²⁰⁵ not duplicate or be contrary to requirements under applicable law, ICANN agreements, or ICANN Consensus Policies or Temporary Policies.	An RVC should not duplicate obligations that would apply to the registry operator per the RA, applicable ICANN Consensus Policies and Temporary Policies, or applicable law. An RVC will not be approved if it is contrary to applicable ICANN agreements and policies. The registry operator must be able to comply with the RVC while also complying with applicable ICANN agreements and policies. An RVC also must not prevent other parties' (for example, registrars') compliance with applicable ICANN agreements	 Avoid duplication: Before proposing an RVC, an applicant should carefully review provisions in the RA, the RAA, as well as the ICANN Consensus Policies and Temporary Policies to see if there is already such an obligation. If so, the applicant should not propose the RVC. Enhancements to contract or policy obligations: An RVC could enhance, supplement, or expand upon requirements in the RA and other applicable 		

²⁰⁵ The word "should" (as opposed to "must") is purposefully used in criterion 4. See <u>RFC2119</u> ("This word, or the adjective "RECOMMENDED", mean that there may exist valid reasons in particular circumstances to ignore a particular item, but the full implications must be understood and carefully weighed before choosing a different course"). There may be circumstances in which an RVC that would duplicate requirements under applicable consensus policy or law could be approved at ICANN's sole discretion, for example, if this type of RVC is necessary to address GAC Consensus Advice.



Criterion		Description	Guidance		
		and policies. ²⁰⁶ If the performance of a proposed RVC requires the operation of an additional Registry Service, such a Registry Service must be evaluated through the RSP Program and approved by ICANN before ICANN considers approving the proposed commitment as an RVC.	obligations so long as the RVC is not contrary to those applicable obligations. • RVC must apply alongside other contract and policy requirements: An RVC cannot commit a registry operator to take actions that contradict requirements in the RA or applicable ICANN Consensus Policies or Temporary Policies. An RVC must not commit a registry operator to include terms in its Registry-Registrar Agreements that would require the registrars to take actions in violation of the RAA, applicable ICANN Consensus Policies or Temporary Policies, or applicable law.		
5.	RVC must be compatible with ICANN's Bylaws.	ICANN cannot approve an RVC that is incompatible with the ICANN Bylaws.	One area of particular focus under this criterion is whether a proposed RVC would restrict content or use of an applied-for gTLD string. ²⁰⁷ If a proposed RVC would put ICANN in a position of enforcing a registry operator's compliance with a restriction on content in the applicable gTLD, that proposed RVC will be rejected. ²⁰⁸ "Content" is the substance of a message being delivered, whereas non-content-restrictive factors could include, but are not limited to, how and when content is delivered and by whom. Differentiating between content-restrictive commitments and non-content-restrictive commitments in the context of RVCs involves		

²⁰⁶ See <u>Base RA</u>, <u>Registrar Accreditation Agreement</u>, and the current <u>ICANN Consensus Policies</u>.

²⁰⁸ The ICANN Bylaws state that "ICANN shall not regulate (that is, impose rules and restrictions on) services that use the Internet's unique identifiers or the content that such services carry or provide, outside the express scope of Section 1.1(a)...." (See ICANN Bylaws, at Article 1, Section 1.1(c)). Following extensive deliberation and community consultation regarding how the Bylaws impact the evaluation of RVCs, the ICANN Board determined that ICANN should exclude from the Next Round RAs "any RVCs and other comparable registry commitments that restrict content in gTLDs."



²⁰⁷ See additional background information in the <u>ICANN Board Resolution 2024.06.08.08 - 2024.06.08.10</u>.

Criterion	Description	Guidance
		understanding the scope, focus, and impact of the commitments:
		Scope: Non-content-restrictive commitments could focus on operational, procedural, and technical aspects of the domain name registration and management, rather than specific content within the gTLD.
		Focus: Non-content-restrictive commitments could involve adherence to industry standards, registration eligibility requirements, and procedures that are not specific to content in the gTLD.
		Impact: Non-content-restrictive commitments could influence how domain names are managed and the operational environment in which they exist.

6.8.3.4 RVC Additions, Changes, and Removals

If a proposed RVC is added or modified after the application submission date and before the applicable RA is executed, it shall be subject to the Application Change Request process, which includes an application comment period for material changes as set out in Application Change Requests. For different types of application comment periods for proposed RVCs, see Application Change Request Types and Required Processes.

Absent extraordinary circumstances, the RVCs pursuant to <u>Situation 1: Commitments</u> <u>Made to Overcome Objections or GAC Consensus Advice</u> may generally not be materially changed or removed prior to contract execution.

ICANN does not currently have a process for registry operators to request modification to RVCs in RAs that have been executed. ICANN may propose a process for the community to provide its input with respect to registry operators requesting modification to RVCs following contract execution.

6.8.3.5 Proposed RVC for Variant Strings

If an applicant seeks allocatable variant strings of an applied-for primary string and plans to propose an RVC with its application or as an Application Change Request, the proposed RVC must apply to both the primary and variant strings and undergo the



same Registry Commitments Evaluation. This requirement also applies to the proposed Community Registration Policy for the applied-for primary and variant strings of a community-based gTLD string explained in Community Registration Policies.

6.8.4 Community Registration Policies

Community Registration Policies are conditions that gTLD registry operators impose upon registrants within community-based gTLDs. Applicants for community-based gTLDs must propose during application submission, and obtain ICANN's approval of, at a minimum, Community Registration Policies concerning registrant eligibility and naming selection for inclusion in the applicable RAs. As with proposed RVCs for inclusion in the RA, a Community Registration Policy proposed by an applicant for inclusion in the applicable RA must be evaluated pursuant to the RCE criteria. Its evaluation outcome will affect whether a Community-based TLD application can move forward – specifically, an applicant must have approved Community Registration Policies as a prerequisite in order for its application to participate in the Community Priority Evaluation.²⁰⁹

A Community Registration Policy meeting RCE criteria will be included in the applicable RA Specification 12 if the applied-for string proceeds to delegation. As with PICs and RVCs, an approved Community Registration Policy will be subject to ICANN contractual compliance oversight. Community Registration Policies included in the RA are subject to the Registration Restrictions Dispute Resolution Procedure (RRDRP) and the Community gTLD Change Requests Procedure.

Furthermore, operators of community-based gTLDs may implement any additional Community Registration Policies outside of the RA that are desired, so long as the policies are not contrary to requirements under applicable ICANN agreements and policies.²¹⁰

²¹⁰ If an applicant for a community-based gTLD believes additional Community Registration Policies that the applicant plans to implement but does not propose to include in the applicable RA may be of interest to the public or relevant to the application, the applicant may include these as a response to Question 233 in the <u>Application Questions</u> for the public to review and comment. The applicant's responses to this question will be for informational purposes only, and will not be evaluated (for example, it will not be considered in any applicable scoring during the Community Priority Evaluation (CPE)) or binding on the applicant via the RA. Accordingly, applicants should carefully consider whether and what additional information they wish to disclose in response to Question 233. For example, it could be used by a third party to support an objection, but may also help address third-party concerns and avoid a potential objection.



²⁰⁹ If an applicant for a community-based gTLD desires for a Community Registration Policy to be scored in the Community Priority Evaluation (CPE), it must propose such a policy for inclusion in Specification 12 of the applicable Base RA when submitting an application for a community-based gTLD. Such a policy serves as a prerequisite to the application's participation in CPE. See <u>Community Priority Evaluation</u> for more details.

6.8.5 ICANN Enforcement

ICANN will enforce compliance with PICs, RVCs, and Community Registration Policies evaluated and approved pursuant to the RCE criteria and included in the RA as any other contractual obligations. The PICDRP may be used to address alleged complaints that a registry operator may not be complying with one or more of its PICs or RVCs. The RRDRP may be used to address circumstances in which the operator of a community-based gTLD allegedly deviates from the Community Registration Policies outlined in the Base RA. See <u>Dispute Resolution Procedures After Delegation</u> for further details about the PICDRP and the RRDRP.

6.9 Registry Service Provider Review

ICANN will verify whether the applicant has selected one or more evaluated RSPs as part of its application. If not, Extended Evaluation is available for an applicant to provide the requested information regarding the chosen RSP(s). ICANN will also review the willingness of the RSP(s) to support the gTLD, including their capacity to support the gTLD with any additional Registry Services. Please see RSP Selection for more information.

6.10 String Similarity Evaluation

The objective of the String Similarity Evaluation is to prevent user confusion and loss of confidence in the DNS resulting from delegation of visually similar strings. Strings or their variant strings must not be Similar²¹¹ to an existing top-level domain or a Blocked Name or their variant strings (see <u>Blocked Names</u>). The variant strings are calculated using the applicable version of the Root Zone Label Generation Rules (see <u>Applicable RZ-LGR Version and Scripts and Languages Supported.</u>)²¹²

A gTLD application is based on the primary applied-for string or existing gTLD. Each primary string is a member of and creates a variant-strings-set.²¹³ A gTLD application may contain one or more strings from the same variant-strings-set (see Internationalized Domain Names), based on the applicant's choice and with other

²¹³ For any variant string, its primary string is used to determine its variant-strings-set by the Root Zone Label Generation Rules. The set contains the primary string, any allocatable variant strings, and any blocked variant strings.



²¹¹ In this context, "Similar" means visually confusing strings, or "strings so visually similar that they create a probability of user confusion if more than one of the strings is delegated into the root zone. See <u>String Similarity</u> for more information.

²¹² Root Zone Label Generation Rules

^{(&}lt;u>https://www.icann.org/resources/pages/root-zone-lgr-2015-06-21-en</u>) also provide further information on the online tool which can be used for determining the variant strings using the RZ-LGR.

applicable constraints.²¹⁴ For any gTLD application, the String Similarity Evaluation is conducted using all the strings in the variant-strings-set even if many of these strings are not being applied for by the applicant, as per the details below.

"Similar" in this context means visually confusing strings, or "strings so visually similar that they create a probability of user confusion if more than one of the strings is delegated into the root zone."²¹⁵ The String Similarity Evaluation will be conducted by an independent String Similarity Evaluation Panel. If the panel finds applied-for strings or variant strings to be Similar, they will be marked and excluded from proceeding or form contention sets. The String Similarity Evaluation that occurs during String Evaluation complements the string confusion objection process (see Objections and Appeals).

6.10.1 Scope of String Similarity Evaluation

String Similarity Evaluation involves a preliminary comparison of each applied-for string and its variant strings to corresponding strings and variant strings in relevant categories. The evaluation is conducted using all the strings in the variant-strings-set, regardless of whether the applicant applies for them, as detailed below. The comparisons are done to determine whether the strings are visually similar to the extent that it creates a probability of user confusion²¹⁶ following the <u>String Similarity</u> Evaluation Guidelines.

For each gTLD application, the primary string (if not already delegated) and all allocatable variant strings²¹⁷ in its variant-strings-set will be compared with the following:

- Existing delegated gTLDs and all of their allocatable and blocked variant strings.
- The gTLD strings that were applied for in the previous gTLD rounds and that are still in the process,²¹⁸ and all of their allocatable and blocked variant strings.
- Existing successfully evaluated²¹⁹ or delegated²²⁰ ccTLDs and all of their allocatable and blocked variant strings.



²¹⁴ For example, an applicant can only apply for allocatable variant strings but cannot apply for blocked variant strings, as calculated by the Root Zone Label Generation Rules. See <u>Rules for IDNs and Their Variants</u> for more details.

²¹⁵ Affirmation 24.2, New gTLD Subsequent Procedures Final Report, p. 108.

²¹⁶ Such strings are referred to as Similar (with capitalized "S").

²¹⁷ In the future, after the next new gTLD round, some of these allocatable variant strings will be allocated (and are included in this category).

²¹⁸ These are strings that are not of the following status: "Withdrawn", "RA Terminated", or "Delegated". All strings in process from the 2012 new gTLD round are published at: https://gtldresult.icann.org/.

²¹⁹ For a list of all successfully evaluated IDN ccTLDs, see

https://www.icann.org/resources/pages/string-evaluation-completion-2014-02-19-en.

²²⁰ All top-level domains currently in the root zone can be found at

https://data.iana.org/TLD/tlds-alpha-by-domain.txt (the list is updated regularly).

- Strings currently requested as IDN ccTLDs²²¹ (see <u>Strings Similar to Successfully Evaluated or Delegated ccTLDs or Their Variant Strings</u> for details) and all of their allocatable and blocked variant strings.
- Other applied-for gTLD strings in the current application round and all of their allocatable and blocked variant strings.
- A subset of Blocked Names²²²²²³ and all of their allocatable and blocked variant strings.
- All other two-letter ASCII strings²²⁴ and all of their allocatable and blocked variant strings.

In addition, for each gTLD application, all of its blocked variant strings in its variant-strings-set will be compared against the following:

- 1. Existing delegated gTLDs and all of their allocatable variant strings.
- 2. The strings that were applied for in previous rounds of the New gTLD Program and that are still in process, ²²⁵ and all of their allocatable variant strings.
- 3. Existing successfully evaluated or delegated ccTLDs and all of their allocatable variant strings.
- 4. Strings currently requested as IDN ccTLDs (see <u>Strings Similar to Successfully Evaluated or Delegated ccTLDs or Their Variant Strings</u> for details) and all of their allocatable variant strings.
- 5. Other applied-for strings in the current application round and all of their allocatable variant strings.
- 6. A subset of Blocked Names²²⁶²²⁷ and all of their allocatable variant strings.
- 7. All other two-letter ASCII strings and all of their allocatable variant strings.

Reserved Names are subject to the String Similarity Evaluation. For additional information regarding Reserved Names as well as constraints on Reserved Names, see Reserved Names.



²²¹ Strings currently requested in the IDN ccTLD Fast Track process (see https://www.icann.org/resources/pages/fast-track-2012-02-25-en) or an IDN ccTLD policy, which may replace the IDN ccTLD Fast Track process. There may be a period where both IDN ccTLD Fast Track Process and an IDN ccTLD Policy may be running concurrently. In such a case, prospective IDN ccTLD strings from both these processes will be considered in scope.
222 The broader definition of Blocked Names is provided in Blocked Names. For the purposes of

String Similarity Evaluation, only two categories are applicable: (i) Special-Use Domain Names, and (ii) ICANN-related and other entities in the DNS ecosystem. Other categories of Blocked Names listed will not be used in String Similarity Evaluation.

²²³ Reserved Names are subject to the String Similarity Evaluation. For additional information regarding Reserved Names as well as constraints on Reserved Names, see <u>Reserved Names</u>. ²²⁴ All two-letter ASCII codes are reserved for country code assignment by the independent ISO 3166 Management Agency.

²²⁵ A string from a previous round of the New gTLD Program will be in one of the following statuses: "Active", "In Contracting", "On-hold", or "In PDT." Also see: https://gtldresult.icann.org/application-result/applicationstatus.

²²⁶ The broader definition of Blocked Names is provided in <u>Blocked Names</u>. For the purposes of String Similarity Evaluation, only two categories are applicable: (i) Special-Use Domain Names, and (ii) ICANN-related and other entities in the DNS ecosystem. Other categories of Blocked Names listed will not be used in String Similarity Evaluation.

As an exception to the comparisons listed above, during the String Similarity Evaluation, the String Similarity Evaluation Panel may decide to omit some comparisons with the blocked variant strings. Any such decision must be based on the String Similarity Evaluation Guidelines that justify such an omission citing a low level of confusability between the scripts being compared.

The table below summarizes the comparisons the String Similarity Evaluation Panel will perform, based on the categories marked as "Yes." As noted, the String Similarity Evaluation Panel may omit comparisons for gray shaded cells marked "Yes*" if it concludes the scripts are unlikely to be confused, following the String Similarity Evaluation Guidelines. The comparisons listed as "No" will not be performed.

Table 6-4: Scope of Comparisons Performed by the String Similarity Evaluation Panel

	The applied-for string			
Categories for Comparison		Primary string	All allocatable variant string(s)	All blocked variant string(s)
 Existing gTLD Applied-for string from previous round(s) of the New gTLD Program still 	Primary String	Yes	Yes	Yes*
in process Existing ccTLD Requested IDN ccTLD Another applied-for	All allocatable variant string(s)	Yes	Yes	Yes*
string Blocked Name Any two-Character ASCII	All blocked variant string(s)	Yes*	Yes*	No

^{*}The String Similarity Evaluation Panel may omit comparisons for gray shaded cells marked "Yes*" if it concludes the scripts are unlikely to be confused, following the String Similarity Evaluation Guidelines.

6.10.2 Methodology of String Similarity Evaluation

6.10.2.1 Same Primary or Variant Strings

Both uppercase forms and lower case forms of ASCII letters are considered, and any permutation of the casing in a string may be used for String Similarity Evaluation, for example, "EXAMPLE," "Example," or "example."

Applications from different applicants with strings from the same variant-strings-set will be marked as the same by the String Similarity Evaluation Panel.



6.10.2.2 Batching of Strings

If batching is required, the String Similarity Evaluation will be completed on all applied-for strings prior to the establishment of evaluation priority batches. For applications identified as part of a contention set, ICANN will put all the strings in the contention set in the same batch according to the highest priority string in that contention set.

6.10.2.3 String Similarity Evaluation Guidelines

The String Similarity Evaluation Panel will conduct the evaluation as per the [String Similarity Evaluation Guidelines].

6.10.2.4 Process for String Similarity Evaluation Panel

The String Similarity Evaluation will be conducted by an independent String Similarity Evaluation Panel. All applied-for strings and their variants will be evaluated against other applied-for strings and their variants, existing gTLDs, and Blocked Names, as detailed in Scope of the String Similarity Evaluation.

The String Similarity Evaluation Panel will conduct the String Similarity Evaluation in the following steps:

- 1. Compile the lists of strings for comparison:
 - a. Existing gTLDs
 - Applied-for strings in previous rounds of the New gTLD Program and still in process
 - c. Existing ccTLDs
 - d. Requested IDN ccTLDs
 - e. Other applied-for strings
 - f. Blocked Names
 - g. Two-character ASCII strings
- 2. Consider all allocatable variant strings of the above strings using the RZ-LGR.
- 3. Consider all blocked variant strings of the above strings using the RZ-LGR which are in the same script (mixed script strings for Kana and Han scripts as allowed by the RZ-LGR).
- 4. Decide which blocked variant strings to omit from the evaluation, if any, and document the rationale for the decision. Any such decision by the panel must be based on the <u>String Similarity Evaluation Guidelines</u> on the basis of a low level of confusability between the scripts of strings being compared.
- 5. Identify strings in different applications but in the same variant-strings-set to determine contention sets caused by same strings or variant strings.



- 6. Conduct the comparison of the strings to identify any pairs of Similar strings based on the <u>String Similarity Evaluation Guidelines</u>, and document the analysis. Visual similarity tools are not used as input for this process, but the String Similarity Evaluation Panel may use automation and data provided by the respective script community to make the manual comparison process efficient.
- 7. Determine and document (along with rationale) the outcome of the String Similarity Evaluation.

6.10.3 Outcomes of String Similarity Evaluation

As noted above, the String Similarity Evaluation Panel will conduct the analysis and determine the String Similarity Evaluation outcomes. These outcomes, along with their rationale, will be based on similarity comparisons conducted for all applied-for gTLD strings (including their variant-strings-set), as per the details in this section. The possible outcomes are as follows:

- 1. String Similar to existing gTLDs or their variant strings.
- 2. String Similar to the applied-for strings in previous rounds of the New gTLD. Program and still in process or their variant strings.
- 3. String Similar to existing ccTLDs or their variant strings.
- 4. String Similar to requested IDN ccTLDs or their variant strings.
- 5. String same as other applied-for strings or their variant strings.
- 6. String Similar to other applied-for strings or their variant strings.
- 7. String Similar to Blocked Names or their variant strings.
- 8. String Similar to two-character ASCII strings or their variant strings.
- 9. String not Similar to any of these categories listed.

ICANN will publish the outcomes of the String Similarity Evaluation on the [Evaluation Results Page] of the New gTLD Program website.

All strings from a variant-strings-set, comprising the primary string and all of its allocatable and blocked variant strings, will share the same outcome of the String Similarity Evaluation:

- If any applied-for string or any of its variant strings is not able to proceed due to Similarity or placed in a contention set, then the applied-for string and all of its variant strings (that is, the entire variant-strings-set) will share the same outcome.
- In cases when an application in a contention set prevails, it applies to the entire variant-strings-set, and all strings in the prevailing application can proceed to the next stage of the application process (see <u>String Contention Resolution</u>).

6.10.3.1 Strings Similar to Existing gTLDs or Their Variant Strings



If any applied-for string or any of its variant strings is found to be Similar to any of the existing gTLDs or any of their variant strings, the application will not be able to proceed, except in the case stated below.

The exception occurs when the applied-for string is an allocatable variant of an existing gTLD, is part of the same variant-strings-set as the existing gTLD, is found to be Similar to that existing gTLD or any of its variant strings, and the applicant is the same registry operator of that existing gTLD. In this case, the application can proceed with evaluation as a variant string.

6.10.3.2 Strings Similar to Strings and Their Variants Still in Process from Previous Rounds of the New gTLD Program

If an applied-for primary string or any of its variant strings is Similar to an applied-for primary string or any of its variant strings that have been held over from a previous application round and are still in progress, the newly submitted application will be put on hold until the outcome of the application from the previous round has been determined.

- If the application from a previous round of the New gTLD Program successfully completes evaluation and is eligible for entry into a Base RA, the entire variant-strings-set of the newly applied-for primary string is ineligible to proceed in the application process.
- If the application from a previous round is withdrawn or fails evaluation, the newly submitted application is eligible to proceed to the next stage of the application process.

A new applicant is not allowed to apply for a string that is part of the same variant-strings-set as the string from the previous round of the New gTLD Program that is still in process.

6.10.3.3 Strings Similar to Successfully Evaluated or Delegated ccTLDs or Their Variant Strings

If any applied-for string or any of its variant strings is found to be Similar to any of the successfully evaluated or delegated ccTLDs or any of their variant strings, the gTLD application will not proceed.

6.10.3.4 Strings Similar to a Requested IDN ccTLD

An IDN ccTLD string can be requested through the IDN ccTLD Fast Track Process or its successor on a rolling basis.²²⁸ The IDN ccTLD string application process is

²²⁸ The ccNSO is currently working on the IDN cc Policy Development Process (ccNSO PDP4 (De-)Selection of IDN ccTLDs), which is intended to replace the IDN ccTLD Fast Track Process.



separate and independent from the gTLD application process. If an applied-for gTLD string is found to be Similar to any requested IDN ccTLDs,²²⁹ the String Similarity Evaluation Panel will report it as a conflict with a requested IDN ccTLD, without forming a contention set, since contention sets are only for applied-for gTLD strings. ICANN will take the approach below to resolving the conflict.

If an applied-for gTLD string is found Similar to a requested IDN ccTLD, ICANN will determine the outcome based on the completion status of their respective evaluation processes. The scenarios are as follows:

- A gTLD application that has successfully completed all relevant evaluation stages, including dispute resolution and string contention, if applicable, and is eligible for entry into a Base RA, will be considered complete, and therefore that gTLD application (primary string and applied-for variant strings, if applicable) would not be disqualified by a newly filed IDN ccTLD request. The IDN ccTLD applicant will be informed accordingly.
- A requested primary IDN ccTLD string that is validated²³⁰ will be considered complete. Therefore, that IDN ccTLD string (primary IDN ccTLD string and requested variant strings, if applicable) would not be disqualified by a newly filed gTLD application.

In the case where neither application has completed its respective evaluation process, the gTLD application (including the applied-for variant strings, if applicable) will be put on hold while the IDN ccTLD request (including the requested variant strings, if applicable) undergoes evaluation. The hold could be for an undetermined period of time based on the IDN ccTLD applicant providing sufficient documentation and input to complete its evaluation process, as solely governed by the IDN ccTLD application evaluation process. The IDN applicant will be informed accordingly of one of two outcomes:

- Upon successful completion of its evaluation, the request for an IDN ccTLD will prevail and the gTLD application will not be approved.
- If the requested IDN ccTLD is not successfully evaluated, or withdrawn by the IDN ccTLD applicant, then the IDN gTLD string may proceed with application evaluation.

²³⁰ The term "validated" essentially means successfully evaluated. This term was initially defined in the IDN ccTLD Fast Track Process Implementation and reaffirmed in the ccPDP4 Initial Report. See the "Validation of IDN ccTLD Strings & Variants" section in the ccPDP4 Initial Report for more details.



Once the IDN ccPDP4 policy is approved and implemented, it will provide another mechanism for IDN ccTLD applicants and will also be applicable here.

²²⁹ A requested IDN ccTLD string is one that has been submitted to ICANN through the IDN ccTLD application system and is undergoing string evaluation.

If the applicant received relevant government or public authority support or non-objection but its application is eventually eliminated due to Similarity with a string requested in the IDN ccTLD application process, a full refund of the evaluation fee will be issued if the gTLD application was submitted before the ccTLD's publication.

An applicant is not allowed to apply for a gTLD string that is part of the same variant-strings-set as an applied-for ccTLD string that is in process.

6.10.3.5 Identical or Similar Strings to Applied-for Strings and Their Variants

If any applied-for primary string and any of its variant strings are found to be Similar to each other, and these strings are applied for in the same application, they will not be put in contention with each other and can proceed as primary and variant strings of each other.

If any applied-for string or any of its variant strings are found to be identical or Similar to any other applied-for strings or any of their variant strings, the variant-strings-sets for these applications will be placed in a contention set by the String Similarity Evaluation Panel. A contention set contains at least two applied-for strings that are identical or Similar to one another or their variants. Refer to Contention Set Resolution for more information on contention sets and contention resolution.

These contention sets will also include information on direct contention (string A is confusable with string B) and/or indirect contention through string Similarity transitivity (string A is confusable with string B and string B is confusable with string C but string A and string C are not confusable) or string-variant transitivity (for example, string A is confusable with string B-variant-1 and string B-variant-2 is confusable with string C but string A and string C are not confusable). Indirect contention can be resolved to allow both string A and string C to proceed in case string B cannot proceed, but if string B proceeds, neither string A nor string C can proceed.

[Placeholder for graphic]

6.10.3.6 Strings Similar to a Blocked Name

If any applied-for string or any of its variant strings is found to be Similar to any Blocked Name or any of its variant strings, the application will not proceed.

6.10.3.7 String Similarity with a Two-Character ASCII String

If any applied-for two-character string or any of its variant strings is found to be Similar to any two-character ASCII string or any of its variant strings, the applied-for string will not proceed.



6.10.3.8 Outcomes of String Similarity Evaluation

The outcomes discussed above are summarized in the table below. If the string is deemed not visually Similar to any of the strings from any of the categories, it can proceed to the next stage in the application evaluation process.

Table 6-5: Outcomes for the gTLD Application Due to the String Similarity Evaluation Performed by the Panel

	If the applied-for stri	ing or any member of its found to be:	variant-strings-set is
	Same as	Variant of	Visually Similar to (but not a variant of)
Existing gTLD	Application will not be accepted	Application can proceed if existing registry operator is also the applicant	Application cannot proceed
Applied-for string from previous round(s) of the New gTLD Program still in process	Same as Application will not be	Application will not be accepted	Application put on hold until the previous string completes evaluation. Application can proceed with evaluation if the gTLD string from the previous round is withdrawn or not successfully evaluated
Existing ccTLD		Application will not be accepted	Application cannot proceed
Requested IDN ccTLD	accepted if the IDN ccTLD string has been validated. Application put on hold while the ccTLD string	Application will not be accepted if the IDN ccTLD string has been validated. Application put on hold while the ccTLD string undergoes evaluation	Application can proceed if it has successfully completed all relevant evaluation stages, and is eligible for entry into a Base RA at the time of filing of the IDN ccTLD request. Otherwise, application put on hold until ccTLD evaluation is completed and application can proceed if Requested IDN ccTLD is withdrawn or not successfully evaluated
Other	Application put in	Application not put in	Application put in



Applied-for gTLD String	contention set	contention set if the other applied-for string is a variant string by the same applicant. Application put in contention set if other applied-for string is by a different applicant.	contention set
Blocked Name	Application will not be accepted	Application will not be accepted	Application cannot proceed
Reserved Name (not applied-for in a previous round)	Application can proceed if the applicant is the Reserved Name entity	Application can proceed if applied with the Reserved Name and the applicant is the Reserved Name entity	Application can proceed if Reserved Name not applied-for, or else application is put in contention set
Two-Character ASCII String	Application will not be accepted	Application will not be accepted	Application cannot proceed

6.10.4 Challenging String Similarity Evaluation

The String Similarity Evaluation may be challenged. If an applicant believes the String Similarity Evaluation Panel made a factual or procedural error – such as when it determined that the applicant's applied-for string (or a variant string) is Similar and therefore either cannot proceed or should be placed in a contention set based on the cases listed above – then the applicant may file a challenge.

The evaluation challenge will be assessed under a "clearly erroneous" standard of review. Specifically, the Evaluation Challenge Service Provider must accept the String Similarity Evaluation Panel's evaluation determination unless: (1) the panel failed to follow the established evaluation procedures, or (2) failed to consider or solicit necessary material evidence or information.

The evaluation challenge can be made within 21 days from the date the applicant receives notice of the String Similarity Evaluation determination. The String Similarity Evaluation Panel will communicate the conclusions resulting from the Evaluation Challenge within 30 days of an applicant filing such a challenge.

If the String Similarity Evaluation Panel finds a factual, procedural, or system error, then the String Similarity Evaluation for the application will be reevaluated taking into account the findings of the Evaluation Challenge.

If the String Similarity Evaluation Panel does not find any factual, procedural, or system error, then:



- If the challenge is based on a determination that an applied-for string is Similar to an existing gTLD, any already applied-for string from a previous round of the New gTLD Program, a requested IDN ccTLD that has been validated, or any other blocked name, the application will not proceed further.
- If the challenge is based on a determination that an applied-for string is Similar to another applied-for string, the application remains in the relevant contention set.

6.10.5 Exception for Brand TLDs

If an applied-for string has met the criteria to be qualified as a Brand TLD (see <u>Applications for Brand TLDs</u>), and this applied-for Brand TLD is found Similar as per details in <u>Table 6-5</u> above, and therefore is either unable to proceed or put in a contention set, then that Brand TLD applicant will have the opportunity to change their string. The rules for the string change for Brand TLD applications can be found in <u>Brand String Change</u>.²³¹

²³¹ The Brand String Change Request is separate from the replacement string process. Please see <u>Contention Set Resolution</u> for more information regarding the replacement string option available to all applicants.



Module 7: General Information

ICANN acknowledges the complexity of the New gTLD Program: Next Round and has compiled guidance to address potential applicant questions. This module provides direct access to essential information and links to additional resources, enabling applicants and stakeholders to gain a deeper understanding of the Program.

Module 7: General Information provides an overview of key topics, including:

- Information on languages and supporting documentation.
- Universal Acceptance.
- Security and stability.
- Legal compliance.

This module should serve as the primary reference point for applicants with general inquiries.

7.1 Resources and Help

There are a number of resources available for answering questions about the New gTLD Program: Next Round and the application process, as described below.

7.1.1 Frequently Asked Questions

ICANN has compiled a database of frequently asked questions (FAQs) to serve as a valuable resource for applicants. Access these FAQs by visiting the Next Round FAQPage.

7.1.2 Support for General Inquiries

For general inquiries about the New gTLD Program: Next Round, please contact ICANN Global Support or send an email to: globalsupport@icann.org.

ICANN Global Support has also put into place a dedicated Applicant Counselor to help answer questions about the gTLD application process and provide guidance on where to find available resources.

7.1.3 System and Application Specific Questions

For applicants with questions about applications currently in process, please submit an inquiry in the TLD Application Management System (TAMS). To protect the security and privacy of applicant data, information on ongoing applications can only be accessed and discussed via TAMS. To submit an inquiry in TAMS, please [click the "View My Organization" link on the left side of the homepage. This will take you to the



"Organization Summary" page where you can click the "Create Inquiry" button at the top right].

To learn how to create an inquiry and for other helpful system related information, please refer to the [TAMS User Guide].

7.2 Languages and Supporting Documentation

7.2.1 Applicant Guidebook and Materials

The Applicant Guidebook is available in the <u>ICANN languages</u>: Arabic, Chinese, English, French, Russian, and Spanish. The different language versions can be found on the <u>Applicant Guidebook Homepage</u>. The English version is considered authoritative for the Applicant Guidebook and other documentation.

7.2.2 Language of New gTLD Applications

Recognizing that English is the authoritative language for all ICANN business, all application materials must be submitted in English, except where expressly stated otherwise within an application question.

7.2.3 Supporting Documentation Required for New gTLD Applications

For supporting documentation, applicants are requested to provide the original documentation. When submitting original documentation in a language other than English, applicants must provide:

- 1. Original documents.
- 2. English translations for each document.
- 3. A certificate of translation accuracy for each document.

The certificate of translation must be written in English and include:

- 1. Translator's qualifications.
- 2. A statement affirming the completeness and accuracy of the translation.
- 3. Identification of the translated document and its original language.
- 4. Translator's name, signature, and date.

Most professional translators and translation agencies can provide a certificate of translation, which does not need to be notarized. A sample certificate of translation accuracy can be found at

https://www.atanet.org/client-assistance/what-is-a-certified-translation/.



Properly submitted certified translations may expedite the review and processing of applicant support materials.

7.3 Universal Acceptance of Domain Names and Email Addresses

Universal Acceptance (UA) is a critical concept ensuring that all Internet-enabled applications, devices, and systems should accept all domain names and email addresses, regardless of script, language, or TLD length. This approach allows Internet users to navigate and communicate online using domain names and email addresses that reflect their cultural and linguistic preferences.

7.3.1 Notice concerning issues related to the Universal Acceptance of Domain Names and Email Addresses using New gTLDs

All applicants should understand that obtaining ICANN approval and entering into a Base Registry Agreement (Base RA) does not guarantee immediate, comprehensive Internet functionality. Past experience indicates that network operators may not immediately fully support new top-level domains, even when these domains have been delegated in the DNS root zone, as implementing changes may require third-party software modifications. Similarly, software applications sometimes attempt to validate domain names and may not recognize new or unknown top-level domains.

ICANN cannot mandate software acceptance of new top-level domains but does provide resources to help. ICANN publicizes valid top-level domains and has developed a basic tool to assist application providers in using current root zone data. ICANN encourages applicants to familiarize themselves with these potential integration issues and account for them in their startup and launch plans. Successful applicants may find themselves expending considerable efforts working with providers to achieve acceptance of their applied-for gTLDs.

For more detailed information, applicants should review https://icann.org/ua for background. Internationalized Domain Name applicants are encouraged to review the material concerning experiences with IDN test strings in the root zone. Please see the report of the Successful Evaluations of Test IDN TLDs.

7.3.2 More Detailed Information on Universal Acceptance

ICANN and the community continue to advance UA readiness across the Internet ecosystem. ICANN publishes recent detailed information on Universal Acceptance at https://icann.org/ua, including the latest annual UA-Readiness Report. This report



covers the status of UA support in technology, including programming languages, email tools and services, network utilities, social networking applications, content management systems, authentication tools, and others. The report also includes information on the bug reporting and bug fixing efforts currently being conducted. Reporting on UA as well as technical training materials and guidance for making systems UA-ready can be found on https://www.icann.org/ua.

The following draft language, addressing UA's complexities, must be included in the Base RA of all new gTLD registry operators:

1.2 Technical Feasibility of String: While ICANN has encouraged and will continue to encourage universal acceptance of all top-level domain strings across the Internet, certain top-level domain strings may encounter difficulty in acceptance by ISPs and web hosters and/or validation by web applications. Registry Operator shall be responsible for ensuring to its satisfaction the technical feasibility of the TLD string prior to entering into this Agreement.

7.4 Applicant Freedom of Expression

ICANN respects applicants' freedom of expression rights as protected by internationally recognized legal principles, including those defined in the Paris Convention for the Protection of Industrial Property, the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights.

While applicants may apply for available gTLDs, this must be balanced against certain restrictions based on technical standards, Reserved Names lists, and other prohibitions detailed in the Guidebook, while being mindful of limitations to free expression. When assessing whether or not to file a <u>Limited Public Interest Objection</u>, the Independent Objector(s) will consider freedom of expression alongside other relevant factors. Applications may be unsuccessful if the proposed string violates applicable laws or other rights, requirements or prohibitions.

7.5 Security and Stability

The number of TLDs delegated in the DNS root zone should not increase by more than approximately five percent per month.

New gTLD applications will proceed based on the application priority order. The delegation process of a new gTLD into the root zone starts when the registry operator submits a delegation request once the new gTLD is ready.²³² Delegation requests will be processed in a first-come-first-served order until such time as any root zone change

²³² See Name Collision for more information regarding the process of delegation as it relates to name collision assessment.



limits are reached. However, delegation requests of other types of TLDs²³³ will have precedence over delegation requests of new gTLDs.

ICANN reserves the right to change the delegation rate in case of actual or potential DNS service instabilities as determined in ICANN's sole and reasonable discretion. Should such a change in the delegation rate be required, any affected applicants will be notified. Any delay on ICANN's part in a string's delegation shall not be counted against the registry operator's obligation to complete pre-delegation testing and procedures within the timeline as outlined in the <u>Base RA</u>.

7.6 Legal Compliance

Applicant acknowledges that ICANN must comply with all applicable laws, including U.S. laws, rules, and regulations. One such set of regulations is the economic and trade sanctions Program administered by the Office of Foreign Assets Control (OFAC) (https://ofac.treasury.gov/) of the U.S. Department of the Treasury. These sanctions have been imposed on certain countries, as well as individuals and entities that appear on OFAC's List of Specially Designated Nationals and Blocked Persons (the SDN List). ICANN is prohibited from providing most goods or services to residents of sanctioned countries or their governmental entities or to SDNs without an applicable U.S. government authorization or exemption. ICANN generally will not seek a license to provide goods or services to an individual or entity on the SDN List. In the past, when ICANN has been requested to provide services to individuals or entities that are not SDNs, but are residents of sanctioned countries, ICANN has sought and been granted licenses as required. However, applicant acknowledges that ICANN is under no obligation to seek such licenses and, in any given case, however, OFAC could decide not to issue a requested license.

