**Measures of Consumer Trust**

For reference, the definitions of Consumer and Consumer Trust are repeated here:

**Consumer** is defined as actual and potential Internet users and registrants.

**Consumer Trust** is defined as the confidence registrants and users have in the consistency of name resolution and the degree of confidence among registrants and users that a TLD registry operator is fulfilling ~~its~~the Registry's proposed purpose and is complying with ICANN policies and applicable national laws.

| Measure of Consumer Trust | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| *Measures related to confidence in registrations and resolutions:* | | | | |
| % DNS Service Availability (present SLA is 100%) | ICANN | None noted | 100% | Support. |
| % Availability for Registration Data Directory Services (RDDS). (SLA is 98%) | ICANN | None noted | 98% | Support. |
| % of Service Availability for Extensible Provisioning Protocol (EPP).   (SLA is 98%) | ICANN | None noted | 98% | Support. |
| Survey of perceived consumer trust in DNS, relative to experiences before the gTLD expansion.   Survey could measure experiences with phishing, parking sites, malware and spam; confusion about new gTLDs;  user experience in reaching meaningful second-level TLDs; registrant experience in being in a different gTLD; trademark | Survey Vendor | Moderate difficulty to gain consensus on survey questions. Survey cost is approx. $100K. | Should show improvement on all survey measures | Stated survey criteria are far too narrow.   Also, see below for other measures that could be the subject of survey. |

| Measure of Consumer Trust | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| owner experience with regard to cybersquatting (prevalence; cost and satisfaction with results when a resolution is sought) | | | | |
| % Uptime for Registrar services such as WHOIS, contact info, and complaints, assuming that SLAs are established for these measures in the new RAA | Registrar | Doubtful that Registrars will compile and disclose uptime stats unless required by RAA | SLA in RAA | |
| *Measures related to confidence that TLD operators are fulfilling promises and complying with ICANN policies and applicable national laws:* | | | | |
| Relative incidence of notices issued to Registry operators, for contract or policy compliance matters | ICANN | None noted | Lower than incidence in legacy gTLDs | "Lower than incidence in legacy gTLDs" is far too low a bar for a target.  This assumes that any improvement over legacy gTLDs is a "success."  For each of these metrics the target should be a stated percentage lower than in legacy gTLDs (e.g., 50% lower). |
| Relative incidence of breach notices issued to Registrars, for contract or policy compliance matters | ICANN | None noted | Lower than incidence in legacy gTLDs | See above. |
| Relative incidence of UDRP *Complaints*, before and after expansion | RPM Providers | Moderate difficulty obtaining data | Lower than incidence in legacy gTLDs | See above.  Also, may need to aggregate with URS (or report both separately and in the aggregate) to compare "apples and apples" (since the availability of the URS is intended to reduce the quantity of UDRP cases even where problems are at a same or higher level). <br><br> Relative incidence" should be calculated by the total number of UDRP or similar domain name proceedings (e.g., usDRP) filed in the legacy gTLDs from 1/1/2000 over the total number of domain name registrations registered in the legacy gTLDs from 1/1/2000. |

| Measure of Consumer Trust | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| Relative incidence of UDRP *Decisions against registrant*, before and after expansion | RPM Providers | Moderate difficulty obtaining data | Lower than incidence in legacy gTLDs | See above. "Relative incidence" should be calculated by the total number of UDRP or similar domain name proceedings (e.g., usDRP) filed in the legacy gTLDs from 1/1/2000 where the order was against the registrant over the total number of such UDRP proceedings. |
| Decisions against Registry Operator arising from Registry Restrictions Dispute Resolutions Procedure (RRDRP) | RRDRP Providers | None noted | No adverse decisions | |
| Quantity & relative incidence of URS *Complaints* | RPM Providers | Moderate difficulty obtaining data. Cannot compare with legacy gTLDs. | Declining incidence from Year 2 to 3 | May need to aggregate with UDRP (or report both separately and in the aggregate) to compare "apples and apples" (since the availability of the URS is intended to reduce the quantity of UDRP cases even where problems are at a same or higher leve}l. |
| Quantity & relative incidence of URS *Decisions against registrant* | RPM Providers | Moderate difficulty obtaining data. Cannot compare with legacy gTLDs. | Declining incidence from Year 2 to 3 | See above. |
| Quantity of Compliance Concerns w/r/t Applicable National Laws | LEA/GAC | Difficult, because law enforcement and governments may not report this data | Declining incidence from Year 2 to 3 | |
| Quantity and relative incidence of Domain Takedowns | Registry | Moderately difficult to obtain and report | Lower than incidence in legacy gTLDs | "Lower than incidence in legacy gTLDs" is far too low a bar for a target. This assumes that any improvement over legacy gTLDs is a "success." For each of these metrics the target should be a stated percentage lower than in legacy gTLDs (e.g., 50% lower). |
| Quantity and relative incidence of litigation *Complaints* | Litigants and/or Survey Provider | Moderately difficult, as it would require self-reporting. In addition or in the alternative, information could be gathered by survey. | | UDRP and URS do not capture a large part of the contentious matters involving domain names. We therefore believe an accurate measurement of conflicts due to the new gTLD program should include this measure as well as that for UDRPs and URS. |

