Chartered objectives for the Working Group:

Preamble: The working group on vertical integration shall evaluate and propose policy recommendations for new gTLDs and existing gTLDs. The working group expects to define the range of restrictions on vertical separation that are currently in effect, to serve as a baseline to evaluate future proposals.

Objective 1: To make policy recommendations that provide clear direction to ICANN staff and new gTLD applicants on whether, and if so under what conditions, contracts for new gTLD registries can permit vertical integration or otherwise deviate from current forms of registry-registrar separation and equivalent access and non-discriminatory access.

Objective 2: To review current and previous ICANN gTLD registry contracts and policies to identify the current and previous restrictions and practices concerning registry-registrar separation and equivalent access and non-discriminatory access in place.

Objective 3: To identify and clearly articulate the changes to current cross-ownership arrangements contemplated by the options described in the most recent version of the DAG and supporting documents and considered by ICANN staff in connection with the planned introduction of new gTLDs.

Objective 4: To identify and clearly articulate the differences between the current restrictions and practices concerning registry-registrar separation and equal access, on the one hand, and the options described in the most recent version of the DAG and supporting documents[1] and changes considered by staff on the other hand.

[Objective 5: Using all information that has been collected by ICANN to date, determine whether the changes to the current restrictions and/or practices concerning registry-registrar separation and equivalent, non-discriminatory access contained in the options set out in the most recent version of the DAG and supporting documents constitute a material deviation from current and past restrictions and practices regarding registry-registrar separation.] or

[Objective 5: Using all information that has been collected by ICANN to date, determine the possible effects of potential changes to the current restrictions and/or practices concerning registry-registrar separation and equivalent, non-discriminatory access contained in the options set out in DAGv3 and changes considered by ICANN staff on (a) the retail and wholesale markets for domain names and (b) on consumers of domain names.]

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[1] The working group understands that the DAG is a fluid document. As a result, the working group will conduct its activities based upon the version of the document available.

Objective 6: To perform the PDP activities in a manner that does not delay the launch of the New GTLD Program.

Working Definitions to be used by the Working Group[2]

"Vertical Integration" (VI) is defined as a business structure in which there is no separation between the registry operator and the registrar in relation to a particular gTLD. They are either owned or controlled by the same company or have another contractual affiliation that controls the specific gTLD, and the domain name supplier is not required to provide quivalent access and non-discriminatory access to independent firms to sell names under its gTLD.

"Cross ownership" (CO) is defined as the controlling ownership of a share of a registry by a registrar, or vice-versa.

"Minority Interest" is defined as the minority ownership of a share of a registry by a registrar, or vice-versa.

"Relationship between VI and CO" As long as equivalent access and non-discriminatory arrangements are in place and verifiable, cross-ownership that permits the registrar to sell the names of the cross-owned TLD registry shall not be considered a form of vertical integration.

Operating procedures for the Working Group

The Working Group will operate according to the guidelines set out in the Draft Working guidelines of 5 Feb 2010

Milestones

Week	Dates	Tasks/Goals
1-2		Council Drafting team will create a charter for the group
		Original recruitment for group members wil go out to the constituencies and the ICANN community.
		and cross-ownership, indicating differences of the effects on registrants and users of the approaches.
		Staff begins documentation on existing approaches and practices, differentiating among Vertical Integration, Joint Marketing approaches
3		Council review charter and appoint council liaison.
4		Group begins work.
3-6		Collect Constituency statement and community comments
5-6		Review of existing documents and commentary.

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[2] The working definitions included in this charter are subject to further development and refinement by Staff, but are included in the interests of time in order to allow the remainder of the charter to be finalized and approved by the GNSO Council.

		Publish Staff document on existing approaches and practices
7-9		Review staff document and constituency and public comments
9-11		Discuss conditions under which various practices are appropriate
12-15		Discuss and document policy recommendations
16		end report to Council and out for public review

Charter DT coordinator (and Council liaison): Stephane Van Gelder

WG Chair(s): TBD

WG Wiki:

WG Members and SOI pointers

Changes to this Charter

The Chair of the WG will notify the GNSO Council of any substantive changes to this charter including milestones. The Chair may, at any time, refer questions or requests for clarification or modification on any of the objectives or definitions contained in this charter to the GNSO council. Such a request may be relayed through the council Liaison.