# New gTLD Program Update
## 08 April 2013

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ICANN, VP gTLD Operations

# Agenda



- + Accomplishments since Toronto meeting

- + Timeline

- + Application Processing
  - – Initial Evaluation Status
  - – Objections & Dispute Resolution
  - – Agreements & Contracting
  - – Pre-Delegation Testing

- + Operational Readiness

- + Rights Protection Mechanisms

- + Operational Support Mechanisms

- + New gTLD Operations Strategy

* TAS opens for Clarifying Questions (CQs)

* CQs for Geographic Names begin

* Prioritization Draw

* Technical/Operational, Registry and Financial CQs begin

* New gTLD Investment Policy published

*Revised Registry Agreement, Public Interest Commitments (PIC)

* Communication improvements

* Government funding for objections, instructions published

* First URS Provider announced

* String Similarity contention sets published

* String Similarity IDN Variant review results published

* URS procedure and rules published

* Posting of PICs

* Call for Data Escrow agent applications

* Objection period closes

* PIC DRP made available for public comment

* Applicant outreach
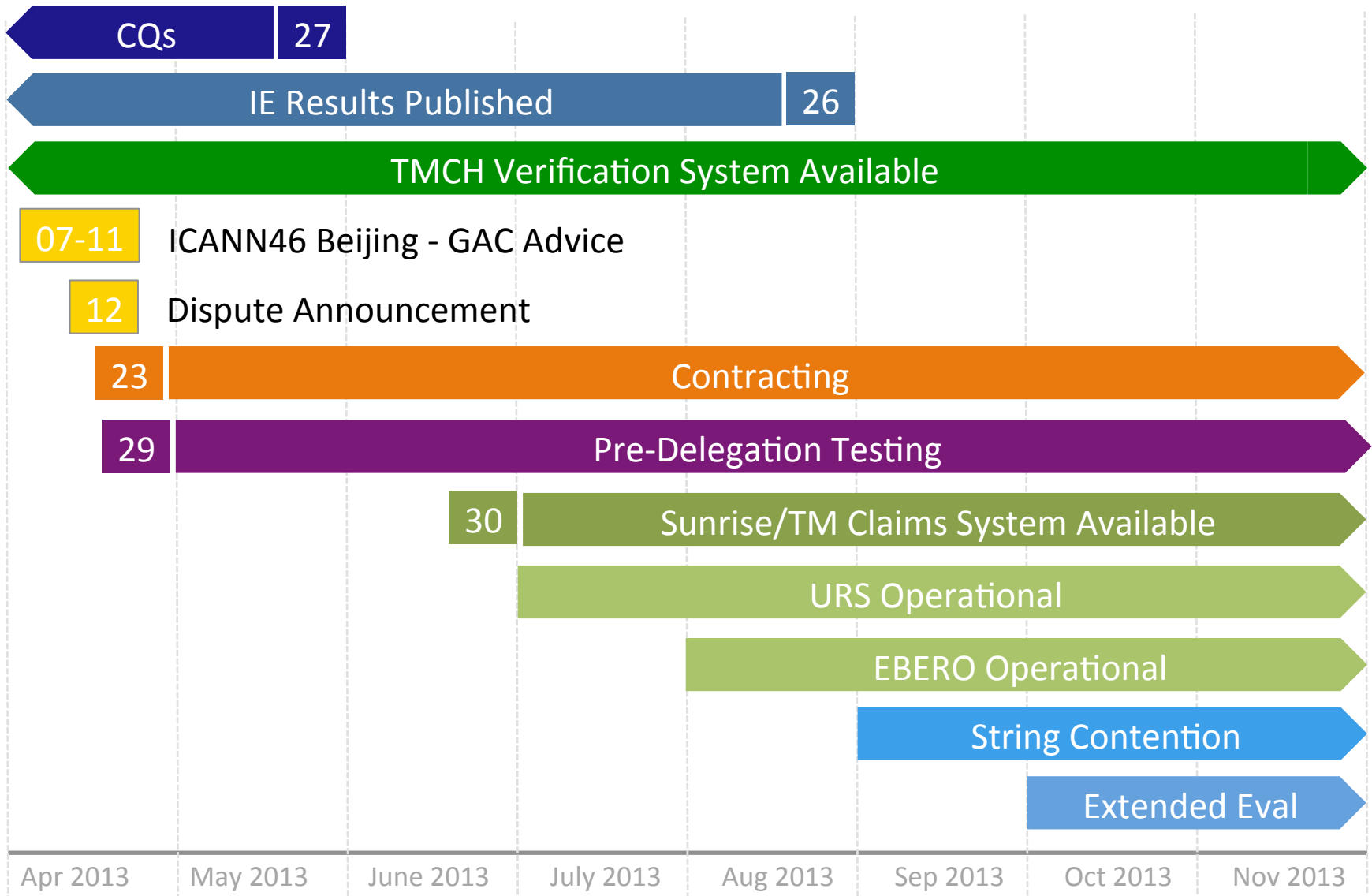
* Pre-Delegation Testing pilot