| Measure of Consumer Trust | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| Quantity and relative incidence of litigation _Decisions against registry, registrar or registrant_ | Litigants and/or Survey Provider | Moderately difficult, as it would require self-reporting. In addition or in the alternative, information could be gathered by survey. | | See above. |
| Quantity and relative incidence of acquisitions of infringing domain names (other than by UDRP or litigation) | Acquirers and/or Survey Provider | Moderately difficult, as it would require self-reporting. In addition or in the alternative, information could be gathered by survey. | | We believe an accurate measurement of conflicts due to the new gTLD program should include this measure as well as those measuring number of UDRP or URS proceedings, and litigation. |
| Relative cost of overall domain name policing and enforcement programs by trademark owners | Trademark Owners and/or Survey Provider | Moderately difficult, as it would require self-reporting. In addition or in the alternative, information could be gathered by survey. | Relation between number of domains and cost of policing and enforcement of them (i.e. Enforcement and policing cost /number of Domain names) should decrease. | This will be directly correlative with "trust" in the new gTLDs |
| Quantity of spam received by a "honeypot" email address in each new gTLD | SpamHaus | None noted (assuming that there are "honeypot" email addresses in all legacy gTLDs) | Lower than incidence in legacy gTLDs | "Lower than incidence in legacy gTLDs" is far too low a bar for a target. This assumes that any improvement over legacy gTLDs is a "success." For each of these metrics the target should be a stated percentage lower than in legacy gTLDs (e.g., 50% lower). |

**Measures of Consumer Choice**

For reference, the definitions of Consumer and Consumer Choice are repeated here:

**Consumer** is defined as actual and potential Internet users and registrants.

**Consumer Choice** is defined for registrants and users as the range of options available to registrants and users for domain scripts and languages, and for TLDs and for users as the range of options for users to access and use websites and resources in both legacy and new TLDs that offer choices as to the proposed purpose and integrity of their domain name registrants.

| Measure of Consumer Choice | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| *Transparency and clarity of gTLD registry benefits and restrictions, so that registrants and users can make meaningful distinctions when choosing TLDs.* | | | | |
| Registry website should clearly disclose benefits and restrictions. | Audit of Registry websites | Moderate difficulty in auditing registrars' display of terms and conditions for each gTLD they offer. | All Registries should disclose (e.g. ICM's disclosure for .xxx ) | Support. |
| Registrars' websites should clearly disclose gTLD benefits and restrictions in the terms & conditions for each respective TLD they offer. | Audit of Registrar websites | Moderate difficulty in auditing registrars' display of terms and conditions for each gTLD they offer. | All Registrars should disclose for all offered TLDs | The ease of locating and accessing Terms and Conditions should be considered. |
| gTLD registry benefits and restrictions should be clear and understandable to registrants and users. | Ry and Rr websites; surveys | A survey of registrants and users could assess clarity. | All disclosures should use "plain language" | Both "plain language" and clarity of benefits and restrictions should be measured and rated. |
| Accuracy of search engines in locating and linking to pages offering goods or services or information being sought by internet users. | User survey, study of search results for trademark | Could be difficult to obtain empirical data unless a study is conducted using trademark and generic search terms to obtain statistically significant data | Sites featuring trademarked goods or services, or the goods or services | |

| Measure of Consumer Choice | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| | and generic term searches or feedback from search engines | | represented by generic terms are accurately listed in search results in hierarchical order. | |
| *Range of options available to registrants and users in terms of scripts and national laws* | | | | |
| Quantity of TLDs using IDN scripts or languages other than English. | Registry websites | None noted | Increase in number of TLDs offering these choices, relative to 2011 | Support |
| Quantity of Registrar websites offering IDN scripts or languages other than English. | Registrar websites | None noted | Increase in number of Registrars offering these choices, relative to 2011 | Support. |
| The percentage of IDNs in each script or language should be compared to the percentage of people who speak or utilize each particular language or script | Registry websites and statistical determination of number of speakers or script users | Must identify reliable source of number of speakers or users of each language or script. | This percentage should increase over time. | |

