

Registries Stakeholder Group Statement

Issue: Preliminary Issue Report on New gTLD Subsequent Procedures

Date: 30 October 2015

Ref: <https://www.icann.org/public-comments/new-gtld-subsequent-prelim-2015-08-31-en>

The Registries Stakeholder Group (RySG) appreciates the opportunity to comment on the Preliminary Issue Report on New gTLD Subsequent Procedures (“Preliminary Issue Report”). We acknowledge the significant work undertaken by the Generic Names Supporting Organization (GNSO) Discussion Group on New gTLD Subsequent Procedures and by ICANN in preparing the Preliminary Issue Report.

The Registries Stakeholder Group supports the commencement of work on future new gTLD application processes. As suggested in the preamble to the New gTLD Applicant Guidebook (“Applicant Guidebook”), new gTLDs contribute to the diversity, competition, and enhanced utility of the Domain Name System (DNS). Enabling additional TLDs to come online will further advance diversity and competition in the TLD space.¹ Furthermore, the GNSO Final Report on Introduction of New gTLDs recommended that scheduling information for follow-on rounds be built in to the initial application process.² In this vein, ICANN’s Applicant Guidebook established a goal of launching another round “within one year of the close of the application submission period for the initial round.”³ ICANN and the community should honor the policy defined in the GNSO Final Report by supporting continued application processes for new gTLDs as a default position if the community cannot agree upon modified policies or frameworks for a future round.

The statements made in the Applicant Guidebook regarding the timing of subsequent rounds also indicate that ICANN did not intend to make completion of the New gTLD Program Reviews a prerequisite for initiating a future application round.⁴ While the RySG believes that these reviews constitute important work for the community, allowing these reviews to artificially suspend the initiation of future application processes would give unfair deference to factions of the community that oppose future gTLD rounds over the existing established GNSO Policy.

A failure to honor the existing policy would disadvantage prospective and current applicants alike. On the one hand, potential applicants may have relied upon this guidance in determining whether to participate in the 2012 round and should not be locked out of the market

¹ See Preamble, [gTLD Applicant Guidebook Version 2012-06-04](#)

² See [ICANN Generic Names Supporting Organisation Final Report Introduction of New Generic Top-Level Domains 8 August 2007 Part A: Final Report Introduction of New Generic Top-Level Domains](#).

³ See [gTLD Applicant Guidebook Version 2012-06-04, Section 1.6.6: Subsequent Application Rounds](#).

⁴ One established exception is a study of the systemic impacts of Root Zone Scaling which has been established as a dependency for initiating a subsequent round.

to operate new TLDs indefinitely. Likewise, strategic applicants from the 2012 round may be prevented from adopting a comprehensive domain name strategy that relies upon using their brands at the top level, as a further round would be necessary to account for products and brands that have launched since the initial application period.

The Preliminary Issue Report raises the question of whether the issues at stake in a Policy Development Process on New gTLD Subsequent Procedures should be carried out sequentially or simultaneously. The RySG prefers the latter strategy, as it will allow the community to address the potentially wide range of issues at hand in a more streamlined and efficient fashion, avoiding the likelihood that the overall PDP and, thereby, future application processes will be held up by narrow issues for which community consensus cannot be reached. Regardless of what process framework is adopted, it must not affect ICANN's ability to properly resolve issues that were dealt with inconsistently in the first round, such as string confusion, plurals, and community applications—taking into account feedback from the community as a whole. However, the principles necessary to properly resolve these issues are already contained in existing policy from the first round, and any such resolution should not be used as an excuse for delay via sequential processing.

The RySG supports the Preliminary Issue Report's proposed approach of addressing changes that were made to the Applicant Guidebook (e.g. name collision, closed generics, TMCH +50) through the established, multi-stakeholder policy development channels if they are to remain in place for future rounds. Further, the RySG feels the question of operational fees, both annual and per domain, require revisiting. The current new gTLD fee system places new gTLD registry operators at a competitive disadvantage, as legacy gTLD contracts have a different fee structure. This discrepancy should be addressed in future work on New gTLD Subsequent Procedures.

Members of the RySG look forward to working with ICANN and the community as they move forward with procedures and policies for subsequent rounds.

In the interest of time, the RySG did not conduct a formal vote on these comments. They were circulated and debated on our mailing list and received input from several members of the RySG. No member expressed opposition to the submission of these comments.