* Initial Evaluation results published

* TMCH Verification Services open

# Toronto to Beijing
## Accomplishments

NO. 45 · 14-19 October 2012
TORONTO

BEIJING
NO.46 · 7-11 APRIL 2013

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# New gTLD Program Timeline

| | |
|---|---|
| CQs | 27 |

| | |
|---|---|
| IE Results Published | 26 |

TMCH Verification System Available

**07-11** ICANN46 Beijing - GAC Advice

**12** Dispute Announcement

**23** Contracting

**29** Pre-Delegation Testing

**30** Sunrise/TM Claims System Available

URS Operational

EBERO Operational

String Contention

Extended Eval

| Apr 2013 | May 2013 | June 2013 | July 2013 | Aug 2013 | Sep 2013 | Oct 2013 | Nov 2013 |
|---|---|---|---|---|---|---|---|

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# INITIAL EVALUATION results

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# Application Statistics

| | |
|---|---|
| Applications Received | 1930 |
| Application Withdrawals Processed | 39 |
| Active Applications | 1891 |
| Application Failed String Similarity Review | 1 |
| Applications Failed Applicant Support | 2 |

+ Initial Evaluation results released weekly starting 22 March

+ As of 5 April – 93 of first 108 applications passed

– First 108 applications includes prioritized IDNs

– Results for 15 applications not yet available

– Possible reasons include: pending change requests, clarifying questions, or follow-up with applicants regarding missing information.
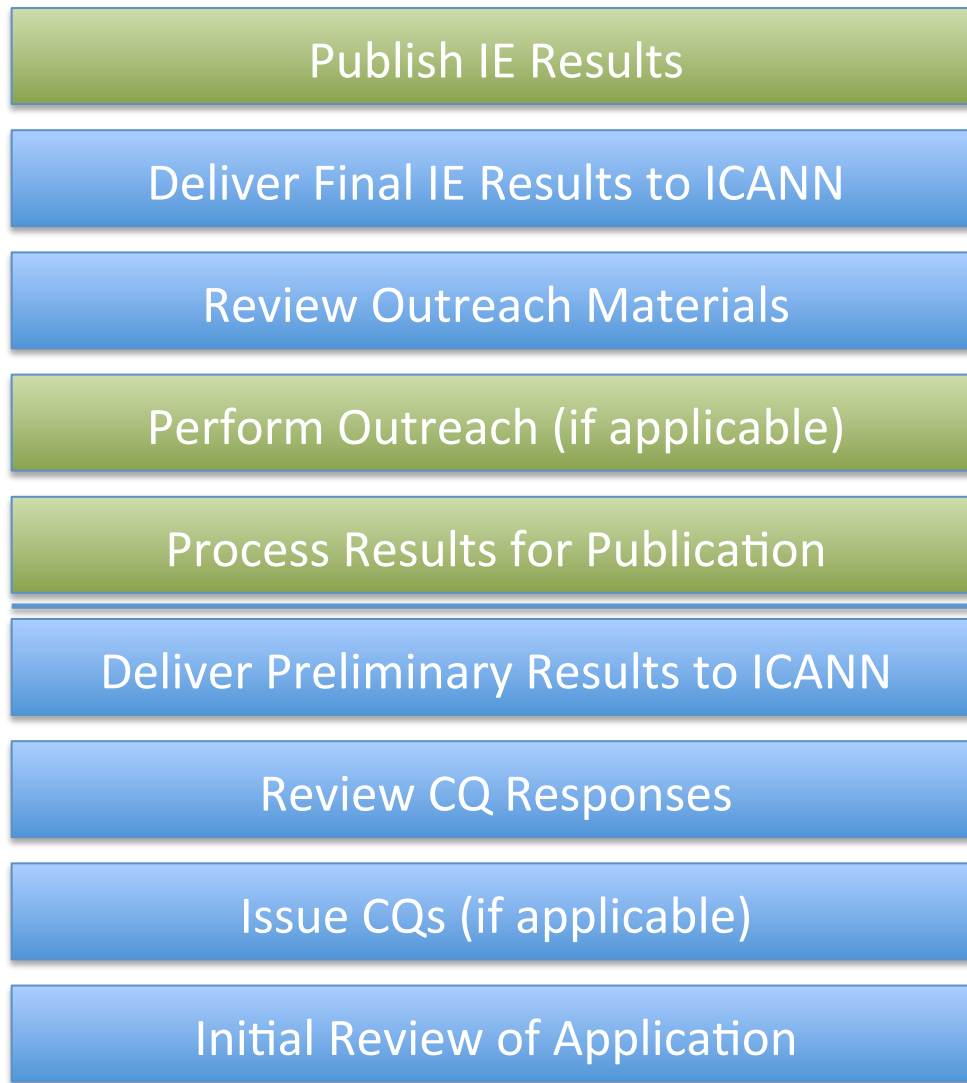
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# Initial Evaluation Panel Statistics

| As of 5 April | Pre-CQ Eval | Pending CQ Response | Post CQ Eval | Prelim Panel Results | IE Results Published |
|---|---|---|---|---|---|
| Background Screening | | 12 | - | 1787 | 93 |
