

Comments on Use of a Drawing for Prioritising New gTLD Applications

Hong Kong Internet Registration Corporation Limited (HKIRC), the registry of the .hk and .香港 ccTLDs, submits the following comments on Use of a Drawing for Prioritising New gTLD Applications on behalf of the .MTR new gTLD application, in HKIRC's capacity as the application's consultant.

Overall comment

HKIRC welcomes the opportunity to provide inputs on the proposed plan for prioritising new gTLD applications.

Considering the long delay caused by the technical problems of the TLD Application System (TAS) earlier this year and the introduction and subsequent termination of the "Digital Archery" batching method, we opine that the community cannot afford further delay caused by more changes in policies and procedures of the application process after this round of public consultation. We also urge ICANN to process the applications as quickly as possible with their best endeavour and to avoid further deviation from policies and procedures set forth in the Applicant Guidebook (AGB), which was the foundation of applicants' understanding and expectation of the rules and procedures when they applied for their new gTLDs.

In the following, we will provide our specific comments on different parts of the proposed plan. We hope the below suggested modifications will improve the overall fairness, efficiency, and reliability of the proposed plan.

Prioritisation drawing

As expressed during the "Prioritization Drawing" session of the ICANN 45 Toronto meeting, we opine that there should be a first round drawing for every applicant, so that applicants with single applied-for string/application will have an equal chance of getting prioritised as applicants with multiple applied-for strings/applications.

Hence, there will be two rounds of drawing. In the first round, the total draw numbers available will equate the total number of applicants. Applicants with single applied-for string will draw a number for that string application while applicants with multiple applied-for strings will have to choose one string among their portfolio to participate in the first round drawing.

After the first round drawing and when a queue has been formed for every applicant, a second round drawing will be conducted for all applied-for strings which have not been included in the first round drawing. The draw numbers available for the second round drawing will follow the queue formed during the first round drawing.

This method of drawing where multiple applications applicants have to prioritise their own portfolio before taking part in the ICANN prioritisation process had been one of the prevailing views of the community even before the current plan was proposed. Moreover, HKIRC was not the only community members who suggested this method during the "Prioritization Drawing" session of the ICANN 45 Toronto meeting. As a result, we urge ICANN to modify the drawing solution to reflect the community's view as suggested above.

We are aware of some community members' view of adopting a "round-robin" approach in drawing between IDN new gTLD applications, which have been proposed to be prioritised in the overall drawing, and other applied-for strings. While we do not oppose such approach in principle, we opine that the "round-robin" approach could only be incorporated into the above suggested two-round drawing method where every applicant (including the IDN applicants) will have one equal opportunity of getting prioritised in the first round drawing.

ICANN arranged proxy for drawing ticket purchase

We would like to reiterate our comment made during the “Prioritization Drawing” session of the ICANN 45 Toronto meeting that we expect more details to be furnished the soonest regarding the ICANN arranged independent proxy for drawing ticket purchase in USA. This is very important for applicants who cannot afford or do not intend to attend the drawing in USA in person to be confident that the ICANN assisted proxy appointment will be reliable and free from human error.

Price of the drawing ticket

During the “Prioritization Drawing” session of the ICANN 45 Toronto meeting, we queried the price of the drawing ticket. We learned from ICANN that the fee collected from the drawing process would be contributed to charity. While acknowledging the fact that any charitable fundraising would only be viable when a reasonable threshold of fund raised can be reached, we urge ICANN to keep the price of the drawing ticket as low as possible because applicants have already paid a large amount of application fees for the process. Moreover, it would be desirable if applicants are allowed to choose the charitable organisations they want to contribute to via the drawing ticket purchase.

Pre-delegation testing, contract signing, and delegation

We are of the view that ICANN should not impose an arbitrary limit of ~20 per week for the processes of pre-delegation testing, contract signing, and delegation at IANA. We advise ICANN to review the situation from time to time and ramp up the processes whenever resources allow.