7.7 Accountability Mechanisms

ICANN has a proven commitment to accountability and transparency in all of its practices. ICANN considers these principles to be fundamental safeguards in ensuring that its bottom-up, multistakeholder model remains effective. The mechanisms through which ICANN achieves accountability and transparency are built into every level of its organization and mandate – beginning with its Bylaws, detailed in its Accountability and Transparency Frameworks and Principles (adopted by ICANN's Board in 2008) and annually reinforced in its Strategic and Operational Plan. In order to reinforce its transparency and accountability, ICANN has established accountability mechanisms for review of ICANN actions. See ICANN Accountability Mechanisms for more information.

²³³ Including but not limited to: ccTLDs, IDN ccTLDs, and other TLDs not classified as generic.



7.8 Subsequent Application Rounds

ICANN anticipates future rounds of new gTLDs will take place at regular and predictable intervals without indefinite review periods. Except under extraordinary circumstances, application procedures will proceed without interruption unless the GNSO Council recommends a pause and the Board approves it.

The Board may initiate a new round even if prior application processing and delegation steps are incomplete. Applications for allocatable variant strings of existing gTLDs may also be submitted in the next and subsequent rounds.

The Board will determine the timing for the next application round as soon as feasible, ideally by the second Board meeting after the following conditions are met:

- Confirmation of the list of applied-for strings for the ongoing round and closure
 of the window for string change requests. This will provide applicants in a
 subsequent round with an understanding of which strings can be applied for.
- 2. ICANN has not encountered significant barriers in receiving and processing new applications.

Future reviews and policy development processes, including the next Competition, Consumer Choice & Consumer Trust (CCT) Review, should occur independently of subsequent gTLD application rounds. They must not stop or delay these rounds, except in extraordinary circumstances.

If any review outputs and/or policy development processes could materially impact application procedures, such changes will apply to the next application round following the adoption of the relevant recommendations by the Board. The implementation of these recommendations will be a prerequisite for the timing of the next application round.

7.9 Calendar Days and Timelines

Applicants acknowledge that, unless otherwise specified, the countdown period for all processes mentioned in the Applicant Guidebook will be in calendar days and will commence one day after the announcement of the initiation of the process. Applicants acknowledge that, unless otherwise specified, all of the deadline times will be in Coordinated Universal Time (UTC).

7.10 Fundamental Obligations of Registry Operators to Registrars

A domain name in a gTLD must be registered through an ICANN-accredited registrar, except under certain limited exceptions identified in the Base RA that allow the registry



operator to register a name to itself. See Section 2.9 of the Next Round <u>Base RA</u> for more information.

A registry operator must use a uniform agreement with all registrars authorized to register names by creating a Registry-Registrar Agreement (RRA) to define requirements for its registrars. The RRA must include certain terms that are specified in the Base RA, and may include additional terms specific to the gTLD. A registry operator must provide advance notice of pricing changes to all registrars, in compliance with the time frames specified in the agreement. See Sections 2.9 and 2.10 of the Base RA for further detail.

All registry operators are required to abide by the Registry Operator Code of Conduct, unless ICANN grants an exemption to an eligible registry operator that requests such an exemption.²³⁴ The Registry Operator Code of Conduct requires the registry operator to provide non-discriminatory access to its registry services to all ICANN-accredited registrars that enter into and are in compliance with the RRA for the TLD. See Specification 9, Section 1(a) of the Base RA for more information regarding registrar non-discrimination.

Furthermore, the Registry Operator Code of Conduct requires registry operators that also provide registrar or registrar-reseller services to ensure that such services are offered through a legal entity separate from the registry operator, maintaining separate books of accounts. ICANN reserves the right to refer any application to the appropriate competition authority regarding any cross-ownership issues. See Specification 9, Section 2 of the <u>Base RA</u> for more information regarding cross-ownership related obligations for registry operators.

A registry operator should be aware that an ICANN-accredited registrar has no obligation to carry a gTLD or offer it to its customers in its product offerings. While registrars are encouraged to follow updates regarding the New gTLD Program in order to be aware of delegated gTLDs, it is at the registrars' discretion to evaluate whether to enter into an RRA with each registry operator.

ICANN will continue to provide support for gTLD registry operators as they launch and maintain registry operations. ICANN provides a point of contact for gTLD registry operators for assistance on a continuing basis. Registry operators may also wish to reference the Registry Operator Website

(https://www.icann.org/en/contracted-parties/registry-operators) and Post-Contracting for more information.

ICANN's contractual compliance function conducts regular audits to ensure that gTLD registry operators comply with their agreement obligations and investigates any

²³⁴ See <u>Base RA</u> Specification 9 Registry Operator Code of Conduct and Specification 13, Section 3, <u>String and Application Types</u>, <u>Brand TLD Eligibility Evaluation</u> and <u>Code of Conduct Exemption Eligibility Evaluation</u> for more information.



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instances of noncompliance. See http://www.icann.org/en/compliance/ for more information on current contractual compliance activities.

ICANN's Bylaws mandate that the organization act in an open and transparent manner, ensuring equitable treatment among registry operators. ICANN is responsible for maintaining the security and stability of the global Internet, and looks forward to a constructive and cooperative relationship with future gTLD registry operators in furtherance of this goal.



Appendix 1: Application Questions

The application questions are intended to gather information about the Registry the applicant intends to operate, initiate ICANN's processing of the application, and inform ICANN's diligence of the application, applicant, and applied-for string.

Applicants should prepare in advance to provide complete and correct answers to the questions described in this section. ICANN's TAMS system will direct applicants to provide answers to the appropriate questions given the application type and other factors determined by the policies and procedures described in this Guidebook. The TAMS system uses a progressive or "wizard" approach to collect responses to application questions; the specific order and wording of questions, and question numbers, may differ slightly from how they appear in this section. TAMS will guide the applicant to answer the questions necessary for their specific application; not every question will be required for every application.

Certain questions will be subjected to evaluation as described in the question matrix and elsewhere in this Guidebook. ICANN may share some or all of an application with third- party expert evaluators under contract with ICANN to evaluate the response against the stated criteria.

Applicants are expected to follow the Instructions carefully and provide complete, commercially reasonable, and good-faith responses to all required questions.

Please include only Latin characters, accented letters, numbers, punctuation, and typographical symbols for all text fields. Please avoid adding titles, suffixes, or abbreviations in the full legal name fields unless they appear in the official documents for the individual or entity.

For all fields requesting a two-letter ISO country code, please refer to the list of ISO country codes that can be found at https://www.iso.org/obp/ui.

The questions can be found in the table below divided into the following sets:

- Question Set 1: Applicant Entity Information
- Question Set 2: Users
- Question Set 3: Payments
- Question Set 4: Applicant Background and Organization
- Question Set 5: Applied-for String
- Question Set 6: Variant String
- Question Set 7: Replacement String
- Question Set 8: Variant String for Replacement String
- Question Set 9: TLD Types
- Question Set 10: Safeguard Assessment/Mission and Purpose
- Question Set 11: Registry Voluntary Commitments (RVCs)



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- Question Set 12: Registry Services
- Question Set 13: Brand TLD and Code of Conduct Exemptions
- Question Set 14: Profile Determination
- Question Set 15: Government Profile Only
- Question Set 16: Registry Operator Profile Only
- Question Set 17: Top 25 Profile Only
- Question Set 18: Standard Profile Only
- Question Set 19: Operational Questions
- Question Set 20: Additional Information and Supporting Material



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Question Set	1: Ap	plicant Entity Inform	ation			
Applicant Entity	1	Full Legal Name	Yes	Instructions: 1. Provide the full legal name of the applying entity as it is registered. Use only Latin characters.	CR-1. Enter appropriate information in text field.	255 character limit
Applicant Entity	2	Doing Business As	Yes	Instructions: 1. Provide the common name of the applying entity doing business. Use only Latin characters.	CR-1. Enter appropriate information in text field.	255 character limit
Applicant Entity	3	Legal Entity Form	Yes	Instructions: 1. Provide the long form (no acronyms) of the legal form of the applying entity as it is registered. If in a non-English language, use the English equivalent (translation of the legal entity form to English)	CR-1. Enter appropriate information in text field.	255 character limit
				Notes: 1. Legal entity form refers to the type of business the entity is registered as. 2. Examples of legal forms may include "Corporation", "Limited Liability Company", "Public/Private Limited Company (Ltd.)", etc. Natural persons and sole proprietorships do not qualify. 3. This is not the same as the full legal name of the entity.		
Applicant Entity	4	Provide the Jurisdiction of the applying entity.	Yes	Instructions: 1. The jurisdiction should be only either a country name or a state/territory name. No additional information should be provided as this will be used for the automatic population of the Base RA. Examples include "Delaware", "Germany", etc. Notes: 1. The jurisdiction indicates the location in which an entity is registered for legal and financial purposes.	CR-1. Enter appropriate information in text field.	255 character limit
Applicant Entity	5	Tax ID, Business ID, VAT Registration Number, or Equivalent		Instructions: 1. Enter the number issued such as a Tax ID, Business ID, VAT Registration Number, or Equivalent issued by the local jurisdiction.	CR-1. Enter appropriate information in text field.	255 character limit
Applicant Entity	6	Issuing Authority	No	Instructions: 1. Enter the name of the authority that issued the Registration Number.	CR-1. Enter appropriate information in text field.	255 character limit



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Applicant Entity	7	Legal Entity Identifier (LEI)	No	Instructions: Enter the Legal Entity Identifier (LEI) for the applying entity, if available.	CR-1. Enter appropriate information in text field.	Must be 20 alphanumeric (a-z, 0-9) characters
				Notes: 1. The LEI must be a 20 character alphanumeric (a-z, 0-9) identifier.		
Applicant Entity	8	Proof of Establishment	No	Instructions: 1. Provide articles of incorporation/ association/organization or other equivalent documents (statutes, membership agreement, etc.) of the entity. 2. If the applicant is a government body or organization, provide a certified copy of the relevant statute or governmental decision under which it has been established, or an organizational certificate.	CR-1. Upload the appropriate documentation	Upload no more than 10 pages, subject to acceptable file types.
Applicant Entity	9	Proof of Good Standing	No	Instructions: 1. Provide a good standing certificate (or equivalent) that states that the Applicant is, among other things, compliant with annual filing requirements, active and has been operating in uninterrupted existence since its establishment, not subject to any administrative orders or action against it, not in liquidation, is current on any required fees and dues, etc.	CR-1. Upload the appropriate documentation CR-2. Good standing certificate must be no more than 6 months old at the time of application submission.	Upload no more than 10 pages, subject to acceptable file types.
Applicant Entity	10	Website URL	Yes	Instructions: 1. Provide the applying entity's website URL. Notes: 1. A valid URL can start with 'http://' or 'https://' followed by the domain name (for example, "https://www.example.com").	CR-1. Enter a valid URL in the text field	255 character limit Entered text must be valid URL
Applicant Entity	11	Are you an existing registry operator, ICANN accredited registrar, or an Affiliate of either?	Yes	Instructions: 1. Choose Yes or No. 2. Use the definition of Affiliate from the Base RA.	CR-1. Select from Radio Buttons - Yes/No	An option must be selected
Applicant Entity	12	If "Yes," explain.	Yes	Instructions: 1. Provide details of such Affiliate relationships. 2. For ICANN accredited registrars, please include registrar ID number.	CR-1. Enter Appropriate Information in Text Field	4000 character limit



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Applicant Entity	13	Are you a back-end registry service provider (RSP), a data escrow agent, an emergency back-end registry operator, a uniform rapid suspension (URS) service provider, a dispute resolution service provider, or an Affiliate of any of those providers?	Yes	Instructions: 1. Provide details of such Affiliate relationships. 2. For ICANN accredited registrars, please include registrar ID number.	CR-1. Select from Radio Buttons - Yes/No	An option must be selected
Applicant Entity	14	If "Yes," explain.	Yes	Instructions: If so, please provide details of such Affiliate relationships.	CR-1. Enter Appropriate Information in Text Field	4000 character limit
Stock and Exchange	15	Stock Symbol	Yes	Instructions: 1.If the applying entity is publicly traded, provide the stock symbol of the applying entity. If the applying entity is traded under multiple symbols/tickers, provide the symbol of the entity's primary equity listing having the most units outstanding.	CR-1. Enter Appropriate Information in Text Field	255 character limit
Stock and Exchange	16	Stock Exchange	Yes	Instructions: 1. If the applying entity is publicly traded, select the Stock Exchange with which the applying entity is listed. If the applying entity is traded on multiple exchanges, provide the exchange of the entity's primary equity listing.	CR-1. Select an option from the dropdown menu	Choose one of the provided options.
Primary Business Phone	17	Phone Country Code	Yes	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Primary Business Phone	18	Primary Business Phone	Yes	Instructions: 1. Provide the applicant's primary business phone number. Notes: 1. Do not include the country code. (Country code is provided in the previous question.)	CR-1. Enter appropriate information in text field.	Must be valid phone number format
Primary Business Email Address	19	Primary Business Email Address	Yes	Instructions: 1. Provide the applicant's primary business email address.	CR-1. Enter a valid email address in the text field	255 character limit Entered text must be valid email address.



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Primary Business Address	20	Address Line 1	Yes	Instructions: 1. Enter the Street Address (No PO Boxes)	CR-1. Enter appropriate information in text field.	1. 255 character limit 2. Must be a physical address, no PO Box.
Primary Business Address	21	Address Line 2	Yes		CR-1. Enter appropriate information in text field.	255 character limit
Primary Business Address	22	Locality	Yes	Instructions: 1. Enter the city, village, municipality, etc.	CR-1. Enter appropriate information in text field.	255 character limit
Primary Business Address	23	Region	Yes	Instructions: 1. Enter the state, province, department, territory, prefecture, oblast, etc.	CR-1. Enter appropriate information in text field.	255 character limit
Primary Business Address	24	Postal Code	Yes	Instructions: 1. Enter the postal code	CR-1. Enter appropriate information in text field.	255 character limit
Primary Business Address	25	Country Code of Location	Yes	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Direct Parent Company	26	Full Legal Name	Yes	Instructions: 1. If applicable, provide the full legal name (no acronyms) of the Direct Parent Company as it is registered. Use only Latin characters.	CR-1. Enter appropriate information in text field.Notes: CR-2. If this field is populated, all following questions in this subsection (#27-35) are required.	255 character limit
Direct Parent Company	27	Doing Business As	Yes	Instructions: 1. Provide the common name of the direct parent company. Use only Latin characters.	CR-1. Enter appropriate information in text field.	255 character limit
Direct Parent Company	28	Legal Entity Form	Yes	Instructions: 1. Provide the long form (no acronyms) of the legal form of the direct parent company as it is registered. If in a non-English language, use the English equivalent (translation of the legal form to English) Notes: 1. Legal entity form refers to the type of business the entity is registered as. 2. Examples of legal forms may include "Corporation", "Limited Liability Company", "Public/Private Limited Company (Ltd.)", etc. Natural persons and sole proprietorships do not qualify.	CR-1. Enter appropriate information in text field.	255 character limit



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Direct Parent Company	29	Provide the Jurisdiction of the Direct Parent of the applying entity.	Yes	Instructions: 1. The jurisdiction should be only either a country name or a state/territory name. No additional information should be provided as this will be used for the automatic population of the Base RA. Examples include "Delaware", "Germany", etc. Notes: 1. The jurisdiction indicates the location in which an entity is registered for legal and financial purposes.	CR-1. Enter appropriate information in text field.	255 character limit
Direct Parent Company	30	Address Line 1	No	Instructions: 1. Enter the Street Address (No PO Boxes)	CR-1. Enter appropriate information in text field.	255 character limit
Direct Parent Company	31	Address Line 2	No		CR-1. Enter appropriate information in text field.	255 character limit
Direct Parent Company	32	Locality	No	Instructions: 1. Enter the city, village, municipality, etc.	CR-1. Enter appropriate information in text field.	255 character limit
Direct Parent Company	33	Region	No	Instructions: 1. Enter the state, province, department, territory, prefecture, oblast, etc.	CR-1. Enter appropriate information in text field.	255 character limit
Direct Parent Company	34	Postal Code	No	Instructions: 1. Enter the postal code	CR-1. Enter appropriate information in text field.	255 character limit
Direct Parent Company	35	Country Code of Location	No	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Ultimate Parent Company	36	Full Legal Name	Yes	Instructions: 1. Provide the full legal name of the Ultimate Parent Company - only if it is different from the Direct Parent Company.	CR-1. Enter appropriate information in text field. CR-2. If this field is populated, all following questions in this subsection (#37-48) are required.	255 character limit
Ultimate Parent Company	37	Doing Business As	Yes	Instructions: 1. Provide the common name of the ultimate parent company. Use only Latin characters.		255 character limit



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Ultimate Parent Company	38	Legal Entity Form	Yes	Instructions: 1. Provide the long form (no acronyms) of the legal form of the ultimate parent company as it is registered. If in a non-English language, use the English equivalent (translation of the legal entity form to English)	CR-1. Enter appropriate information in text field.	255 character limit
				Notes: 1. Legal entity form refers to the type of business the entity is registered as. 2. Examples of legal forms may include "Corporation", "Limited Liability Company", "Public/Private Limited Company (Ltd.)", etc. Natural persons and sole proprietorships do not qualify. 3. This is not the same as the full legal name of the entity.		
Ultimate Parent Company	39	Provide the Jurisdiction of the applying entity.	Yes	Instructions: 1. The jurisdiction should be only either a country name or a state/territory name. No additional information should be provided as this will be used for the automatic population of the Base RA. Examples include "Delaware", "Germany", etc. Notes: 1. The jurisdiction indicates the location in which an entity is registered for legal and financial purposes.	CR-1. Enter appropriate information in text field.	255 character limit
Ultimate Parent Company	40	Address Line 1	No	Instructions: 1. Enter the Street Address (No PO Boxes)	CR-1. Enter appropriate information in text field.	255 character limit
Ultimate Parent Company	41	Address Line 2	No		CR-1. Enter appropriate information in text field.	255 character limit
Ultimate Parent Company	42	Locality	No	Instructions: 1. Enter the city, village, municipality, etc.	CR-1. Enter appropriate information in text field.	255 character limit
Ultimate Parent Company	43	Region	No	Instructions: 1. Enter the state, province, department, territory, prefecture, oblast, etc.	CR-1. Enter appropriate information in text field.	255 character limit
Ultimate Parent Company	44	Postal Code	No	Instructions: 1. Enter the postal code	CR-1. Enter appropriate information in text field.	255 character limit
Ultimate Parent Company	45	Country Code of Location	No	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Ultimate Parent Company	46	Graphical Representation of Ownership	No	Instructions: 1. Provide a document of graphical representation (for example, an org chart) with ownership percentages of the entities or persons associated from Applicant to Ultimate Parent.	CR-1. Upload the appropriate documentation	Upload no more than 10 pages, subject to acceptable file types.
Ultimate Parent Company	47	After reviewing the Base RA, please indicate if you believe there are any unique legal, jurisdictional, or regulatory issues that would prevent the applying entity from executing the agreement as-is. As the RA is a product of extensive community consultation, ICANN only considers modification to the base RA in extraordinary circumstances.	No	Instructions: 1. Choose Yes or No.	CR-1. Select from Radio Buttons - Yes/No	An option must be selected
Ultimate Parent Company	48	If you answered yes to the above question (#47), please briefly explain.	No	Instructions: 1. Provide an explanation.	CR-1. Enter appropriate information in text field. CR-2. Text allowed is 4,000 characters or less.	4000 character limit
Question Set	2: Us	ers [Multiple Users r	epeat #	49-64 (at least 2 required)]		
Primary User	49	Legal Name	No	Instructions: 1. Enter the Primary User's Legal Name	CR-1. Enter appropriate information in text field.	255 character limit
Primary User	50	Address Line 1	No	Instructions: 1. Enter the Primary User's Mailing Address	CR-1. Enter appropriate information in text field.	255 character limit
Primary User	51	Address Line 2	No	y	CR-1. Enter appropriate information in text field.	255 character limit
Primary User	52	Locality	No	Instructions: 1. Enter the city, village, municipality, etc.		255 character limit
Primary User	53	Region	No	Instructions: 1. Enter the state, province, department, territory, prefecture, oblast, etc.	CR-1. Enter appropriate information	255 character limit



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Primary User	54	Postal Code	No	Instructions: 1. Enter the postal code	CR-1. Enter appropriate information in text field.	255 character limit
Identifying Information	55	Country Code of Business Location/Address	No	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Identifying Information	56	Date of Birth	No	Instructions: 1. Provide the user's date of birth.	CR-1. Select date from date/calendar field.	An option must be selected
Identifying Information	57	Phone Country Code	No	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Identifying Information	58	Phone Number	Yes	Instructions: 1. Provide the user's phone number. Notes: 1. Do not include the country code. (Country code is provided in the previous question.)	CR-1. Enter appropriate information in text field.	Must be valid phone number format
Identifying Information	59	Email Address	No	Instructions: 1. Provide the user's email address.	CR-1. Enter a valid email address in the text field	1. 255 character limit 2. Entered text must be valid email address.
Identifying Information	60	Country Code of Residence	No	Instructions: 1. Choose from a Dropdown Menu	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Identifying Information	61	Percentage of Shares	No	Instructions: 1. Provide the percentage of shares of the applicant entity owned by this contact.	CR-1. Enter appropriate information in text field.	255 character limit
Identifying Information	62	Organization Title	No	Instructions: 1. Provide the title of this contact with respect to the organization (for example, CEO, CFO, Director, etc.). If the user is not employed by the applicant, indicate "contractor," "consultant," or regional equivalent.	CR-1. Enter appropriate information in text field.	255 character limit
Identifying Information	63	Does this user hold the position of Director, Officer, or some other position of significant influence? If yes, please list the title.	No	Instructions: 1. If the user holds a position of significant influence, please list the title in the space provided. 2. If not, type "Not Applicable"	CR-1. Enter appropriate information in text field.	255 character limit
Identifying Information	64	Is this user a Signatory Officer of the applying entity?	No	Instructions: 1. Choose one of the following options	CR-1. Select from Radio Buttons - Yes/No	An option must be selected



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Question Set	3: Pa	yments				
Payor Name	65	Full Legal Name	No	Instructions: 1. If the payor is a business, provide the full legal name (no acronyms) of the payor entity as it is registered. 2. If the payor is an individual, provide the payor's full legal name.	CR-1. Enter appropriate information in text field.	255 character limit
Payor Name	66	Doing Business As (If Applicable)	No	the payor entity. Use only Latin characters.	CR-1. Enter appropriate information in text field. CR-2. This field is only required if the payor is a business entity.	255 character limit
Payor Name	67	Legal Entity Form (If Applicable)	No	1. If the payor is a business, provide the long form (no acronyms) of the legal entity form of the payor as it is registered. If in a non-English language, use the English equivalent (translation of the legal entity form to English) Notes: 1. Legal entity form refers to the type of business the entity is registered as. 2. Examples of legal forms may include "Corporation", "Limited Liability Company", "Public/Private Limited Company (Ltd.)", etc. Natural persons and sole proprietorships do not qualify.	CR-1. Enter appropriate information in text field. CR-2. This field is only required if the payor is a business entity.	255 character limit
Payor Name	68	Provide the jurisdiction of the entity. (If applicable)	No	state/territory name. No additional information should be	CR-1. Enter appropriate information in text field. CR-2. This field is only required if the payor is a business entity.	255 character limit
Payor Primary Business Address	69	Address Line 1	No	Instructions:	CR-1. Enter appropriate information in text field.	255 character limit
Payor Primary Business Address	70	Address Line 2	No	, g		255 character limit
Payor Primary Business Address	71	Locality	No		CR-1. Enter appropriate information in text field.	255 character limit



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Payor Primary Business Address	72	Region	No	Instructions: 1. Enter the state, province, department, territory, prefecture, oblast, etc.	CR-1. Enter appropriate information in text field.	255 character limit
Payor Primary Business Address	73	Postal Code	No	Instructions: 1. Enter the postal code	CR-1. Enter appropriate information in text field.	255 character limit
Payor Primary Business Address	74	Choose the country code of the location of the payor's primary business address.	No	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Bank	75	Beneficiary Name	No	Instructions: Provide the beneficiary name as it appears on the bank account.	CR-1. Enter appropriate information in text field.	255 character limit
Bank	76	Financial Institution Name	No	Instructions: Provide the name of the financial institution.	CR-1. Enter appropriate information in text field.	255 character limit
Bank	77	Address Line 1	No	Instructions: 1. Provide the Mailing Address of the bank branch that is associated with the account information provided above.	CR-1. Enter appropriate information in text field.	255 character limit
Bank	78	Address Line 2	No		CR-1. Enter appropriate information in text field.	255 character limit
Bank	79	Locality	No	Instructions: 1. Enter the city, village, municipality, etc. of the bank branch that is associated with the account information provided above.	CR-1. Enter appropriate information in text field.	255 character limit
Bank	80	Please identify the region in which the bank which the applicant will use to wire fees to ICANN is located	No	Instructions: 1. Enter the state, province, department, territory, prefecture, oblast, etc. of the bank branch that is associated with the account information provided above.	CR-1. Enter appropriate information in text field.	255 character limit
Bank	81	Postal Code		Instructions: 1. Enter the postal code of the bank branch that is associated with the account information provided above.	CR-1. Enter appropriate information in text field.	255 character limit
Bank	82	Choose the Country Code of the location of the financial institution.	No	Instructions: 1. Enter the Country Code of the bank branch that is associated with the account information provided above.	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Bank 83	83	Legal entity form of financial institution	No	Instructions: 1. Use the long form (no acronyms) of the legal form of the financial institution as it is registered. If in a non-English language, use the English equivalent (translation of the legal entity form to English)	CR-1. Enter appropriate information in text field.	255 character limit
				Notes: 1. Legal entity form refers to the type of business the entity is registered as. 2. Examples of legal forms may include "Corporation", "Limited Liability Company", "Public/Private Limited Company (Ltd.)", etc. Natural persons and sole proprietorships do not qualify. 3. This is not the same as the full legal name of the entity.		
Bank	84	Provide the jurisdiction of the financial institution.	No	Instructions: 1. The jurisdiction should be only either a country name or a state/territory name. No additional information should be provided as this will be used for the automatic population of the Base RA. Examples include "Delaware", "Germany", etc. Notes: 1. The jurisdiction indicates the location in which an entity is registered for legal and financial purposes.	CR-1. Enter appropriate information in text field.	255 character limit
Bank	85	Transit/Domestic Routing Number	No	Instructions: 1. Provide the Payer's Transit/Domestic Routing Number.	CR-1. Enter appropriate information in text field.	255 character limit
Bank	86	IBAN	No	Instructions:		255 character limit
Bank	87	Provide the Payer's SWIFT Code.	No	Instructions: 1. The code must be 8 or 11 alphanumeric [0-9,a-z] characters	CR-1. Enter appropriate information in text field.	Must be 8 or 11 alphanumeric [0-9,a-z] characters
Bank	88	Account Number	No	Instructions: 1. Provide the Payer's Account Number.	CR-1. Enter appropriate information in text field.	255 character limit
Bank	89	Account Type	No	Instructions: 1. Select an Account Type		An option must be selected
Bank	90	Account Category	No	Instructions: 1. Select an Account Category	CR-1. Select from a Dropdown Menu. CR-2. Options are: Non-US, US Business, US Corporate, or US Personal	An option must be selected



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Billing Point of Contact	91	Legal Name	No	Instructions: 1. Provide the Full Legal Name of the Billing Point of Contact.	CR-1. Enter appropriate information in text field.	255 character limit
				Notes: 1. This contact may be the same as a previously provided user or individual. Please re-enter the contact's information.		
Billing Point of Contact	92	Address Line 1	No	Instructions: 1. Enter the Billing Point of Contact's Mailing Address	CR-1. Enter appropriate information in text field.	255 character limit
Billing Point of Contact	93	Address Line 2	No		CR-1. Enter appropriate information in text field.	255 character limit
Billing Point of Contact	94	Locality	No	Instructions: 1. Enter the city, village, municipality, etc.	CR-1. Enter appropriate information in text field.	255 character limit
Billing Point of Contact	95	Region	No	Instructions: 1. Enter the state, province, department, territory, prefecture, oblast, etc.	CR-1. Enter appropriate information in text field.	255 character limit
Billing Point of Contact	96	Postal Code	No	Instructions: 1. Enter the postal code	CR-1. Enter appropriate information in text field.	255 character limit
Billing Point of Contact	97	Choose the county code where the Billing Point of Contact currently resides.	No	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Billing Point of Contact	98	Choose the county code of the birthplace of the Billing Point of Contact.	No	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Billing Point of Contact	99	Date of Birth	No	Instructions: 1. Provide the user's date of birth.	CR-1. Select date from date/calendar field.	An option must be selected
Billing Point of Contact	100	Phone Country Code	No	Instructions: 1. Select an Option	CR-1. Select from a Dropdown Menu of Country Codes (taken from ISO list).	An option must be selected
Billing Point of Contact	101	Phone Number	No	Instructions: 1. Provide the user's phone number.	CR-1. Enter appropriate information in text field.	Must be valid phone number format
				Notes: 1. Do not include the country code. (Country code is provided in the previous question.)		



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Billing Point of Contact	102	Email Address	No	Instructions: 1. Provide the billing point of contact's email address.	CR-1. Enter a valid email address in the text field	255 character limit Entered text must be valid email address.
Billing Point of Contact	103	Organization Title	No	Instructions: 1. Provide the title of this contact with respect to the organization (for example, CEO, CFO, Director, etc.).	CR-1. Enter appropriate information in text field.	255 character limit
Volume Refund	104	ICANN has indicated the potential situation to offer a Application Volume Refund where more than 1,000 applications are submitted and implementation costs have been recovered, see Application Volume Refund. If an Application Volume Refund is available, do you elect to receive the refund?	No	Instructions: Select one of the following options: 1. I elect to receive the Application Volume Refund if one is made available. 2. I do not elect to receive the Application Volume Refund and understand that I forfeit a future request to obtain that refund if one is made available.	CR-1. Select an Option	An option must be selected
Question Set	4: Ap	plicant Background	and Org	anization		
Directors	105	List all directors of the applying entity.		Instructions: 1. Enter the Full Legal Name, date and country of birth, contact information (permanent residence), and position of all directors (that is, members of the applicant's Board of Directors, if applicable).	CR-1. Enter appropriate information in text field.	4000 character limit
Officers/ Partners	106	List all officers & partners of the applying entity.	Partial - Names Only	Instructions: 1. Enter the Full Legal Name, year and country of birth, contact information (permanent residence), and position of all officers and partners. Notes: 1. Officers are high-level management officials of a corporation or business, for example, a CEO, vice president, secretary, chief financial officer. Partners would be listed in the context of a partnership or other such form of legal entity.	CR-1. Enter appropriate information in text field.	4000 character limit



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Material Shareholders	107	List all Material Shareholders	Only	Instructions: 1. Enter the full name and contact information of all shareholders (individuals and entities) holding at least 15% of shares, and percentage held by each. Notes: 1. For a shareholder entity, enter the principal place of business. 2. For a shareholder individual, enter the date and country of birth and contact information (permanent residence).	CR-1. Enter appropriate information in text field.	4000 character limit
Executive Responsibility	108	List Individuals with Executive Responsibility		Instructions: 1. For an applying entity that does not have directors, officers, partners, or shareholders, enter the full name, date and country of birth, contact information (permanent residence), and position of all individuals having overall legal or executive responsibility for the applying entity.	CR-1. Enter appropriate information in text field.	4000 character limit
Ultimate Control	109	Disclose Ultimate Control of applying entity	No	Instructions: 1. Disclose any entities or persons, including any entities or persons providing Financing (if any), that exercise or have the ability to exercise (or will exercise or will have the ability to exercise) direct or indirect decision-making or management over the operations or policies (i) concerning the Application, or (ii) of the Applicant or any of its affiliates relating to this Application, whether by ownership interest, contractual rights or otherwise.	CR-1. Enter appropriate information in text field.	4000 character limit
Attestations	110	I have read and understood the New gTLD Program: Next Round Eligibility Criteria section of the Applicant Guidebook and declare that neither the applicant nor any of the individuals named within the Organizational Account Record are subject to any of the above criteria that could impede eligibility.	No	Instructions: 1. Confirm statement with a checkbox or digital signature	CR-1. Box must be checked to proceed.	Box must be checked to proceed.



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Attestations	111	Has the applicant or any individuals named within the Organizational Account Record, either in their current capacity or as part of a previous entity over which they had ownership or control, been subject to any decisions indicating that the applicant or individual named in the Organizational Account Record was engaged in cybersquatting, as defined in the Uniform Domain Name Dispute Resolution Policy (UDRP), Anti-cybersquatting Consumer Protection Act (ACPA), or other equivalent legislation, or was engaged in reverse domain name hijacking under the UDRP or bad faith or reckless disregard under the ACPA or equivalent legislation within the last ten years?		Instructions: 1. Select Yes or No	CR-1. Select from Radio Buttons - Yes/No	An option must be selected
Attestations	112	If "Yes," please explain.	No	Instructions: 1. Provide an explanation related to each such instance of cybersquatting, as defined in the Uniform Domain Name Dispute Resolution Policy (UDRP), Anti-cybersquatting Consumer Protection Act (ACPA), or other equivalent legislation, or was engaged in reverse domain name hijacking under the UDRP or bad faith or reckless disregard under the ACPA or equivalent legislation within the last ten years.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements		
Attestations	113	Has the applicant or any of the individuals named in the Organizational Account Record been involved in any administrative or other legal proceeding in which allegations of intellectual property infringement relating to registration or use of a domain name have been made against the applicant or any of the individuals named in the Organizational Account Record respectively within the last ten years?	No	Instructions: 1. Select Yes or No	CR-1. Select from Radio Buttons - Yes/No	An option must be selected		
Attestations	114	If "Yes," please explain.	No	Instructions: 1. Provide an explanation related to each such instance of any administrative or other legal proceeding in which allegations of intellectual property infringement relating to registration or use of a domain name have been made [against the applicant or any of the individuals named in the Organizational Account Record respectively] within the last ten years.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.		
Question Set	Question Set 5: Applied-for String							
Original String	115	Provide the applied-for gTLD string.	Yes	Instructions: 1. Enter ONLY the text of the applied-for string and no additional characters such as quotation marks, dots, or other punctuation. 2. If applying for an IDN, provide the U-label.	CR-1. Enter a valid TLD string in the text field. CR-2. Text (NOTE UTF-8)	Must be a valid TLD String.		



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements		
Original String	116	If the above string is an IDN, provide the A-label for the above string.	Yes	If applying for an IDN, enter the A-label beginning with	CR-1. Required if IDN CR-2. Enter a valid A-label in the text field.	Must be a valid TLD A-Label		
Original String	117	What is the meaning/definition of the applied-for string?	Yes		CR-1. Enter appropriate information in text field.	255 character limit		
				Notes: String meaning/definition is not evaluated, but is purely for informational purposes. Such information may prove to be useful during the comment submission phase of the Program.				
Original String	118	Script of String	Yes	1. If an IDN, provide the script of the string (both in English	CR-1. Required if IDN CR-2. Choose from ISO 15924 Dropdown	An option must be selected		
Original String	119	Phonetic Representation	Yes		CR-1. Enter appropriate information in text field.	255 character limit		
Original String	120	This applied-for string is not a "generic string" using the definition of "generic string" in Section 3(d) of Specification 11 of the Base RA.	Yes		CR-1. Statement must be confirmed.	Box must be checked to proceed.		
Question Set	Question Set 6: Variant String (Optional) - Loop over multiple variant strings if the string has multiple variant strings							
Variant of Original	121	If applicable, provide the string that is the variant of the above gTLD string that the applicant also wishes to apply for.	Yes	Enter ONLY the text of the applied-for variant string and	CR-1. Enter a valid TLD string in the text field. CR-2. Text (NOTE UTF-8)	Must be a valid TLD String.		



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Variant of Original	122	If the above string is an IDN, provide the A-label for the above string.	Yes	Instructions: 1. If applying for an IDN, enter the A-label beginning with "xn".	CR-1. Required if IDN CR-2. Enter a valid A-label in the text field.	Must be a valid TLD A-Label.
Variant of Original	123	Script of String	Yes	Instructions: 1. Provide the script of the string (both in English and as referenced by the RZ-LGR/ISO 15924)	CR-1. Required if IDN CR-2. Choose from ISO 15924 Dropdown	An option must be selected
Variant of Original	124	Is this variant for an existing gTLD that is already operated by the applicant or for a newly applied-for string in the Next Round?	Yes	Instructions: 1. Select an option	CR-1. Select from Radio Buttons - existing gTLD/Newly applied-for string	An option must be selected
Variant of Original	125	What is the meaning/definition of the variant string?	Yes	Instructions: 1. Provide the meaning or intended meaning (for non-dictionary words) of each of the applied-for variant string(s), including sources. If there is no literal meaning in English (for example, a brand name or a proper noun without a translation) simply state "no English Translation/Meaning" Notes: 1. String meaning/definition of variant strings are evaluated. 2. Applicants can use multiple dictionaries in different languages to make their case.	CR-2. Enter appropriate information in text field	255 character limit
Variant of Original	126	Explain how the primary applied-for and variant strings are considered the same, including the meaning, by the relevant user communities.	Yes	Instructions: 1. Provide at least three bona-fide examples to support the explanation. (ex. Evidence of trademark use by showing real world use cases).	CR-1. Enter appropriate information in text field or optional document upload. See criteria in Guidebook, <u>Variants</u> <u>Section</u>	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Variant of Original	127	Explain the benefits and the user communities who will benefit from the introduction of the applied-for variant string(s).	Yes	Instructions: 1. Applicants shall explain why one string is insufficient and two or more strings are necessary to satisfy regional, linguistic, or cultural drivers. 2. Identify the user communities served by primary and for each of the variant TLDs. 3. How are these user community needs reflected by differences or similarities in the design of the IDN tables offered for the primary and the each variant TLD.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Variant of Original	128	Describe the steps that the applicant will take to minimize the operational and management complexities of variant gTLDs and variant domain names that impact registrars, resellers and/or registrants.	Yes	Instructions: I-1. Provide steps and descriptions that adequately demonstrate all defined criteria are met. See Applications for Variants of existing gTLDs and Applications for New IDN TLD Including One or More Variants.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Variant of Original	129	This applied-for string is not a "generic string" using the definition of "generic string" in Section 3(d) of Specification 11 of the Base RA.	Yes	Instructions: 1. Confirm statement with a checkbox or digital signature	CR-1. Statement must be confirmed.	Box must be checked to proceed.
Question Set	7: Re	placement String (O	ptional)			
Replacement String	130	If desired, provide a suitable replacement to the above applied-for gTLD string.	Yes	Instructions: 1. Provide a potential replacement to the original applied-for gTLD string that may be adopted should contentions arise. 2. Enter ONLY the text of the replacement string and no additional characters such as quotation marks, dots, or other punctuation. 3. If applying for an IDN, provide the U-label.	CR-1. Enter a valid TLD string in the text field. CR-2. Text (NOTE UTF-8)	Must be a valid TLD String.
Replacement String	131	If the replacement string is an IDN, provide the A-label for the above string.	Yes	Instructions: 1. If applying for an IDN, enter the A-label beginning with "xn".	CR-1. Required if IDN CR-2. Enter a valid A-label in the text field.	Must be a valid TLD A-Label.