| String Similarity | - | - | - | - | 1930 |
| DNS Stability | - | - | - | 1799 | 93 |
| Geographic Names | 2 | 11 | 1 | 1785 | 93 |
| Financial | 679 | 455 | 264 | 401 | 93 |
| Technical & Operational | 700 | 434 | 271 | 394 | 93 |
| Registry Services | 406 | 224 | 226 | 943 | 93 |

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# Application Evaluations

+ Evaluations are performed manually by multiple firms

    – As much as possible, applications from same applying entity or have the same back-end service provider are allocated to the same firm

+ Judgment is applied by each firm against criteria in the AGB and materials presented in Supplemental Notes and Advisories

    – Judgment may differ across firms

+ Differences in scores may occur, however final Pass/Recommended for EE outcome is expected to be consistent across firms

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# IE Results Publication

**Publish IE Results**

**Deliver Final IE Results to ICANN**

**Review Outreach Materials**

**Perform Outreach (if applicable)**

**Process Results for Publication**

**Deliver Preliminary Results to ICANN**

**Review CQ Responses**

**Issue CQs (if applicable)**

**Initial Review of Application**

Change requests received after this step will be addressed at either:

+ Contracting time if the application passes IE, or

+ In EE if the application is recommended for EE

Panel tasks    ICANN tasks

# Outreach



+ Outreach is an opportunity for applicants to provide the missing information within IE

+ Outreach is NOT an opportunity to submit a change request to amend the application

+ If the missing information is not submitted within the allowed time period of 1 week, IE results will be finalized based on existing information