| Measure of Consumer Choice | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| Quantity of different national legal regimes where new gTLD registries are based. | Registry websites | Not difficult, if each nation is counted as a separate legal regime. | Number of choices in new gTLDs > number in legacy gTLDs | Support. |
| Quantity of TLDs using IDN scripts or languages other than English which are independent of national governments or government control. | Registry and registrar websites | Presume TLDs not owned by government or government agency qualify; More difficult to determine government control unless self-identified in Terms of Use | Increase in number of independent IDN TLDs over time – measure at first round, second round, etc. | Support. |

| Measures designed to assess whether prior registrants chose new gTLDs for primarily defensive purposes. (Note: registrations using privacy and/or proxy services will not provide meaningful data, and should ~~there fore~~therefore not be counted in certain measures) | | | | |
|---|---|---|---|---|
| **Measure of Consumer Choice** | **Source** | **Anticipated Difficulties in Obtaining and/or Reporting** | **3-year Target** | **INTA Internet Committee Comments** |
| A defensive registration is not seen as an improvement in choices available to registrants. For purposes of this measure, "defensive registrations" are Sunrise registrations & domain blocks.   Measure share of (Sunrise registrations & domain blocks) to total registrations in each new gTLD.   ~~(do not count privacy/proxy registrations)~~ | Zone snapshot at end of Sunrise | Obtainable, since Registries must publish zone before open registration begins. | Post-Sunrise registrations > 85% of total registrations. Post-sunrise registrations should increase over time. | Percentage change should be considered indicative of degree of success.   Since blocks and sunshine registrations require a registered trademark, there is no need to exclude privacy/proxy registrations from the numerator. |
| Relative share of registrations already having the same domain in legacy gTLDs.      For this measure, count all registrations that redirect to domains in legacy gTLDs.     (do not count privacy/proxy registrations) | Zone and WHOIS data | Moderate difficulty to snapshot each new gTLD zone & WHOIS at end of years 1, 2, and 3. | "Redirected" registrations < 15% of all new registrations; This % should decline over time | We asserts that 15% is too great of a percentage and that the survey of defensive registrations referenced in "An Economic Framework for the Analysis of the Expansion of Generic Top-Level Domain Names" would support a percentage between 3% and 9%. |
| Survey a sample of "duplicate" registrations in new gTLDs. For purposes of this measure, "duplicate" registrations are those where registrant reports having (and still maintaining) the same domain name in a legacy gTLD. | Online Survey | Obtainable, using either ICANN or external survey tools and advice | "Duplicate" registrations < 15% of all new registrations; This % should decline over time | NOTE: This would appear to remove from computation information regarding registrants that have a policy of cross-registration of domain names and trademarks. Would weigh against finding of choice. |
| *Other measures of Consumer Choice in new gTLDS* | | | | |

| | | | | |
|---|---|---|---|---|
| Survey of consumer ability to accurately locate sites offering information, products, or services for which they have searched the internet, relative to their ability to do so before the gTLD expansion.   Survey could measure their ability to locate sites utilizing domain name searches rather than keyword searches. | Online survey or empirical study | User survey may be too subjective to provide data; | | We support, provided that the survey includes the consumer accurately locating sites and screening out cybersquatting and parked domain names. See above-survey recommended in consumer choice. |
| Measure the increased geographic diversity of registrants across all new gTLDs, as an indication of new choices presented by gTLDs expansion. (do not count privacy/proxy registrations) | Zone and WHOIS data | The working group is seeking an index or statistical measure of geographical diversity | Diversity should be greater than in legacy gTLDs; Diversity should increase from previous year. | Support. |
| Measure actual internet traffic to legacy TLDs and new TLDS. | Zone and root server use data | The intent is to determine if there has been an increase in traffic to new TLDs.   May want to exclude redirected traffic if possible. | Traffic to new TLDs should increase proportionally as compared to traffic to legacy TLDs | Support. |

**Measures of Competition**

For reference, the definition of Competition is repeated here:

**Competition** is defined as the quantity, diversity, and the potential for market rivalry of TLDs, TLD registry operators, and registrars.