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Replacement String	132	What is the meaning/definition of the replacement string?	Yes	Instructions: 1. Provide the meaning, or restatement of the string in English, that is, a description of the literal meaning of the string in the opinion of the applicant. If there is no literal meaning in English (for example, a brand name or a proper noun without a translation) simply state "No English Translation"	CR-1. Enter appropriate information in text field.	255 character limit
				Notes: 1. String meaning/definition is not evaluated, but is purely for informational purposes. Such information may prove to be useful during the comment submission phase of the Program.		
Replacement String	133	Script of String	Yes	Instructions: 1. If an IDN, provide the script of the string (both in English and as referenced by the RZ-LGR/ISO 15924)	CR-1. Required if IDN CR-2. Choose from ISO 15924 Dropdown	An option must be selected
Replacement String	134	Phonetic Representation	Yes	Instructions: 1. Provide a representation of the string according to the International Phonetic Alphabet. https://www.internationalphoneticassociation.org/IPAcharts/l PA chart orig/pdfs/IPA Kiel 2020 full.pdf	CR-1. Enter appropriate information in text field.	255 character limit
Replacement String	135	This applied-for string is not a "generic string" using the definition of "generic string" in Section 3(d) of Specification 11 of the Base RA.	Yes	Instructions: 1. Confirm statement with a checkbox or digital signature	CR-1. Statement must be confirmed.	Box must be checked to proceed.
Question Set	8: Va	riant String for Repla	cement	String (Optional) - Loop over multiple variant s	trings if the string has multip	le variant strings
Variants of Replacement	136	If applicable, provide the string that is the variant of the replacement gTLD string.	Yes	Instructions: 1. Enter ONLY the text of the applied-for variant string and no additional characters such as quotation marks, dots, or other punctuation. 2. If applying for an IDN, provide the U-label.	CR-1. Enter a valid TLD string in the text field. CR-2. Text (NOTE UTF-8)	String.
Variants of Replacement	137	If the above string is an IDN, provide the A-label for the above string.	Yes	Instructions: 1. If applying for an IDN, enter the A-label beginning with "xn".	CR-1. Required if IDN CR-2. Enter a valid A-label in the text field.	Must be a valid TLD A-Label.



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Variants of Replacement	138	Script of String	Yes	Instructions: 1. If an IDN, provide the script of the string (both in English and as referenced by the RZ-LGR/ISO 15924)	CR-1. Required if IDN CR-2. Choose from ISO 15924 Dropdown	An option must be selected
Variants of Replacement	139	What is the meaning/definition of the variant string?	Yes	Instructions: 1. Provide the meaning or intended meaning (for non-dictionary words) of each of the applied-for variant string(s), including sources. Notes: 1. String meaning/definition of variant strings are evaluated. 2. Applicants can use multiple dictionaries in different languages to make their case.	CR-2. Enter appropriate information in text field	255 character limit
Variants of Replacement	140	Explain how the primary applied-for and variant strings are considered the same, including the meaning, by the relevant user communities.	Yes	Instructions: 1. Provide at least three bona-fide examples to support the explanation. (ex. Evidence of trademark use by showing real world use cases).	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Variants of Replacement	141	This applied-for string is not a "generic string" using the definition of "generic string" in Section 3(d) of Specification 11 of the Base RA.	Yes	Instructions: 1. Confirm statement with a checkbox or digital signature	CR-1. Statement must be confirmed.	Box must be checked to proceed.
Question Set	9: TL	D Types				
Community (General)	142	Is this application for a community-based TLD?	Yes	Instructions: 1. Select Yes or No	CR-1. Select from Radio Buttons - Yes/No	An option must be selected
Community (General)	143	What community will the applied-for string serve?	Yes	Instructions: 1. Provide the name of the community that the applicant is committing to serve. 2. Describe the distinct aspects of the community.	CR-1. Enter appropriate information in text field	255 character limit
Community (General)	144	What is the mission and purpose of the applied-for community-based gTLD?	Yes	Instructions: 1. Please describe the mission and purpose of the applied-for community-based gTLD, including the intended registrants and users, and the related activities that have been or will be carried out to achieve this purpose. 2. Explain how this purpose is sustainable over time.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Community (General)	145	How would you categorize your community?	Yes	Instructions: 1. Enter a category that best describes your community. Some examples of community categories could include, but are not limited to: activity-based and volunteer groups, online or social media groups, religious or political groups, diasporic communities, linguistic communities, celebrity or sports team supporters.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Organization)	146	What is the applicant's connection to the community?	Yes	Instructions: 1. Please describe and provide evidence of the relationship between the applicant and the identified community.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Organization)	147	How is the community organized? Are there one or multiple organizations that represent or administer the community?	Yes	Instructions: 1. Please describe and provide evidence related to the community organization, any relevant organizing bodies, and any relevant leaders within the community.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Organization)	148	Does the community have defined membership requirements, such as registration, licensing, or use of specific communication? Or, do community members self-identify as part of the community?	Yes	Instructions: 1. Please describe how membership works in the identified community and provide evidence related to how an individual can join the identified community.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Organization)	149	Where is the community located?	Yes	Instructions: 1. Provide the primary location of the community.	CR-1. Enter appropriate information in text field	255 character limit
Community (Organization)	150	What is the estimated size of the community? This should take into account any regions listed in Question #149.	Yes			255 character limit
Community (Organization)	151	What portion of the community do any organizing bodies represent or administer to?	Yes		CR-1. Enter appropriate information in text field	255 character limit



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Community (Engagement)	152	Do the organizing bodies demonstrate active and consistent efforts to engage and connect with the identified community and its members?		Instructions: 1. Please provide evidence of any documented practices of community efforts to date 2. The applicant should provide documentation of the following practices, which should have occurred within the two years leading up to application submission: a) Offering support; b) Sharing information; c) Responding to specific community needs; d) Fostering and strengthening relationships within the community.	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Engagement)	153	What is the applicant's role in the engagement efforts listed in Question 152?	Yes	Instructions: 1. Please provide evidence of the applicant's role.	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Awareness)	154	Are community members aware of the identified community and each other?	Yes	Instructions: 1. Please provide evidence that demonstrates that community members are aware of the identified community and the different member groups or segments within the identified community. 2. The applicant should provide documentation of the following practices, which should have occurred within the two years leading up to application submission: a) Surveys conducted; b) Records of activities involving a diversity of community groups, segments, or members.	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Awareness)	155	Are community members aware of the applicant and its intention to apply for a community TLD?	Yes	Instructions: 1. Please provide evidence of community members' awareness of the applicant or, if not, why.	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Established Presence)	156	Was there an established presence of the identified community prior to the opening of the application submission period?		Instructions: 1. Select Yes or No	CR-1. Select from Radio Buttons - Yes/No	An option must be selected



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Community (Established Presence)	157	Are individuals and groups outside of the identified community aware of the existence of the identified community?		Instructions: 1. Please provide evidence that demonstrates that individuals and groups outside of the community show an awareness of the identified community. 2. The applicant should provide documentation of the following practices, which should have occurred within the two years leading up to application submission: a) Media or other public information regarding the community and its activities or members; b) Discussion of the community in various fora, whether online or in person; c) Evidence of partnerships or collaborations with groups outside of the identified community; d) Evidence of the chartering or organization of the community prior to the opening of the application submission window; e) Evidence of contributions (for example, cultural or scientific) to a larger society or population:	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Longevity)	158	Are the pursuits of the identified community enduring and sustainable?	Yes	Instructions: 1. Please provide evidence of the longevity of the community. 2. The applicant should provide documentation of the following practices which should have occurred within the two years leading up to application submission: a) Evidence of recurring or scheduled activities that demonstrate continuity over time; b) Documented records of past activities that demonstrate a long-standing tradition or practice; c) Records of discussions emphasizing the community's enduring presence or its cultural significance.	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Nexus)	159	Does the string match the name of the identified community?	Yes	Instructions: 1. Please explain how the applied-for string matches the name of the community or is a well-known alternative name (whether long or short form) of the community.	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Community (Nexus)	160	Will the general public instinctively think of the community when thinking of the applied-for string?	Yes	Instructions: 1. Please explain how the applied-for string instinctively relates to the community and whether the applied-for string has any other significant meaning beyond identifying the community or community members described in the application. The applicant may wish to provide pertinent information regarding any particular geography, region, or themes that may be alluded to by the string, of which the community may or may not be a part.	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Community Registration Policy - General)	161	Are you proposing to include one or more Community Registration Policies in the Base RA that are unique to your applied-for community-based TLD?	Yes	Instructions: 1. Select from Radio Buttons - Yes/No Notes: 1. Community Registration Policies are conditions that community-based gTLD registry operators impose upon registrants within their gTLDs. 2. If you select "Yes" to this question, you are required to pay	CR-1. Community-based applicants must propose, and obtain ICANN's approval of, at a minimum, Community Registration Policies concerning registrant eligibility and naming selection for inclusion in the Specification 12 of the applicable Base RAs. CR-2. Such policies serve as a prerequisite to a community-based applicant's participation in the Community Priority Evaluation (CPE). See Registry Voluntary Commitments (RVCs) and Community Priority Evaluation for more information.	1. An option must be selected. 2. If "Yes," proceed to Question #151 (the next question) in this section. 3. If "No," a system warning will display "Without proposing a Community Registration Policy, your community-based gTLD application cannot proceed and cannot participate in the Community Priority Evaluation (CPE)."



Community (Community Registration Policy - Eligibility; RCE Criteria 1, 2 & 3)	162	Please state a specific Community Registration Policy with respect to registration eligibility for community members.	Yes	Instructions: 1. Use one response field to state each proposed Community Registration Policy with respect to registrant eligibility. If additional response fields are needed, ["click the '+' icon to the right of the last text box"] 2. The Applicant must state what it proposes the Registry Operator must do and/or must not do. The answer should be phrased as follows: a) "Registry Operator shall"; and/or b) "Registry Operator shall not". 3. If proposing any specific requirement(s) that the registry operator commits to include for registrars in its Registry-Registrar Agreement, this should be phrased as follows: a) "Registry Operator will include the following provisions in its Registry-Registrar Agreement: Registrar shall"; and/or b) "Registry Operator will include the following provisions in its Registry-Registrar Agreement: Registrar shall not". 4. If proposing any specific requirement(s) that the registry operator commits to require registrars to include in the applicable Registration Agreements, this should be phrased as follows: a) "Registry Operator will include a provision in its Registry- Registrar Agreement that requires Registrars to include in their Registration Agreements a provision prohibiting"; and/or b) "Registry Operator will include a provision in its Registry- Registrar Agreement that requires Registrars to include in their Registration Agreements a provision requiring".	CR-1. Submit only one action per response field. CR-2. The proposed Community Registration Policy must be compulsory, clear, objective, and measurable. The registry operator must not have discretion as to whether or not to perform the committed action or to change the policy. Clearly state what the registry operator must do, not what the registry operator "may" or "might" do. Use definitive language, avoid qualifiers, and express certainty when describing the policy	4,000 character limit per response field. Applicant will have the option to add additional response fields as needed.
				and/or b) "Registry Operator will include a provision in its Registry-Registrar Agreement that requires Registrars to include in their Registration Agreements a provision requiring". 5. Draft the Community Registration Policy as proposed contract language. Policies that are approved by ICANN will be included in Specification 12 of the applicable Base RA and will be subject to enforcement by ICANN Contractual Compliance. See Next Round Base RA, Specification 12 for drafting approach. Also consider the usage of defined terms and the definitions of such terms in the Next Round Base RA. 6. Include any objective measures that can be applied to demonstrate the registry operator's compliance with the		
				Community Registration Policy (for example, recurring reviews of applicable policies on a specific schedule, publication of reports, etc.). For example:		



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
				a) Registry Operator shall develop and implement a registration eligibility policy and publish this policy on its website no later than the date on which the TLD is delegated in the DNS. b) Registry Operator shall review the registration policy described in (a) at least once per year, and publish the results of such review (including any updates to the registration policy) on its website within thirty (30) days following the anniversary of the Effective Date. 7. For further guidance on the drafting approach, please see RCE Criteria for evaluation criteria that ICANN will apply for evaluating each proposed Community Registration Policy. CR-6. If the Community Registration Policy is limited in time, duration, scope, or any other factors, please specify the applicable limitations. For example, if a registrant eligibility restriction is time-limited, the applicant must state if the restriction will apply for the lifetime of the gTLD, only during a specified period, or for some other defined period (such as, Registry Operator shall, for a period of x days from the Effective Date,). Notes: "Eligibility" means the qualifications that entities or individuals must have in order to be allowed as registrants by the registry.		



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Community (Community Registration Policy - Name Selection; RCE Criteria 1, 2 & 3)	163	State a specific Community Registration Policy with respect to name selection criteria or rules for the applied-for string.	Yes	Instructions: 1. Use one response field to state each proposed Community Registration Policy with respect to name selection criteria or rules for the applied-for string. If additional response fields are needed, ["click the '+' icon to the right of the last text box"]	Registration Policy must be compulsory, clear, objective, and measurable. The registry operator	4,000 character limit per response field. Applicant will have the option to add additional response fields as needed.
						fields as needed.
				6. Draft the Community Registration Policy as proposed contract language. Policies that are approved by ICANN will be included in Specification 12 of the applicable Base RA and will be subject to enforcement by ICANN Contractual Compliance. See Base RA, Specification 12 for drafting approach. Also consider the usage of defined terms and the definitions of such terms in the Next Round Base RA. 7. Include any objective measures that can be applied to demonstrate the registry operator's compliance with the Community Registration Policy (for example, recurring reviews of applicable policies on a specific schedule, publication of reports, etc.). For example:		



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
				a) Registry Operator shall develop and implement a name selection rule and publish it on its website no later than the date on which the TLD is delegated in the DNS. b) Registry Operator shall review the name selection rule described in (a) at least once per year, and publish the results of such review (including any updates to the rule) on its website within thirty (30) days following the anniversary of the Effective Date. 8. If the Community Registration Policy is limited in time, duration, scope, or any other factors, please specify the applicable limitations. For example, if a name selection rule is time-limited, the applicant must state if the rule will apply for the lifetime of the gTLD, only during a specified period, or for some other defined period (such as, Registry Operator shall, for a period of x days from the Effective Date,). 9. For further guidance on the drafting approach, please see RCE Criteria for evaluation criteria that ICANN will apply for evaluating each proposed Community Registration Policy. Notes: "Name selection" means the conditions that must be fulfilled for any second-level domain name to be deemed acceptable by the registry.		



Community	164	State a specific	Yes	Instructions:	CR-1. Submit only one action per	4,000 character limit
(Community	104	Community Registration	165	Use one response field to state each proposed	response field.	per response field.
Registration		Policy with respect to an		Community Registration Policy. If additional response fields	CR-2. The proposed Community	Applicant will have the
Policy - Other;		additional commitment		are needed, ["click the '+' icon to the right of the last text	Registration Policy must be	option to add
RCE Criteria		other than registration		box"]	compulsory, clear, objective, and	additional response
1, 2 & 3)		eligibility for community		2. The Applicant must state what it proposes that the registry	measurable. The registry operator	fields as needed.
		members and naming		operator must do and/or must not do. The answer should be	must not have discretion as to	
		selection criteria or rules		phrased as follows:	whether or not to perform the	
		for the applied-for string.		a) "Registry Operator shall"; and/or	committed action or to change the	
				b) "Registry Operator shall not".	policy. Clearly state what the registry	
				3. If proposing any specific requirement(s) that the registry	operator must do, not what the	
				operator commits to include for registrars in its	registry operator "may" or "might"	
				Registry-Registrar Agreement, this should be phrased as	do. Use definitive language, avoid	
				follows:	qualifiers, and express certainty	
				a) "Registry Operator will include the following provisions in	when describing the policy	
				its Registry-Registrar Agreement: Registrar shall"; and/or	The state of the s	
				b) "Registry Operator will include the following provisions in		
				its Registry-Registrar Agreement: Registrar shall not ".		
				4. If proposing any specific requirement(s) that the registry		
				operator commits to require registrars to include in the		
				applicable Registration Agreements, this should be phrased		
				as follows:		
				a) "Registry Operator will include a provision in its Registry-		
				Registrar Agreement that requires Registrars to include in		
				their Registration Agreements a provision prohibiting";		
				and/or		
				b) "Registry Operator will include a provision in its Registry-		
				Registrar Agreement that requires Registrars to include in		
				their Registration Agreements a provision requiring".		
				Draft the Community Registration Policy as proposed		
				contract language. Policies that are approved by ICANN will		
				be included in Specification 12 of the applicable Base RA		
				and will be subject to enforcement by ICANN Contractual		
				Compliance. See Next Round Base RA, Specification 12 for		
				drafting approach. Also consider the usage of defined terms		
				and the definitions of such terms in the Next Round Base		
				RA.		
				IVA.		



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
				6. If the Community Registration Policy is limited in time, duration, scope, or any other factors, please specify the applicable limitations. For example, if a commitment is time-limited, the applicant must state if the rule will apply for the lifetime of the gTLD, only during a specified period, or for some other defined period (such as, Registry Operator shall, for a period of x days from the Effective Date,). 7. Include any objective measures that can be applied to demonstrate the registry operator's compliance with the Community Registration Policy (for example, recurring reviews of applicable policies on a specific schedule, publication of reports, etc.). 8. For further guidance on the drafting approach, please see RCE Criteria for evaluation criteria that ICANN will apply for evaluating each proposed Community Registration Policy.		
Community (Community Registration Policy; RCE Criterion 3)	165	Explain the rationale for any limitations to the Community Registration Policy proposed by the applicant in questions [151-153].	Yes	Instructions: 1. If you are proposing any limitation to a proposed Community Registration Policy in questions [151-153], please provide a rationale in this response field. Please see RCE Criteria for more information. 2. If you are not proposing any limitation to a proposed Community Registration Policy in questions [151-153], please type"Not Applicable" in this response field.	CR-1. Enter appropriate information in text field	4,000 character limit.



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Community (Community Registration Policy; RCE Criteria 4 & 5)		Explain how the Applicant's proposed Community Registration Policies meet the Registry Commitments Evaluation criteria 4 and 5.		Instructions: 1. Provide an explanation of how the proposed Community Registration Policies meet the Registry Commitments Evaluation criteria 4 and 5 using the considerations in the Applicant Guidebook RCE Criteria. 2. Consider whether the proposed Community Registration Policy could be argued to be duplicative of a requirement under applicable law, ICANN agreements, or ICANN Consensus Policies or Temporary Policies. There may be circumstances in which a Community Registration Policy that would duplicate requirements under applicable consensus policy or law could be approved at ICANN's sole discretion. If not duplicative, please explain why you believe the Community Registration Policy is not duplicative. If yes, please specify such a requirement and explain why you believe duplication in the Base RA is necessary. 3. Consider whether the proposed Community Registration Policy could be argued to be contrary to a requirement under applicable law, ICANN agreements, or ICANN Consensus Policies or Temporary Policies. ICANN will not approve any Community Registration Policies that are found to be contrary to applicable laws, ICANN agreements and policies. Please share your views on this issue in the answer to this question. 4. Consider whether the proposed Community Registration Policy could be argued to be incompatible with ICANN's Bylaws. ICANN will not approve any Community Registration Policies that are found to be incompatible with the ICANN Bylaws. See background at the ICANN Board resolution 2024.06.08.08-2024.06.08.10. Please share your views on this issue in the answer to this question. 5. Consider whether the proposed Community Registration Policy requires the operation of an additional Registry Service. The applicant shall engage its selected RSP to discuss the implementation of such an additional Registry Service, which must be evaluated through the RSP Program and approved by ICANN.	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Community (Community Endorsement)	167	From where does the applicant have the support to run the applied-for string on behalf of the identified community?	Yes	Instructions: 1. Please provide evidence of the applicant as the sole organizing body for the community (related to Questions 146 and 147 above) or attach any written endorsements from the organizing bodies relevant to the identified community (related to Question 146).	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Community (Community Endorsement)	168	Is there any opposition to the applicant, application, or applied-for string that the applicant is aware of? If yes, please explain.	Yes	Instructions: 1. Please provide an explanation of why opposition may or may not be relevant or how the applicant intends to address or resolve the opposition, if applicable.	CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Geographic Name (Geographic Application)	169	Is the applied-for string a geographic name as defined by it being any one of the following: a) the capital city name of a country or territory listed in the ISO 3166-1 standard; b) a city name, where it is clear from statements in the application that the applicant intends to use the gTLD for purposes associated with the city name; c) a sub-national place name listed in the ISO 3166-2 standard; or d) a name listed as a UNESCO region or appearing on the "Composition of macro geographic (continental) or regions, geographic subregions, and selected economic and other groupings" list.	Yes	Instructions: 1. Select Yes or No	CR-1. Select from Radio Buttons - Yes/No	An option must be selected



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Geographic Terms (Geographic Application)	170	Is the applied-for string the name of a city and is the intention to use the TLD primarily for purposes associated with the city name?	Yes	Instructions: 1. Select Yes or No	CR-1. Select from Radio Buttons - Yes/No	An option must be selected
Geographic Terms (Geographic Application)	171	If answered yes to the previous question, how will the applicant market and/or use the TLD primarily for purposes associated with the city name?	Yes	Instructions: 1. Provide a description and examples of how the TLD will be used in relationship to the city name.	CR-1. Enter appropriate information in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Geographic Terms (Support and Non- Objection)	172	Have relevant agencies provided letters of support or non-objection?		Instructions: 1. Attach documentation of support or non-objection from all relevant governments or public authorities. Notes: 1. Please see Geographic Names for Guidebook details of requirements for different types of geographical groups	CR-1. Document Upload	At least one required. Upload no more than 20 pages, subject to acceptable file types.
Reserved Name (Reserved Name)	173	Is the applied-for string or any applied-for variant, or any replacement string a Reserved Name per Reserved Names Identification?	Yes	Instructions: 1. Select Yes or No	CR-1. Select from Radio Buttons - Yes/No CR-2. Selection is based on Applicant's self-assertion of Reserved Name status	An option must be selected
Reserved Name (Reserved Name)	174	If the applied-for string or any applied-for variant, or any replacement string is a Reserved Name, provide justification and supporting materials as required in the Exception Process to Apply for Reserved Names	Yes	Instructions: 1. Where a parent organization exists, provide documentation of support from the parent organization including an illustration of its relationship to the applicant. 2. Where a public authority oversees the applicant's organization, provide documentation of support or non-objection including a signed letter from the relevant public authority.	CR-1. Document Upload	At least one required. Upload no more than 20 pages, subject to acceptable file types.

Question Set 10: Safeguard Assessment/Mission and Purpose



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Safeguard Identification (Group 1)	175	Think about how people around the world will understand the TLD string(s) in the application, including literal and informal meanings in different languages and regions. Will people see a domain name as more trustworthy because it is registered in your TLD?	Yes	considering the meaning of the requested TLD string in the following contexts: a. Literally as described in the application b. Literally in any other language in which the string is a recognized word or phrase.	CR-1. Yes/No selection CR-2. If "yes" is selected, then the applied-for string(s) invokes a level of implied consumer trust, and must be considered to be in Safeguard Group 1 – Regulated Sectors/Open Entry Requirements in Multiple Jurisdictions – and require Safeguards 1-3	An option must be selected
Safeguard Identification (Group 1)	176	Think about how people around the world will understand the TLD string(s) in the application, including literal and informal meanings in different languages and regions. Is it likely that consumers will face significant risks if domain names in the TLD(s) in the application are abused?	Yes	Instructions: 1. When answering the questions, apply criteria by considering the meaning of the requested TLD string in the following contexts: a. Literally as described in the application b. Literally in any other language in which the string is a recognized word or phrase. c. Informally in any language or regional variant, where	CR-1. Yes/No selection for each consideration. CR-2. If "yes" is selected, then the applied-for string(s) carries elevated risk of consumer harm, and must be considered to be in Safeguard Group 1 – Regulated Sectors/Open Entry Requirements in Multiple Jurisdictions – and require Safeguards 1-3	An option must be selected



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Safeguard Identification (Group 2)	177	Think about how the TLD string(s) in the application will be understood around the world, including both literal and informal meanings in different languages and regions. Would people generally think that this TLD will be used by entities that require strict licensing or accreditation to do business?	Yes	Instructions: 1. When answering the questions, apply criteria by considering the meaning of the requested TLD string in the following contexts: a. Literally as described in the application b. Literally in any other language in which the string is a recognized word or phrase. c. Informally in any language or regional variant, where alternative meanings exist. 2. If the proverbial "reasonable person" who understands the relevant context believes that the question should be answered 'yes', then the answer is yes.	CR-1. Yes/No selection for each consideration. CR-2. If "yes" is selected, then the applied-for string(s) are associated with a market sector that has clear and/or regulated entry requirements (such as financial, gambling, professional services, environmental, health and fitness, corporate identifiers, or charity) in multiple jurisdictions, and must be considered to be in Safeguard Group 2 – Highly-Regulated Sectors/Closed Entry Requirements in Multiple Jurisdictions – and require Safeguards 1-8.	An option must be selected
Safeguard Identification (Group 2)	178	Think about how the TLD string(s) in the application will be understood around the world, including both literal and informal meanings in different languages and regions. Would most people think that (domains in) the TLD(s) in the application are used for activities that require regular government reporting, inspections, and oversight in various countries?	Yes	Instructions: 1. When answering the questions, apply criteria by considering the meaning of the requested TLD string in the following contexts: a. Literally as described in the application b. Literally in any other language in which the string is a recognized word or phrase. c. Informally in any language or regional variant, where alternative meanings exist. 2. If the proverbial "reasonable person" who understands the relevant context believes that the question should be answered 'yes', then the answer is yes.	CR-1. Yes/No selection for each consideration. CR-2. If "yes" is selected, then the applied-for string(s) are associated with an industry where stringent licensing or accreditation is required by local, regional, or national governments. This typically involves regular inspections and ongoing government oversight, and must be considered to be in Safeguard Group 2 – Highly-Regulated Sectors/Closed Entry Requirements in Multiple Jurisdictions – and require Safeguards 1-8.	An option must be selected



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Safeguard Identification (Group 3)	179	Think about how the TLD string(s) in the application will be understood globally, including different languages and cultures. Could people reasonably believe that (domains in) your TLD will cause or lead to harassment, harm, aggression, complaints, criticism, distress, or embarrassment?	Yes	Instructions: 1. When answering the questions, apply criteria by considering the meaning of the requested TLD string in the following contexts: a. Literally as described in the application b. Literally in any other language in which the string is a recognized word or phrase. c. Informally in any language or regional variant, where alternative meanings exist. I-2. If the proverbial "reasonable person" who understands the relevant context believes that the question should be answered 'yes', then the answer is yes.	CR-1. Yes/No selection. CR-2. If "yes" is selected, then the applied-for string(s) are terms associated with harassment, intentional harm, or aggression that – intentional or not – causes distress or embarrassment to another, and must be considered to be in Safeguard Group 3 – Potential for Cyber Bullying/Harassment – and require Safeguards 1-9.	An option must be selected
Safeguard Identification (Group 4)	180	Think about how the TLD string(s) in the application will be understood globally, including different languages and cultures. Would most people think that the TLD is used for something usually done by governments?	Yes	Instructions: 1. When answering the questions, apply criteria by considering the meaning of the requested TLD string in the following contexts: a. Literally as described in the application b. Literally in any other language in which the string is a recognized word or phrase. c. Informally in any language or regional variant, where alternative meanings exist. I-2. If the proverbial "reasonable person" who understands the relevant context believes that the question should be answered 'yes', then the answer is yes.	CR-1. Yes/No selection. CR-2. If "yes" is selected, then the applied-for string(s) are associated with a function that is inherently in the domain of governments, such as military branches, and must be considered to be in Safeguard Group 4 – Inherently Governmental Functions – and require Safeguards 1-8 and Safeguard 10.	An option must be selected



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Safeguard Voluntary Selection	181	Are you proposing to include one or more of the Safeguard PICs in the Base RA voluntarily regardless of ICANN's Safeguard Assessment outcomes?		Instructions: Select Yes or No Notes: 1. ICANN will evaluate whether an applied-for gTLD requires one or more Safeguard Public Interest Commitments (Safeguard PICs) to be included in the Base RA). 2. In addition to the Mandatory Public Interest Commitments (PICs) that must be included in each Base RA, a subset of Base RAs must include Safeguard PICs based on ICANN's Safeguard Assessment. See Safeguard Public Interest Commitments. 3. Applicants for TLDs that are not found to require Safeguard PICs can elect to add them to the applicable Base RAs voluntarily to, for example, further their business objectives, help address issues or concerns that are raised or could be raised with respect to their applications, or avoid the need for the evaluation and implementation of customized Registry Voluntary Commitment (RVC). See Registry Voluntary Commitments (RVCs).	CR-1. Yes/No selection.	1. An option must be selected 2. If "Yes" is selected, proceed to the next question (Q171). 3. If "No" is selected, skip to the next section (Registry Voluntary Commitments (RVCs) - Q172).
Safeguard Voluntary Selection	182	If Yes, which Safeguard PIC(s) are you proposing to include in the RA?		Instructions: Choose the applicable Safeguard PICs from the provided list (more than one option can be selected). Notes: 1. There are ten (10) Safeguard PICs. Applicants may elect to incorporate one or more of the Safeguard PICs into the applicable Base RA by selecting one or more of the Safeguard PICs from this multiple choice list. 2. If any of the Safeguard PICs are selected, the selected Safeguard PIC(s) will be included as contractual obligations by the RA.	CR-1. Select at least one option if the answer to the previous question is "Yes."	At least one option must be selected if the Applicant answered "Yes" to the previous question.

Question Set 11: Registry Voluntary Commitments (RVCs)



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Registry Voluntary Commitments (General)		Are you proposing to include one or more Registry Voluntary Commitments (RVCs) in the Base RA that are unique to your applied-for string?		Instructions: 1. Select Yes or No 2. In addition to Safeguard Public Interest Commitments (PICs), an applicant will be permitted to propose one or more Registry Voluntary Commitments (RVCs) to provide additional safeguards with regard to the registry operator's operation of an applied-for gTLD string. See Guidebook Registry Voluntary Commitments (RVCs) for more information. 3. RVCs are separate from community registration policies. See Registry Voluntary Commitments (RVCs) and Community Registration Policies for more information. If you are applying for a community-based gTLD, please submit the community registration policies by answering Questions 161-166. However, if you propose to include additional Registry Voluntary Commitments in the RA beyond the community registration policies, you may answer "yes" and proceed to answer the following questions. 3. You are encouraged to consider whether there are other means, separate from including commitment(s) in the Base RA, that could be used to further your business objectives or help resolve any anticipated or actual issue(s) raised regarding the applied-for gTLD string or application. See Registry Voluntary Commitments (RVCs) for more information. Notes: If you select "yes" to this question, you are required to pay the conditional Registry Commitments Evaluation fee, and commitments that are approved by ICANN will be included in Specification 11 of the applicable Base RA as specific voluntary public interest commitments as contractual obligations.		1. An option must be selected 2. If "Yes" is selected, proceed to the next question (Q173). 3. If "No" is selected, skip to the next section (Registry Services - QXXX).



Registry Voluntary Commitments (RCE Criteria 1, 2 & 3)	184	State a specific Registry Voluntary Commitment (RVC) that is proposed to be included in the applicable Base RA.	Yes		response field. CR-2. The proposed Registry Voluntary Commitment must be	4,000 character limit per response field. Applicant will have the option to add additional response fields as needed.
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NEW gTLD PROGRAM: NEXT ROUND

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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
				7. Include any objective measures that can be applied to demonstrate the registry operator's compliance with the Registry Voluntary Commitment (for example, recurring reviews of applicable policies on a specific schedule, publication of reports, etc.). 8. For further guidance on the drafting approach, please see RCE Criteria for evaluation criteria that ICANN will apply for evaluating each proposed Registry Voluntary Commitment.		
Registry Voluntary Commitments (RCE Criterion 3)		Explain the rationale for any limitations to the commitment proposed by the applicant in question 184.			CR-1. Enter appropriate information in text field	4,000 character limit.





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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements				
Question Set	Question Set 12: Registry Services									
Registry Service Providers (RSP Use)	187	List the selected Registry Service Providers (RSPs)		Instructions: 1. List all pre-evaluated RSPs this Registry intends to use. This includes Main, DNS, and DNSSEC RSPs, and if applicable, a Proxy RSP for proxy services.	CR-1. Check all relevant Providers from pick list	At least one option must be selected.				
				Notes: 1. We understand that final commitments may not yet be in place at the time of application. Please list the intended RSPs even if contracts have not been finalized.						
Registry Services	188	List of Registry Services that will be used in the TLD	No	Instructions: 1. List all Registry Services that will be used in this TLD.	CR-1. Check all relevant Providers from pick list	At least one option must be selected.				
				Notes: 1. Registry Services must be supported by the pre-evaluated RSPs this Registry intends to use 2. We understand that final commitments may not yet be in place at the time of application. Please list the intended Registry Services even if contracts have not been finalized.						
Registry Services	189	Supported IDN Table Identifiers		Instructions: Select from pick list in TAMS which is populated given their selected RSP's capability	CR-1. Check all relevant IDN Identifiers from pick list					
Question Set	13: B	rand TLD and Code	of Cond	uct Exemptions						
Brand TLD Status	190	Are you applying for a Brand TLD?		Instructions: 1. Select Yes or No	CR-1. Select from Radio Buttons - Yes/No	An option must be selected				
Brand TLD Status		Submit certification of Brand TLD criteria	Yes	Instructions: 1. Provide documentation that confirms the TLD will meet each of the criteria for the TLD to be qualified as a .Brand TLD, as described in Specification 13.	CR-1. Document Upload	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.				
Brand TLD Status	192	Submit Brand TLD eligibility management		Instructions: 1. Provide documentation that confirms who is eligible to register domain names, any restrictions on registrations, and how the TLD will be managed under the exemption.	CR-1. Document Upload	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.				



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Brand TLD Status	193	Submit Trademark Registration	Yes	Instructions: 1. Provide the 15 digit Signed Mark Data (SMD) File ID Number 2. Attach an accurate and complete copy of the applicable trademark registration that forms the basis of the request for Brand TLD qualification.	CR-1. Enter 15 digit ID Number in text field CR-2. Document Upload	Must be 15 digits
Brand TLD Status	194	The applying entity confirms that this applied-for string is not a "generic string" as defined in Section 3(d) of Specification 11 of the Base RA, which prohibits generic TLDs from being operated on an exclusive basis. It also confirms that it has considered whether the string could be considered a generic string in the applicant's language and other languages it has researched.		Instructions: 1. Confirm statement with a checkbox or digital signature	CR-1. Statement must be confirmed.	Box must be checked to proceed.
Brand TLD Status	195	No Specification 11 Conflicts	Yes	Instructions: 1. Explain how the applicant intends to operate the TLD such that there would not exist any such conflict with Section 3(d) of Specification 11.		4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.
Code of Conduct Exemptions	196	Does the applicant request a Code of Conduct Exemption?	Yes	Instructions: This serves as an indication of intent to apply for an exemption to Specification 9 and that the applicant is NOT requesting to be designated a .Brand TLD, pursuant to Specification 13	CR-1. Select from Radio Buttons - Yes/No	An option must be selected



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Code of Conduct Exemptions	197	The applicant confirms all domain name registrations in the TLD will be registered to, and maintained by, registry operator for the exclusive use of the registry operator or its affiliate (as defined in the Base RA);	Yes		CR-1. Confirm statement with a checkbox.	Box must be checked to proceed.
Code of Conduct Exemptions	198	Confirm the registry operator will not sell, distribute or transfer control or use of any registrations in the TLD to any third party that is not an affiliate of registry operator.	Yes		CR-1. Confirm statement with a checkbox.	Box must be checked to proceed.
Code of Conduct Exemptions	199	Confirm and specify why the Application of the Code of Conduct to the applied-for string is not necessary to protect the public interest.	Yes		CR-1. Enter appropriate information in text field	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.

Question Set 14: Profile Determination -

Financial evaluation has four profiles. Each profile has evaluation criteria specifically selected to determine if it has and is expected to have the financial resources to fund the registry's start-up and long-term operation. Based on defined criteria and applicant's responses to the questions below, ICANN will assign each applicant one of the four profiles.