+ No follow-up on outreach will be provided

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GAC Advice    Contracting    Pre-Delegation Testing
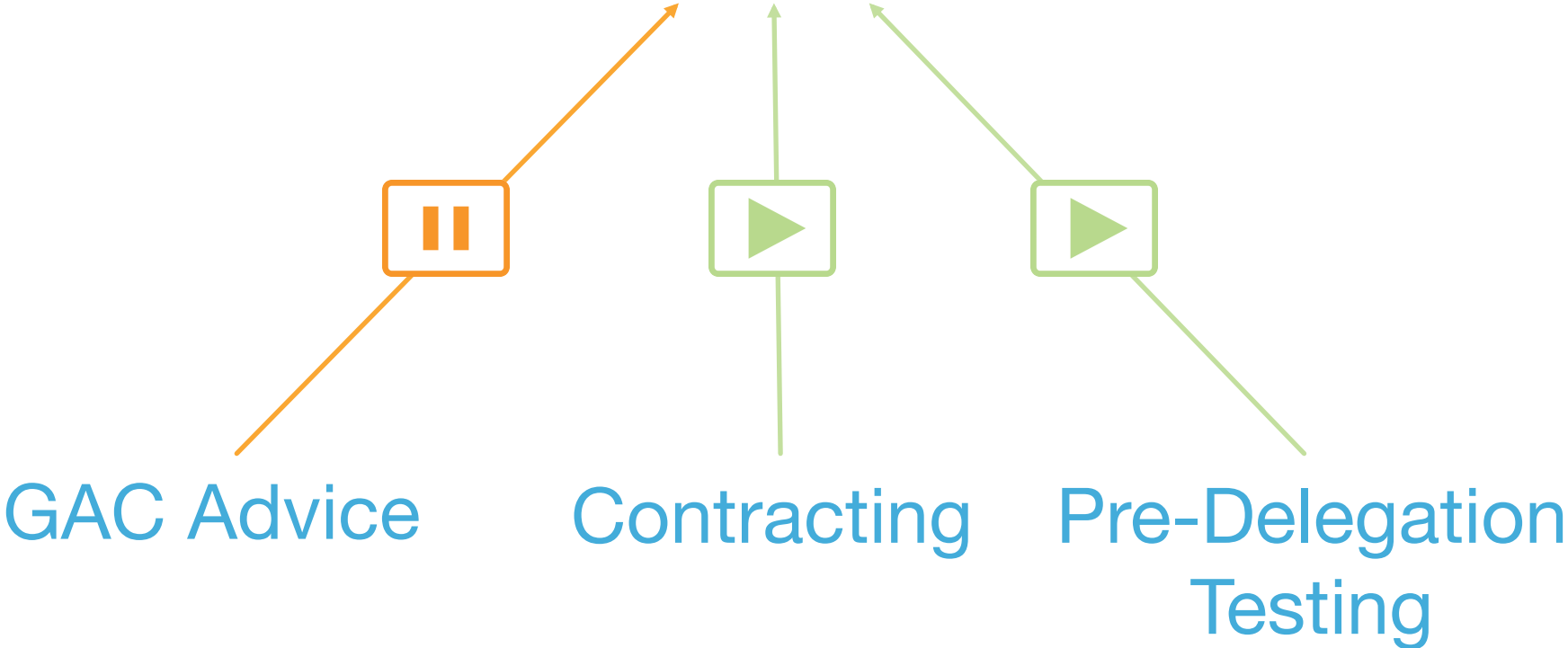
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# On the Horizon
## Governmental Advisory Committee (GAC) Advice

+ Expected shortly after ICANN46 Beijing

+ Once published, applicants will have 21 days to submit a response to the ICANN Board

