



**Comment on ICANN Org’s
working assumptions in
planning for a subsequent
round of new gTLDs**

Status: FINAL

Version: 3.0

10-Sep-2019

Business Constituency Submission

GNSO//CSG//BC

Background

This document is the response of the ICANN Business Constituency (BC), from the perspective of business users and registrants, as defined in our Charter:

The mission of the Business Constituency is to ensure that ICANN policy positions are consistent with the development of an Internet that:

1. promotes end-user confidence because it is a safe place to conduct business
2. is competitive in the supply of registry and registrar and related services
3. is technically stable, secure and reliable.

General

The BC thanks ICANN Org for sharing its *“working assumptions ... in planning for policy implementation and operational readiness for a subsequent round of new gTLDs”*.

We appreciate the fact that ICANN is looking forward to planning for the next round and are pleased to read that these working assumptions *“may be updated”* in light of the outcomes from the SubPro PDP. As we look forward to the updates, we expect that issues associated with the last round would be significantly addressed before a new round is opened. Practical experience in this instance should inform whether improvements/alterations to the process would be beneficial.

Competition and Consumer Trust

New gTLDs bring competition in the DNS, greater availability of names for new registrants and enhanced consumer trust. In our comments on the Competition, Consumer Trust and Consumer Choice Review Team Final Report & Recommendations, the BC particularly welcomed *“the close attention the working group paid to domain abuse and the effectiveness of safeguards, as well as on participation and competition within the Global South”*. Before developing the new round, we trust that the SubPro PDP will address some specific issues we raised in these comments, including:

- improved safeguards for TLDs in highly-regulated industries;
- effectuating voluntary commitments by new gTLDs;
- safeguards to curb abuse, including through contractual negotiations with registries and registrars, improved public reporting through DAAR or other initiatives, incentives to encourage registries and registrars to adopt policies and procedures that reduce abuse and improve trust for all users, and clear escalation of procedures for dealing with contracted parties whose rates of abuse are found to dramatically exceed the normal range;
- expansion of the impact of the program in the Global South.

As such, we propose that such issues be included under your headings *“policy implementation”*, *“readiness activities”* and *“systems & tools”*.

Universal Acceptance

It is the belief of the BC that before the next round of gTLDs is carried out, a fundamental issue needs to be resolved, which is that of achieving an adequate milestone in Universal Acceptance, so that the

domains that are already in the wild work correctly, instead of adding even more names to that pool for them to be affected by the same unresolved problems that are already known to us.

At the Web browser level, the acceptance rate of new gTLDs with names longer than 4 letters (newlongs) is currently at 84% according to a recent survey by the UASG¹, and knowing that the real acceptance rate at the e-mail client level is lower than that, we find the data quite concerning. Looking at the statistics for any e-mail with an IDN in it, the acceptance rate is 50% at the browser level, and in this case we can be certain that there is dramatically lower acceptance at the mailbox level.

It is our belief that maintaining consumer trust is a core responsibility of ICANN, and this should be enough motivation to ensure that it proactively works towards the required stability in the DNS. In the case of new gTLDs, this trust has not been given due consideration, and we are concerned that there is plan to move ahead with a new round of gTLDs without any assurance of customer satisfaction for rounds that convened in 2012.

The Universal Acceptance project has been performing important work in this sense, but that very work has not been given due attention by ICANN. While in theory it is receiving financial support from ICANN, those resources are not provided with the agility necessary for the project to succeed in what it sets out to do. For a practical example, despite the dire need for a Bug Bounty program to start fixing code, many attempts by the UA community to put one in place have been denied for supposed legal reasons.

Contracts to UASG service providers suffer delays and end up lacking competitiveness, resulting in the output from the involved community being smaller than it should be. Entire projects have been scrapped due to a lack of proper support. If ICANN does intend to move ahead and sell more domain names, it seems to us only logical that priority should be given to the needs of the community that is dedicating its time to ensuring that such names work correctly.

It seems that ICANN is unwittingly slow to fixing the issues associated with UA and providing support for the people committed to resolving the issues. The question to ICANN as the problem will not fix itself is “what does Org intend to do here?”. Support for new domains needs to be created and deployed, and the amount of work that needs to be done is astounding, involving many software providers across the world and major stakeholders.

We ask that the Org provides a realistic, goal-oriented plan of how it intends to help more UA compliance to be achieved, be it by their own resources and contractors or by empowering the UASG to be able to do the work that it needs. Swift action needs to be taken if this is to be made viable for a new round, seeing as there are years of work ahead for UA compliance to be achieved.

¹ <https://uasg.tech/information/developers/>

Managing Contention Sets

A number of strings in the last round of new gTLD applications, especially with respect to Geo-Names, has taken many years to resolve and has had attendant cost to ICANN. In any upcoming round, what key measures might be taken by Org to forestall or fast-track such a lengthy process as previously experienced?

Expected volumes of applications

Given the experience to date, we ask why you assume that *“the application volume, in the next round, will be roughly the same number of applications as in the 2012 round”*? Please provide insight into this assumption.

Conclusion

Before opening the next round, all previously committed reviews of the prior round should be completed, and recommendations from those reviews should be approved by the ICANN Board. While some of these recommendations may be implemented after the next round opens, the timeline must be such that recommendations are implemented before the domain delegation phase.

--

This comment was drafted by Marie Pattullo, Mark Datysgeld, Statton Hammock, Jimson Olufuye, Lawrence Olawale-Roberts, and Steve DelBianco.

It was approved in accord with the BC Charter.