

Proposed Measures for Letter/Letter Two-Character ASCII Labels to Avoid Confusion with Corresponding Country Codes
(August 2016)

In order to satisfy the requirements of Specification 5, Section 2 of the Registry Agreement to avoid confusion, the Registry Operator must implement:

- o the Exclusive Availability Pre-Registration Period; or
- o the Registration Policy and the Post-Registration Complaint Investigation; or
- o the Exclusive Availability Pre-Registration Period; the Registration Policy and the Post-Registration Complaint Investigation.

Registry Operators continue to be subject to all other safeguards, measures and requirements as set forth by the Registry Agreement; for example, TLDs included on the Governmental Advisory Committee (GAC) Category 1 Strings list¹ must adhere to safeguards above and beyond the measures identified below.

Registry Operators may implement additional measures at their discretion.

MEASURES TO AVOID CONFUSION

EXCLUSIVE AVAILABILITY PRE-REGISTRATION PERIOD

Registry Operator offers a 30-day period in which registration of letter/letter two-character ASCII labels that are country codes, as specified in the ISO 3166-1 alpha-2 standard, will be made exclusively available to the applicable country-code manager or government. All registrations will remain subject to compliance with all other requirements in the registry agreement, such as community TLD policies pursuant to Specification 12, or the Trademark Clearinghouse Rights Protection Mechanism Requirements. The Registry Operator commits to affirmatively reaching out to those country-code managers and governments to provide notice of the Exclusive Availability Pre-Registration Period, including dates and registration process.

ICANN will make available to Registry Operators the necessary contact details for the applicable country-code managers and governments.

NOTE: TLDs with an executed Specification 13 or Exemption from Specification 9 - Code of Conduct are not obligated to implement this measure based on the fact that all registrations in the TLD must be registered

REGISTRATION POLICY

Registry Operator includes a provision in its publicly available registration policy requiring a representation that the registrant of a letter/letter two-character ASCII label will take steps to ensure against misrepresenting or falsely implying that the registrant or its business is affiliated with a government or country-code manager if such affiliation, sponsorship or endorsement does not exist.

POST-REGISTRATION COMPLAINT INVESTIGATION

For reports from governmental agencies regarding conduct that causes confusion with the corresponding country code in connection with the use of a letter/letter two-character ASCII domain, Registry Operator agrees to take steps according to the requirements for handling similar reports of abuse. In responding to such reports, Registry Operator will not be required to take any action in contravention of applicable law.

EXCLUSIVE AVAILABILITY PRE-REGISTRATION PERIOD + REGISTRATION POLICY and POST-REGISTRATION COMPLAINT INVESTIGATION (as each is described above)

¹ ICANN NGPC Resolution No. 2014.02.05.NG01: <https://www.icann.org/en/system/files/files/resolutions-new-gtld-annex-2-05feb14-en.pdf>

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