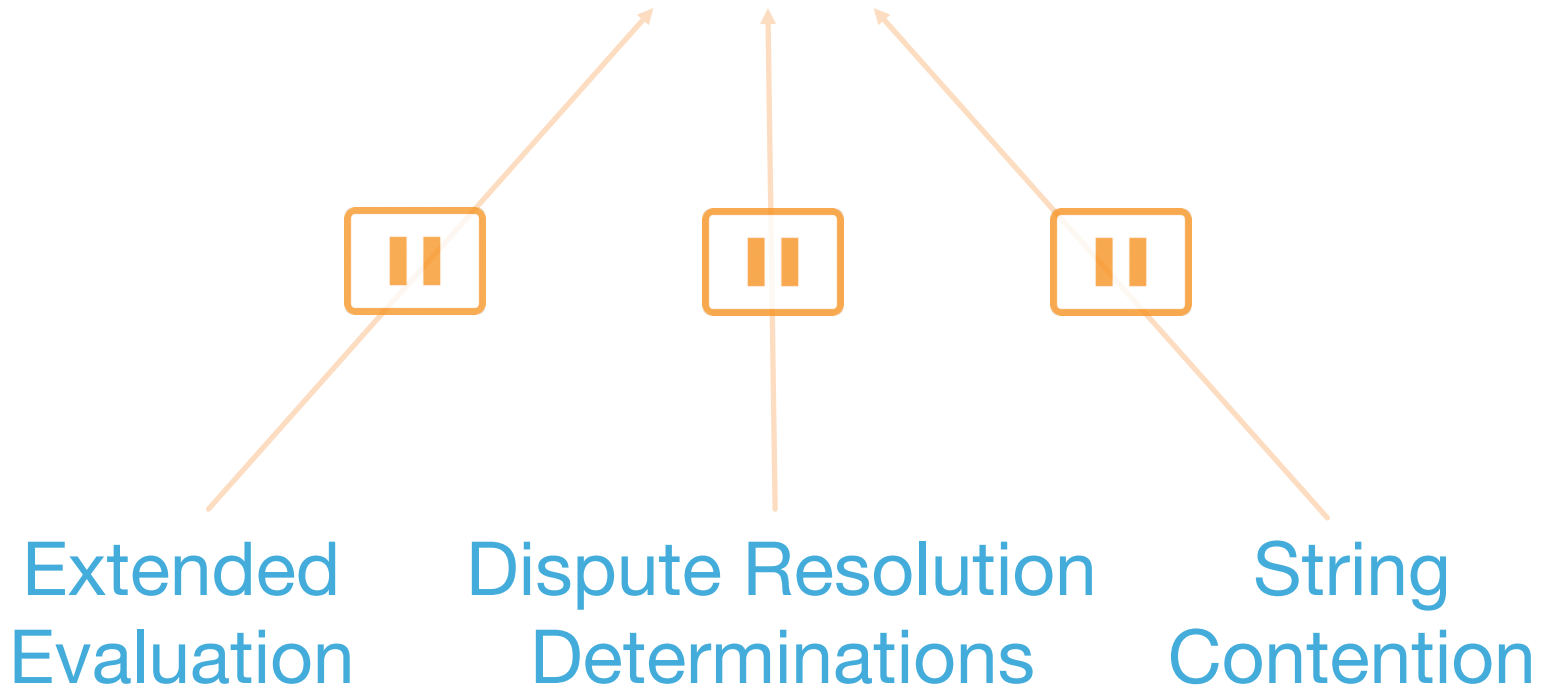+ More information https://gacweb.icann.org

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# On the Horizon
## Contracting

+ Registry Agreement Modifications

+ 23 April: Contracting

+ Applications eligible for contracting: Passed Initial Evaluation, no pending objections/GAC advice, and not in string contention.

+ Receive formal notification to begin the process:

  – Continued Operations Instrument (COI) documentation

  – Contact and signatory information

  – Cross-ownership declaration

  – Indication of acceptance (or not) of base registry agreement

+ Applicants accepting the base registry agreement will be processed rapidly; applicants seeking to negotiate will require more time

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# On the Horizon
## Pre-Delegation Testing

+ PDT pilot completed

  – Proved the PDT system works

+ Observations based on Pilot

  – Communication between applicant and PDT provider may be required to clarify information submitted or to obtain incomplete information

  – Customer support hours will be extended to provide more global support

  – Additional and more detailed applicant preparation materials needed

+ Resources available to help applicants prepare on the new PDT page - http://newgtlds.icann.org/en/applicants/pdt

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Extended
Evaluation

Dispute Resolution
Determinations

String
Contention

# Beyond the Horizon

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# Beyond the Horizon
## Extended Evaluation

