Summary and analysis of public comments for Draft Changes to String Similarity Review Amendment

Disclaimer: This summary is not a full and complete recitation of the relevant comments received. It is an attempt to capture in broad terms the nature and scope of the comments. This summary has been prepared in an effort to highlight key elements of these submissions in an abbreviated format, not to replace them. Every effort has been made to avoid mischaracterizations and to present fairly the views provided. Any failure to do so is unintentional. The comments may be viewed in their entirety at http://forum.icann.org/lists/string-similarity-amendment/.

Comment period ended: 2 July 2010

Summary published: 14 July 2010

Prepared by: Marika Konings, Policy Director

I.   BACKGROUND

On 10 June, the GNSO Council passed a resolution requesting that a 21-day public comment period be opened regarding a proposal to send the following letter be sent to Kurt Pritz, Senior Vice President, Services, copy to the ICANN Board, recommending that the Draft Applicant Guidebook version IV section on "Outcomes of the String Similarity Review" be amended to allow applicants to request an Extended Review under applicable terms similar to those provided for other issues such as "DNS Stability: String Review Procedure". The GNSO Council further recommends that a section be added on "String Similarity – Extended Review" that parallels other such sections in Module 2.

The text of the GNSO Council resolution and draft letter may be found here

II.   GENERAL COMMENTS and CONTRIBUTIONS

Three (3) community submissions have been made to the public comment forum. The contributors are listed below in order of receipt:

Jeff Neuman
Petev Vassil
Registries Stakeholder Group (RySG) by David Maher

III.   SUMMARY & ANALYSIS

The comment submitted by Jeff Neuman does not relate to the content of the letter but "relates to the resolution passed by the GNSO Council requesting that the letter go out for public comment." He notes that, "it is not the GNSO Council's role to decide what does and does not go out for public comment when it relates to policy (as this letter clearly does). That role should be specifically reserved for the GNSO community." In addition he states that it is not clear, "why

the GNSO Council felt it was necessary to include this 'further resolution', but to the extent that it reflects the presumption that Council does not have to go back to the community when it issues letters relating to policy, I ask that the resolution be stricken from the record. I ask that this issue be considered by the appropriate GNSO Improvements team and am also submitting this separately to the Accountability and Review team for its consideration."

Petev Vassil expresses his support for the letter noting that he supports "the GNSO Council request that the Applicant Guidebook section on 'Outcomes of the String Similarity Review' be amended to allow applicants to request an Extended Review under applicable terms similar to those provided for other issues such as 'DNS Stability: String Review Procedure'". In addition, he provides examples of where strings might be found confusingly similar and how these would be dealt with in the application process and recommends that these are included in the letter to Kurt Pritz, the members of the ICANN New GTLD Implementation Team, and the ICANN Board.

The RySG also supports the proposal of the GNSO Council to send the letter and notes that its content is consistent with a previous comment of the RySG on DAG3 which stated that 'when performing the string confusion review against existing TLDs, an appropriate exception should be allowed in cases where the applicant is applying for an IDN version of its existing gTLD name'.

IV.   NEXT STEPS

The GNSO Council will review the comments received and decide on next steps.