| Measure of Competition | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| Quantity of total TLDs before and after expansion, assuming that gTLDs and ccTLDs generally compete for the same registrants | ICANN | None noted | Increase of 2x over 2011 (311[i][1]) | In addition to the number of TLDs before and after expansion, there should be an accounting of the number of second-level domains in each new gTLD, and of those second-level registrations, how they are used (e.g., redirected to registrations in legacy TLDs, inactive or dead, or parked pages -- anything that resolves to a page that says parked or that is simply advertising links). |
| Quantity of gTLDs before and after expansion | ICANN | None noted | Increase of 10x over 2011 (18[ii][2]) | Support. |
| Quantity of unique gTLD *Registry Operators* before and after expansion | ICANN | None noted | Increase of 2x over 2011 (16[iii][3]) | 2x seems low.   We believe this metric would only measure the expansion of the DN space, not the extent to which actual competition increased.   We suggest the following target: "Ratio of unique gTLD registry operators (i.e. operators who own only one gTLD) to total number of gTLDs before expansion and after expansion, should at least double at 1 year and three years from expansion." |
| Quantity of unique gTLD *Registry Service Providers* before and after expansion | ICANN and Ry Operators | None noted | Increase of 2x over 2011 (6[iv][4]) | 2x seems low.   We believe this metric would only measure the expansion of the DN space, not the extent to which actual competition increased.   We suggest the following target: "Ratio of unique gTLD registration Service Providers (i.e. operators who own only one gTLD) to total number of gTLDs before expansion and after expansion, should at least double at 1 year and |

| Measure of Competition | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| | | | | three years from expansion." |
| Quantity of Registrars before and after expansion, along with indication of country where Registrar is based. | ICANN | None noted | No target; compare to 2011 ( 1000[¥5] ) | |
| Relative share of new gTLD registrations held by "new entrants". For purposes of this measure, "new entrants" are gTLDs run by *Registry Operators* that did not operate a legacy gTLD. | ICANN; Zone files for new gTLDs | Moderately difficult to obtain. | "New Entrants" should have at least 20% of total new gTLD registrations | We believe this metric might not adequately measure the expansion of the DN space nor the extent to which actual competition has increased, it also appears to be quite low a target. We suggest the following target: "Number of gTLDs owned by new entrants should represent more than 85% of total new gTLD registrations." |
| *Measures related to prices for domain registrations (see legal note in Appendix B)* | | | | |
| *Wholesale* price of new gTLD domains offered to the general public. (do not evaluate gTLDs with registrant restrictions). | Registries | Difficult to obtain. (see legal note in Appendix B) | ~~No target; compare~~Comparison to 2011 and to unrestricted legacy gTLDs – prices after expansion should decrease. | Essential that comparative information be obtained before expansion, as well as at 1 and 3 years after expansion. If possible, a survey of prices from before the announcement of the expansion (i.e. prior to June 20, 2011) should also be obtained and compared. While lack of target is understandable, we believe the sign of completion would be a steady decrease in price, and this is generally what should be targeted to determine success. |
| *Retail* price of new gTLD domains offered to the general public. (do not evaluate gTLDs with registrant restrictions). | Registries and Registrars | Difficult to automate collection. (see legal note in Appendix B) | ~~No target; compare~~Comparison to 2011 and to unrestricted legacy gTLDs – prices after | See above. |

| Measure of Competition | Source | Anticipated Difficulties in Obtaining and/or Reporting | 3-year Target | INTA Internet Committee Comments |
|---|---|---|---|---|
| | | | expansion should decrease. | |

**Endnotes**

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[1] IANA.org db (http://www.iana.org/domains/root/db).     There were 311 TLDs before expansion, assuming that gTLDs and ccTLDs generally compete for the same registrants.    Of 326 TLDs delegated at the root, we counted 311 as of Jan-2012:
       293 Country Code TLDs (38 were IDN)
        18 Generic TLDs (4 generic, 3 generic-restricted, 11 sponsored);    omitting .gov, .mil, .int

[2] 18 gTLDs before expansion, including 4 generic, 3 generic-restricted, 11 sponsored.    (omit.gov, .mil, .int):
       AERO           ASIA
       BIZ              CAT
       COM           COOP
       EDU            INFO
       JOBS           MOBI
       MUSEUM     NAME
       NET             ORG
       PRO             TEL
       TRAVEL       XXX

[3] Quantity of unique Generic Registry Operators before and after expansion – 16:
VeriSign Global Registry Services
Telnic Ltd.
NeuStar, Inc.
mTLD Top Level Domain Limited dba dotMobi
       DotAsia Organisation Ltd.
       Registry Services Corporation dba RegistryPro
       DotCooperation LLC
       Afilias Limited
       EDUCAUSE
       Museum Domain Management Association

Employ Media LLC
Public Interest Registry (PIR)
Fundacio puntCAT
Societe Internationale de Telecommunications Aeronautique (SITA INC USA)
Tralliance Registry Management Company, LLC.
ICM Registry LLC

[iv][4] Quantity of Generic Registry Service Providers before and after expansion – 6:
VeriSign Global Registry Services
Afilias Limited
NeuStar, Inc.
CORE Internet Council of Registrars
Public Interest Registry (PIR)
Midcounties Co-operative Domains Ltd

[5] ICANN Accredited Registrars List (http://www.icann.org/en/registrars/accredited-list.html )
1000    Registrars before Jan-2012