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Profile Determination	200	Is the applying entity a governmental entity, an International Governmental Organization (IGO), or an International Non-Governmental Organizations (INGO) as defined in ICANN Consensus Policy https://www.icann.org/resources/pages/igo-ingo-protection-policy-2024-02-21-en?	No	Instructions: Select Yes/No. If "Yes," assign the Government profile and answer questions #203-205. If "No," proceed to next question.	a governmental entity or an	An option must be selected
Profile Determination	201	Is the applying entity a current registry operator with one or more active Base RAs, or an affiliated entity to an existing Registry Operator?	No	Instructions: Select Yes/No. If "Yes," assign the Registry Operator profile and answer questions #206-212. If "No," proceed to next question.	CR-1. The Registry Operator profile is for a current registry operator with one or more active Base RA, or an affiliated entity to an existing Registry Operator.	An option must be selected
Profile Determination	202	Is the applying entity a publicly traded company on the Top 25 Public Stock Exchanges, as defined by the World Federation of Exchanges and specifically included on ICANN's list dated (Month/Day/ Year) at https://focus.world-exchanges.org/issue/october-2 024/market-statistics (as of MMM YYYY), or an affiliated entity to the company listed on a on the Top 25 Public Stock Exchanges?	No	Instructions: Select Yes/No. If "Yes," assign the Top 25 Public Stock Exchange profile, and answer questions #213-218. If "No," assign the Standard profile and answer questions #219-230.	CR-1. The Top 25 Exchange profile is for a publicly traded company on a Top 25 stock exchange or an affiliated entity to the company listed on a Top 25 stock exchange. Reference: https://focus.world-exchanges.org/issue/august-2024/market-statistics as of XX/XX/2025 CR-2. The Standard profile is for all other applicants not qualified for one of the above applicant profiles.	An option must be selected

Question Set 15: Government Profile Only



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Government Profile: Self- Certification (Q1.1-1)	203	Q1.1-1 - Provide the applicant's self-certification document that commits government support on official letterhead from a proper authority that the application for the gTLD(s) and its operation by the applicant is proper and permitted and that represents and warrants: SC1.1-1.1 - That the applicant is the recognized government of its jurisdiction and that the government has authorized the application(s) for applied-for gTLD(s) or is a recognized intergovernmental organization with relevant authorization for its application(s) for applied-for gTLD(s). SC1.1-1.2 - That the applicant and/or an affiliate commits to the long-term funding required to operate all of the applicant's existing gTLDs (if applicable) and newly applied-for gTLD(s).		Instructions: 1. Provide a single document for Self-Certification question Q1.1-1. 2. The document must include only the SC1.1-1.1 and SC1.1-1.2 statements. 3. Do not modify any of the Self-Certification statements. 4. If the applicant cannot Self-Certify the SC1.1-1.1 and SC1.1.1-2 statements, provide a document that explains why the applicant cannot Self-Certify the SC1.1-1.1 and SC1.1.1-2 statements.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Applicant provides the Self-Certification document. CR-3. The document is signed by the applicant and, if applicable, by the affiliate. CR-4. The two Self-Certification statements confirm that the applicant: a) is the recognized government of its jurisdiction and has the authorization from the government to submit one or more applications. b) or an affiliate commits to the long-term funding required to operate all the applicant's existing gTLDs (if applicable) and newly applied-for gTLD(s)	Exactly one document required



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Government Profile: Operational/ Planning (Q1.2-1)	204	Q1.2-1 - Provide a document with a list of the applicant's current gTLDs (if applicable) and a list of all gTLDs for entities affiliated with the applicant (if applicable). If the applicant and affiliates have no current gTLDs, submit a document that confirms this.	Yes	Instructions: 1. The document for Q1.2-1 may be a PDF of a Word (.docx), Excel (.xlsx), or equivalent file type.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. A document with a list of all of the applicant's current gTLDs (if applicable) and a list of all gTLDs for entities affiliated with the applicant (if applicable).	Must be a PDF of a Word (.docx), Excel (.xlsx), or equivalent file type.
Financial Evaluation - Government Profile: Operational/ Planning (Q1.2-2)	205	Q1.2-2 - Provide a document containing a list of the applicant's applied-for strings plus a forecast for each string of the number of Domains Under Management (DUMs) for Year 1, Year 2, and Year 3 beginning after delegation.	No	Instructions: 1. The document for Q1.2-2 must be an Excel (.xlsx) file.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. A document containing a list of all of the applicant's applied-for strings plus, for each string, a forecast of the number of Domains Under Management (DUMs) for Year 1, Year 2, and Year 3 beginning after delegation.	The document must be an Excel (.xlsx) file.

Question Set 16: Registry Operator Profile Only



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Registry Operator Profile: Financial Statements (Q2.1-1)	206	Q2.1-1 - Provide the applicant's complete audited financial statements for the most recently closed fiscal year and, if available, financial statements for the most recently ended interim financial period for the applying entity or a Qualified Parent Entity (QPE) of the applicant. Where audited statements cannot be provided, provide either the applicant's reviewed or compiled financial statements for the most recently closed fiscal year or interim period. All financial statements must be prepared by a third-party accounting firm.	No	Instructions: 1. Provide all documents prepared by the third-party accounting firm providing financial statements for this financial evaluation. 2. Annual Reports are not acceptable. Notes: 1. A Qualified Parent Entity (QPE) is a legal entity that has at least 51% ownership in the applicant, directly or indirectly. 2. Qualified Parent Statements (QPS) are Audited financial statements from a QPE.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Provide applicant's audited financial statements prepared by a third-party accounting firm or a Qualified Parent Entity's (QPE) audited financial statements. CR-3. Where audited statements cannot be provided, provide either the applicant's reviewed or compiled financial statements for the most recently closed fiscal year or interim period. CR-4. Acceptable accounting standards are: Nationally recognized accounting standards for the jurisdiction of the applicant or QPE, International Financial Statements Reporting Standards (IFRS), Generally Accepted Accounting Principles (GAAP).	At least one required. Upload no more than 20 pages, subject to acceptable file types.
Financial Evaluation - Registry Operator Profile: Financial Statements (Q2.1-2)	207	Q2.1-2 - If a complete set of financial statements is provided by a Qualified Parent Entity (QPE) of the applicant, the applicant must provide a statement that clarifies how the QPE meets the definition of a QPE in the Financial Statements Instructions.	No		CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Clarify how the Qualified Parent Entity (QPE) meets the definition for providing financial statements as defined in the Financial Statements Instructions.	At least one required. Upload no more than 20 pages, subject to acceptable file types.



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Registry Operator Profile: Financial Statements (Q2.1-3)	208	Q2.1-3 - Provide a statement clarifying why the applicant's financial statements submitted as part of Q2.1-1 were chosen for submission and are the most appropriate set of financial statements to review with respect to the proposed gTLDs.	No		CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Explain why the submitted financial statements were chosen for submission, referring to "the most favorable cash flow" - indicating a strong liquidity position and ability to meet its financial obligations.	
Financial Evaluation - Registry Operator Profile: Financial Statements (Q2.1-4)	209	Q2.1-4 - Provide a statement stating what accounting standards were used to prepare the applicant's financial statements provided as part of Q2.1-1 (for example, U.S. Generally Accepted Accounting Principles (GAAP), International Financial Statements Reporting Standards (IFRS), or any nationally recognized accounting standard for the jurisdiction where the entity resides).			CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. State what accounting standards were used to prepare the applicant's financial statements. a) Acceptable accounting standards are: Nationally recognized accounting standards for the jurisdiction of the applicant or Qualified Parent Entity (QPE), International Financial Statements Reporting Standards (IFRS), Generally Accepted Accounting Principles (GAAP).	At least one required. Upload no more than 20 pages, subject to acceptable file types.



Financial	210	Q2.2-1 - Provide the	Yes		CR-1. Applicant follows the	Exactly one document
Evaluation -		applicant's		Provide a single document for Self-Certification question	Instructions without exception and	required
Registry		self-certification			provides complete, commercially	
Operator Profile:		document, signed by the			reasonable, and good-faith	
Self-Certification		CEO, President, CFO,			responses.	
(Q2.2-1)		and/or equivalent officer			CR-2. Applicant provides the	
		of the applicant. If			Self-Certification document.	
		financial statements are			CR-3. The document is signed by	
		provided by a Qualified			the applicant and, if applicable, by a	
		Parent Entity (QPE) of			Qualified Parent Entity (QPE). CR-4. The three Self-Certification	
		the applicant, the CEO,				
		President, CFO, and/or			statements in the question confirm	
		equivalent officer of the QPE must co-sign the			the applicant: a) is a current registry operator or an	
		certification document.			affiliated entity of a current registry	
		The self-certification			operator,	
		document must			b) commits to long-term funding for	
		represent and warrant:			all current and applied-for gTLDs,	
		SC2.2-1.1 - As of the			c) is bound by law in its jurisdiction	
		submission date of the			to represent financial statements	
		application, the applying			accurately, and is in "good standing	
		entity is a current registry			in that jurisdiction": filing annual	
		operator or an affiliated			reports, business licenses, and	
		entity of a current			other required documents on time;	
		registry operator with			paying required fees, taxes, and	
		one or more active Base			other financial obligations;	
		RAs.			maintaining proper registrations with	
		SC2.2-1.2 - The			local, state, and national authorities	
		applicant and/or a QPE			are current and accurate.	
		will fund the startup and				
		long-term operation of all				
		of the applicant's current				
		gTLDs and applied-for				
		gTLDs.				
		SC2.2-1.3 - The				
		applicant and/or its				
		officers are bound by law				
		in its jurisdiction to				
		represent financial				
		statements accurately				
		and the applicant is in				
		good standing in that				
		jurisdiction.				



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Registry Operator Profile: Operational/Plann ing (Q2.3-1)		Q2.3-1 - Provide a document with a list of all of the applicant's current gTLDs and a list of all gTLDs for entities affiliated with the applicant (if applicable).	Yes	Instructions: 1. The document for Q2.3-1 may be a PDF of a Word (.docx), Excel (.xlsx), or equivalent file type.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. A document with a list of all of the applicant's current gTLDs (if applicable) and a list of all gTLDs for entities affiliated with the applicant (if applicable).	Must be a PDF of a Word (.docx), Excel (.xlsx), or equivalent file type.
Financial Evaluation - Registry Operator Profile: Operational/Plann ing (Q2.3-1)		Q2.3-2 - Provide a document containing a list of all of the applicant's applied-for strings plus a forecast for each string of the number of Domains Under Management (DUMs) for Year 1, Year 2, and Year 3 beginning after delegation.	No	Instructions: 1. The document for Q2.3-2 must be an Excel (.xlsx).	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. A document containing a list of all of the applicant's applied-for strings plus, for each string, a forecast of the number of Domains Under Management (DUMs) for Year 1, Year 2, and Year 3 beginning after delegation.	The document must be an Excel (.xlsx) file.

Question Set 17: Top 25 Profile Only



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Top 25 Profile: Financial Statements (Q3.1-1)	213	Q3.1-1 - Provide a complete set of the applicant's audited financial statements for the most recently closed fiscal year and, if available, financial statements for the most recently ended interim financial period for the applying entity or a Qualified Parent Entity (QPE) as defined in the Financial Instructions.	No	Instructions: 1. Provide all documents prepared by the third-party accounting firm providing financial statements for this financial evaluation. 2. Annual Reports are not acceptable. Notes: 1. A Qualified Parent Entity (QPE) is a legal entity that has at least 51% ownership in the applicant, directly or indirectly. 2. Qualified Parent Statements (QPS) are Audited financial statements from a QPE.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Provide applicant's audited financial statements prepared by a third-party accounting firm or a Qualified Parent Entity's (QPE) audited financial statements. CR-3. Acceptable accounting standards are: Nationally recognized accounting standards for the jurisdiction of the applicant or QPE, International Financial Statements Reporting Standards (IFRS), Generally Accepted Accounting Principles (GAAP).	At least one required. Upload no more than 20 pages, subject to acceptable file types.
Financial Evaluation - Top 25 Profile: Financial Statements (Q3.1-2)	214	Q3.1-2 - If a complete set of financial statements is provided by a QPE (Qualified Parent Entity) of the applicant, the applicant must provide a statement that clarifies how the QPE meets the definition of a QPE as defined in the Financial Statements Instructions.			CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Clarify how the Qualified Parent Entity (QPE) meets the definition for providing financial statements as defined in the Financial Statements Instructions.	At least one required. Upload no more than 20 pages, subject to acceptable file types.



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Top 25 Profile: Financial Statements (Q3.1-3)		Q3.1-3 - Provide a statement clarifying why the applicant's financial statements submitted as part of Q3.1-1 were chosen for submission and are the most appropriate set of financial statements to review with respect to the proposed gTLDs.	No		CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Explain why the submitted financial statements were chosen for submission, referring to "the most favorable cash flow" - indicating a strong liquidity position and ability to meet its financial obligations.	At least one required. Upload no more than 20 pages, subject to acceptable file types.
Financial Evaluation - Top 25 Profile: Financial Statements (Q3.1-4)		Q3.1-4 - Provide a statement stating what accounting standards were used to prepare the applicant's financial statements provided as part of Q3.1-1 (for example, U.S. Generally Accepted Accounting Principles (GAAP), International Financial Statements Reporting Standards (IFRS), or any nationally recognized accounting standard for the jurisdiction where the entity resides).			CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. State what accounting standards were used to prepare the applicant's financial statements. a) Acceptable accounting standards are: Nationally recognized accounting standards for the jurisdiction of the applicant or Qualified Parent Entity (QPE), International Financial Statements Reporting Standards (IFRS), Generally Accepted Accounting Principles (GAAP).	At least one required. Upload no more than 20 pages, subject to acceptable file types.



Financial	247	O2 2 4 Droyido tha	Voc	Instructions	CD 1 Applicant follows the	Evently one decument
Financial Evaluation - Top	217	Q3.2-1 - Provide the	Yes	Instructions: 1. Provide a single document for Self-Certification question	CR-1. Applicant follows the Instructions without exception and	Exactly one document
25 Profile:		applicant's self-certification			provides complete, commercially	required
Self-Certification		document, signed by the		Q3.2-1. 2. The document must include only the SC3.2-1.1 through	reasonable, and good-faith	
(Q3.2-1)		CEO, President, CFO		SC3.2-1.4 statements.	responses.	
(Q3.2-1)		and/or equivalent officer		3. Do not modify any of the Self-Certification statements.	CR-2. Applicant provides the	
		of the applying entity. If			Self-Certification document.	
		the applicant's financial			CR-3. The document is signed by	
		statements are provided			the applicant and, if applicable, by a	
		by a Qualified Parent		SC3.2-1.4 statements.	Qualified Parent Entity (QPE).	
		Entity (QPE), the CEO,		SC3.2-1.4 Statements.	CR-4. The four Self-Certification	
		President, CFO, and/or			statements in the question confirm	
		equivalent officer of the			the applicant:	
		QPE must co-sign the			a) is a currently listed member in	
		certification document.			one of the public stock exchanges	
		The self-certification			identified at	
		document must			https://focus.world-exchanges.org/is	
		represent and warrant:			sue/october-2024/market-statistics	
		SC3.2-1.1 - As of the			(as of MMM YYYY),	
		submission date of the			b) is in good standing – in	
		application, the applicant			compliance with all rules and	
		is currently a listed			regulations for ongoing listing – with	
		member in one or more			the public stock exchange of which	
		of the public stock			the applicant is a listed member.	
		exchanges identified at			c) commits to long-term funding for	
		https://focus.world-excha			all applied-for gTLDs,	
		nges.org/issue/october-2			d) is bound by law in its jurisdiction	
		024/market-statistics (as			to represent financial statements	
		of MMM YYYY),			accurately and is in "good standing	
		including information on			in that jurisdiction": filing annual	
		both the relevant			reports, business licenses, and	
		exchange and the			other required documents on time;	
		current registration ticker			paying required fees, taxes, and	
		symbol.			other financial obligations;	
		SC3.2-1.2 - The			maintaining proper registrations with	
		applicant is in good			local, state, and national authorities	
		standing with the public			are current and accurate.	
		stock exchange in which				
		they are a listed member.				
		SC3.2-1.3 - The				
		applicant commits to the				
		long-term funding of all				
		applied-for gTLDs.				



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
		SC3.2-1.4 - The applicant and/or its officers are bound by law in its jurisdiction to represent financial statements accurately and the applicant is in good standing in that jurisdiction.				
Financial Evaluation - Top 25 Profile: Operational/Plann ing (Q3.3-1)		Q3.3-1 - Provide a document containing a list of all of the applicant's applied-for strings plus a forecast for each string of the number of Domains Under Management (DUMs) for Year 1, Year 2, and Year 3 beginning after delegation.	No	Instructions: 1. The document for Q3.3-1 must be an Excel (.xlsx).	•	The document must be an Excel (.xlsx) file.

Question Set 18: Standard Profile Only



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Standard Profile: Financial Statements (Q4.1-1)	219	Q4.1-1 - Provide the applicant's complete audited financial statements for the most recently closed fiscal year and, if available, financial statements for the most recently ended interim financial period for the applying entity or a Qualified Parent Entity (QPE) of the applicant. Where audited statements cannot be provided, provide either the applicant's reviewed or compiled financial statements for the most recently closed fiscal year or interim period. All financial statements must be prepared by a third-party accounting firm.	No	Instructions: 1. Provide all documents prepared by the third-party accounting firm providing financial statements for this financial evaluation. 2. Annual Reports are not acceptable. Notes: 1. A Qualified Parent Entity (QPE) is a legal entity that has at least 51% ownership in the applicant, directly or indirectly. 2. Qualified Parent Statements (QPS) are Audited financial statements from a QPE.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Provide applicant's audited financial statements prepared by a third-party accounting firm or a Qualified Parent Entity's (QPE) audited financial statements. CR-3. Where audited statements cannot be provided, provide either the applicant's reviewed or compiled financial statements for the most recently closed fiscal year or interim period. CR-4. Acceptable accounting standards are: Nationally recognized accounting standards for the jurisdiction of the applicant or QPE, International Financial Statements Reporting Standards (IFRS), Generally Accepted Accounting Principles (GAAP).	At least one required. Upload no more than 20 pages, subject to acceptable file types.
Financial Evaluation - Standard Profile: Financial Statements (Q4.1-2)	220	Q4.1-2 - If a complete set of financial statements is provided by a Qualified Parent Entity (QPE) of the applicant, the applicant must provide a statement that clarifies how the QPE meets the definition of a QPE as defined in the Financial Statements Instructions.	No		CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Clarify how the Qualified Parent Entity (QPE) meets the definition for providing financial statements as defined in the Financial Statements Instructions.	At least one required. Upload no more than 20 pages, subject to acceptable file types.



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Standard Profile: Financial Statements (Q4.1-3)	221	Q4.1-3 - Provide a statement clarifying why the applicant's financial statements submitted as part of Q4.1-1 were chosen for submission and are the most appropriate set of financial statements to review with respect to the proposed gTLDs.	No		CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Explain why the submitted financial statements were chosen for submission, referring to "the most favorable cash flow" - indicating a strong liquidity position and ability to meet its financial obligations.	At least one required. Upload no more than 20 pages, subject to acceptable file types.
Financial Evaluation - Standard Profile: Financial Statements (Q4.1-4)	222	Q4.1-4 - Provide a statement stating what accounting standards were used to prepare the applicant's financial statements provided as part of Q4.1-1 (for example, U.S. Generally Accepted Accounting Principles (GAAP), International Financial Statements Reporting Standards (IFRS), or any nationally recognized accounting standard for the jurisdiction where the entity resides).				At least one required. Upload no more than 20 pages, subject to acceptable file types.



		1			I	
Financial	223	Q4.2-1 - Provide the	Yes		CR-1. Applicant follows the	Exactly one document
Evaluation -		applicant's			Instructions without exception and	required
Standard Profile:		self-certification			provides complete, commercially	
Self-Certification		document, signed by the		2. The document must include only the SC4.2-1.1 through	reasonable, and good-faith	
(Q4.2-1)		CEO, President, CFO		SC4.2-1.3 statements.	responses.	
		and/or equivalent officer		3. Do not modify any of the Self-Certification statements.	CR-2. Applicant provides the	
		of the applying entity. If			Self-Certification document.	
		financial statements are			CR-3. The document is signed by	
		provided by a Qualified		the applicant cannot Self-Certify the SC4.2-1.1 through	the applicant and, if applicable, by a	
		Parent Entity (QPE), the		SC4.2-1.3 statements.	Qualified Parent Entity (QPE).	
		CEO, President, CFO,			CR-4. The three Self-Certification	
		and/or equivalent officer			statements in the question confirm	
		of the QPE must co-sign			the applicant:	
		the certification			a) commits to long-term funding for	
		document. The			all current and applied-for gTLDs,	
		self-certification			b) has at a minimum of USD 50,000	
		document must			plus 25% of the application fee for	
		represent and warrant:			each applied-for gTLD in Cash and	
		SC4.2-1.1 - The			Cash Equivalents on the balance	
		applicant and/or a QPE			sheet of the applicant provided	
		will fund the startup and			financial statements , up to a	
		long-term operation of all			maximum of USD 300,000,	
		applied-for gTLDs and (if			designated to support the startup	
		applicable) currently			and operation of all of the	
		operated gTLDs of a			applicant's applied-for gTLDs.	
		QPE.			c) is bound by law in its jurisdiction	
		SC4.2-1.2 - The			to represent financial statements	
		applicant or QPE has at			accurately and is in "good standing	
		a minimum of USD			in that jurisdiction": filing annual	
		50,000 plus 25% of the			reports, business licenses, and	
		application base fee for			other required documents on time;	
		each applied-for gTLD in			paying required fees, taxes, and	
		Cash and Cash			other financial obligations;	
		Equivalents on the			maintaining proper registrations with	
		balance sheet of the			local, state, and national authorities	
		provided financial			are current and accurate.	
		statements, up to a				
		maximum of USD				
		300,000, designated to				
		support the startup and				
		operation of all of the				
		applicant's applied-for				
		gTLDs.				



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
		SC4.2-1.3 - The applicant and/or its officers are bound by law in its jurisdiction to represent financial statements accurately and the applicant is in good standing in that jurisdiction.				
Financial Evaluation - Standard Profile: Operational Planning (Q4.3.1-1 - Most Likely Scenario Financial Projection)	224	Q4.3.1-1 - Populate and provide the Financial Evaluation Templates – MLS. The Most Likely Scenario (MLS) Financial Projection will quantify the applicant's plans to build, fund, and operate the applied-for gTLDs on an ongoing basis. The MLS projection focuses on funding and positive cash flow needed for the expected operating plan. Detailed instructions for populating the spreadsheet are in the Financial Evaluation Templates Instructions.	No	Instructions: 1. The Instructions for the Most Likely Scenario (MLS) are in the Instructions - Financial Evaluation Template - 10-22-2024.docx document.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. The Most Likely Scenario (MLS) Projections Template has not been modified. CR-3. All required cells have data input. CR-4. Cash on Hand at Time of Application calculation is correct. CR-5. Cash and Cash Equivalents from the provided financial statement's balance sheet exceed the Cash on Hand at Time of Application. CR-6. All rows with data have sufficient relevant Comments content. CR-7. Projected Total Cash Flow is positive in Year 3.	Upload the completed Financial Evaluation Template ONE TIME for questions #205-211



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Standard Profile: Operational Planning (Q4.3.2-1 - Operating Costs)	225	Q4.3.2-1 - Populate the Financial Evaluation Templates – MLS with the estimated startup and the first three years combined operating costs for all of the applicant's applied-for gTLDs. This cost should include Registry Service Providers (RSP) Services, administration, labor, facilities, marketing, etc. Any major variances (20% or greater) between years in anticipated ranges for expected costs must be briefly explained in the MLS Comments column of the Template.	No	Instructions: 1. The Instructions for the Most Likely Scenario (MLS) are in the Instructions - Financial Evaluation Template - 10-22-2024.docx document.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. The Most Likely Scenario (MLS) Projections Template has not been modified. CR-3. All required cells for Operating Costs have data input. CR-4. All rows with input data have sufficient relevant Comments content as specified in the Instructions - Financial Evaluation Template - 10-22-2024.docx document. CR-5. Variances for 20% or more are Explained in Comments, CR-6. Provided Pre-evaluated RSP and all other outsourced contracts, LOIs, or proposals (except employment agreements). CR-7. Contracts, Letters of Intent (LOIs), and proposals costs are accounted for in the MLS Projections Template.	Upload the completed Financial Evaluation Template ONE TIME for questions #205-211
Financial Evaluation - Standard Profile: Operational Planning (Q4.3.2-2 - Operating Costs)	226	Q4.3.2-2 - With the exception of employee agreements, provide all material outsourced Contracts, Letters of Intent (LOIs), and Proposals for the applicant's operating costs.	No	Instructions: 1. The Instructions for the Most Likely Scenario (MLS) are in the Instructions - Financial Evaluation Template - 10-22-2024.docx document.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. Provided Pre-evaluated RSP and all other outsourced contracts, Letters of Intent (LOIs), or proposals (except employment agreements).	Upload the completed Financial Evaluation Template ONE TIME for questions #205-211



Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Standard Profile: Operational Planning (Q4.3.3-1 - Funding and Revenue)	227	Q4.3.3-1 - For projected revenue, describe the applicant's strategy for using various pricing models for projected registration revenue, if applicable, such as auctions, premium naming, multi-year versus single-year registrations, etc. across all applied-for gTLDs in MLS Comments.	No	Instructions: 1. The Instructions for the Funding and Revenue are in the Instructions - Financial Evaluation Template - 10-22-2024.docx document. Notes: 1. Funding can be derived from several sources such as existing capital or proceeds/revenue from operation of a registry. 2. Funding resources must be adequately provided to produce positive cash flow by the end of the third year of operations.	CR1. Applicant provided a strategy registration revenue that included all applied-for gTLDs collectively, launch plans, market size and planned penetration goals, unique registry services, etc. CR-2. Applicant clearly identified any other funding sources, amounts, and timing of use for each source.	Upload the completed Financial Evaluation Template ONE TIME for questions #205-211
Financial Evaluation - Standard Profile: Operational Planning (Q4.3.3-2 - Funding and Revenue)	228	Q4.3.3-2 - Identify and document in MLS Comments any sources of capital funding required to sustain registry operations for the short-term and long-term, ongoing basis.	No	Instructions: 1. The Instructions for the Funding and Revenue are in the Instructions - Financial Evaluation Template - 10-22-2024.docx document. Notes: 1. Funding can be derived from several sources such as existing capital or proceeds/revenue from operation of a registry. 2. Funding resources must be adequately provided to produce positive cash flow by the end of the third year of operations.	CR-1. Applicant provided a strategy registration revenue that included all applied-for gTLDs collectively, launch plans, market size and planned penetration goals, unique registry services, etc. CR-2. Applicant clearly identified any other funding sources, amounts, and timing of use for each source.	Upload the completed Financial Evaluation Template ONE TIME for questions #205-211
Financial Evaluation - Standard Profile: Operational Planning (Q4.3.4-1 - Contingency Planning)	229	Q4.3.4-1 - Using the Financial Evaluation Templates – Risk Assessment spreadsheet, document and provide the applicant's assessment of the predefined and specific gTLD material risks to the successful operation of a combined set of all applied-for gTLDs.	No	Instructions: 1. Instructions for the Risk Assessment are provided in the Instructions - Financial Evaluation Template - 10-22-2024.docx document.	CR-1. Applicant follows the Instructions without exception and provides complete, commercially reasonable, and good-faith responses. CR-2. All required Risk Assessments were completed – Risk Scenario, Probably, Impact, Mitigation. CR-3. Any applicant identified risks were assessed and documented in the Risk Assessment Template	Upload the completed Financial Evaluation Template ONE TIME for questions #205-211



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Financial Evaluation - Standard Profile: Operational Planning (Q4.3.5-1 - Worst Case Scenario Financial Projection)		Q4.3.5-1 - Populate and provide the Worst Case Scenario (WCS) projections as defined in the Financial Evaluation Templates – WCS. The projections must demonstrate that the applicant's funding is adequate to produce positive cashflow for the startup period and the first three years of operations. Detailed instructions for populating the spreadsheet are in the Financial Evaluation Templates Instructions.	No	Instructions: 1. The Instructions for the Worst Case Scenario (WCS) are in the Instructions - Financial Evaluation Template - 10-22-2024.docx document. Notes: 1. The Worst-Case Scenario (WCS) Financial Projection will quantify the plans to operate the registry when events occur that negatively impact the ability to fund the applicant's applied-for gTLDs.	provides complete, commercially reasonable, and good-faith	Upload the completed Financial Evaluation Template ONE TIME for questions #205-211

Question Set 19: Operational Questions - All financial profiles answer #231 & 232



Financial	231	Q5.1-1 - Provide the	Yes	Instructions:	CR-1. Applicant follows the	Exactly one document
Evaluation:	201	applicant's	100	Provide a single document for Self-Certification question	Instructions without exception and	required
Security Policy		self-certification		Q5.1-1.	provides complete, commercially	required
and Planning		document, signed by the		2. The document must include only the SC5.1-1.1 through	reasonable, and good-faith	
(Q5.1-1)		CEO, President, CFO		SC5.1-1.3 statements.	responses.	
(40.1 1)		and/or equivalent officer			CR-2. Applicant provides the	
		of the applying entity.		4. If the applicant cannot Self-Certify the SC5.1-1.1 through	Self-Certification document.	
		The self-certification			CR-3. The document is signed by	
		document must			the applicant.	
		represent and warrant:			CR-4. The three Self-Certification	
		SC5.1-1.1 - The			Statements confirm that the	
		applicant will			applicant:	
		appropriately protect			a) commits to its role in the	
		confidentiality of data			protection of confidentiality of data in	
		and prevent			the applicant's care, and prevention	
		unauthorized access to			of unauthorized access to	
		data and services.			applicant's services.	
		SC5.1-1.2 - The			b) has planned for and will budget to	
		applicant will maintain a			support the operation of the	
		mature, appropriately			necessary security capabilities.	
		funded and staffed			c) has or plans to implement a	
		security Program,			recognized, modern security	
		following a recognized,			framework based on risk	
		modern security			management such as the ISO27000	
		framework based on risk			series, COBIT, HITRUST CSF,	
		management (such as			legally required security frameworks,	
		the ISO27000 series,			or equivalent.	
		COBIT, HITRUST CSF,			d) has a plan to ensure appropriate	
		legally required security			staffing for its security capabilities.	
		frameworks, or			e) has designed operational	
		equivalent). The security			practices and technical	
		Program must be in			infrastructure to meet the security	
		place prior to delegation,			and privacy requirements it is	
		and exist through at least			subject to.	
		the period of the Base				
		RA.				



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Sub- section	#	Question	Public Posting	NOTAS/INSTRUCTIONS	Criteria	Input Field Requirements
		SC5.1-1.3 - The applicant is aware of and has designed its systems and business to comply with the relevant privacy and security regulations for all countries in which it operates.				

E		10-04 5 :: "				le
Financial	232	Q5.2-1 - Provide the	Yes		CR-1. Applicant follows the	Exactly one document
Evaluation: DNS		applicant's			Instructions without exception and	required
Abuse (Q5.2-1)		self-certification			provides complete, commercially	
		document, signed by the		2. The document must include only the SC5.2-1.1 through	reasonable, and good-faith	
		CEO, President, CFO		SC5.2-1.7 statements.	responses.	
		and/or equivalent officer			CR-2. Applicant provides the	
		of the applying entity.		4. If the applicant cannot Self-Certify the SC5.2-1.1 through	Self-Certification document.	
		The self-certification			CR-3. The document is signed by	
		document must			the applicant.	
		represent and warrant:		SC5.2-1.7 statements.	CR-4. The seven Self-Certification	
		SC5.2-1.1 - The			Statements confirm that the	
		applicant will, no later			applicant:	
		than delegation of the			a) will, no later than delegation of	
		Top Level Domain (TLD),			the Top-Level Domain (TLD),	
		establish a dedicated			establish a dedicated abuse point of	
		abuse point of contact			contact and provide a timely	
		responsible for			response to abuse complaints	
		addressing matters			b) will, no later than delegation of	
		requiring expedited			the TLD, establish, publish, and	
		attention and providing a			provide to ICANN the location of a	
		timely response to abuse			mechanism for members of the	
		complaints concerning			public to submit reports of abuse in	
		any name registered in			accordance with the current	
		the TLD.			obligations of the Base RA and any	
		SC5.2-1.2 - The			Consensus Policies	
		applicant will, no later			c) has developed proposed	
		than delegation of the			measures for removal of orphan	
		TLD, establish, publish,			glue records for names removed	
		and provide to ICANN			from the zone when provided with	
		the location of a			evidence in written form that the	
		mechanism for members			glue is present in connection with	
		of the public to submit			malicious conduct (see Specification	
		reports of abuse in			6)	
		accordance with the				
		current obligations of the				
		Base RA and any				
		Consensus Policies.				



SC5.2-1.3 - The	d) has established and maintains
applicant has developed	policies on handling complaints
proposed measures for	regarding abuse. Such policies are
removal of orphan glue	posted publicly so that anyone can
records for names	review the policies via the Internet
removed from the zone	and any other means deemed
when provided with	appropriate by the applicant. The
evidence in written form	applicant's policies at a minimum
that the glue is present in	should contain appropriate
connection with	confirmation of the receipt of the
malicious conduct (see	abuse report, the process of review
Specification 6).	of the report, and actions will be
SC5.2-1.4 - The	taken if the applicant confirms the
applicant has or will have	report is legitimate.
at time of delegation,	e) confirms that DNS Abuse is
established policies for	Phishing, Malware, Botnets,
handling complaints	Pharming and Spam (when used to
regarding abuse. Such	deliver other forms of DNS Abuse).
policies are to be	The Applicant is prepared to
maintained and posted	contribute to the mitigation or
publicly so that anyone	disruption of DNS Abuse in domains
can review the policies	in the TLD zone.
via the Internet and any	f) will resource abuse response
other means deemed	capabilities appropriately to ensure
appropriate by the	a timely investigation and response
applicant. The	to reports of DNS Abuse, receive
applicant's policies at a	and evaluate evidence of DNS
minimum should contain	Abuse in reports, and to take action
appropriate confirmation	to stop or disrupt the DNS Abuse.
of the receipt of the	g) is prepared to conduct periodic
abuse report, the	scans of its zone to identify if
process of review of the	domains are being used to
report, and actions will	perpetrate DNS Abuse, and to
be taken if the applicant	maintain statistical reports of the
confirms the report is	scans, the findings, and actions
legitimate.	taken.

Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
		SC5.2-1.5 - The				
		applicant understands				
		that DNS Abuse is Phishing, Malware,				
		Botnets, Pharming and				
		Spam (when used to				
		deliver other forms of				
		DNS Abuse). The				
		Applicant understands				
		and is prepared to				
		contribute to the				
		mitigation or disruption of				
		DNS Abuse in domains				
		in the TLD zone.				
		SC5.2-1.6 - The				
		applicant's abuse				
		response capabilities are				
		resourced appropriately to ensure a timely and				
		adequate investigation				
		and response to reports				
		of DNS Abuse. This				
		includes capabilities to				
		receive and evaluate				
		evidence of DNS Abuse				
		in reports, and to take				
		action to stop or disrupt				
		the DNS Abuse.				
		SC5.2-1.7 - The				
		applicant is prepared to				
		conduct periodic scans				
		of its zone to identify if				
		domains are being used to perpetrate DNS				
		Abuse, and to maintain				
		statistical reports of the				
		scans, the findings, and				
		actions taken.				

Question Set 20: Additional Information and Supporting Materials



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Sub- section	#	Question	Public Posting	Notes/Instructions	Criteria	Input Field Requirements
Additional Information and Supporting Materials		If the applicant wishes to provide any additional information or supporting materials that the applicant believes may be of interest to the public or relevant to the application, please include them here.		Instructions: 1. An applicant may use this response field to submit any additional, optional information or documentation that the applicant believes enhances understanding of its application or may be of interest to the general public. This could include, but is not limited to, the applicant's: a) Individual registry policies; b) Separate agreement with a third-party to fulfill certain commitments; c) Terms of use; d) Additional community registration policies not intended for RA inclusion; e) Other materials that clarify the applicant's mission, values, or intended use of the gTLD. Notes: 1. This question is optional and for informational purposes only. 2. The information provided here will not be evaluated as part of the application, or be contractually binding on the applicant. 3. All submissions to this question will be posted for the public to review and comment.	in text field or optional document upload.	4000 character limit and/or upload no more than 10 pages, subject to acceptable file types.



Appendix 2: Materials related to Geographic Names

A2.1 Sample Letter of Governmental Support

[This letter should be provided on official letterhead]

Internet Corporation for Assigned Names and Numbers 12025 Waterfront Dr Los Angeles, CA 90094 United States of America

Attention: New gTLD Program Team

Subject: Letter of support/non-opposition for [Requested TLD]

This letter [confirms that the Government Entity/Public Authority fully supports][expresses the Government Entity/Public Authority's non-opposition to] the application for [Requested gTLD(s)] submitted to the Internet Corporation for Assigned Names and Numbers (ICANN) by [Applicant] under the New gTLD Program. As the [Minister/Secretary/Title], I am authorized by the [Government Entity/Public Authority] to provide this formal letter of support. [Government Entity/Public Authority], through the [Department/Division/Office], is responsible for [brief summary of functions and responsibilities]. The [Government Entity/Public Authority] is confident in [Applicant's] capacity to manage the gTLD in a responsible and effective manner.

The [Government Entity/Public Authority] understands that the gTLD will be used to [Insert understanding of how the name will be used by the applicant. This could include policies developed regarding who can register a name, pricing model and management structures.]

The [Government Entity/Public Authority] supports the application for [Requested gTLD(s)], and understands that if it is successful, [Applicant] will be required to enter into a Base Registry Agreement (Base RA) with ICANN. In the event of a dispute between [Government Entity/Public Authority] and [Applicant], we understand that ICANN will comply with a legally binding order from a court within our jurisdiction.

[Optional] This application is being submitted as a community-based application. The [Government Entity/Public Authority] understands that the Base RA will incorporate the community registration policies proposed in the application that are approved, as-is or with modifications, by ICANN. Following the delegation of the gTLD, if the [Government Entity/Public Authority] determines that the registry is not adhering to these registration



policies, we may seek recourse through the Registry Restrictions Dispute Resolution Procedure (RRDRP).

[Optional] If this application is successful the [Government Entity/Public Authority] will enter into a separate agreement with the applicant. This agreement will define the terms of the [Government Entity/Public Authority] support for the operation of the gTLD, and any conditions under which that support may be withdrawn. ICANN will not be a party to this agreement, and its enforcement will rest solely with the [Government Entity/Public Authority].

