

Comment re: [Phase II Assessment of the Competitive Effects Associated with the New gTLD Program](#)

1. First I note what the assessment itself reports:

Task: “We were retained by ICANN to assess the extent to which the New gTLD Program has resulted in increased competition in the domain name marketplace, and we have divided our work into two phases: an initial report published on September 28, 2015 (the “Phase I Assessment”), which established a baseline description of metrics that can be used to assess, in the future, the competitive conditions in the marketplace for domain names, and this subsequent report (the “Phase II Assessment”), which assesses the extent to which the New gTLD Program has affected competition in this marketplace over the past year.” (p. 3)

Conclusion: “**We are unable to draw conclusions about whether the New gTLD Program has caused a change in competition in the domain name marketplace.**” (p.2 and again at p.53).

Other points:

“We do not have the necessary transaction-level data to fully analyze the substitutability of new gTLDs for legacy TLDs.” (p.3)

“When interpreting these results one should note that the New gTLD Program continues to introduce new gTLDs. Therefore, the marketplace for domain names may continue to change as the program proceeds.” (p. 3).

SECTION II – The **MARKETPLACE FOR DOMAIN NAMES***(p.4) is nowhere defined other than Footnote 11: Legacy TLDs exclude ccTLDs.(p.3).

2. By its own conclusion (above) this assessment is unsatisfactory and inconclusive about ICANN's ill-conceived, misbegotten new gTLDs program. I agree with the comments submitted by the **Registries Stakeholder Group** at <https://forum.icann.org/lists/comments-competitive-effects-11oct16/pdf8t2R8NKtS2.pdf>, incorporated herein by reference. How is the "marketplace for domain names" defined by ICANN, and persons who conducted this study? Were the persons who conducted the study even aware of the issues and systemic problems within ICANN in the development and implementation of the new gTLDs program, such as set forth in:

- [ICANN Used 'Junk Science' Firm to Justify New gTLDs](#)
- [Incompetent ICANN Struggles With Its Domain Names Marketplace Index](#)

- [ICANN, ccTLDs, and the Domain Name Marketplace \(slides\)](#)
- [**New gTLD Domains, the Walking Dead and Dying, ICANN FY15 Results**](#)
- [**ICANN Insiders On New gTLDs: Mistakes, Fiascos, Horrible Implementation**](#)
- [ICANN, Domain Registry Operators, Monopoly, Antitrust, FTC Statement](#)
- [**New gTLD Domain Names, Defects, ICANN Liability, FTC Complaints**](#)

Respectfully submitted by John Poole, Editor of [DomainMondo.com](#)

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