The [Government Entity/Public Authority] understands that the Geographic Names Panel engaged by ICANN will conduct due diligence to verify the authenticity of this documentation. Should additional information be required, please contact [Name, Title, Contact Details] as the primary point of contact.

Thank you for the opportunity to support this application.

Yours sincerely,

[Signature]
[Full Name]
[Official Title]
[Government Entity/Public Authority Department]
[Contact Information]



A2.2 Separable Country Names List

gTLD application restrictions on country or territory names are tied to listing in property fields of the ISO 3166-1 standard. Notionally, the ISO 3166-1 standard has an "English short name" field which is the common name for a country and can be used for such protections; however, in some cases this does not represent the common name. This registry seeks to add additional protected elements which are derived from definitions in the ISO 3166-1 standard. An explanation of the various classes is included below.

Table A2-1: Separable Country Names List

Separable Name	Alpha-2 Code	ISO 3166 Short Name	Class
Abariringa	KI	Kiribati	С
Agalega Islands	MU	Mauritius	С
Åland	AX	Åland Islands	В
Aldabra Islands	SC	Seychelles	С
Alderney	GG	Guernsey	С
America	US	United States of America (the)	В
Amindivi Islands	IN	India	С
Amirante Islands	SC	Seychelles	С
Amsterdam Island	TF	French Southern Territories (the)	С
Andaman Islands	IN	India	С
Anegada	VG	Virgin Islands (British)	С
Anjouan	KM	Comoros (the)	С
Annobón Island	GQ	Equatorial Guinea	С
Antigua	AG	Antigua and Barbuda	А
Antipodes Islands	NZ	New Zealand	С
Ascension	SH	Saint Helena, Ascension and Tristan da Cunha	А
Ashore Island	AU	Australia	С
Auckland Islands	NZ	New Zealand	С
Austral Islands	PF	French Polynesia	С
Babelthuap	PW	Palau	С
Baker Island	UM	United States Minor Outlying Islands (the)	С
Banaba	KI	Kiribati	С
Barbuda	AG	Antigua and Barbuda	А
Bassas da India	TF	French Southern Territories (the)	С
Bear Island	SJ	Svalbard and Jan Mayen	С
Bequia	VC	Saint Vincent and the Grenadines	С
Bioko Island	GQ	Equatorial Guinea	С



Bird Island	VE	Venezuela (Bolivarian Republic of)	С
Bismarck Archipelago	PG	Papua New Guinea	С
Bolivia	во	Bolivia (Plurinational State of)	В
Bonaire	BQ	Bonaire, Sint Eustatius and Saba	А
Bonaire	NL	Netherlands (Kingdom of the)	С
Bosnia	ВА	Bosnia and Herzegovina	А
Bougainville	PG	Papua New Guinea	С
Brecqhou	GG	Guernsey	С
Brunei	BN	Brunei Darussalam	В
Burhou	GG	Guernsey	С
Cabinda	AO	Angola	С
Caicos Islands	TC	Turks and Caicos Islands (the)	А
Campbell Island	NZ	New Zealand	С
Cargados Carajos Shoals	MU	Mauritius	С
Caroline Islands	FM	Micronesia (Federated States of)	С
Caroline Islands	PW	Palau	С
Carriacou	GD	Grenada	С
Caribbean Netherlands	BQ	Bonaire, Sint Eustatius and Saba	С
Cartier Island	AU	Australia	С
Chagos Archipelago	Ю	British Indian Ocean Territory (the)	С
Chatham Islands	NZ	New Zealand	С
Chuuk	FM	Micronesia (Federated States of)	С
Clipperton Island	FR	France	С
Coco Island	CR	Costa Rica	С
Cocos Islands	СС	Cocos (Keeling) Islands (the)	А
Coral Sea Islands	AU	Australia	С
Cosmoledo Islands	SC	Seychelles	С
Crozet Archipelago	TF	French Southern Territories (the)	С
Diego Garcia	Ю	British Indian Ocean Territory (the)	С
Ducie Island	PN	Pitcairn	С
Easter Island	CL	Chile	С
Efate	VU	Vanuatu	С
Emirates	AE	United Arab Emirates (the)	В
Enderbury Island	KI	Kiribati	С
Europa Island	TF	French Southern Territories (the)	С
Falkland Islands	FK	Falkland Islands (the) [Malvinas]	В
Faroe	FO	Faroe Islands (the)	А



Farquhar Islands	sc	Seychelles	С
Fernando de Noronha Island	BR	Brazil	С
French Guiana	FR	France	С
French Polynesia	FR	France	С
French Southern Territories	FR	France	С
Funafuti	TV	Tuvalu	С
Futuna	WF	Wallis and Futuna	А
Galápagos Islands	EC	Ecuador	С
Gambier Islands	PF	French Polynesia	С
Gilbert Islands	KI	Kiribati	С
Glorioso Islands	TF	French Southern Territories (the)	С
Gough Island	SH	Saint Helena, Ascension and Tristan da Cunha	С
Grand Cayman	KY	Cayman Islands (the)	С
Grande Comore	KM	Comoros (the)	С
Great Britain	GB	United Kingdom of Great Britain and Northern Ireland (the)	А
Grenadines	VC	Saint Vincent and the Grenadines	А
Guadalcanal	SB	Solomon Islands	С
Guadeloupe	FR	France	С
Heard Island	НМ	Heard Island and McDonald Islands	А
Henderson Island	PN	Pitcairn	С
Herm	GG	Guernsey	С
Herzegovina	ВА	Bosnia and Herzegovina	А
Holy See	VA	Holy See (the)	А
Hoorn Islands	WF	Wallis and Futuna	С
Howland Island	ИМ	United States Minor Outlying Islands (the)	С
Inaccessible Island	SH	Saint Helena, Ascension and Tristan da Cunha	С
Iran	IR	Iran (Islamic Republic of)	В
Jaluit	МН	Marshall Islands (the)	С
Jan Mayen	SJ	Svalbard and Jan Mayen	А
Jarvis Island	UM	United States Minor Outlying Islands (the)	С
Jethou	GG	Guernsey	С
Johnston Atoll	UM	United States Minor Outlying Islands (the)	С
Jost Van Dyke	VG	Virgin Islands (British)	С
Juan de Nova Island	TF	French Southern Territories (the)	С
Juan Fernández Islands	CL	Chile	С
Kaliningrad Region	RU	Russian Federation (the)	С
Keeling Islands	CC	Cocos (Keeling) Islands (the)	A



Kerguelen Islands	TF	French Southern Territories (the)	С
Kermadec Islands	NZ	New Zealand	С
Kingman Reef	UM	United States Minor Outlying Islands (the)	С
Kiritimati	KI	Kiribati	С
Kosrae	FM	Micronesia (Federated States of)	С
Kwajalein	МН	Marshall Islands (the)	С
la Désirade	GP	Guadeloupe	С
La Réunion	FR	France	С
Laccadive Islands	IN	India	С
Laos	LA	Lao People's Democratic Republic (the)	В
les Saintes	GP	Guadeloupe	С
Lihou	GG	Guernsey	С
Line Islands	KI	Kiribati	С
Little Sark	GG	Guernsey	С
Lord Howe Island	AU	Australia	С
Loyalty Islands	NC	New Caledonia	С
Macquarie Island	AU	Australia	С
Mahé	sc	Seychelles	С
Majuro	МН	Marshall Islands (the)	С
Malpelo Island	со	Colombia	С
Malvinas	FK	Falkland Islands (the) [Malvinas]	В
Mariana Islands	MP	Northern Mariana Islands (the)	С
Marie-Galante	GP	Guadeloupe	С
Marion Island	ZA	South Africa	С
Marquesas Islands	PF	French Polynesia	С
Martim Vaz Islands	BR	Brazil	С
Martinique	FR	France	С
Mayotte	YT	France	С
McDonald Islands	HM	Heard Island and McDonald Islands	А
Metropolitan France	FR	France	С
Midway Islands	UM	United States Minor Outlying Islands (the)	С
Minicoy Island	IN	India	С
Miquelon	PM	Saint Pierre and Miquelon	А
Mohéli	KM	Comoros (the)	С
Moldova	MD	Moldova (the Republic of)	В
Mount Athos	GR	Greece	С
Musandam Peninsula	ОМ	Oman	С



Navassa Island	UM	United States Minor Outlying Islands (the)	С
Negara Brunei Darussalam	BN	Brunei Darussalam	С
Netherlands	NL	Netherlands (Kingdom of the)	В
Nevis	KN	Saint Kitts and Nevis	А
New Caledonia	FR	France	С
Nicobar Islands	IN	India	С
Nightingale Island	SH	Saint Helena, Ascension and Tristan da Cunha	С
North Korea	KP	Korea (the Democratic People's Republic of)	С
Northern Grenadine Islands	VC	Saint Vincent and the Grenadines	С
Northern Ireland	GB	United Kingdom of Great Britain and Northern Ireland (the)	А
Northern Solomon Islands	PG	Papua New Guinea	С
Oecussi	TL	Timor-Leste	С
Oeno Island	PN	Pitcairn	С
Palestine	PS	Palestine, State of	В
Palmyra Atoll	UM	United States Minor Outlying Islands (the)	С
Penghu Islands	TW	Taiwan (Province of China)	С
Pescadores	TW	Taiwan (Province of China)	С
Phoenix Islands	KI	Kiribati	С
Pohnpei	FM	Micronesia (Federated States of)	С
Prince Edward Island	ZA	South Africa	С
Principe	ST	Sao Tome and Principe	А
Providencia Island	СО	Colombia	С
Rarotonga	СК	Cook Islands (the)	С
Redonda Island	AG	Antigua and Barbuda	С
Rio Muni	GQ	Equatorial Guinea	С
Rodrigues Island	MU	Mauritius	С
Rotuma Island	FJ	Fiji	С
Russia	RU	Russian Federation (the)	В
Saba	BQ	Bonaire, Sint Eustatius and Saba	А
Saba	NL	Netherlands (Kingdom of the)	С
Sabah	MY	Malaysia	С
Saint Barthélemy	FR	France	С
Saint Croix	VI	Virgin Islands (U.S.)	С
Saint Helena	SH	Saint Helena, Ascension and Tristan da Cunha	А
Saint John	VI	Virgin Islands (U.S.)	С
Saint Kitts	KN	Saint Kitts and Nevis	А
Saint Martin	FR	France	С



Saint Martin	MF	Saint Martin (French part)	В
Saint Paul Island	TF	French Southern Territories (the)	С
Saint Pierre and Miquelon	FR	France	С
Saint Pierre	PM	Saint Pierre and Miquelon	Α
Saint Thomas	VI	Virgin Islands (U.S.)	С
Saint Vincent Island	VC	Saint Vincent and the Grenadines	С
Saint Vincent	VC	Saint Vincent and the Grenadines	А
Saipan	MP	Northern Mariana Islands (the)	С
Sala y Gómez Island	CL	Chile	С
San Ambrosio Island	CL	Chile	С
San Andrés Island	СО	Colombia	С
San Félix Island	CL	Chile	С
Santa Cruz Islands	SB	Solomon Islands	С
Santo	VU	Vanuatu	С
São Tiago	CV	Cabo Verde	С
Sao Tome	ST	Sao Tome and Principe	А
São Vicente	CV	Cabo Verde	С
Sarawak	MY	Malaysia	С
Sark	GG	Guernsey	С
Savai'i	ws	Samoa	С
Sint Eustatius	BQ	Bonaire, Sint Eustatius and Saba	А
Sint Eustatius	NL	Netherlands (Kingdom of the)	С
Society Archipelag	PF	French Polynesia	С
Socotra Island	YE	Yemen	С
South Georgia	GS	South Georgia and the South Sandwich Islands	А
South Korea	KR	Korea (the Republic of)	С
South Sandwich Islands	GS	South Georgia and the South Sandwich Islands	А
Southern Grenadine Islands	GD	Grenada	С
Southern Solomon Islands	SB	Solomon Islands	С
Stoltenhoff Island	SH	Saint Helena, Ascension and Tristan da Cunha	С
Svalbard	SJ	Svalbard and Jan Mayen	А
Swain's Island	AS	American Samoa	С
Swan Islands	HN	Honduras	С
Syria	SY	Syrian Arab Republic (the)	В
Tahiti	PF	French Polynesia	С
Taiwan	TW	Taiwan (Province of China)	В
Tanzania	TZ	Tanzania, the United Republic of	В



Tarawa	KI	Kiribati	С
Tobago	TT	Trinidad and Tobago	А
Tongatapu	TO	Tonga	С
Tortola	VG	Virgin Islands (British)	С
Trindade Island	BR	Brazil	С
Trinidad	TT	Trinidad and Tobago	А
Tristan da Cunha	SH	Saint Helena, Ascension and Tristan da Cunha	А
Tromelin Island	TF	French Southern Territories (the)	С
Tuamotu Islands	PF	French Polynesia	С
Turks Islands	TC	Turks and Caicos Islands (the)	А
Tutuila	AS	American Samoa	С
Upolu	WS	Samoa	С
Uvea	WF	Wallis and Futuna	С
Vanua Levu	FJ	Fiji	С
Vatican	VA	Holy See (the)	А
Venezuela	VE	Venezuela (Bolivarian Republic of)	В
Virgin Gorda	VG	Virgin Islands (British)	С
Virgin Islands	VG	Virgin Islands (British)	В
Virgin Islands	VI	Virgin Islands (U.S.)	В
Viti Levu	FJ	Fiji	С
Wake Island	UM	United States Minor Outlying Islands (the)	С
Wallis and Futuna	FR	France	С
Wallis Islands	WF	Wallis and Futuna	С
Wallis	WF	Wallis and Futuna	А
Yap	FM	Micronesia (Federated States of)	С

Methodology

This Separable Country Names List is produced by ICANN through analysis of the ISO 3166-1 standard, in accordance with the eligibility criteria below. This version of the list was produced based on the data published by ISO on 2025-05-05.

Codes reserved by the ISO 3166 Maintenance Agency do not have any implication on this list, only entries derived from normally assigned codes appearing in ISO 3166-1 are eligible.

If an ISO code is struck off the ISO 3166-1 standard, any entries in this list deriving from that code must also be struck.



Eligibility

- Class A: The ISO 3166-1 English Short Name is composed of multiple, separable parts whereby the country comprises distinct sub-entities. Each of these separable parts is eligible in its own right for consideration as a country name. For example, "Antigua and Barbuda" is composed of "Antigua" and "Barbuda."
- Class B: The ISO 3166-1 English Short Name (1) or the ISO 3166-1 English Full Name (2) contains additional language that describes the type of country the entity is, which is often not used in common usage when referencing the country. For example, one such short name is "The Bolivarian Republic of Venezuela" for a country in common usage referred to as "Venezuela."
- Class C: The ISO 3166-1 Remarks column contains synonyms of the country name, or sub-national entities, as denoted by "often referred to as," "includes", "comprises", "variant" or "principal islands".



Appendix 3: Objection and Appeal Materials

A3.1 ICANN Procedures

A3.1.1 ICANN Objection Procedure

This Procedure applies to all proceedings administered by each of the Dispute Resolution Service Providers (DRSPs). Each of the DRSPs has a specific set of rules that will also apply to such proceedings.

Article 1. ICANN's New gTLD Program: Next Round

- a. The Internet Corporation for Assigned Names and Numbers ("ICANN") has implemented a Program for the introduction of new generic Top-Level Domain Names ("gTLDs") in the Internet.
- b. The New gTLD Program: Next Round includes this Objection Procedure (the "Procedure"), pursuant to which disputes between an entity that applies for a new gTLD, or a primary gTLD and allocatable variant strings, and a person or entity that objects to that/those gTLD(s), are resolved.
- c. Dispute resolution proceedings shall be administered by a Dispute Resolution Service Provider ("DRSP") in accordance with this Procedure and the applicable DRSP Rules that are identified in Article 4(b).
- d. DRSPs shall adhere to <u>ICANN's Code of Conduct and Conflict of Interest Guidelines for Service Providers</u> and <u>ICANN's Conflicts of Interest Process for Service Providers</u>.
- e. By applying for a new gTLD, an Applicant accepts the applicability of this Procedure and the applicable DRSP's Rules that are identified in Article 4(b). By filing an Objection to a new gTLD Application, an Objector accepts the applicability of this Procedure and the applicable DRSP's Rules that are identified in Article 4(b). The Parties cannot deviate from this Procedure without the express approval of ICANN and from the applicable DRSP Rules without the express approval of the relevant DRSP.

Article 2. Definitions

a. The "Objector" is one or more persons or entities that have filed an Objection against a new gTLD, or a primary gTLD and/or allocatable variant strings.



- b. The "Respondent" is an entity that has applied to ICANN for a new gTLD, or a primary gTLD and/or allocatable variant strings (also called an "Applicant"), and is the Party that responds to the Objection filed by an Objector.
- c. The "Parties" are the Objector and the Respondent.
- d. The "Panel" is a group consisting of one or three panelists (experts) that has been constituted by a DRSP in accordance with this Procedure and the applicable DRSP Rules that are identified in Article 4(b).
- e. The "Panel Determination" is the decision upon the merits of the Objection that is rendered in a proceeding conducted under this Procedure and the applicable DRSP Rules that are identified in Article 4(b).
- f. The grounds upon which an Objection to a new gTLD may be filed, as set out in the section <u>Objections and Appeals</u> of the Applicant Guidebook, are:
 - i. String Confusion;
 - ii. Legal Rights;
 - iii. Limited Public Interest: and
 - iv. Community.
- g. "DRSP Rules" are the rules of procedure of a particular DRSP that have been identified as being applicable to Objection proceedings under this Procedure.

Article 3. Dispute Resolution Service Providers

The various categories of disputes shall be administered by the following DRSPs:

- a. String Confusion Objections shall be administered by [placeholder].
- b. Legal Rights Objections shall be administered by the [placeholder].
- c. Limited Public Interest Objections shall be administered by the [placeholder].
- d. Community Objections shall be administered by the [placeholder].

Article 4. Applicable Rules

- a. All proceedings before the Panel shall be governed by this Procedure and by the DRSP Rules that apply to a particular category of Objection. The outcome of the proceedings shall be deemed a Panel Determination, and the members of the Panel shall act as experts.
- b. The applicable DRSP Rules are the following:



- i. For a String Confusion Objection, the applicable DRSP Rules are the [placeholder].
- ii. For a Legal Rights Objection, the applicable DRSP Rules are the [placeholder].
- iii. For a Limited Public Interest Objection, the applicable DRSP Rules are the [placeholder].
- iv. For a Community Objection, the applicable DRSP Rules are the [placeholder].
- c. In the event of any discrepancy between this Procedure and the applicable DRSP Rules, this Procedure shall prevail.
- d. The place of the proceedings, if relevant, shall be the location of the DRSP that is administering the proceedings.
- e. In all cases, the Panel shall ensure that the Parties are treated with equality, and that each Party is given a reasonable opportunity to present its position.

Article 5. Language

- a. The language of all submissions and proceedings under this Procedure shall be English.
- b. Parties may submit supporting evidence in its original language, provided and subject to the authority of the Panel to determine otherwise, that such evidence is accompanied by a certified or otherwise official English translation of all relevant text.

Article 6. Communications and Time Limits

- a. All communications among the Parties, the DRSP, the Panel, and ICANN where applicable, must be submitted electronically. A Party that wishes to make a submission that is not available in electronic form (e.g., evidentiary models) shall request leave from the Panel to do so, and the Panel, in its sole discretion, shall determine whether to accept the non-electronic submission.
- b. The DRSP, Panel, Objector, and Respondent shall provide copies to one another of all correspondence (apart from confidential correspondence between the Panel and the DRSP and among the Panel) regarding the proceedings.
- c. For the purpose of determining the date of commencement of a time limit, a notice or other communication shall be deemed to have been received on the day that it is transmitted in accordance with paragraphs (a) and (b) of this Article.
- d. For the purpose of determining compliance with a time limit, a notice or other communication shall be deemed to have been sent, made or transmitted if it is



- dispatched in accordance with paragraphs (a) and (b) of this Article prior to or on the day of the expiration of the time limit.
- e. For the purpose of calculating a period of time under this Procedure, such period shall begin to run on the day following the day when a notice or other communication is received.
- f. Unless otherwise stated, all time periods provided in the Procedure are calculated on the basis of calendar days.

Article 7. Filing of the Objection

- a. A person or entity wishing to object to an application for a new gTLD may file an Objection, subject to standing requirements set out below. Any Objection to a proposed new gTLD must be filed before the published closing date for the Objection Filing period.
- b. The Objection must be filed with the appropriate DRSP, using a model form made available by that DRSP, with copies to ICANN and the Applicant.
- c. The electronic addresses for filing Objections are as follows [the specific addresses shall be made available once they are created by providers]:
 - i. A String Confusion Objection must be filed at: [placeholder].
 - ii. A Legal Rights Objection must be filed at: [placeholder].
 - iii. A Limited Public Interest Objection must be filed at: [placeholder].
 - iv. A Community Objection must be filed at: [placeholder].
- d. Objections must be filed as follows:
 - i. An Objector that wishes to object to an application on more than one ground must file separate Objections with the appropriate DRSP(s).
 - ii. An Objector who wishes to object to more than one application must file separate Objections to each application with the appropriate DRSP(s).
 - iii. Should a Party with standing wish to file a String Confusion Objection against an application for a string for which several applicants have applied, it may file an Objection against one, some, or all applications for that string. In such a case, the string confusion DRSP may introduce a differential fee structure. If the Objection is filed against several applications for an identical string, the Applicant for each application receiving an Objection may file a response to the Objection; if the Applicant fails to file a response, the Objection will be upheld against those applications. The same Panel will review all documentation associated with the Objection, and each response will be reviewed on its own merits. The Panel will issue a single determination identifying which applications are in contention, where applicable.



- e. Objections may be filed when ICANN announces the opening of an Objection window during the following time periods:
 - i. For 90 days, for all Objection grounds, starting on String Confirmation Day.
 - ii. For 30 days, for String Confusion only, following the publication of contention sets.
 - iii. For 30 days, for all Objections grounds, in case of Brand String Change, starting on the day the String Evaluation Reports are published, and only if the string evaluation is successful.

Article 8. Content of the Objection

- a. The Objection shall contain, inter alia, the following information:
 - i. The names and contact information (address, telephone number, email address, etc.) of the Objector;
 - ii. A statement of the Objector's basis for standing; and
 - iii. A description of the basis for the Objection, including:
 - I. A statement of the ground upon which the Objection is being filed, as stated in Article 2(f) of this Procedure;
 - II. An explanation of the validity of the Objection and why the Objection should be upheld.
- b. The substantive portion of the Objection shall be limited to 5,000 words, excluding attachments. The Objector shall also describe and provide copies of any supporting or official documents upon which the Objection is based.
- c. At the same time as the Objection is filed, the Objector shall pay a filing fee in the amount set in accordance with the applicable DRSP Rules and include evidence of such payment along with the Objection. In the event that the filing fee is not paid within 10 days of the receipt of the Objection by the DRSP, the Objection shall be dismissed without prejudice.

Article 9. Administrative Review of the Objection

- a. The DRSP shall conduct an administrative review of the Objection for the purpose of verifying compliance with Articles 5-8 of this Procedure and the applicable DRSP Rules, and inform ICANN of the result of its review within 14 days of its receipt of the Objection. The DRSP may extend this time limit for reasons explained in the notification of such extension. The administrative review includes the determination whether the Objection was filed with the correct DRSP.
- b. If the DRSP finds that the Objection complies with Articles 5-8 of this Procedure and the applicable DRSP Rules, the DRSP shall confirm that the Objection shall be registered for processing.



- c. If the DRSP finds that the Objection does not comply with Articles 5-8 of this Procedure and the applicable DRSP Rules, the DRSP shall have the discretion to request that any administrative deficiencies in the Objection be corrected within five days. If the deficiencies in the Objection are cured within the specified period but after the lapse of the time limit for submitting an Objection stipulated by <u>Article 7(e)</u> of this Procedure, the Objection shall be deemed to be within this time limit.
- d. If the DRSP finds that the Objection does not comply with Articles 5-8 of this Procedure and the applicable DRSP Rules, and the deficiencies in the Objection are not corrected within the period specified in <u>Article 9(c)</u>, the DRSP shall dismiss the Objection and close the proceedings, without prejudice to the Objector's submission of a new Objection that complies with this Procedure, provided that the Objection is filed within the deadline for filing such Objections. The DRSP's review of the Objection shall not interrupt the running of the time limit for submitting an Objection stipulated by <u>Article 7(e)</u> of this Procedure.
- e. Upon registering an Objection for processing, pursuant to Article 9(b), the DRSP shall post the following information about the Objection on its website: (i) the proposed application and string to which the Objection is directed; (ii) the names of the Objector and the Applicant; (ii) the grounds for the Objection; and (iv) the dates of the DRSP's receipt of the Objection.

Article 10. Notification

- a. Within 30 days of the deadline for filing Objections in relation to gTLD applications in a given round, ICANN shall publish on its website all of the admissible Objections that have been filed (the "Objection Announcement"). ICANN shall also directly inform each DRSP of the posting of the Objection Announcement.
- b. ICANN shall monitor the progress of all proceedings under this Procedure and shall take steps, where appropriate, to coordinate with any DRSP in relation to individual applications for which Objections are pending before more than one DRSP.
- c. Upon publication of the Objection Announcement, each DRSP shall promptly send a notice to the respective: (i) Objector(s); and (ii) each Applicant with an application to which one or more registered Objections have been filed ("Respondent") with that DRSP, i.e., that have passed the Administrative Review.

Article 11. Consolidation of Objections

a. Once the DRSP receives and processes all objections, at its discretion, it may elect to consolidate certain objections. The DRSP shall endeavor to



- decide upon consolidation prior to issuing its notice to Respondents that the response should be filed.
- b. In the case of String Confusion, Objections against Applications that are in direct contention may be consolidated and a single Panel Determination will be issued explaining the contention. Objections based upon different grounds, as summarized in Article-2(f), shall not be consolidated.
- c. The DRSP shall endeavor to decide upon consolidation within seven days of the publication of the Objection Announcement and shall inform the Parties of the consolidation.
- d. If the DRSP itself has not decided to consolidate two or more Objections, any Applicant or Objector may propose the consolidation of Objections within 14 days of the publication of the Objection Announcement. If, following such a proposal, the DRSP decides to consolidate certain Objections, which decision must be made within 21 days of the publication of the Objection Announcement, the deadline for the Applicant's Response in the consolidated proceeding shall be 30 days from the Applicant's receipt of the DRSP's Notice of Consolidation.
- e. In deciding whether to consolidate Objections, the DRSP shall weigh the benefits (in terms of time, cost, consistency of decisions, etc.) that may result from the consolidation against the possible prejudice or inconvenience that the consolidation may cause.
- f. Any Party that has concerns about the consolidation may submit a challenge with the DRSP within five days of the Notice of Consolidation.

Article 12. Appointment of The Panel

- a. The DRSP shall select and appoint the Panel of Expert(s) within 30 days after the publication of the Objection Announcement or, where applicable, the Notice of Consolidation, and issue a Panel appointment notice to the Parties.
- b. The default will be a one-expert Panel, unless the Parties to the proceeding mutually agree upon a three-expert Panel, bearing the costs accordingly. The Parties will have to notify the DRSP via a joint letter within 10 days of the publication of the Objection Announcement should they wish to have a three-expert Panel.
- c. Specific qualifications of Panelist(s):
 - In proceedings involving a String Confusion Objection, the Panelist(s) should have experience in Legal Rights disputes; at least one of the Panelists should have knowledge of the relevant script(s).



- ii. In proceedings involving a Legal Rights Objection, the Panelist(s) should have experience in Legal Rights disputes.
- iii. In proceedings involving a Limited Public Interest Objection, the Panelist(s) should be recognized as eminent jurists of international reputation, with expertise in relevant fields as appropriate; these may include, but are not limited to, social sciences, political science, sociology, health sciences, and others.
- iv. In proceedings involving a Community Objection, the Panelist(s) should be recognized as eminent jurists of international reputation, with expertise in relevant fields as appropriate; these may include, but are not limited to, social sciences, political science, sociology, and others. At least one of the Panelists should ideally have understanding or knowledge of the relevant community.
- d. All Panelists acting under this Procedure shall be impartial and independent of the Parties. The applicable DRSP Rules stipulate the manner by which each Panelist shall confirm and maintain their impartiality and independence.
- e. Unless required by a court of law or authorized in writing by the Parties, a Panelist shall not act in any capacity whatsoever, in any pending or future proceedings, whether judicial, arbitral or otherwise, relating to the matter referred to Panel Determination under this Procedure.
- f. In cases where there may be indirect contention that results from a String Confusion Objection, the same Panel will ideally preside over decisions relating to each relevant Objection. For example, if Party X files an Objection against "String A" claiming that it is Similar²³⁵ to Party X's applied-for "String B", and Party Y files an Objection against "String B" claiming that it is Similar to its applied-for "String C", the same Panel will ideally have to precede over both determination, as a potential result is that "String A" and "String C" are in direct contention with "String B" and indirect contention with each other (String A → String B ← String C).
- g. The DRSP Rules will establish the procedures to raise and address conflicts of interest concerns with the assigned panel.

Article 13. Quick Look Review

a. Each Panel shall conduct the Quick Look Review of the Objection for the purpose of identifying and eliminating Objections that are manifestly unfounded and/or an abuse of the right to object.

²³⁵ "Similar" means visually confusing strings, or "strings so visually similar that they create a probability of user confusion if more than one of the strings is delegated into the root zone. See String Similarity for more information.



- b. The criteria the Panel will use to determine whether the Objection is manifestly unfounded and/or an abuse of the right to object are the following:
 - i. The Objection is not filed on one of the accepted Objection grounds.
 - ii. The Party filing the Objection does not have standing.
 - iii. Insufficient or no evidence is provided to support the Objection.
 - iv. The Objection is far-fetched, clearly invented, manifestly contrary to common sense, or so ambiguous that it is objectively impossible for the DRSP to make sense of it.
 - v. The Objection spreads, incites, promotes, or justifies hatred based on intolerance towards a certain group.
 - vi. Multiple Objections on the same ground are filed by the same or affiliated Parties against the same Applicant in a manner that constitutes harassment of the Applicant.
 - vii. Other facts that may clearly show that the Objection is manifestly unfounded and/or an abuse to the right to object.
- c. The Quick Look Review must be completed within 30 days of the Panel appointment or conflict mitigation, should conflicts of interest issues be raised by the parties.
- d. The dismissal of an Objection that is manifestly unfounded and/or an abuse of the right to object would be an Panel Determination, rendered in accordance with <u>Article 22</u> of the Objection Procedure.
- The DRSPs will publish the results of the Quick Look Review on their respective websites and notify the respective Applicants and Objector(s) and Respondent(s) of said results.

Article 14. Costs

- a. Each DRSP shall determine the costs for the proceedings that it administers under this Procedure in accordance with the applicable DRSP Rules. Such costs shall cover the fees and expenses of the members of the Panel, as well as the administrative fees of the DRSP (the "Costs").
- b. Within 10 days of completing the Quick Look Review, the DRSP shall estimate the total Costs of an Objection proceeding and request each Party to pay, in advance, the full amount of the estimated Costs to the DRSP. Note that if the Parties agree on a three-expert Panel, the Costs of the dispute will increase accordingly.
- c. Each Party shall make its advance payment of Costs within 10 days of receiving the DRSP's request for payment and submit to the DRSP evidence of such payment. The respective filing fees paid by the Parties shall be credited against the amounts due for this advance payment of Costs of the Objection proceeding.



- d. The DRSP may revise its estimate of the total Costs and request additional payments from the Parties during the proceedings.
- e. Failure to make an advance payment of Costs:
 - i. If the Objector fails to make the advance payment of Costs, its Objection shall be dismissed and no fees that it has paid shall be refunded.
 - ii. If the Respondent fails to make the advance payment of Costs, the Objection will be deemed to have been sustained and no fees that the Respondent has paid shall be refunded.
- f. Upon the termination of the proceedings, after issuance of the Panel Determination, the DRSP shall refund to the prevailing Party, as determined by the Panel, its advance payment(s) of Costs.

Article 15. Response to the Objection

- a. The Respondent shall file a Response to each Objection (the "Response") within 30 days of being informed of the results of the Quick Look Review pursuant to <u>Article 13</u>(e).
- b. The Response must be filed with the appropriate DRSP, using a model form made available by that DRSP, with copies to ICANN and the Objector.
- c. The Response shall contain, inter alia, the following information:
 - i. The names and contact information (address, telephone number, email address, etc.) of the Respondent; and
 - ii. A point-by-point Response to the statements made in the Objection.
- d. The substantive portion of the Response shall be limited to 5,000 words, excluding attachments. The Respondent shall also describe and provide copies of any supporting or official documents to the DRSP upon which the Response is based.
- e. At the same time as the Response is filed, the Respondent shall pay a filing fee in the amount set and published by the relevant DRSP (which shall be the same as the filing fee paid by the Objector) and include evidence of such payment in the Response. In the event that the filing fee is not paid within 10 days of the receipt of the Response by the DRSP, the Respondent shall be deemed to be in default, any Response disregarded and the Objection shall be deemed successful.
- f. If the DRSP finds that the Response does not comply with <u>Articles 15(c)</u> and (d) of this Procedure and the applicable DRSP Rules, the DRSP shall have the discretion to request that any administrative deficiencies in the Response be corrected within five days. If the administrative deficiencies in the Response are cured within the specified period but after the lapse of the time limit for



- submitting a Response pursuant to this Procedure, the Response shall be deemed to be within this time limit.
- g. If the Respondent fails to file a Response to the Objection within the 30-day time limit, the Respondent shall be deemed to be in default and the Objection shall be deemed successful. No fees paid by the Respondent will be refunded in case of default.

Article 16. Representation and Assistance

- a. The Parties may be represented or assisted by persons of their choice.
- Each Party or Party Representative shall communicate the name, contact information and function of such persons to the DRSP and the other Party (or Parties in case of consolidation).

Article 17. Additional Written Submissions

- a. The Panel may decide whether the Parties shall submit any written statements in addition to the Objection and the Response, and it shall fix time limits for such submissions.
- b. The time limits fixed by the Panel for additional written submissions shall not exceed 30 days, unless the Panel, having consulted the DRSP, determines that exceptional circumstances justify a longer time limit.

Article 18. Evidence

In order to achieve the goal of resolving disputes over new gTLD applications rapidly and at reasonable cost, procedures for the production of documents shall be limited and only required at the request of the Panel. Specifically, the Panel may require a Party to provide additional evidence and may specify time limits, which should not exceed 30 days, unless the Panel, having consulted the DRSP, determines that exceptional circumstances justify a longer time limit.

Article 19. Hearings

- a. Disputes under this Procedure and the applicable DRSP Rules should be resolved without a hearing, unless the Panel decides, on its own initiative or at the request of a Party, that exceptional circumstances make a virtual hearing necessary. Under no circumstances will an in-person hearing be conducted.
- b. In the event that the Panel decides to hold a virtual hearing:
 - In order to expedite the proceedings and minimize costs, the hearing shall be conducted by videoconference only.



ii. The hearing shall be limited to one day, unless the Panel decides, in exceptional circumstances, that more than one day is required for the hearing.

Article 20. Negotiation and Mediation

- a. The Parties are encouraged, but not required, to participate in negotiations and/or mediation at any time throughout the dispute resolution process aimed at settling their dispute amicably.
- b. Each DRSP shall be able to propose, if requested by the Parties, a person who could assist the Parties as mediator.
- c. A person who acts as mediator for the Parties shall not serve as a Panelist in a dispute between the Parties under this Procedure or any other proceeding under this Procedure involving the same gTLD.
- d. The conduct of negotiations or mediation shall not, in and of itself, be the basis for a suspension of the dispute resolution proceedings or the extension of any deadline under this Procedure. Upon the joint request of the Parties, the DRSP or (after it has been constituted) the Panel may grant the extension of a deadline or the suspension of the proceedings.
- e. Absent exceptional circumstances, such extension or suspension shall not exceed 30 days and shall not delay the administration of any other Objection. An exception to the 30-day extension will be granted if both Parties agree that the Applicant/Respondent will file an Application Change Request to ICANN and they communicate their decision to the DRSP via a joint notification. In such a case, the proceedings will be suspended until 15 days after the publication of the results of the Application Change Request.
- f. If, during negotiations and/or mediation, the Parties agree on a settlement of an Objection proceeding, the Parties shall inform the DRSP. The DRSP, in turn, shall terminate the proceedings, subject to the Parties' payment obligations under this Procedure having been satisfied, and inform ICANN and the Parties accordingly.

Article 21. Principles

- a. For each category of Objection identified in <u>Article 2(f)</u>, the Panel shall apply the principles that have been defined by ICANN.
- b. In addition, the Panel may refer to and base its findings upon the statements and documents submitted and any rules or principles that it determines to be applicable.



c. The Objector bears the burden of proving that its Objection should be sustained in accordance with the applicable principles.

Article 22. The Panel Determination

- a. The DRSP and the Panel shall make reasonable efforts to ensure that the Panel Determination is rendered within 45 days of the constitution of the Panel. In specific circumstances such as consolidated cases and in consultation with the DRSP, if significant additional documentation is requested by the Panel, a brief extension may be allowed.
- b. The Panel shall submit its Determination in draft form to the DRSP so that the DRSP may review and confirm that the Panel Determination is in the proper form, unless such DRSP review is specifically excluded by the applicable DRSP Rules. Any changes proposed by the DRSP to the Panel, if any, shall address only the form, and not the substance or outcome, of the Panel Determination. The final Panel Determination shall then be communicated to the DRSP, which in turn will communicate that Expert Determination to the Parties and ICANN.
- c. When the Panel comprises three Panelists, the Panel Determination shall be made by a majority of the Panelists.
- d. The Panel Determination shall be in writing and shall state the reasons upon which it is based.
- e. The outcomes of the String Confusion Objection can be as follows:
 - i. If the Objector prevails:
 - Where the Objector is another Applicant, then the entire variant string set in both that application and the Objector's application must be placed in a contention set.
 - II. Where the Objector is an existing gTLD operator or existing ccTLD operator/a significantly interested Party in the respective country or territory, the application (including primary and allocatable variant strings) is ineligible to proceed to the next stage of the application process; or
 - ii. If the Objector does not prevail, that entire application may proceed to the next stage of the application process, unless other processes prevent it from proceeding.
- f. The possible outcomes for Limited Public Interest, Legal Rights, and Community Objections are as follows:
 - If an Objection against an applied-for primary gTLD string prevails, then that entire application is ineligible to proceed to the next stage of the application process; or



- ii. If an Objection against only one or more applied-for allocatable variant string(s) in an application prevails, then the application for the applied-for primary gTLD string and other unaffected applied-for allocatable variant string(s) may proceed to the next stage of the application process without the applied-for allocatable variant string(s) that are rendered ineligible by the Objection; or
 - I. If the Objection does not prevail, then the entire application may proceed to the next stage of the application process, unless other processes prevent it from proceeding; or
 - II. The application cannot proceed unless agreement is reached on a new or modified RVC that is approved by ICANN.
- iii. The DRSP will refund to the prevailing Party of its advance payment(s) of Costs pursuant to Article 14(f) of this Procedure and any relevant provisions of the applicable DRSP Rules. Should the Panel Determination indicate that the application cannot proceed unless agreement is reached on a new or modified RVC that is approved by ICANN, the Objector will be considered as the prevailing Party.
- e. The Panel Determination shall state the date when it is made, and it shall be signed by all members of the Panel. If any Panelist fails to sign the Panel Determination, it shall be accompanied by a statement of the reason for the absence of such signature.
- f. In addition to providing electronic copies of its Panel Determination, the Panel shall provide a signed hard copy of the Panel Determination to the DRSP, unless the DRSP Rules provide otherwise.
- g. Unless the Panel decides otherwise, the Panel Determination shall be published in full on the DRSP's website.
- h. The non-successful Party in an Objection will have the opportunity to Appeal a Panel Determination and such Appeal would be considered under a clearly erroneous standard of review. The process for appealing to a Panel Determination is described in the <u>Objection Appeal Procedure</u>.

Article 23. Exclusion of Liability

In addition to any exclusion of liability stipulated by the applicable DRSP Rules, the following shall not be liable to any person for any act or omission in connection with any proceeding conducted under this Objection Procedure, except in cases of willful misconduct or gross negligence: the Panelist(s) or their employees, the DRSP or its employees, ICANN or its Affiliates, Board members, staff members, employees, agents and consultants.



Article 24. Modification of the Procedure

- a. ICANN may from time to time, in accordance with its Bylaws and by following the processes described in the Predictability Framework, modify this Procedure.
- b. The version of this Procedure that is applicable to an Objection proceeding is the version that was in effect on the day when the relevant Application for a new gTLD is submitted.

A3.1.2 ICANN Objection Appeal Procedure

This Procedure applies to all proceedings administered by each of the Dispute Resolution Service Providers (DRSPs). Each of the DRSPs has a specific set of rules that will also apply to such proceedings.

Article 1. ICANN's New gTLD Program

- a. The Internet Corporation for Assigned Names and Numbers ("ICANN") has implemented a Program for the introduction of new generic Top-Level Domain Names ("gTLDs") in the Internet, in accordance with Terms and Conditions set by ICANN (the "New gTLD Program").
- b. The New gTLD Program includes a New gTLD Dispute Resolution Procedure ("Procedure"), pursuant to which disputes between an entity that applies for a new gTLD and a person or entity that objects to that gTLD on the grounds of: String Confusion, Legal Rights, Limited Public Interest, and Community (an "Objection") are resolved.
- c. The New gTLD Program also includes a limited right for relevant parties to seek an Appeal of an Panel Determination issued in an Objection proceeding in accordance with this ICANN New gTLD Program Objection Appeals Procedure (the "Appeals Procedure"). A party to an Objection wishing to challenge a Panel Determination may file an Appeal ("Appeal").
- d. An Appeal provides a one-time basis for all relevant parties to challenge a Panel Determination issued in an Objection proceeding based on a claim that the relevant Objection Panel: (1) failed to follow the established Procedure; (2) failed to consider or solicit necessary material evidence or information submitted by the Parties; or (3) both (1) and (2), and as a result, the Appellant should have prevailed in the relevant Objection proceeding.
- e. An Appeal of a Panel Determination issued in an Objection proceeding shall be administered by the same Dispute Resolution Service Provider ("DRSP") that administered the underlying dispute and in accordance with this Appeals Procedure and the applicable DRSP Rules that are identified in ICANN Objection Procedure.



- f. DRSPs shall adhere to <u>ICANN's Code of Conduct and Conflict of Interest</u>
 <u>Guidelines for Service Providers</u> and <u>ICANN's Conflicts of Interest</u>
 <u>Process for Service Providers</u>.
- g. By applying for a new gTLD, an Applicant accepts the applicability of this Appeals Procedure and the applicable DRSP's Rules that are identified in Article 4. The Parties cannot deviate from: (i) this Appeals Procedure without the express approval of ICANN; or (ii) from the applicable DRSP Appellate Rules without the express approval of the relevant DRSP.

Article 2. Definitions

- a. The "Appellant" is a person or entity that was the non-prevailing Party to an Objection and files an Appeal to challenge the Panel Determination issued in an Objection proceeding.
- b. The "Respondent" is the party responding to the Appeal.
- c. The "Appellate Panel" is a panel of one or three panelists that has been constituted by a DRSP in accordance with this Appeals Procedure and the applicable DRSP Rules that are identified in Article 3(b).
- d. The "Panel Determination" is the decision upon the merits of the underlying Objection that is the subject of the Appeal.
- e. "DRSP Appellate Rules" are the rules of procedure of a particular DRSP that have been identified as being applicable to an Appeal of an Panel Determination issued in an Objection proceeding.

Article 3. Dispute Resolution Service Providers

The various categories of Appeals shall be administered by the following DRSPs:

- a. Appeals of String Confusion Objection Panel Determinations shall be administered by [placeholder].
- b. Appeals of Legal Rights Objection Panel Determinations shall be administered by [placeholder].
- c. Appeals of Limited Public Interest Objection Panel Determinations shall be administered by [placeholder].
- d. Appeals of Community Objection Panel Determinations shall be administered by [placeholder].

Article 4. Applicable Rules

a. All proceedings before the Appellate Panel shall be governed by this Appeals Procedure and by the DRSP Appellate Rules that apply to a



particular category of Appeal. The outcome of the proceedings shall be deemed an Appellate Panel Determination, and the members of the Appellate Panel shall act as experts.

- b. The applicable DRSP Appellate Rules are the following:
 - i. For a String Confusion Objection, the applicable DRSP Rules are the [placeholder].
 - ii. For a Legal Rights Objection, the applicable DRSP Rules are the [placeholder].
 - iii. For a Limited Public Interest Objection, the applicable DRSP Rules are the [placeholder].
 - iv. For a Community Objection, the applicable DRSP Rules are the [placeholder].
- c. In the event of any discrepancy between this Appeals Procedure and the applicable DRSP Appellate Rules, this Appeals Procedure shall prevail.
- d. The place of the Appeal proceedings, if relevant, shall be the location of the DRSP that is administering the proceedings.
- e. In all cases, the Appellate Panel shall ensure that the parties are treated with equality, and that each party is given a reasonable opportunity to present its position.

Article 5. Language

The language of all submissions and proceedings under this Appeals Procedure shall be English.

Article 6. Communications and Time Limits

- a. All communications by the Parties with the DRSP and Appellate Panel must be submitted electronically. A Party that wishes to make a submission that is not available in electronic form shall request leave from the Appellate Panel to do so, and the Appellate Panel, in its sole discretion, shall determine whether to accept the non-electronic submission.
- b. The DRSP, Appellate Panel, Appellant, and Respondent shall provide copies to one another of all correspondence (apart from confidential correspondence between the Appellate Panel and the DRSP and among the Appellate Panel) regarding the proceedings.
- c. For the purpose of determining the date of commencement of a time limit, a notice or other communication shall be deemed to have been received on the day that it is transmitted in accordance with paragraphs (a) and (b) of this Article.



- d. For the purpose of determining compliance with a time limit, a notice or other communication shall be deemed to have been sent, made or transmitted if it is dispatched in accordance with paragraphs (a) and (b) of this Article prior to or on the day of the expiration of the time limit.
- e. For the purpose of calculating a period of time under this Appeals Procedure, such period shall begin to run on the day following the day when a notice or other communication is received.
- f. Unless otherwise stated, all time periods provided in this Appeals Procedure are calculated on the basis of calendar days.

Article 7. Filing of the Appeal

- a. A non-prevailing party to an Objection shall have 15 days from the date the Panel Determination is issued by the DRSP in the Objection proceeding to provide notice to the DRSP of its intent to Appeal the Panel Determination (the "Notice of Appeal"). The Notice of Appeal must specify those elements of the Panel Determination that are being appealed and must contain a brief statement of the basis for the Appeal.
- b. The Appellant will have 15 days from the date of filing the Notice of Appeal to file the Appeal and pay the required fees as established in Article 8 and file the Appeal.
- c. The DRSP shall provide notice to the relevant parties and ICANN of the receipt of the Notice of Appeal when the filing requirements have been satisfied as specified in Article 7(a) and (b).
- d. The Notice of Appeal and all subsequent documents concerning the Appeal must be filed with the appropriate DRSP, using a model form made available by that DRSP (if applicable), with copies to ICANN and the Respondent.
- e. The electronic addresses for filing the Notice of Appeal shall be provided in the DRSP Appellate Rules.
- f. An Appellant that wishes to appeal to Panel Determinations from more than one Objection proceeding must file separate appeals with the appropriate DRSP(s).

Article 8. Content of the Appeal

- a. The Appeal shall contain, inter alia, the following information:
 - i. The names and contact information (address, telephone number, email address, etc.) of the Appellant;
 - ii. Identification of the underlying Objection being appealed; and



- iii. A description of the basis for the Appeal, including:
 - I. A statement of the ground upon which the Appeal is being filed, as stated in Article 1 of this Appeals Procedure;
 - II. An explanation of the validity of the Appeal and why the Appeal should be upheld.
- b. The substantive portion of the Appeal shall be limited to 5,000 words, excluding attachments.
- c. At the same time as the Appeal is filed, the Appellant shall pay a filing fee in the amount set in accordance with the applicable DRSP Appellate Rules and include evidence of such payment along with the Notice of Appeal. In the event that the filing fee is not paid within 15 days of the receipt of the Appeal by the DRSP, the Appeal shall be dismissed without prejudice.

Article 9. Administrative Review of the Appeal

- a. The DRSP shall conduct an administrative review of the Appeal for the purpose of verifying compliance with Articles [5-8] of this Appeals Procedure and the applicable DRSP Appellate Rules, and inform the Appellant, the Respondent and ICANN of the result of its review within 14 days of its receipt of the Appeal. The DRSP may extend this time limit for reasons explained in the notification of such extension.
- b. If the DRSP finds that the Appeal complies with Articles [5-8] of this Appeals Procedure and the applicable DRSP Appellate Rules, the DRSP shall confirm that the Appeal shall be registered for processing.
- c. If the DRSP finds that the Appeal does not comply with Articles [5-8] of this Appeals Procedure and the applicable DRSP Appellate Rules, the DRSP shall have the discretion to request that any administrative deficiencies in the Appeal be corrected within five days. If the deficiencies in the Appeal are cured within the specified period but after the lapse of the time limit for submitting an Appeal stipulated by Article 7(a) of this Appeals Procedure, the Appeal shall be deemed to be within this time limit.
- d. If the DRSP finds that the Appeal does not comply with Articles [5-8] of this Appeals Procedure and the applicable DRSP Appellate Rules, and the deficiencies in the Appeal are not corrected within the period specified in Article 9(c), the DRSP shall dismiss the Appeal and close the proceedings, without prejudice to the Appellant's submission of a new Appeal that complies with this Appeals Procedure, provided that the Appeal is filed within the deadline for filing such Appeal. The DRSP's review of the Appeal shall not interrupt the running of the time limit for submitting an Appeal stipulated by Article 7(a) of this Appeals Procedure.



e. Immediately upon registering an Appeal for processing, pursuant to Article 9(b), the DRSP shall post the following information about the Appeal on its website: (i) the proposed application and string to which the Appeal is directed; (ii) the name of the Appellant; (iii) a weblink to the Panel Determination from the underlying Objection proceeding; (iv) the grounds for the Appeal; and (v) the dates of the DRSP's receipt of the Appeal.

Article 10. Record on Appeal

- a. The record on Appeal will consist of:
 - the original papers and exhibits filed in the Objection proceeding;
 and
 - ii. the transcript of Objection proceedings, if any.
- b. The Parties will cooperate with the DRSP in compiling the record on Appeal, and the DRSP will provide the record to the Appeals Panel.

Article 11. Response to the Appeal

- a. The Respondent may, but is not required, to file a response to an Appeal (the "Response"). The Response, if filed, shall be filed within 30 days of the transmission of the notice by the DRSP pursuant to Article 7(c).
- b. The Response must be filed with the appropriate DRSP, using a model form made available by that DRSP, with copies to ICANN and the Appellant.
- c. If a Response is not filed, the Appeals Panel will presume that Respondent takes no position on the Appeal.
- d. The Response, if filed, shall contain, inter alia, the following information:
 - i. The names and contact information (address, telephone number, email address, etc.) of the Respondent; and
 - ii. A point-by-point response to the statements made in the Appeal.
- e. The substantive portion of any Response shall be limited to 5,000 words, excluding attachments.
- f. At the same time as the Response is filed, the Respondent shall pay a filing fee in the amount set and published by the relevant DRSP (which shall be the same as the filing fee paid by the Appellant) and include evidence of such payment along with the Response. In the event that the filing fee is not paid within 10 days of the receipt of the Response by the DRSP, any Response shall be disregarded and the Appellate Panel will presume that Respondent takes no position on the Appeal.



g. If the DRSP finds that the Response does not comply with this Articles 11 and the applicable DRSP Appellate Rules, the DRSP shall have the discretion to request that any administrative deficiencies in the Response be corrected within five days. If the administrative deficiencies in the Response are cured within the specified period but after the lapse of the time limit for submitting a Response pursuant to this Appeals Procedure, the Response shall be deemed to be within this time limit.

Article 12. Consolidation of Appeals

- a. When two or more parties are entitled to Appeal an Objection Panel Determination, and their interests make joinder practicable, they may file a joint Notice of Appeal. They may then proceed on Appeal as a single Appellant.
- b. When the parties have filed separate timely Notices of Appeal, the Appeals may be joined or consolidated by the DRSP or upon request of a party within 14 days the Notice of Appeal is published in the DRSP's website.
- c. In deciding whether to consolidate Appeals, the DRSP shall weigh the benefits (in terms of time, cost, consistency of decisions, etc.) that may result from the consolidation against the possible prejudice or inconvenience that the consolidation may cause. The DRSP's determination on consolidation shall be final and not subject to further Appeal.

Article 13. The Panel

- a. The DRSP shall select and appoint the Appellate Panel within 30 days after the deadline for receiving the Response.
- b. There shall be a one-expert Appellate Panel, unless the Parties to the proceeding mutually agree upon a three-expert Panel, bearing the costs accordingly. The Parties must notify the DRSP via a joint letter within 10 days of the publication of the Notice of Appeal should they wish to have a three-expert Appellate Panel.
- c. All Appellate Panelists acting under this Appeals Procedure shall be impartial and independent of the parties. The applicable DRSP Appellate Rules stipulate the manner by which each Panelist shall confirm and maintain their impartiality and independence.
- d. The applicable DRSP Appellate Rules stipulate the procedures for challenging an Expert and replacing an Appellate Panelist.



e. Unless required by a court of law or authorized in writing by the Parties, an Appellate Panelist shall not act in any capacity whatsoever, in any pending or future proceedings, whether judicial, arbitral or otherwise, relating to the matter referred to expert determination under this Appeals Procedure.

Article 14. Quick Look Review

- a. Each Appellate Panel shall conduct the Quick Look Review of the Appeal for the purpose of identifying and eliminating Appeal that are manifestly unfounded and/or an abuse of the right to appeal.
- b. The criteria the Appellate Panel will use to determine whether the Appeal is manifestly unfounded and/or an abuse of the right to object are the following:
 - i. The Appeal is not filed by the non-prevailing party to the Objection.
 - ii. Insufficient or no evidence is provided to support the Appeal.
 - iii. The Appeal is far-fetched, clearly invented, manifestly contrary to common sense, or so ambiguous that it is objectively impossible for the DRSP to make sense of it.
 - iv. The Appeal spreads, incites, promotes, or justifies hatred based on intolerance towards a certain group.
 - v. The Appeal constitutes harassment of the other party or the Objections itself.
 - vi. The Appeal includes facts that clearly show that it is manifestly unfounded and/or an abuse to the right to appeal.
- c. The Quick Look Review must be completed within 30 days of the Appellate Panel appointment or conflict mitigation, should conflicts of interest issues be raised by the Parties.
- d. The dismissal of an Appeal that is manifestly unfounded and/or an abuse of the right to Object would be an Appellate Panel Determination, rendered in accordance with Article 18 of the Objection Appeal Procedure.
- e. The DRSPs will publish the results of the Quick Look Review on their respective websites and notify the respective Applicants and Objectors of said results.

Article 15. Costs

- a. Each DRSP shall determine the costs for the proceedings that it administers under this Appeals Procedure in accordance with the applicable DRSP Appellate Rules. Such costs shall cover the fees and expenses of the members of the Appellate Panel, as well as the administrative fees of the DRSP (the "Costs").
- Within 10 days of constituting the Appellate Panel, the DRSP shall estimate the total Costs. The Costs for an Appeal in the first instance shall



be borne by the Appellant. The Appellant shall make its advance payment of Costs within 10 days of receiving the DRSP's request for payment and submit to the DRSP evidence of such payment.

- c. The DRSP may revise its estimate of the total Costs and request additional advance payments from the parties during the proceedings.
- d. If the Appellant fails to make the advance payment of Costs, its Appeal shall be dismissed and no fees that it has paid shall be refunded.
- e. Upon the termination of the proceedings, after the Appellate Panel has rendered its Appellate Panel Determination, the DRSP shall refund to the prevailing party, as determined by the Appellate Panel, its advance payment(s) of Costs.

Article 16. Representation and Assistance

- a. The Parties may be represented or assisted by persons of their choice.
- Each Party or Party representative shall communicate the name, contact information and function of such persons to the DRSP and the other Party (or Parties in case of consolidation).

Article 17. Oral Argument

Appeals under this Appeals Procedure and the applicable DRSP Appellate Rules will be determined upon the written documents submitted by the Parties and will be resolved without oral arguments.

Article 18. Standards

- a. The Appellate Panel shall apply the "clearly erroneous" standard of review for each category of Appeal as established in the New gTLD Program. Under a clearly erroneous standard of review, the Appellate Panel must accept the Objection Panel's findings of fact unless the Objection Panel failed to: (1) follow the appropriate procedures, or (2) consider or solicit necessary material evidence or information in the Objection proceeding.
- b. The Appellant bears the burden of proving that its Appeal should be sustained in accordance with the applicable standard.

Article 19. Appellate Panel Determination

a. The DRSP and the Appellate Panel shall make reasonable efforts to ensure that the Appellate Panel Determination is rendered within 30 days of the constitution of the Appellate Panel. In specific circumstances such as consolidated cases and in consultation with the DRSP, a brief extension may be allowed.



- b. The Appellate Panel shall submit its Appellate Panel Determination in draft form to the DRSP so that the DRSP may review and confirm that the Appellate Panel Determination is in the proper form, unless such DRSP review is specifically excluded by the applicable Appellate Rules. Any changes proposed by the DRSP to the Panel shall address only the form, and not the substance or outcome of the Appellate Panel Determination. The final Appellate Panel Determination shall be communicated to the DRSP, which in turn will communicate that Appellate Panel Determination to the Parties and ICANN.
- c. When the Appellate Panel comprises three Panelists, the Appellate Panel Determination shall be made by a majority of the Appellate Panelists.
- d. The Appellate Panel Determination shall be in writing, shall identify the prevailing Party and shall state the reasons upon which it is based. The Appellate Panel shall take one of the following actions: (1) adopt the underlying Objection Panel Determination as its own, or (2) substitute its own determination for the underlying Objection Panel Determination. The Appellate Panel may not order a new Objection proceeding or send the matter back to the original Objection Panel for corrections or further review.
- e. The Appellate Panel Determination shall state the date when it is made, and it shall be signed by the Panelist(s). If any Panelist fails to sign the Appellate Panel Determination, it shall be accompanied by a statement of the reason for the absence of such signature.
- f. In addition to providing electronic copies of its Appellate Panel Determination, the Appellate Panel shall provide a signed hard copy of the Appellate Panel Determination to the DRSP, unless the DRSP Appellate Rules provide otherwise.
- g. Unless the Appellate Panel decides otherwise, the Appellate Panel Determination shall be published in full on the DRSP's website.

Article 20. Finality of Appeal

Upon the conclusion of the Appeal process, the Appellate Panel Determination shall become the final determination and not subject to further Appeal.

Article 21. Exclusion of Liability

In addition to any exclusion of liability stipulated by the applicable DRSP Rules, the following shall not be liable to any person for any act or omission in connection with any proceeding conducted under this Appeals Procedure, except in cases of willful misconduct or gross negligence: the Appellate Panelist(s) or



their employees, the DRSP or its employees, ICANN or its Affiliates, Board members, staff members, employees, agents and consultants.

Article 22. Modification of the Appeals Procedure

- a. ICANN may from time to time, in accordance with its Bylaws and by following the processes described in the Predictability Framework, modify this Procedure.
- b. The version of this Appeals Procedure that is applicable to an Appeal is the version that was in effect on the day when the relevant application for a new gTLD is submitted.

A3.2 Dispute Resolution Service Providers Rules

A3.2.1 String Confusion Objections

A3.2.1.1 String Confusion Objection Rules

[placeholder]

A3.2.1.2 String Confusion Objection Appeal Rules

[placeholder]

A3.2.2 Legal Rights Objections

A3.2.2.1 Legal Rights Objection Rules

[placeholder]

A3.2.2.2 Legal Rights Objection Appeal Rules

[placeholder]

A3.2.3 Limited Public Interest Objections

A3.2.3.1 Limited Public Interest Objection Rules

[placeholder]

A3.2.3.2 Limited Public Interest Objection Appeal Rules

[placeholder]



A3.2.3 Community Interest Objections

A3.2.3.1 Community Objection Rules

[placeholder]

A3.2.3.2 Community Objection Appeal Rules

[placeholder]



Appendix 4: Base Registry Agreement

[placeholder]



Appendix 5: Templates for Standard Financial Profile

Table A5-1: Most Likely Scenario Financial Projection

Most Likely Scenario Financial Projection The Most Likely Scenario (MLS) projections must be completed using currency in United States Dollars (USD) or the nationally recognized currency for the jurisdiction of the applicant or Qualified Parent Entity (QPE) **Currency Used Commencement of Operations** Start-up Comments Period [Insert Currency Here] Year 1 Year 2 Year 3 **Projected Cash Inflows** Forecasted Registration Volume Registration Revenue Funding source 1 Funding source 2 Cash on Hand at Time of Application **Total Cash Inflows Projected Cash Outflows** Capital Expenditures Capital Expenditure Category-1 Capital Expenditure Category-2 Outsourcing Operating Cost Registry Service Provider Service & Provider-2 Service & Provider-3 All Other Cash Outflows **Total Cash Outflows Projected Net Cash Flow Projected Total Cash Flow**



Table A5-2: Most Likely Scenario Financial Projection - SAMPLE

Most Likely Scenario Financial Projection - SAMPLE The Most Likely Scenario (MLS) projections must be completed using currency in United States Dollars (USD) or the nationally recognized currency for the jurisdiction of the applicant or Qualified Parent Entity (QPE) **Currency Used Commencement of Operations** Start-up Comments Period [Insert Currency Here] Year 1 Year 2 Year 3 **Projected Cash Inflows** Forecasted Registration Volume 11.007 21.007 28.007 Registration Revenue 195,000 116,000 250,000 Funding source 1 1,200,000 Funding source 2 50,000 50,000 50,000 Cash on Hand at Time of Application 300.000 1,500,000 245,000 **Total Cash Inflows** 166,000 300,000 **Projected Cash Outflows** Capital Expenditures Capital Expenditure Category-1 40.000 Capital Expenditure Category-2 Outsourcing Operating Cost Registry Service Provider 10,000 210.000 232,000 250.000 Service & Provider-2 12,000 Service & Provider-3 12,000 12.000 12.000 All Other Cash Outflows 50,000 250,000 210,000 210,000 454,000 472,000 **Total Cash Outflows** 112,000 472.000 **Projected Net Cash Flow** 1,388,000 (306,000)(209.000)(172,000)

Projected Total Cash Flow

701,000

Table A5-3: Worst Case Scenario Financial Projection

Worst Case Scenario Financial Projection The Worst Case Scenario (WCS) projections must be completed using currency in United States Dollars (USD) or the nationally recognized currency for the jurisdiction of the applicant or Qualified Parent Entity (QPE) **Currency Used Commencement of Operations** Start-up Comments Period [Insert Currency Here] Year 1 Year 2 Year 3 **Projected Cash Inflows** Forecasted Registration Volume Registration Revenue Funding source 1 Funding source 2 Cash on Hand at Time of Application **Total Cash Inflows Projected Cash Outflows** Capital Expenditures Capital Expenditure Category-1 Capital Expenditure Category-2 Outsourcing Operating Cost Registry Service Provider Service & Provider-2 Service & Provider-3 All Other Cash Outflows **Total Cash Outflows Projected Net Cash Flow Projected Total Cash Flow**



Table A5-4: Worst Case Scenario Financial Projection - SAMPLE

Worst Case Scenario Financial Projection - SAMPLE The Worst Case Scenario (WCS) projections must be completed using currency in United States Dollars (USD) or the nationally recognized currency for the jurisdiction of the applicant or Qualified Parent Entity (QPE) **Currency Used Commencement of Operations** Start-up Comments Period [Insert Currency Here] Year 1 Year 2 Year 3 **Projected Cash Inflows** 6,007 11,507 16,007 Forecasted Registration Volume 99,000 71.000 138.000 Registration Revenue 700,000 Funding source 1 50,000 Funding source 2 Cash on Hand at Time of Application 300,000 1,000,000 71.000 149.000 138,000 **Total Cash Inflows Projected Cash Outflows** Capital Expenditures Capital Expenditure Category-1 40,000 Capital Expenditure Category-2 **Outsourcing Operating Cost** 50,000 210,000 210,000 210,000 Registry Service Provider Service & Provider-2 12,000 12,000 12,000 12,000 Service & Provider-3 120,000 200,000 120,000 All Other Cash Outflows 422.000 342,000 342,000 102,000 **Total Cash Outflows** (351,000)898,000 **Projected Net Cash Flow** (193,000)(204,000)**Projected Total Cash Flow** 150.000

Table A5-5: Risk Assessment Template

Risk Assessment												
Risk Category	Risk Category Risk Scenarios		Impact Description	Mitigation Strategy								
Reduced Funding												
Human Resources												
Regulatory												
Material Deviation from Expected Activity Volume												
Catastrophic Technical Failure												
Other Unique Portfolio Risks												
Applicant Specific Risk												
Applicant Specific Risk												

Table A5-6: Registration Projections Template

Registration Projections											
The [MLS / WCS] projections must be completed using currency in United States Dollars (USD) or the nationally recognized currency for the jurisdiction of the applicant or Qualified Parent Entity (QPE)											
[Insert Currency Used]	Year 1 Forecast			Year 2 Forecast			Year 3 Forecast				
TLD	Registration Volume	Average Registration Fee	Premium Fees	Registration Volume	Average Registration Fee	Premium Fees	Registration Volume	Average Registration Fee	Premium Fees		
	-	-	-	-	-	-	-	-	-		
	-	-	-	-	-	-	-	-	-		



²³⁶ The categories are: minimal, low, medium, high, and very high.

Appendix 6: Predictability Framework

ICANN has established a Predictability Framework to manage operational processes for the New gTLD Program: Next Round, to ensure efficient and transparent handling of unexpected issues. When unanticipated matters arise, ICANN org will engage with the Standing Predictability Implementation Review Team (SPIRT)²³⁷ based on the potential impact:

- For changes with material impact on applicants, ICANN org and the SPIRT have to agree on a permanent solution.
- For changes with non-material impact, ICANN org is not required to consult the SPIRT.²³⁸

Key limitations of this framework include:

- It is not a mechanism to develop solutions.
- It does not restrict the ICANN Board's ability to take Program-related actions.
- It does not impede the GNSO Council's policy development or guidance processes (see ICANN Bylaws Annexes A, A-1, A-2).
- It does not limit advisory committees' (including GAC) ability to provide advice in accordance with ICANN's Bylaws <u>Article 12</u>.

ICANN will document all changes to the Program in a publicly available change log. In addition, for non-minor changes, ICANN will inform all applicants directly.

A6.1 Parties Involved in the Framework

The following parties are involved in administering this framework, with roles and responsibilities specific to its implementation:

- 1. **Applicants**: All entities that applied for a new gTLD in the current Program round.
- 2. **GNSO Council**: The chartering entity of the SPIRT, consulted as described below.

https://icann-community.atlassian.net/wiki/spaces/gnsocouncilmeetings/pages/111115935/SPIR T+Charter+Drafting+Team+2023-2024?preview=/111115935/111122728/Charter%20for%20the %20SPIRT_FINAL_Adopted%20bv%20GNSO%20Council_08-08-2024.pdf.

²³⁸ ICANN will notify applicants if material changes made to the Program have an impact on applicants.



²³⁷ See

- 3. **ICANN org**: Program operator committed to ensuring the continued and effective operation of the Program.
- 4. **ICANN Board**: Maintains its roles and responsibilities as detailed in the ICANN Bylaws.
- 5. **SPIRT**: Collaborates with ICANN org and GNSO Council to address and review non-minor Program changes, including potential policy modifications.

To facilitate ongoing communication and Program management, ICANN and the SPIRT will conduct regular standing calls as necessary to discuss potential Program changes and implementation challenges.

A6.2 Description of Changes

For the purpose of this framework, Program changes are classified in three distinct categories:

- A minor operational change refers to any modification during the ongoing round
 of the Program that does not have a material impact on applicants. The SPIRT
 is not involved in these changes.
- A non-minor operational change is a change during the ongoing round of the Program that has a material impact on applicants. ICANN org will consult with SPIRT when designing a solution, requiring ICANN org to consult the SPIRT for agreement on a solution before it can be implemented permanently.
- A policy change is a change during the ongoing round of the Program that, if implemented, would be inconsistent with existing Board-approved policy recommendations.²³⁹ Therefore, policy changes for ongoing rounds would only occur in extraordinary circumstances where the Program's continuation is at risk if the change were not executed. If a policy change is necessary, the Board, ICANN org, and the GNSO Council in consultation with the SPIRT will identify an appropriate solution that secures the Program's continuation and establishes a suitable implementation process.²⁴⁰ Any collaboration between the Council and the SPIRT in this context is outside this Framework and is governed by the SPIRT Charter.

²⁴⁰ This is separate from any policy development the Council would like to undertake for future rounds whether based on the circumstances above or for any other reason.



²³⁹ Policy recommendations and affirmations are the Board approved recommendations contained in the 2007 Introduction of New Generic Top-Level Domains (https://gnso.icann.org/en/issues/new-gtlds/pdp-dec05-fr-parta-08aug07.htm#_Toc43798015) and 2021 New gTLD Subsequent Procedures Policy Development Process (https://gnso.icann.org/sites/default/files/file/file/file-attach/final-report-newgtld-subsequent-procedures-pdp-02feb21-en.pdf) Final Reports.

A6.3 Procedural Steps to Initiate and Execute a Change

The change request flow chart outlines the procedural steps the Advisory Committee (AC), GNSO Council, ICANN Board, and ICANN org take if they determine a change to the Program is required.

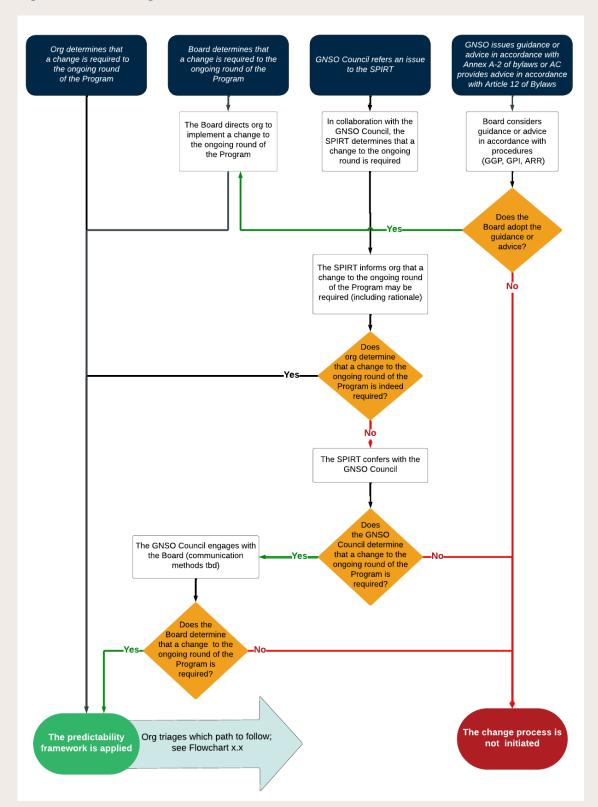
A6.3.1 Change Request

There are four paths that a change request can take:

- Path 1: ICANN org determines a change is required to the Program, ICANN org
 applies the Predictability Framework and proceeds with the steps outlined in the
 Change Execution flowchart.
- Path 2: The ICANN Board determines a change to the ongoing round of the Program is required. The ICANN Board directs ICANN org to implement the change. If implementation requires a change to the ongoing round of the Program, ICANN org applies the Predictability Framework and proceeds with the steps outlined in the Change Execution flowchart.
- Path 3: SPIRT determines a change to the ongoing round is required, the SPIRT collaborates with the GNSO Council to inform ICANN org. If ICANN org determines a change to the ongoing round is needed, ICANN org applies the Predictability Framework and proceeds with the steps outlined in the Change Execution flowchart. If ICANN org determines, contrary to the SPIRT, that no change is required to the ongoing round, the SPIRT confers with the GNSO Council. If the GNSO Council determines a change to the ongoing round is required, the GNSO Council engages with the ICANN Board. If the ICANN Board determines a change to the ongoing round is needed, the ICANN Board directs ICANN org to apply the Predictability Framework and proceeds with the steps outlined in the Change Execution flowchart.
- Path 4: GNSO Council or AC approve and submit guidance or advice to the ICANN Board, and the ICANN Board, after its consideration, adopts the guidance or advice. The ICANN Board directs ICANN org to implement the change. If implementation requires a change to the ongoing round of the Program, ICANN applies the Predictability Framework and proceeds with the steps outlined in the Change Execution flowchart.



Figure A6-1: Change Execution Flowchart 1





A6.3.2 Change Execution

The Change Execution flow chart documents three primary scenarios for Program modifications:

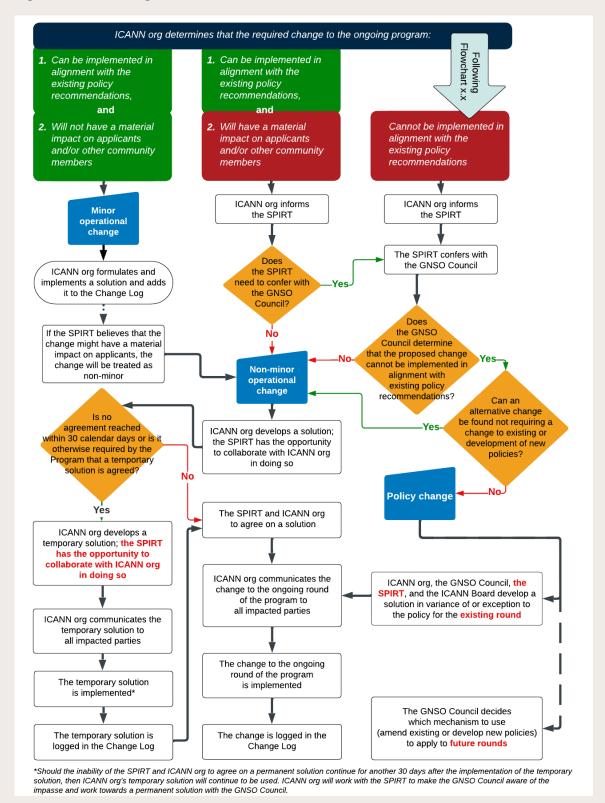
- 1. When ICANN org determines that a required change can be implemented in alignment with the existing Board-approved policy recommendations and will not have a material impact on applicants,²⁴¹ it is classified as a 'minor operational change.' In such cases, ICANN org will add the changes to the change log as soon as feasible, preferably before implementation.
- For changes in alignment with the existing Board-approved policy recommendations that will have a material impact on applicants, ICANN classifies these as 'non-minor operational changes.' ICANN will inform SPIRT and follow the subsequent steps in the change execution flow chart. Once implemented, ICANN will notify applicants about any non-minor changes.
- 3. When ICANN org determines that the required change cannot be implemented in alignment with the existing Board-approved policy recommendations, ICANN org will inform the SPIRT. The SPIRT will then confer with the GNSO Council. Should the GNSO Council determine that an alternative change, which does not require a change of existing policy, cannot be found, the change is considered a 'policy change' and the subsequent steps in the change execution flow chart will be followed.²⁴²

²⁴² Under extraordinary circumstances, there could be a recommendation that the New gTLD Program be halted for a communicated amount of time. In such a case, the triggering mechanism and rationale for recommending this extraordinary action must be provided to the GNSO Council for its consideration.



²⁴¹ For reference, the definitions of a non-material change and a material change are defined in section <u>Application Change Requests Overview</u>.

Figure A6-2: Change Execution Flowchart 2





A6.4 Change Log

ICANN org will document all changes to the Program in a publicly available change log and will set up a publicly archived mailing list for all parties that wish to be notified of Program changes. In addition, for non-minor changes, ICANN org will inform all applicants directly. Should a change relate to sensitive and/or security-related issues, information will be redacted as necessary.

Should a minor operational change need to be implemented as a matter of urgency, ICANN org will have a maximum of two business days to add it to the change log after implementing it. If, against the determination of ICANN org, a member of the SPIRT believes that a change might have a material impact on applicants, the SPIRT will have the opportunity to raise this with ICANN org on the designated SPIRT mailing list or during one of the SPIRT-ICANN org standing calls. If the SPIRT determines that the change does have a material impact on applicants, the change will be treated as non-minor.

A6.5 Definition of "Material Impact" for Predictability Framework

In the context of Predictability Framework, "material impact" refers to the implementation of new procedures or operations for the New gTLD Program: Next Round or changes to ICANN's existing procedures or operations that will likely: (1) change the status of an application, (2) change the outcome of an evaluation of an application, (3) have a non-trivial monetary or operational impact on applicants, or (4) have a non-trivial impact on the timeline of application processing, up to the point of delegation.



Appendix 7: Conflict of Interest

The following information outlines how ICANN ensures that its contracted entities and individuals — collectively referred to as "service providers" — are free from conflicts of interest during application evaluation, objection, and dispute resolution for the New gTLD Program: Next Round. Service providers include:

- Evaluation panel firms and individual evaluators appointed by the panel firm to conduct an evaluation.
- Dispute resolution service providers and dispute resolution panelists.
- Independent objector firms and independent objectors.

A7.1 Prior to Contracting with Service Providers

To ensure a thorough evaluation and selection process, ICANN follows these steps before entering into contracts with service providers:

- 1. Service providers for the New gTLD Program: Next Round are selected through ICANN's standard procurement process.
- Call for Expression of Interest, Requests for Proposals, and Requests for Information are issued to solicit qualified service providers to perform activities including evaluation, and dispute resolution.
- Certain services may require more than one service provider to perform a
 particular Program activity. This approach allows ICANN to address any conflict
 of interest issues.
- 4. ICANN requires potential service providers to provide background information, including information about their parent companies, a list of their top customers, and references.
- 5. To be considered, potential service providers must demonstrate to ICANN's satisfaction that there are no material conflicts, as per the Conflict of Interest Guidelines described in the <u>Code of Conduct and Conflict of Interest Guidelines for Service Providers</u> at the time of the bid and that the service providers have controls in place to ensure new or changed resources do not have conflicts.
- 6. ICANN conducts conflict reviews before contracting with service providers. However, conflicts may still arise once applications are submitted, as a service provider might have a conflict with one or more applicants.



A7.2 Contracted Service Providers

Once a service provider is selected, ICANN follows these steps to ensure compliance and alignment with its Conflict of Interest policies:

- 1. If selected, the service provider enters into a contract with ICANN.
- 2. Prior to allocating any applications to service providers, ICANN requires that service providers perform conflict of interest checks for all evaluators in accordance with the Guidebook requirements, and to provide ICANN with the results. ICANN considers these results when allocating applications.
- Contracted service providers and individual evaluators must comply with and document acknowledgement of their understanding of ICANN's Conflict of Interest policies and guidelines, as outlined in the <u>Code of Conduct and Conflict</u> of <u>Interest Guidelines for Service Providers</u> of the Guidebook.²⁴³
- 4. Service providers are required to complete and submit a "Contractor Conflicts of Interest Disclosure" Form annually. This form helps ICANN identify potential or actual conflicts of interest involving business and family relationships between ICANN, its directors, liaisons, officers, employees and contractors, as well as with any particular applicant for which the service provider is responsible for evaluating. Additionally, this form is designed to facilitate compliance with disclosure obligations described in ICANN's Conflicts of Interest Policy.
- 5. If the service provider is an entity, an authorized representative must complete the Conflicts of Interest Disclosure Form, providing responses to the best of their knowledge in an individual capacity.
- 6. The completed Conflicts of Interest Disclosure Form is sent to ICANN by the service provider.
- 7. ICANN reviews the Conflicts of Interest Disclosure Form to make sure it aligns with its existing conflicts of interest policies and guidelines.
- 8. If there are any material changes during the current year in the information provided in the Conflicts of Interest Disclosure Form, the service provider should promptly notify ICANN.
- In addition, the service provider on its behalf and behalf of all individual evaluators, must agree to revise and update the Conflicts of Interest Disclosure Form whenever circumstances require such revisions, and, at a minimum, on an annual basis.



²⁴³ The Conflict of Interest Guidelines in the Guidebook define the minimum standards with which Service Providers have to comply.

10. If conflicts of interest are identified that do not embody ICANN's mission and purpose, ICANN may seek resolution according to the negotiated terms regarding termination in the service provider's agreement. However, if a conflict is identified for individual panel member(s) and not an entire service provider, and that conflict can be mitigated in some way, such as prohibiting that individual panel member from access to any information provided by ICANN and from participation in the matter for which the conflict has been identified, ICANN may enter into an agreement to ensure such mitigation measures. In such case, ICANN may not necessarily terminate the service provide itself.

A7.3 Subcontractors

To manage subcontractors effectively, ICANN implements the following steps to ensure compliance with its conflict of interest policies:

- 1. ICANN requires that third-party subcontractors of a service provider be disclosed and approved before they can provide services.
- The contractor agreement includes a standard provision that prohibits engaging other individuals or third-party subcontractors on a project or granting them access to the confidential information provided by ICANN. Exceptions may be made on a case-by-case basis if approved by ICANN.
- 3. If an exception is approved, ICANN will provide revised language to use for the contractor's agreement along with a checklist of required documents, such as a non-disclosure agreement and a conflict of interest disclosure form.
- 4. ICANN will review the completed documents to ensure compliance with existing ICANN's conflicts of interest policies and guidelines.

Disclaimer: This process will be updated as necessary.



Appendix 8: Code of Conduct and Conflict of Interest Guidelines for Service Providers

These guidelines are designed to ensure that all service providers operate with integrity, impartiality, and transparency throughout the New gTLD Program: Next Round application evaluation, objection, and dispute resolution processes. The following sections detail the ethical standards, conflict of interest procedures, and confidentiality requirements that service providers must adhere to, ensuring the fair and objective assessment of all applications.

A8.1 Code of Conduct and Conflict of Interest Guidelines

A number of independent experts and groups play a part in performing the various reviews in the evaluation process. These guidelines apply to the following experts and groups, known as service providers:

- Evaluation panel firms and individual persons appointed by the panel firm to conduct an evaluation.
- Dispute resolution service providers and dispute resolution expert Panelists.
- Independent objector firms and independent objectors.

A8.1.1 Code of Conduct

The New gTLD Program Code of Conduct aims to prevent conflicts of interest and unethical behavior by service providers for the New gTLD Program: Next Round. For purposes of clarity, "Service Providers" means in this case those entities and individuals performing services related to evaluation and dispute resolution processes such as: evaluation firms or persons appointed by evaluation firms; dispute resolution providers or expert panelists appointed by dispute resolution providers; or, independent objector firms and independent objectors appointed by independent objector firms. The Applicant Guidebook outlines the principles of this Code but does not limit the legal requirements service providers must follow.

Service providers' ethical obligations begin upon acceptance of their appointments. They must act as competent, impartial professionals during the application evaluation, objection, and dispute resolution processes. Compliance with equity and high ethical standards is expected, ensuring objectivity, integrity, confidentiality, and credibility. Unethical actions, or even the appearance of conflicts of interest, are not acceptable.

If a service provider withdraws before completing the application evaluation or objection and dispute resolution processes, they must take reasonable steps to protect



the interests of the involved parties, including returning evidentiary materials and maintaining confidentiality.

A8.1.1.1 Principles

Service providers are expected to be guided by the following principles in carrying out their respective responsibilities.

A8.1.1.2 Bias

Service providers shall:

- Not advance personal agendas or non-ICANN approved agendas in the evaluation of applications or objection proceedings.
- Examine facts as they exist and not be influenced by past reputation, media accounts, or unverified statements about the applications being evaluated or the matters at issue in the objection proceeding.
- Exclude themselves from participating in the evaluation of an application or an
 objection proceeding if, to their knowledge, there is some predisposing factor
 that could prejudice them with respect to such evaluation or proceeding.
- Exclude themselves from evaluation activities or objection proceedings if they
 are philosophically opposed to or are on record as having made criticisms about
 a specific type of applicant, application, or matter at issue in the evaluation or
 the dispute resolution proceeding.
- Conduct themselves in a way that is fair to all parties and not be swayed by
 outside pressure, public clamor, and fear of criticism or self-interest. Service
 providers should avoid conduct and statements that give the appearance of
 partiality toward or against any applicant, application, or party to the objection
 proceeding.

A8.1.1.3 Compensation/Gifts

Service providers shall not request or accept any compensation whatsoever or any gifts of substance²⁴⁴ from the applicant being reviewed, anyone affiliated with the applicant, or any party or party affiliate involved in the objection proceeding. If in doubt, a service provider should err on the side of caution by declining gifts of any kind. Note, however, that during an objection proceeding, an applicant that is the objector or respondent is required to submit payment directly to the applicable dispute resolution service provider (DRSP) to cover the applicant's share of administrative expenses and fees of the members of the Objection Panel. Accepting this payment does not mean an objection panelist is in violation of the Code of Conduct in this section. Refer to the



²⁴⁴ Gifts of substance would include any gift greater than USD 25 in value.

Dispute Resolution Procedures document contained in the Applicant Guidebook for more information about fees and payments.

A8.1.1.4 Conflicts of Interest

Service providers shall act in accordance with the <u>Conflict of Interest Guidelines for Service Providers</u>.

A8.1.1.5 Confidentiality

Confidentiality is crucial in application evaluations and objection proceedings. Service providers must access sensitive information to conduct these processes while ensuring confidentiality of all information from ICANN, applicants, objectors, and other sources, except when legally required or authorized by ICANN. Confidential information includes materials related to applications, evaluations, analyses, and other documents prepared by ICANN staff or evaluators, which must be kept confidential as specified in the Applicant Guidebook, unless law or judicial processes dictate otherwise (see Terms and Conditions for more information).

A8.1.1.6 Data Protection and Privacy

All service providers are required to comply with the New gTLD Program: Next Round's data protection principles. For more information, see the New gTLD Program: Next Round Privacy Policy in the Applicant Guidebook.

A8.1.1.7 Affirmation

All service providers must read and certify in writing their understanding and agreement to comply with this Code before participating in any evaluation or objection proceeding.

A8.2 Conflict of Interest Guidelines for Service Providers

Service providers may employ numerous staff across various countries and serve many clients, some of whom are prominent within the registry and registrar community. To prevent inappropriate influence and ensure objective evaluations, ICANN has implemented Conflict of Interest guidelines and procedures for service providers. Service providers must ensure that all appointed entities and individuals:

- Acknowledge and understand the Conflict of Interest guidelines.
- Agree to comply with these guidelines.
- Disclose any business relationships related to ICANN's New gTLD Program:
 Next Round from the past six months.

Where possible, ICANN will identify and secure primary and backup providers for evaluation and dispute resolution. In conjunction with service providers, ICANN will identify conflicts and re-assign applications as appropriate to secondary or contingent third-party providers to perform the reviews.



A8.2.1 Guidelines

Service providers must adhere to the following minimum standards.²⁴⁵ A fundamental principle is that they must remain impartial and independent of the applications, applicants, and involved parties from the time they accept their appointment throughout the application evaluation or objection processes.

A service provider should decline an appointment or, if the evaluation or objection proceeding has already begun, refuse to continue to act if there are any doubts regarding their impartiality or independence, whether these doubts existed prior to or arose after their appointment.

If there are facts or circumstances that cast doubt on a service provider's impartiality or independence, they must disclose these to the applicants and panel firm prior to accepting the appointment or as soon as they learn of them. Any doubt as to whether any service provider should disclose certain facts or circumstances should be resolved in favor of disclosure.

While it is impossible to anticipate all potential conflicts of interest, a service provider should evaluate whether the existing facts and circumstances would lead a reasonable person to conclude that there is an actual or potential conflict of interest. If conflicts of interest are found to exist, ICANN will work with service providers to reassign applications as appropriate.

The following text outlines boundaries set for service providers and their immediate family members.

Service providers and Immediate family members:

- Must not be under contract, have or be included in a current proposal to provide professional services for or on behalf of the relevant applicants or any parties to an objection proceeding during the compliance period, which begins upon acceptance of the appointment.
- Must not currently hold or be committed to acquire any interest in a privately-held applicant or any parties to an objection proceeding.
- Must not currently hold or be committed to acquire more than 1% of any publicly listed applicant's or any parties to an objection proceeding outstanding equity securities or other ownership interests.
- Must not be involved or have an interest in a joint venture, partnership or other business arrangement with the applicant or any parties to an objection proceeding.

²⁴⁵ These Guidelines do not apply to applicants, which are covered under separate Codes of Conduct. See Specification 9 of the Next Round Base Registry Agreement.



- Must not have been named in a lawsuit with or against the applicant or any parties to an objection proceeding.
- Must not be a:
 - Director, officer, or employee, or in any capacity equivalent to that of a member of management of the applicant or any parties to an objection proceeding.
 - Promoter, underwriter, or voting trustee of the applicant or any parties to an objection proceeding.
 - Trustee for any pension or profit-sharing trust of the applicant or any parties to an objection proceeding.

Note that service providers also maintain their own conflict of interest procedures with which Panelists are required to comply with.²⁴⁶

A8.2.3 Definitions

Panelist: An evaluation panelist or a DRSP-appointed panelist is any primary, secondary, and contingent third-party panelist engaged by a service provider to review a new gTLD application or consider any objections relating to a new gTLD application.

Immediate Family Member: Immediate family member is a spouse, spousal equivalent, or dependent (whether or not related) of an evaluation panelist, a DRSP-appointed panelist, or an independent objector.

Professional Services: Professional services include legal services, financial audit, financial planning and investment, outsourced services, and consulting services such as business, management, internal audit, tax, information technology, and registry and registrar services.

Service Providers: Individuals and entities providing services or supporting processes for the New gTLD Program: Next Round, including but not limited to the application evaluation or objection processes.²⁴⁷

A8.2.4. Code of Conduct Violations

Any breaches of the Code of Conduct by service providers, whether intentional or not, shall be reviewed by ICANN. If necessary, ICANN may recommend corrective actions. Such breaches could lead to the removal of the individual or provider responsible, in accordance with relevant contractual provisions.

If ICANN determines that a service provider has failed to comply with the Code of Conduct, the results of that provider's review for all assigned applications may be

²⁴⁷ For example: evaluation firms or persons appointed by evaluation firms; dispute resolution providers or DRSP-appointed panelists; or, independent objector firms and independent objectors appointed by independent objector firms.



²⁴⁶ See Appendix 8: Code of Conduct and Conflicts of Interest Guidelines of Service Providers.

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discarded. Consequently, the affected applications will be reassigned for review by new service providers.

Applicants with concerns about service providers should communicate through the defined support channels (see Resources and Help). Members of the general public with concerns regarding the Code of Conduct (that is, non-applicants) can raise them via the Application Comment Forum, as described in Application Comments, or through other avenues such as the Ombudsman and the Reconsideration Request process.



Appendix 9: New gTLD Program: Next Round Privacy Policy

ICANN is committed to respecting and appropriately protecting the personal data it processes, including when sharing this data with others.

This privacy policy sets out how ICANN collects and uses personal information provided by or collected from individuals as part of the New gTLD Program: Next Round. This policy, which specifically pertains to the New gTLD Program: Next Round, is supplemented by the ICANN Privacy Policy (available at: https://www.icann.org/privacy/policy) which contains the more general provisions. In the event of a conflict between the two, the Next Round Privacy Policy prevails.

If you have any questions about this Next Round Privacy Policy, please feel free to contact us at privacy@icann.org.

This Next Round Privacy Policy covers the following key topics:

- A9.1 Definitions
- A9.2 Data Controller
- A9.3 Personal Information Processed
- A9.4 Use of Personal Information Purposes and Legal Bases
- A9.5 Sharing of Personal Information
- A9.6 International Transfers
- A9.7 Security
- A9.8 Retention
- A9.9 Exercise of Data Subject Rights
- A9.10 Required Personal Information
- A9.11 Minors
- A9.12 Revisions



A9.1 Definitions

- "Authorized User" means any other users authorized by ICANN to access the Next Round Portals. This includes, but may not be limited to ICANN staff and Independent Application Assessment Panelists.
- "Applicant" or "ICANN Next Round Applicant" means the organization designated as the "applicant" in the ICANN Next Round Application that has been submitted or will be submitted by the Applicant.
- "Applicant User" means the User accessing and completing the Next Round Application on behalf of the Applicant.
- "Application" means the application submitted for new gTLDs under ICANN's New gTLD Program: Next Round. For more information on Application, refer to the New gTLD Program: Next Round Applicant Guidebook ("Applicant Guidebook"), the Registry Service Provider ("RSP") evaluation process Handbook ("RSP Handbook) the Applicant Support Program ("ASP") Handbook ("ASP Handbook").
- "Data Subject" means the identified or identifiable natural person to which the Personal Information is relating.
- **"EU Standard Contractual Clauses"** means the standard contractual clauses for the transfer of personal data to third countries pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council (Commission Implementing Decision (EU) 2021/914 of 4 June 2021).
- "GDPR" means the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.
- "Next Round Portal" or "Portals" means any online new gTLD application management portal(s) for the New gTLD Program: Next Round, as specified by ICANN.
- "ICANN Account" means the account that allows access to certain ICANN services, including the New gTLD Program: Next Round, so that account holders can manage their information such as name, email, and password, using only one set of login credentials.
- "ICANN Next Round" or "Next Round" or "Next Round Program" means the ICANN initiative to enable the expansion of the Internet's Domain Name System (DNS) through the introduction of new generic top-level domains.
- "Evaluation Panels" means any independent panel of subject matter experts ("Panelists") that is provided access to the Portals for the purpose of evaluating the



Next Round Application as set forth in the Applicant Guidebook, RSP Handbook and ASP Handbook.

"Other Applicable Data Protection Law" means any applicable local and national data protection law of a third country.

"Processing" means any operation or set of operations which is performed on Personal Information or on sets of Personal Information, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

"User" means any individual using any Next Round Portal, either as an Applicant User or as an Authorized User.

Defined terms not explicitly defined in this New gTLD Program: Next Round Privacy Policy shall have the meanings assigned to them in either the ICANN Privacy Policy or ICANN's New gTLD Program: Next Round Applicant Guidebook.

A9.2 Data Controller

ICANN operates the New gTLD Program: Next Round and processes Personal Information in this context as an independent data controller. ICANN's headquarters is located at 12025 Waterfront Drive, Suite 300, Los Angeles, CA 90094-2536, USA. For inquiries, ICANN can be contacted at privacy@icann.org.

A9.3 Personal Information Processed

This section outlines the various stages of an application's lifecycle during which Personal Information is processed.

Application Submission: Participation in the New gTLD Program: Next Round involves the collection and use of an applicant's Personal Information, such as full name, postal address, telephone number, and email address. The complete list of data elements required for submitting an application, which may or may not include Personal Information depending on the type of application, can be found in the sources listed below. Some fields are optional or not required depending on the application type:

- For the Registry Service Provider (RSP) evaluation process, refer to the RSP Handbook (Evaluation Processing Stages).
- For the Applicant Support Program (ASP), refer to the <u>ASP Handbook</u> (ASP Application Evaluation).
- For the New gTLD Program: Next Round applications, refer to the Applicant Guidebook (<u>String and Application Evaluation Procedures</u>).



Administration: ICANN requires updated Personal Information about the applicant's directors and officers, and other relevant personnel, such as full name, date of birth, city and country of primary residence, and country of birth. ICANN and its service providers use this information to conduct necessary background checks and other evaluations. If the applicant is selected, they may be asked to confirm the validity and accuracy of the data submitted during the application process.

Background Screening Information: For background screenings, ICANN processes various types of information, including applicant entity information, applicant entity users and contacts information, ultimate control contacts information, and applicant Personal Information. This includes confirmation, and where necessary, additional explanation, that the applicant is free from convictions, disciplinary actions or other measures as further specified in Background Screening Criteria ("Background Screening Information").

Moreover, ICANN processes Personal Information from applicants contained in reports issued by third-party sources conducting background screenings based on publicly available information. This is done for due diligence, reputation checks, and Office of Foreign Assets Control (OFAC) checks (see Terms and Conditions for more information).

In certain circumstances, the results of initial background checks may require ICANN to request additional Personal Information to complete necessary background checks or other Program application evaluations. Personal Information is also processed to maintain an accurate history of application processing and changes.

Sensitive Personal Information: ICANN does not collect sensitive Personal Information (e.g., personal medical or health information, racial or ethnic origin, or political opinions) in connection with the Program. Applicants will be notified if such sensitive Personal Information is necessary, such as to conduct further background checks.

ICANN Account: Applicant Users may access the New gTLD Program: Next Round portals through their ICANN account. The processing of Personal Information contained in the ICANN account is described in general terms in the ICANN Privacy Policy (available at: https://www.icann.org/privacy/policy).

Through their ICANN account, the Applicant Users' following Personal Information will be processed:

- First and last name.
- Applicant User email address.

Logging Applicant Information for Usage Information and IT Security Purposes:

To help understand how Users interact with the New gTLD Program: Next Round portals, information such as action history, information requested or rejected, User selections, log files, performance logs, diagnostic reports, pages or content viewed,



searches conducted, pages requested, websites visited before using the Next Round Portals, and the dates, times, and durations of the users' visits, will be collected by the portals' provider.

Personal Information from the Evaluators, Panelists and Independent Objectors: The following Personal Information from all evaluators, panelists, and Independent Objectors, will be processed:

- First and last name.
- Email address.
- Curriculum Vitae (CVs).

All Types of Personal Information: The categories of personal information described above may be processed by ICANN for analytics related to reporting on the usage of the Next Round Portals. Any Personal Information will be pseudonymized or anonymized, if and to the extent required under applicable laws. Only anonymized results of these data analytics will be shared with members of the ICANN community and the public, as described in <u>Section A9.5</u> of this Next Round Privacy Policy.

This policy does not replace the privacy policies of third-party service providers that may apply to the processing of the same data, nor does it establish joint-controller relationships with such third-party service providers.

A9.4 Use of Personal Information - Purposes and Legal Bases

ICANN processes the Personal Information described in <u>Section A9.3</u> of this policy to manage and administer the New gTLD Program: Next Round effectively and to streamline the application submission and receipt process. This may include Processing for the purpose of reporting on the usage of the Next Round Portals. Personal Information from Users is also logged for the purpose of ensuring the operational stability and security of the Next Round Portals.

If and to the extent the GDPR applies, ICANN relies on the legal basis of Art. 6 (1) lit. f) GDPR, which allows ICANN to Process Personal Information when it is necessary for ICANN's or a third party's legitimate interest, unless otherwise specified in this policy. ICANN will carefully assess the necessity of processing under Article 6(1)(f) GDPR to ensure it does not override the interests and/or fundamental rights and freedoms of the data subject whose data is being processed, as required by law. References to GDPR legal bases are also intended to encompass equivalent legal bases under other applicable data protection laws.

Where the GDPR does not apply, ICANN will comply with the relevant applicable data protection laws.

As allowed by these laws, ICANN processes background and third-party background screening information for background screenings, as further described <u>Background</u> <u>Screening Criteria</u> of the Applicant Guidebook, based on its legitimate interest in



maintaining the security and stability of the Internet and protecting registrants (Art. 6 (1) lit. f) GDPR).

A9.5 Sharing of Personal Information

ICANN will not sell or otherwise share any Personal Information with third parties for marketing purposes. ICANN also will not share any disclosed Personal Information that reasonably identifies disclosers with third parties for their independent use except when: (i) ICANN has the discloser's permission, (ii) is doing so at the discloser's direction, (iii) it is required to comply with ICANN's legal obligations, (iv) as permitted by applicable law, or (v) as otherwise described in this policy. For more information on how ICANN shares Personal Information, refer to Section 5 of ICANN's Privacy Policy (https://www.icann.org/privacy/policy/#5).

Service Providers: ICANN shares the Personal Information described in Section 3 of this Next Round Privacy Policy with third-party service providers that process the Personal Information on ICANN's behalf (as data processors) or in their own capacity (as data controllers). A list of these service providers and their locations is available on the [DRSP Page] of the New gTLD Program website.

Public Sharing: In line with its principles of transparency and accountability, ICANN will publish the applicant's name and relevant gTLD information on ICANN's website. While this information is not typically considered Personal Information, it may contain Personal Information.

Consultants and Advisors, Government Authorities and Agencies: To the extent necessary; ICANN may share the Personal Information described in Section A9.3 of this Next Round Privacy Policy with technical and business consultants, as well as financial and legal advisors, government authorities and agencies as further described in Section 5 of ICANN's Privacy Policy (https://www.icann.org/privacy/policy/#5). Additionally, where GDPR applies and the processing of Personal Information is necessary for ICANN to comply with a legal obligation, the legal basis for such processing will be Article 6(1) lit. c) GDPR.

A9.6 International Transfers

When applying for a new gTLD or using a Next Round Portal, the Applicant User is directly transferring its own Personal Information to ICANN in the United States. Such transfer of Personal Information that relates to the Applicant User is not considered an international transfer under Chapter V of the GDPR, as the Personal Information is directly collected from the Applicant as the Data Subject under Art. 3 (2) GDPR.

When the Applicant submits Personal Information of third parties into the Next Round Portal (as contained in Applications or information related to Applications), this Personal Information is transferred to ICANN in the United States and from the United States possibly also to other countries outside of the European Economic Area (EEA) where ICANN staff and third party service providers are located. A list of ICANN offices



is available <u>here</u> and respective locations of the third parties are linked under <u>Section</u> A9.5 of this policy.

Such transfers are safeguarded by suitable transfer mechanisms, including EU Standard Contractual Clauses. A copy of these safeguards can be obtained upon email request to privacy@icann.org.

Pursuant to the <u>Terms and Conditions</u> made available by ICANN from time to time, Applicants must also represent and certify that they have obtained the necessary permissions or consents for the sharing and publication, where applicable, of any Personal Information included in the Application and in the materials submitted with the Application. This obligation includes ensuring that any Personal Information subject to cross-border data transfer restrictions under applicable laws, which would be submitted in the Application via the Next Round Portal that is operated by ICANN in the United States, is in compliance with applicable laws. This would require the Applicant to implement any necessary transfer safeguards under such laws (e.g., EU Standard Contractual Clauses), prior to submission.

A9.7 Security

ICANN will use reasonable industry standard safeguards, which may include physical, procedural and technical measures, to protect against the unauthorized disclosure of Personal Information it collects and holds. ICANN will take reasonable steps to ensure that Personal Information collected is complete and relevant to its intended use, which includes, when required or appropriate and feasible, obtaining written assurances from third parties that may access your Personal Information that they will protect such information with safeguards designed to provide a level of protection equivalent to those adopted by ICANN.

ICANN cannot represent, warrant, or guarantee that information processed in the New gTLD Program: Next Round or the Next Round Portal will be free from unauthorized access by third parties, loss, misuse, or alterations. While ICANN will take reasonable and appropriate security measures to protect against unauthorized access, disclosure, alteration or destruction of Personal Information received, ICANN DISCLAIMS ANY AND ALL LIABILITY FOR UNAUTHORIZED ACCESS OR USE OR COMPROMISE OF PERSONAL INFORMATION TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW. USERS ARE ADVISED THAT THEY SUBMIT PERSONAL INFORMATION AT THEIR OWN RISK.

A9.8 Retention

ICANN will retain Personal Information generally in accordance with its archival practices and as required by law.

ICANN will retain Personal Information only for the time required to fulfill the purposes set out in <u>Section A9.4</u> above. However, where ICANN is required by law to retain Personal Information longer or Personal Information is required for ICANN to assert or



defend against legal claims, ICANN will retain the Personal Information until the end of the relevant retention period or until the claims in question have been resolved. More details about the retention periods applicable are available here: [placeholder]

A9.9 Exercise of Data Subject Rights

Individuals (Data Subjects) may be entitled to the following rights, in each case as permitted under applicable data protection law:

- Obtain access to information about the Processing of Personal Information;
- Object to certain Processing;
- Request information portability.
- Have their Personal Information rectified, deleted, or otherwise restricted in terms of Processing.

Users may also be entitled to withdraw any consent given with prospective effect with respect to the Processing of their Personal Information.

Individuals can exercise these rights or learn more about ICANN's processing of Personal Information by sending a request to privacy@icann.org. All requests are subject to identity verification. ICANN will respond to requests promptly, and within the legally required timeframe. Certain Personal Information may be exempt from such requests under applicable law.

If individuals are dissatisfied with ICANN's response or believe their Personal Information is not processed lawfully, they may contact or lodge a complaint with the competent supervisory authority or seek alternative legal remedies.

A specific description of data subject rights applicable under the GDPR is attached to this Next Round Privacy Policy as Exhibit 1: Data Subject Rights Under the GDPR.

A9.10 Required Personal Information

Applicants must provide the Personal Information described in <u>Section A9.3</u> (under the Subsection "Personal Information from Applicants"), including the details needed to complete the "Applicant User Account Setup Form" and the "Application Form." Failure to provide this information will prevent submission of the application.

A9.11 Minors

Portal users must be of legal age (at least 18 years or the applicable minimum legal age). ICANN does not knowingly collect any personal information from users who do not meet the minimum age requirements.

A9.12 Revisions

ICANN reserves the right to change the New gTLD Program: Next Round Privacy Policy at any time. Any changes we make will be posted on ICANN.org with the most



recent revision date identified. The date this New gTLD Program: Next Round Privacy Policy was last revised is identified at the top of the page. Users are responsible for periodically monitoring and reviewing any updates to this Next Round Privacy Policy. Continued participation in the New gTLD Program: Next Round following amendments indicates acknowledgement of these changes. For material changes to the way ICANN collects, uses, or shares Personal Information, ICANN will endeavour to provide notice of disclosures of Personal Information before implementation, such as by posting a prominent notice on the ICANN.org website.

A9.13 Exhibit 1: Data Subject Rights Under the GDPR

Individuals (Data Subjects) whose Personal Information is Processed in the context of the New gTLD Program: Next Round pursuant to the GDPR have the following Data Subject rights, as provided for under the GDPR, subject to limitations under the GDPR and otherwise applicable law.

Personal Information is referred to as "Personal Data" in this Exhibit.

- A Data Subject has the right to obtain confirmation as to whether Personal Data relating to itself are being Processed by ICANN and, where that is the case, the right to access the Personal Data and a copy thereof (Art. 15 (1) and (3) GDPR).
- If ICANN Processes inaccurate Personal Data, the Data Subject has the right to rectification (Art. 16 GDPR).
- In some cases described by law, a Data Subject may request the erasure of Personal Data concerning the Data Subject or the restriction of Processing (Art. 17 and 18 GDPR).
- If Processing is based on the Data Subject's consent within the meaning of Art. 6 (1) lit. a) GDPR and/or Art. 9 (2) lit. a GDPR, the Data Subject may withdraw consent at any time (Art. 7 (3) GDPR), which will not affect the lawfulness of Processing based on consent before its withdrawal. ICANN informs the Data Subject separately if ICANN requires the Data Subject's consent for the processing of their personal data for specified, explicit and legitimate purposes not covered by this New gTLD Program: Next Round Privacy Policy.
- If Processing is based on the Data Subject's consent within the meaning of Art. 6 (1) lit. a) GDPR and/or Art. 9 (2) lit. a GDPR, or on a contract pursuant to Art. 6 (1) lit. b) GDPR, and the data Processing is carried out by automated means, the Data Subject has a right to receive the Personal Data concerning the Data Subject in a structured, commonly used and machine-readable format and the right to transmit those data to another controller without hindrance from the controller to which the Personal Data have been provided (Art. 20 GDPR).



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- Data Subjects have the right to object, on grounds relating to their particular situation, at any time to Processing of Personal Data concerning them based on Art. 6 (1) lit. e) or f) GDPR (Art. 21 (1) GDPR). Data Subjects may object to the Processing of their Personal Data on the basis of Art. 6 (1) lit. f) GDPR for direct marketing purposes at any time (Art. 21 (2) GDPR), without stating grounds relating to the Data Subject's particular situation. However, ICANN does not Process Data Subjects' Personal Data for this purpose.
- Furthermore, Data Subjects have the right to lodge a complaint with the
 competent data protection supervisory authority. Data Subjects can, for
 example, contact the supervisory authority in the EU Member State of their
 habitual residences, places of work or places of an alleged infringement. The
 lead supervisory authority responsible for ICANN is the:

Autorité de la protection des données - Gegevensbeschermingsautoriteit (APD-GBA)

Rue de la Presse 35 – Drukpersstraat 35

1000 Bruxelles - Brussel

Tel. +32 2 274 48 00 Fax +32 2 274 48 35

Email: contact@apd-gba.be

Website:

https://www.autoriteprotectiondonnees.be

https://www.gegevensbeschermingsautoriteit.be

For questions or complaints about ICANN data processing, please contact privacy@icann.org. To exercise rights or learn more about ICANN data processing, send a request to privacy@icann.org.



Appendix 10: Terms and Conditions

By submitting this application for a generic Top Level Domain ("gTLD") (and any variant strings thereof identified on such application) through ICANN's online interface (this "Application"), applicant (including all parent companies, subsidiaries, affiliates, agents, contractors, employees and any and all others acting on its behalf) (collectively, "Applicant") agrees to the following terms and conditions ("Terms and Conditions") without modification. Applicant understands and agrees that these Terms and Conditions are binding on Applicant and are a material part of this Application.

- 1. Applicant warrants that the statements and representations contained in this Application (including any documents or written materials submitted in connection with the Application) are true, accurate, and complete in all material respects as of the date hereof and, as supplemented pursuant to Section 1, throughout the application process, and that ICANN may rely on those statements and representations fully in evaluating this Application. Applicant acknowledges that any material misstatement or misrepresentation (or omission of material information) may cause ICANN and the evaluators to reject this Application without a refund of any fees paid by Applicant. Applicant agrees to promptly (and in any event within seven (7) days of becoming aware of any fact or circumstance giving rise to such obligation) notify ICANN in writing of any material inaccuracies or material changes in any information, documents or written materials submitted in connection with this Application that could adversely affect the results of the evaluation of this Application.
- 2. Applicant warrants that it is duly organized, validly existing and in good standing (where such concept exists) under the laws of the jurisdiction under which it is organized. Applicant further warrants that it has the requisite organizational power and authority to submit this Application on behalf of Applicant, and is able to make all agreements, representations, waivers, and understandings stated in these Terms and Conditions, to comply with the requirements of the New gTLD Program Applicant Guidebook ("Applicant Guidebook") and to enter into the form of the Registry Agreement as posted with the Applicant Guidebook or as subsequently updated from time to time by ICANN as described in Section 9 of these Terms and Conditions.
- 3. Applicant acknowledges and agrees that ICANN has the right to determine not to proceed with any and all applications for new gTLDs, including this Application, and that there is no assurance that any additional gTLDs will be created. The decision to review, consider, and approve an application to establish one or more gTLDs and to delegate new gTLDs after such approval is entirely at ICANN's discretion.



- 4. Applicant agrees to pay all fees that are associated with this Application. These fees include, but are not limited to, the evaluation fee (which is to be paid in conjunction with the submission of this Application) and any conditional evaluation fees, if applicable. Applicant acknowledges that the initial fee due upon submission of this Application is only to obtain consideration of this Application. ICANN makes no assurances that this Application (or any other application) will be approved or will result in the delegation of a gTLD proposed in an application. Applicant acknowledges that if it fails to pay fees within the designated time period at any stage of the application review and consideration process, Applicant will forfeit any fees paid up to that point and this Application will be cancelled. Except as expressly provided in the Applicant Guidebook, Applicant will not be eligible for a refund or all or any portion of the fees associated with this Application. If Applicant is notified by ICANN that it is eligible for a refund of all or a portion of the fees associated with this Application and Applicant fails to request such refund within the time period identified by ICANN in the Applicant Guidebook, Applicant will forfeit its eligibility for such refund.
- 5. Applicant shall indemnify, defend, and hold harmless ICANN, and any ICANN affiliates, subsidiaries, directors, officers, employees, consultants, evaluators, and agents (collectively, the "ICANN Affiliated Parties") from and against any and all third-party claims, damages, liabilities, costs, and expenses, including reasonable legal fees and expenses, arising out of or relating to: (a) ICANN's or an ICANN Affiliated Party's consideration of this Application, and any approval, rejection or withdrawal of this Application; and/or (b) ICANN's or an ICANN Affiliated Party's reliance on information provided by Applicant in this Application and on Applicant's representations and warranties herein.
- 6. Applicant hereby releases ICANN and the ICANN Affiliated Parties from any and all claims by Applicant that arise out of, are based upon, or are in any way related to, any action, or failure to act, by ICANN or any ICANN Affiliated Party with respect to this Application including in connection with ICANN's or an ICANN Affiliated Party's review of this Application, investigation or verification. any characterization or description of Applicant or the information in this Application, any withdrawal of this Application or the decision by ICANN to recommend, or not to recommend, the approval of Applicant's Application. APPLICANT AGREES NOT TO CHALLENGE, IN COURT OR IN ANY OTHER JUDICIAL FORA, ANY DECISION MADE BY ICANN WITH RESPECT TO THIS APPLICATION, AND IRREVOCABLY WAIVES ANY RIGHT TO SUE OR PROCEED IN COURT OR ANY OTHER JUDICIAL FORA ON THE BASIS OF ANY OTHER LEGAL CLAIM AGAINST ICANN AND ICANN AFFILIATED PARTIES WITH RESPECT TO THE APPLICATION. APPLICANT ACKNOWLEDGES AND ACCEPTS THAT APPLICANT'S NONENTITLEMENT TO PURSUE ANY RIGHTS, REMEDIES, OR LEGAL CLAIMS AGAINST ICANN OR THE ICANN AFFILIATED PARTIES IN COURT OR ANY OTHER



JUDICIAL FORA WITH RESPECT TO THE APPLICATION SHALL MEAN THAT APPLICANT WILL FOREGO ANY RECOVERY OF ANY APPLICATION FEES, MONIES INVESTED IN BUSINESS INFRASTRUCTURE OR OTHER STARTUP COSTS AND ANY AND ALL PROFITS THAT APPLICANT MAY EXPECT TO REALIZE FROM THE OPERATION OF A REGISTRY FOR THE GTLD; PROVIDED THAT APPLICANT MAY UTILIZE ANY ACCOUNTABILITY MECHANISM SET FORTH IN ICANN'S BYLAWS FOR PURPOSES OF CHALLENGING ANY DECISION MADE BY ICANN WITH RESPECT TO THE APPLICATION. APPLICANT ACKNOWLEDGES THAT ANY ICANN AFFILIATED PARTY IS AN EXPRESS THIRD-PARTY BENEFICIARY OF THIS SECTION 6 AND MAY ENFORCE EACH PROVISION OF THIS SECTION 6 AGAINST APPLICANT.

- 7. Applicant gives ICANN permission to use Applicant's name in ICANN's public announcements (including informational web pages) relating to Applicant's Application and any action taken by ICANN related thereto. Applicant hereby authorizes ICANN to publish on ICANN's website, and to disclose or publicize in any other manner, any materials submitted to, or obtained or generated by, ICANN and the ICANN Affiliated Parties in connection with this Application, including evaluations, analyses and any other materials prepared in connection with the evaluation of this Application; provided, however, that information will not be disclosed or published to the extent that the Applicant Guidebook expressly states that such information will be kept confidential, except as required by law or judicial process. Access to confidential information shall be limited to those individuals and entities who need access to complete the review process, including individuals within ICANN, ICANN Affiliated Parties, and any third parties conducting application evaluations or providing dispute or appeals services. Except for information afforded confidential treatment, Applicant understands and acknowledges that ICANN does not and will not keep the remaining portion of this Application or materials submitted with this Application confidential.
- 8. Applicant represents and certifies that it has obtained the necessary permission or consents for the sharing and publication, where applicable, of any personally identifying information or data included in this Application and in the materials submitted with this Application. Applicant acknowledges that the information that ICANN posts may remain in the public domain for a period permitted under applicable law, including in perpetuity where necessary to satisfy ICANN's transparency obligations. Applicant confirms that it has informed such individuals of the processing of their personally identifying information or personal data as required under applicable data protection laws. Applicant acknowledges that ICANN will handle personal information or data collected in accordance with its New gTLD Program Next Round Privacy Policy https://newgtlds.icann.org/en/applicants/agb/program-privacy, which supplements the Privacy Policy, https://www.icann.org/privacy/policy, both of



which are incorporated herein by this reference. If requested by ICANN, Applicant will be required to obtain and deliver to ICANN and ICANN's background screening vendor any consents or agreements of the entities and/or individuals named in this Application necessary to conduct these background screening activities as permitted under applicable law. In addition, Applicant acknowledges that, in order to allow ICANN to conduct thorough background screening investigations:

- a. Applicant may be required to provide documented consent for release of records to ICANN by organizations or government agencies;
- Applicant may be required to obtain specific government records directly and supply those records to ICANN for review;
- Additional identifying information may be required to resolve questions of identity of individuals within the Applicant organization and/or individuals identified in the Application;
- d. Applicant may be requested to supply certain information in the original language as well as in English; and
- e. Applicant may be required to obtain the permission or consent of individuals whose information will be disclosed to ICANN in connection with this Application.
- 9. Applicant understands and agrees that it will acquire rights in connection with a gTLD only in the event that Applicant enters into a Registry Agreement with ICANN, and that Applicant's rights in connection with such gTLD will be limited to those expressly stated in the Registry Agreement. In the event this Application for the gTLD that is applied for herein is approved, Applicant agrees to enter into the Registry Agreement with ICANN in the form published in the Applicant Guidebook or as updated from time to time by ICANN. (Note: ICANN reserves the right to make reasonable updates and changes to the form Registry Agreement in the Applicant Guidebook during the course of the application process, including but not limited to as the possible result of new policies that might be adopted during the course of the application process). Applicant may not resell, assign, or transfer this Application.

10. Applicant authorizes ICANN to:

- Contact any person, group, or entity to request, obtain, and discuss any documentation or other information that, in ICANN's sole judgment, may be pertinent to this Application; and/or
- b. Consult with persons of ICANN's choosing regarding information in this Application or information otherwise coming into ICANN's possession, provided, however, that ICANN will use reasonable efforts to ensure that such persons maintain the confidentiality of information in this Application that this Applicant Guidebook expressly states will be kept confidential.



- 11. For the convenience of Applicants around the world, certain application materials published by ICANN in the English language have been translated into certain other languages frequently used around the world. Applicant recognizes that the English language version of the application materials prepared by ICANN (of which these Terms and Conditions is a part) is the version that binds the parties, that such translations are non-official interpretations and may not be relied upon as accurate in all respects, and that in the event of any conflict between the translated versions of the application materials and the English language version, the English language version controls.
- 12. Applicant agrees that by submitting this Application, Applicant is agreeing to execute waivers or take similar reasonable actions to permit other law and consulting firms retained by ICANN in connection with the review and evaluation of this Application to represent ICANN adverse to Applicant in the matter.
- 13. ICANN reserves the right to make reasonable updates and changes to this Applicant Guidebook and to the application process, including the process for withdrawal of applications, at any time by posting notice of such updates and changes to the ICANN website, and where relevant, inline with the Predictability Framework, including but not limited to as the possible result of new policies that might be adopted or advice to ICANN from ICANN advisory committees that is adopted by ICANN during the course of the application process. Applicant acknowledges that ICANN may make such updates and changes and agrees that this Application will be subject to any such updates and changes. In the event that Applicant has completed and submitted its Application prior to such updates or changes, and Applicant can demonstrate to ICANN that compliance with such updates or changes would present a material hardship to Applicant, then ICANN will work with Applicant in good faith to attempt to make reasonable accommodations in order to mitigate any negative consequences for Applicant to the extent possible consistent with ICANN's mission to ensure the stable and secure operation of the Internet's unique identifier systems.
- 14. By submitting this Application, Applicant agrees to comply with all applicable laws and regulations, including those economic, financial, and trade restrictions imposed, administered or enforced by the U.S. government, including but not limited to those administered by the Office of Foreign Assets Control (OFAC) of the U.S. Department of the Treasury ("Economic Sanctions"). Applicant also agrees to immediately notify ICANN if Applicant, or any of the persons or entities listed in this Application, become the subject of any Economic Sanctions.
- 15. By submitting this Application, Applicant confirms that it is submitting this Application with a good faith intention to operate the gTLD for which it has



applied, and that Applicant it has read and understands the provisions of Section 4.1.5.1 Prohibited Communications and Activities of the Applicant Guidebook regarding the New gTLD Program rules prohibiting certain communications and activities to prevent parties from privately resolving string contention among themselves. Furthermore, Applicant confirms that it has read and understands that ICANN may, in its sole discretion, pursue the remedies set forth in Section 4.1.5.3 Violation of the Rules Prohibiting Private Resolution of Contention Strings of the Applicant Guidebook arising from any breach of Section 4.1.5.1 Prohibited Communications and Activities of the Applicant Guidebook, and Applicant agrees to cooperate with any ICANN inquiry or investigation concerning a possible breach of Section 4.1.5.1 Prohibited Communications and Activities of the Applicant Guidebook.

16. These Terms and Conditions shall be subject to the law of the State of California.



Appendix 11: Applicant Support Program

Please find information regarding the Applicant Support Program (ASP) and the ASP Handbook on the New gTLD Program website.

- Homepage
- Handbook



Appendix 12: Registry Service Provider Evaluation Program

Please find information regarding the Registry Service Provider (RSP) Evaluation Program and the RSP Handbook on the New gTLD Program website.

- Homepage
- Handbook



Glossary

The glossary below provides the meaning of and, if applicable, acronyms for terms that may commonly appear in the Applicant Guidebook. Terms have been sorted in alphabetical order for easy reference. This list is non-exhaustive.

Table G1: Glossary

Term	Acronym	Meaning
2012 Round		The application round of the New gTLD Program that opened in 2012. That is, the round previous to the "next round."
A-Label		The ASCII form of an IDN label. All operations defined in the DNS use A-labels exclusively.
Accountability Mechanisms		Mechanisms established in the ICANN Bylaws that enable review and reconsideration of ICANN's actions. These mechanisms are: the Empowered Community, Reconsideration, the Independent Review Process, and the Ombudsman.
Administrative Check and Preparation for Reveal Day		A manual process that performs <u>administrative</u> due diligence and verifies whether the evaluation fees have been received as well as provides time for ICANN to prepare for <u>Reveal Day</u> .
Advice		Input to the ICANN Board provided by an Advisory Committee.
Advisory Committee	AC	A formally recognized body, under the ICANN Bylaws, charged with advising the ICANN Board on policies within ICANN's mission and scope. The Bylaws recognize four ACs: the At-Large Advisory Committee, the Governmental Advisory Committee, the Root Server System Advisory Committee, and the Security and Stability Advisory Committee.
Affirmations		Affirmations from the SubPro Final Report indicate that the Working Group believes that an element of the 2012 New gTLD Program was, and continues to be, appropriate, or at a minimum acceptable, to continue in subsequent procedures.
Affirmations with Modifications		Similar to affirmations, as described in the SubPro Final Report, but used in cases where the Working Group recommends a relatively small adjustment to the 2012 New gTLD Program's policies or implementation.
American Standard Code for Information Interchange	ASCII	A common character-encoding standard that computers use to store, transmit, and print English (or "Latin") text.
Appeals Process	Appeal	A <u>mechanism</u> that allows for relevant parties to appeal an Objection Panel Determination of an objection.
applicant		An entity that has applied to ICANN for a new gTLD by



Term	Acronym	Meaning
		submitting its application during the application submission period.
Applicant Evaluation		Applicant Evaluation occurs after the application has either (a) passed String Evaluation and is not part of a contention set, or (b) passed String Evaluation and has prevailed in the contention set. It is conducted in parallel with <u>Application Evaluation</u> based on the application's priority number, unless other processes prevent the application from proceeding. Applicant evaluation consists of two mandatory assessments: <u>Background Screening</u> and <u>Financial and Operational Evaluation</u> .
Applicant Guidebook	AGB	The gTLD Applicant Guidebook currently in effect, describing the requirements of the application and evaluation processes.
Applicant Support Program	ASP	A separate <u>program</u> from the gTLD application process, it offers a reduction in ICANN fees related to the New gTLD Program to qualified applicants with demonstrated financial need.
application		An application for a new gTLD lodged in connection with the terms and conditions of the Applicant Guidebook. An application includes the completed <u>application questions</u> , any supporting documents, and any other information that may be submitted by the applicant at ICANN's request.
Application Change Request	ACR	Applicants have the opportunity to request changes to their applications including, but not limited to, the addition or modification of Registry Voluntary Commitments or Community Registration Policy, in response to concerns raised in an objection, via an Application Change Request).
Application Evaluation		Application evaluation includes the following evaluations: Registry Services Provider Verification, Geographic Names Review, Reserved Names Review, Name Collision High-Risk Mitigation Plan Evaluation, Code of Conduct Exemption Evaluation, Registry Commitment Evaluation, Registry Voluntary Commitments Evaluation, Community Registration Policies Evaluation, Brand TLD Eligibility Evaluation, and Variant String Evaluation. Among these, only the Registry Service Provider Selection is mandatory.
Application Priority		Each application will receive a <u>priority</u> number via the <u>Prioritization Draw</u> . The priority number establishes the order of processing for all applications in a round.
Application Questions		The set of <u>questions</u> to which applicants provide responses. In the 2012 round it was included as an attachment to Module 2 of the Applicant Guidebook.
Application Round		The complete succession of stages for processing the applications received during one application submission period for gTLDs. The terms and conditions of the Applicant Guidebook are for one application round. Any subsequent application rounds will be subject to updated guidebook information.



Term	Acronym	Meaning
Application submission period		The time range during which applications may be <u>created</u> and submitted.
Application system		A system that allows applicants to securely submit information required to apply for one or more components of the New gTLD Program. This may include Applicant Support Program applicants, Registry Service Provider Pre-Evaluation applicants, and gTLD applicants. See TLD Management System (TAMS).
Applied-for gTLD string		A string that is the subject of a gTLD application.
Background Screening		Background screening protects the public interest in the allocation of critical Internet resources by ensuring that only established corporations, organizations, or institutions in good standing are allowed to operate a new gTLD. See <u>Background Screening</u> for more information.
Blocked Names		Certain strings, including their allocatable variant labels, that are not eligible for application or delegation in any future gTLD round under existing policy. Blocked Names are not subject to exception processes and cannot be applied for by any entity.
Blocked Names Identification		This <u>review</u> will primarily be an automated review to check whether an applied-for string is on one or more of the lists identified in the Applicant Guidebook that would constitute a string that is not able to be applied for.
Brand TLD		A <u>designation</u> for a TLD that is operated by and for an entity under its trademarked name as outlined in the entity's Registry Agreement with ICANN. To qualify as a Brand TLD, a registry operator must apply for the Brand TLD designation and the brand's trademark must be recorded in the Trademark Clearinghouse.
Brand TLD Eligibility Evaluation		The Brand TLD Eligibility Evaluation confirms that the applicant meets the criteria for a Brand TLD designation. A successful designation will result in Specification 13 being added to the applicant's Registry Agreement, provided the applicant successfully completes all phases of evaluation.
CCT Final Report		The Competition, Consumer Trust, and Consumer Choice Review Final Report Dated 8 September 2018.
Clarifying Question	CQ	An evaluation panel may issue <u>clarifying questions</u> to obtain more information from an applicant.
Closed generic		According to the SubPro Policy Development Process Working Group's Final Report, a <u>closed generic</u> is "a TLD representing a string that is a generic name or term under which domains are registered and usable exclusively by the registry operator or its affiliates."
Code of Conduct Exemption Evaluation		If an applicant proposes to register all domain names in the gTLD exclusively for the registry operator's own use or for use by its affiliates, and wishes to waive the protection for itself and its affiliates, ICANN may grant an exemption to the Code of Conduct (Specification 9 of the



Term	Acronym	Meaning
		Registry Agreement), provided the gTLD is not a generic string and the registry operator meets the exemption criteria.
Collision String List		A list of strings maintained by ICANN which ICANN has determined to present a high risk of Name Collision.
Community		ICANN follows a multistakeholder model in which individuals, non-commercial stakeholder groups, industry, and governments collectively called the ICANN community, play important roles in its community-based, consensus-driven, policy-making approach.
Community application		An application for a gTLD string with an intended use of being operated for the benefit of a clearly delineated community. Such a designation is entirely at the discretion of the applicant. An applicant designating its application as community-based must be prepared to substantiate its status as representative of the community it names in the application.
Community Objection		An objection made on the grounds that there is substantial opposition to a gTLD application from a significant portion of the community to which the gTLD string may be explicitly or implicitly targeted.
Community Priority Evaluation	CPE	A process by which to resolve string contention, which may be elected by a community-based applicant.
Community Registration Policies		Policies required for Community-based TLD applications to include in the applicable Registry Agreement and define, at a minimum, who can register in the applied-for gTLD and under what conditions a second-level domain name can be accepted by the registry. Community-based TLD registry operators may have additional Community Registration Policies outside of the Registry Agreement, so long as they are not contrary to requirements under applicable ICANN agreements and policies.
Community Registration Policies Evaluation		Proposed Community Registration Policies are also subject to ICANN <u>evaluation</u> and approval before they can be included in Specification 12 of the Registry Agreement.
Community-based gTLD		A community-based gTLD is operated for the benefit of a clearly delineated community.
Consensus policy		A policy created through the GNSO policy development process listed in <u>Annex A of the ICANN Bylaws</u> . A list of current consensus policies is available at http://www.icann.org/en/general/consensus-policies.htm .
Contention		The <u>situation</u> in which there is more than one application for an identical or Similar string.
Contention set		A group of applications that were determined to be identical or Similar applied-for gTLD strings as per String Similarity Evaluation or after a String Confusion Objection.



Term	Acronym	Meaning
Controlled interruption		A state that newly delegated gLTDs need to establish for at least 90 days during which a specific response is provided for all queries to that top-level domain to help users understand that a Name Collision has occurred.
Country Code Top-Level Domain	ccTLD	The class of top-level domains reserved for use by countries, territories, and geographical locations identified in the ISO 3166-1 Country Codes list. See http://iana.org/domains/root/db/ .
Delegation		The process through which the root zone is edited to include a new TLD, and the management of domain name registrations under the TLD is turned over to the registry operator.
Dispute Resolution Service Provider	DRSP	An entity approved by ICANN to adjudicate dispute resolution proceedings in response to objections.
DNS Stability Review		The <u>DNS Stability Review</u> uses an automated system designed to review all applied-for primary and variant strings. This evaluation ensures all strings conform to the mandatory string requirements, specifically DNS and hostname requirements, IDNA 2008 requirements for IDNs, and the RZ-LGR. Applicants are warned if the string does not meet these requirements and can request a review of the automated assessment.
Domain name		A unique string of letters consisting of two or more levels (for example, john.smith.name) maintained in a registry database.
Domain Name System	DNS	The global hierarchical system of domain names.
Domain Name System Security Extensions	DNSSEC	DNSSEC secures domain name lookups on the Internet by incorporating a chain of digital signatures into the DNS hierarchy.
Evaluation Panel		A panel that has expertise in the area that is being reviewed (for example, String Similarity). Evaluation panels use the community-established criteria to assess whether or not an applicant has met the criteria.
Existing TLD		A string included on the list at http://iana.org/domains/root/db .
Extended Evaluation	EE	Extended Evaluation allows applicants an additional time period to pass evaluations begun in Initial Evaluation. The second stage of evaluation is applicable for applications that do not pass Initial Evaluation, but are eligible for further review.
Extensible Provisioning Protocol	EPP	A protocol used for electronic communication between a registrar and a registry for provisioning domain names.
Final contention set		Final contention sets come as a result of a <u>String</u> <u>Similarity Evaluation</u> .
Final Report on the New gTLD Program Subsequent Procedures Policy	SubPro Final Report	The <u>Final Report</u> on the New gTLD Subsequent Procedures Policy Development Process, dated 20 January 2021.



Term	Acronym	Meaning
Development Process		
Finalized contention set		A contention set that meets the following auction eligibility criteria:
Financial and Operational Evaluation		The <u>Financial and Operational Evaluation</u> assesses whether an applicant has the financial and operational capacity to sustain the registry long-term and has implemented reasonable safeguards to ensure robust business operations and address abuse concerns.
Future Rounds		The New gTLD Program assesses applications in rounds. Future rounds (or "subsequent application rounds") refers to all rounds that will occur after the immediate next round opening in April 2026.
GAC Consensus Advice on New gTLDs		Advice provided to the ICANN Board by the GAC in relation to one or more gTLD applications.
GAC Member Early Warning		A <u>notice</u> issued by the GAC concerning a gTLD application indicating that the application is seen as potentially sensitive or problematic by one or more governments.
Generic Names Supporting Organization	GNSO	ICANN's policy-development <u>body</u> for generic TLDs, which developed the policy recommendations for the introduction of new gTLDs.
Generic top-level domain	gTLD	The class of top-level domains that includes general-purpose domains such as .com, .net, .edu, and .org. This class also includes domains associated with the New gTLD Program, which includes names such as .futbol, .istanbul, and .pizza, and names in other alphabets and languages. ICANN coordinates the development of the rules and policies that govern the registration of domain names within gTLDs.
Geographic Name		A generic top-level domain and its allocatable variant label(s) is a Geographic Name if it meets any of these criteria: It is the name (in any language) of a capital city of any country or territory listed in the ISO3166-1 standard; it is the name of a city or region where the applicant declares that it intends to use the gTLD for purposes associated with that name; it is an exact match of a sub-national place name such as a county, province, or state listed in the ISO3166-2 standard; or of a name listed as a UNESCO region ²⁴⁸ or appearing on the UN Geographic Regions section M49 ²⁴⁹ . Note that each category has different qualifications.



https://whc.unesco.org/en/list/&order=region
 https://unstats.un.org/unsd/methodology/m49/

Term	Acronym	Meaning
Geographic Names Identification		As part of the Geographic Name Identification, a panel will review all of the applied-for strings and identify which strings may be considered a Geographic Name, as described in Geographic Names. Note that this is separate from the more substantive verification process called Geographic Names Review that would take place as part of Application Evaluation.
Geographic Names Panel	GNP	A panel of experts charged by ICANN with reviewing applied-for TLD strings to identify, and confirm required documentation for, geographic names.
Geographic Names Review		A verification and substantive review of application responses for strings determined to be geographic. This review takes place during the application evaluation phase. Geographic Names Review, occurs as part of Application.
Governmental Advisory Committee	GAC	The GAC constitutes the voice of Governments and Intergovernmental Organizations (IGOs) in ICANN's multistakeholder structure. Created under the ICANN Bylaws, the GAC is an advisory committee to the ICANN Board. The GAC's key role is to provide advice to ICANN on issues of public policy, and especially where there may be an interaction between ICANN's activities or policies and national laws or international agreements.
gTLD Application Fee		The fee due from each applicant to obtain consideration of its application. The fee may consist of a partial deposit and payment of the full fee amount for each application submitted.
High-Risk Mitigation Plan		Outlines the specific preventative and corrective actions the applicant will take to mitigate the risk of Name Collisions, including any communication activities with affected end-users. Each mitigation action must have a specific timeframe for implementation. The total time frame must not exceed two years.
(ICANN) Auction		An auction conducted by ICANN according to the string contention procedures.
ICANN Board		The body that reviews policy recommendations developed by the ICANN community and sends approved policies to the ICANN organization for implementation. The Board also performs strategic oversight for ICANN org, ensuring that the organization acts within its mission and operates effectively, efficiently, and ethically.
ICANN Community	"The Community"	ICANN follows a multistakeholder model in which individuals, non-commercial stakeholder groups, industry, and governments, collectively called the ICANN community, play important roles in its community-based, consensus-driven, policy-making approach.
ICANN organization	org/ICANN org	The entity that implements the ICANN community's recommendations at the direction of the ICANN Board.
ICANN-accredited		An entity that has entered into a Registrar Accreditation



Term	Acronym	Meaning
registrar		Agreement with ICANN. The registrar has access to make changes to a registry by adding, deleting, or updating domain name records.
Implementation Guidance	IG	One of the outputs from the SubPro Final Report. In this case, the Working Group strongly recommends the stated action, with a presumption that it will be implemented, but recognizes that there may exist valid reasons in particular circumstances to not take the recommended action exactly as described. However, the party to whom the action is directed must make all efforts to achieve the purpose behind the recommended action (as expressed in the rationale and the recommendation to which the implementation guidance is linked, if applicable), even if done through a different course. In all cases, the full implications must be understood and carefully weighed before choosing a different course. Implementation guidance commonly refers to how a recommendation should be implemented. Implementation guidance typically uses the term "should," indicating that the Working Group expects the action to take place, noting the caveats above.
Implementation Review Team	IRT	An Implementation Review Team is a voluntary ICANN community team that reviews proposed implementation plans as drafted by ICANN org and checks for consistency with ICANN Board-approved GNSO recommendations. The team also answers questions and gathers clarifications from ICANN org as needed. It provides advice on technical and operational details concerning the recommendations in question.
Independent Objector	Ю	A party selected by ICANN to act solely in the best interests of the public. The <u>Independent Objector</u> may file objections to applications on the grounds of <u>Limited Public Interest</u> and <u>Community</u> .
Intergovernmental Organization	IGO	An IGO is an organization composed primarily of sovereign states or of other intergovernmental organizations. IGOs are established by treaty or other agreement that acts as a charter creating the group. Examples include the United Nations, the World Bank, and the European Union.
Internationalized Domain Name	IDN	A domain name in which one or more of its strings contain characters other than ASCII letters, digits, or hyphens. Because IDNs support the use of Unicode characters, they can include characters from local languages and scripts. For example, 실례.테스트, is a domain name composed entirely of Hangul characters.
Internet Assigned Numbers Authority	IANA	The suite of Internet coordination functions relating to ensuring the assignment of globally unique protocol parameters, including management of the root of the DNS and the Internet Protocol address space.



Term	Acronym	Meaning
		The IANA functions are delivered by Public Technical Identifiers, an affiliate of ICANN.
Legal Rights Objection		An <u>objection</u> filed on the grounds that the applied-for gTLD string infringes the existing legal rights of the objector.
Evaluation Challenge		A mechanism that allows an applicant to challenge certain evaluation results based on a system, factual or procedural error.
Limited Public Interest Objection		An <u>objection</u> filed on the grounds that the applied-for gTLD string is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law.
Main Registry Service Provider	Main RSP	The main Registry Service Provider provides at least Extensible Provisioning Protocol and Registration Directory Services, and generates and sends data escrow deposits to the approved data escrow agent for the gTLD.
Mandatory Public Interest Commitments	Mandatory PICs	Mandatory Public Interest Commitments are rules or guidelines mandated by ICANN that a registry operator for a gTLD must adhere to, in order to protect the public interest and consumer rights. These are often implemented in response to concerns raised by the GAC.
Name Collision Analysis Project	NCAP	In 2017, the Board directed SSAC to establish NCAP to conduct studies related to name collision that refers to the situation where a name that is defined and used in one namespace may also appear in another. Users and applications intending to use a name in one namespace may actually use it in a different one, and an unexpected behavior may result where the intended use of the name is not the same in both namespaces. The circumstances that lead to a name collision could be accidental or malicious.
Name Collision High-Risk Mitigation Plan Evaluation		An applicant for a string that ICANN has deemed to present a high risk of Name Collision and has cleared contention may submit a High-Risk String Mitigation Plan for review. This plan will be reviewed by technical experts.
Name Collision Initial Assessment		The Name Collision Initial Assessment aims to identify strings with a high risk of name collision, as described in Name Collision. If a string is found to be high-risk, the applicant will have an opportunity to submit a Mitigation Plan for evaluation, which will allow the application to proceed if approved.
Naming Services portal	NSp	An online service available through the ICANN website that provides a central location for contracted parties (e.g., contracted registry operators and accredited registrars) to conduct business with the ICANN organization. The portal helps streamline operational processes and is customized with community-requested features such as case tracking, multiuser company access, and structured workflows. Users can ask



Term	Acronym	Meaning
		questions, submit information, and request approvals through the portal.
Next Round		The New gTLD Program assesses applications in rounds. The Next Round refers to the immediate next round, which will open in Q2 2026.
Non-Permitted String		Strings, other than Blocked or Reserved Names, that are not permitted to be applied-for.
Objection		An <u>objection</u> filed with a Dispute Resolution Service Provider in accordance with that provider's procedures.
Objector		A person or entity that has filed an objection against a new gTLD application with the appropriate DRSP.
Outputs		The affirmations, policy recommendations, and implementation guidance stemming from the Final Report.
Personally Identifiable Information	PII	Any representation of information that permits the identity of an individual to whom the information applies to be inferred.
Pre-Submission String Validations		<u>Validations</u> on the primary and variant strings, including replacement strings, are automatically incorporated into and implemented via TAMS.
Preliminary contention		All identical string applications on Reveal Day will be considered to be in preliminary contention.
Program Implementation Review Report	PIRR	A report produced by ICANN org in 2016 which is a collection of staff experiences during the operational implementation of the 2012 round in the New gTLD Program.
Public Interest Commitment Dispute Resolution Procedures	PICDRP	The PICDRP is a dispute resolution mechanism that, in certain cases, utilizes an evaluation panel. For those gTLDs with RAs that incorporate the PICDRP, the procedure is available to any party harmed by a registry operator's failure to comply with its PICs. The PICs and the PICDRP are one of the safeguards for the community created as part of the 2012 New gTLD Program.
Public Interest Commitments	PICs	Public Interest Commitments are binding obligations that gTLD registry operators have with the Internet community under their contracts with ICANN org. They are subject to compliance oversight and enforcement by ICANN org (See also PICDRP and RVCs.)
Registrar	Rr	An organization through which individuals and entities (registrants) register domain names. During the registration process, a registrar verifies that the requested domain name meets registry requirements, and submits the name to the appropriate registry operator. Registrars are also responsible for collecting required information from registrants and making the information available through WHOIS.
Registration Restrictions Dispute Resolution Procedure	RRDRP	A formal procedure that gives established institutions a way to resolve disputes related to the registration restrictions in the Registry Agreement for gTLDs.



Term	Acronym	Meaning
Registry	Ry	The authoritative master database of all domain names registered in each top-level domain. The registry operator keeps the master database and also generates the zone file that allows computers to route Internet traffic to and from top-level domains anywhere in the world.
Registry Agreement	RA	A contract between ICANN and the registry operator of a designated TLD. The agreement defines the rights, obligations, and provisions for the registry operator to operate the TLD.
Registry Commitments Evaluation	RCE	Each submitted RVC or Community Registration Policy proposed for inclusion in the applicable Registry Agreement is subject to this <u>evaluation</u> by ICANN to determine whether it meets all criteria set out in this AGB.
Registry Operator	RO	The organization that maintains the master database (registry) of all domain names registered in a particular TLD. ROs receive requests from registrars to add, delete, or modify domain names, and they make the requested changes in the registry. An RO also operates the TLD's authoritative name servers and generates the zone file. This information enables recursive name servers across the Internet to translate domain names into Internet Protocol addresses, so devices on the Internet can connect to one another.
Registry Service Provider	RSP	A registry service provider refers to an entity providing certain technical operations for a registry operator.
Registry Service Provider (RSP) Evaluation Program		This program allows registry service providers to be evaluated once for the services they intend to provide to applicants. Successful applicants will become pre-approved for the next round. Applicants that incorporate a pre-approved RSP into their applications will not need to undergo a technical evaluation as long as the RSP remains pre-approved.
Registry Services Evaluation Policy	RSEP	The policy that governs the evaluation of proposed registry services by a registry operator or applicant.
Registry Services Technical Evaluation Panel	RSTEP	A group of experts in the design, management, and implementation of the complex systems and standards-protocols used in the Internet infrastructure and DNS. RSTEP members are selected by its chair. All RSTEP members and the chair have executed an agreement requiring that they consider the issues before the panel neutrally and according to the specified definitions of security and stability.
Registry Voluntary Commitments	RVCs	RVCs are generally optional commitments applicants may propose to overcome third-party concerns with its applied-for gTLD string, or to promote public interest, community trust, or additional safeguards with regard to the operation of the gTLD. After being approved by ICANN following the Registry Commitments Evaluation (RCE), they are expected to be included in the Registry Agreement Specification 11 as contractual obligations.



Term	Acronym	Meaning
Reserved Names		Certain strings, including their allocatable variant labels, that are generally unavailable for registration because they are set aside for specific entities. Reserved Names include those associated with certain international and intergovernmental organizations (Limited International IGO-INGOs). These names may be applied for only by the relevant entity through an exception process, which requires appropriate documentation as outlined in the applicable procedures.
Reserved Names Identification		During application drafting, the system will automatically check whether the applicant's chosen string, along with any applicable variant strings, appears on the Reserved Names list.
Reserved Names Review		The Reserved Names evaluation process will determine whether the appropriate organization has applied for the reserved string and will verify the supporting documentation, as described in Reserved Names .
Rights Protection Mechanism	RPM	A mechanism that helps safeguard intellectual property rights in the Domain Name System. RPMs include the Uniform Domain Name Dispute Resolution Policy, Uniform Rapid Suspension, and Trademark Post-Delegation Dispute Resolution Procedure.
Root zone		The root zone database represents the delegation details of top-level domains, including gTLDs and ccTLDs. As manager of the DNS root zone, IANA is responsible for coordinating these delegations in accordance with its policies and procedures.
Safeguard Assessment		The Safeguard Assessment will determine if an applied-for string will be required to have specific safeguards as it relates to consumer protection, sensitive strings, and regulated markets. More information is found in Safeguard Public Interest Commitments.
Safeguard PIC		Safeguard PICs were developed and implemented in response to the GAC Consensus Advice in the ICANN46 Beijing Communiqué and subsequent ICANN Board Resolution during the 2012 round of the New gTLD Program. ICANN classifies gTLDs needing Safeguard PICs into four risk-based groups: Regulated Sectors/Open Entry Requirements: Strings invoking consumer trust but with heightened risks; Highly Regulated Sectors/Closed Entry Requirements: Strings associated with industries requiring licensing or accreditation; Potential for Cyber Bullying/Harassment: Strings that could facilitate harassment; Inherently Governmental Functions: Strings associated with government domains.
Script		A collection of symbols used for writing a language. There are three basic kinds of scripts. One is the alphabetic (e.g. Arabic, Cyrillic, Latin), with individual elements termed "letters." A second is ideographic (e.g. Chinese), the elements of which are "ideographs." The third is



Term	Acronym	Meaning
		termed a syllabary (e.g. Hangul), with its individual elements representing syllables. The writing systems of most languages use only one script but there are exceptions, such as Japanese, which uses four different scripts, representing all three of the categories listed here.
Singular/Plural Notification Evaluation		ICANN will review the materials submitted as part of the Singular/Plural Notifications process and will determine whether certain strings represent the singular and plural forms of the same word in the same language.
String		The string of characters comprising an applied-for gTLD.
String Confusion Objection		An <u>objection</u> filed on the grounds that the applied-for gTLD string is confusingly Similar to an existing TLD or to another applied-for gTLD string in the same round of applications.
String Contention		The <u>scenario</u> in which there is more than one qualified applicant for the same gTLD or for gTLDs that are so Similar that they create a probability of user confusion if more than one of the strings is delegated into the root zone.
String Evaluation		String Evaluation focuses solely on the evaluation of the applied-for strings and their allocatable variant strings. String Evaluation consists of five elements, which will be assessed concurrently: String Similarity Evaluation, Name Collision Initial Assessment, Safeguard Assessment, Geographic Names Identification, Singular/Plural Notifications Evaluation.
String Similarity		String Similarity occurs when two or more strings are confusingly similar such that they would create a probability of user confusion if allowed to coexist. See also Contention Set.
String Similarity Evaluation		String Similarity Evaluation reviews gTLD applications against other gTLD applications, as well as existing TLDs, previously applied-for gTLDs and ccTLDs that are still in those processes, Reserved Names, Blocked Names, and any two character ASCII string (that is, a potential future ccTLD), to determine potential user confusion and prevent multiple gTLDs from being delegated.
Subsequent Procedures	SubPro	Introduction of new gTLDs beyond the 2012 round. Related to the New gTLD Subsequent Procedures Policy Development Process and the Final Report which included the set of outputs related to the next round of the New gTLD Program.
Temporary Delegation		Strings (including variant strings) that are not identified as high-risk during the Initial Assessment (see Name Collision Initial Assessment) will be queued for Temporary Delegation. Temporary Delegation will start once the Initial Assessment has been concluded, even if other evaluations that are part of String Evaluation are still being performed. The prioritization of Temporary



Term	Acronym	Meaning
		Delegation will be determined based on the application's assigned priority number.
TLD Application Management System	TAMS	A system that allows applicants to securely submit information required to apply for one or more components of the New gTLD Program. This may include Applicant Support Program applicants, Registry Service Provider Pre-Evaluation applicants, and gTLD applicants.
Top-Level Domain	TLD	Top-level domains (TLDs) are the names at the top of the DNS naming hierarchy. They appear in domain names as the string of letters following the last dot, such as "NET" in www.example.net. The TLD administrator controls what second-level names are recognized in that TLD. The administrators of the root domain or root zone control what TLDs are recognized by the DNS.
Trademark Clearinghouse	тмсн	A mechanism designed to help protect the rights of trademark holders. The Trademark Clearinghouse verifies and records rights information from all over the world. This verified information is used during domain name registration processes, especially when new gTLDs launch.
Trademark Database	TMDB	The Trademark Database is part of the Trademark Clearinghouse. It provides an interface for registries and registrars via which they can meet the requirements of certain Rights Protection Mechanisms.
Uniform Domain Name Dispute Resolution Policy	UDRP	A policy for resolving disputes arising from alleged abusive registrations of domain names (for example, cybersquatting), allowing expedited administrative proceedings that a trademark rights holder initiates by filing a complaint with an approved dispute resolution service provider.
Uniform Rapid Suspension	URS	An expedited administrative procedure that rights holders can initiate for certain types of domain name disputes. The URS procedure is a tool for quickly addressing clear-cut cases of trademark infringement.
United Nations official languages	UN6 languages	The six languages used by the United Nations: Arabic, Chinese, English, French, Spanish, and Russian.
Variant String Evaluation		An applicant seeking one or more allocatable variant string of an applied-for primary IDN or existing gTLD must justify the need for each applied-for variant string. This justification will be evaluated by a panel based on a general standard of reasonableness. Variants will be included in Specification 14 of the Base Registry Agreement .
Variant String		A string that can be registered in different ways due to variations in the spelling of words in a given language. The set of rules in the Root Zone Label Generation Rules (RZ-LGR) determines valid top-level domain labels and their variant strings.



Term	Acronym	Meaning
Variant-string-set		The primary, allocatable and blocked variant strings are called a variant-string-set. For an existing gTLD, it is considered the primary string against which its variant-string-set will be calculated and submitted.
Variant-strings-set		For any variant string, its primary string is used to determine its variant-strings-set by the Root Zone Label Generation Rules. The set contains the primary string, any allocatable variant strings, and any blocked variant strings.
Working Group	WG	A temporary group formed by a Supporting Organization or Advisory Committee to solve a specific problem or carry out a particular assignment.
Zone File		A file on an authoritative name server that defines the contents of a zone in the Domain Name System. Resource records (RRs) in a zone file identify the IP addresses of the hosts (e.g., web servers, mail servers) and name servers within the name server's zone. A zone file can also contain other types of RRs (such as ones containing digital signatures) as determined by the zone owner. The RRs in a zone file enable an authoritative name server to respond definitively to DNS queries about the contents of a zone.



NEW gTLD PROGRAM: NEXT ROUND

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