+ Aug 2013 (projected)
  Completion of Initial Evaluation

+ Sep 2013 (anticipated)
  15-day window for eligible applicants
  to opt-in to Extended Evaluation

+ Oct 2013 (anticipated)
  Extended Evaluation commencement

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# On the Horizon
## Dispute Resolution

+ 220 Objections validated to date:

  - 33 String Confusion Objections

  - 69 Legal Rights Objections

  - 23 Limited Public Interest Objections

  - 95 Community Objections

+ IO filed 24 Objections

  - 11 Limited Public Interest, 13 Community

+ Dispute Announcement posted on 12-April-2013

+ Applicants have 30 days to respond

  - If fees and responses are not filed by the Applicant, the Objector will prevail by default.

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# Beyond the Horizon
## String Contention Resolution

+ Sep 2013 (anticipated) Community Priority Evaluation

+ Auction will begin following Community Priority Evaluation

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# RIGHTS
# PROTECTION
## mechanisms

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# Rights Protection Mechanisms
## Trademark Clearinghouse (TMCH)

**Important Dates:**

**26 Mar 2013**
Trademark Verification
Service Launched

**6 Apr 2013**
DRAFT Rights Protection
Mechanism Requirements
Posted

**Upcoming**
Agreements To Be Posted

**July 2013**
Sunrise Capability
Operational

**August 2013**
Claims capability
operational

+ The Trademark Clearinghouse will accept and authenticate rights information, and will support both trademark claims and sunrise services required in all new gTLDs.

+ Trademark Clearinghouse Session on Thursday in Grand Hall A at 9:00am

+ More Information
http://newgtlds.icann.org/en/about/trademark-clearinghouse

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# Rights Protection Mechanisms
## Uniform Rapid Suspension (URS)

**Important Dates:**

**20 Feb 2013**
Announcement of First URS Provider: National Arbitration Forum (NAF)

**April**
Supplementary Rules to be Published, and Additional Provider(s) Appointed

**April to June**
System details published (announcement page, interfaces, verification)

**July**
System launch and demonstration

+ Uniform Rapid Suspension will provide rapid relief to trademark holders for the most clear-cut cases of infringement and offer lower-cost, faster responses than the existing Uniform Domain Name Dispute Resolution Policy

+ More information http://newgtlds.icann.org/en/applicants/urs

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# Rights Protection Mechanisms
## Post-Delegation Dispute Resolution Procedure (PDDRP)

**Important Dates:**

**27 Apr 2013**
Close of PIC DRP reply period

+ PDDRPs are dispute mechanisms for dealing with registry operators as opposed to applicants

+ 3 Post-Delegation Dispute Resolution Processes:

  – Trademark

  – Registry Restrictions

  – Public Interest Commitments

+ Launching with first new gTLD

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# OPERATIONAL SUPPORT mechanisms

# Operational Support Mechanisms
## Service Level Agreement Monitoring (SLA)

**Important Dates:**

**01 Aug 2013**
Full DNS testing operational, WHOIS and EPP tested using standard TCP port test

**01 Oct 2013**
Full EPP, WHOIS, and correlational testing operational

+ SLA Monitoring will ensure that registries are providing the required baseline level of service in three primary areas: DNS, RDDS and EPP

+ Registry Monitoring Platform in development with partner Zabbix SIA

+ Monitoring nodes across all ICANN regions

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# Operational Support Mechanisms
## Centralized Zone Data Access Program (CZDAP)

**Important Dates:**

**10 Jun 2013**
CZDAP Launch

**07 Jul 2013**
Extended Functionality
Launch

+ The Centralized Zone Data Access Program will provide a scalable, streamlined way for consumers to access all TLD zone file data in one location, and in a standardized and consistent format

+ Model developed by community of registry operators and security experts

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# Operational Support Mechanisms
## Emergency Back-end Registry Operator (EBERO)

**Important Dates:**

**02 Apr 2013**
EBERO providers announced

**August 2013**
EBERO operational

nominet
neustar    CNNIC
中国互联网络信息中心

**EBERO**
Emergency Back-End Registry Operators

+ Emergency Back-end Registry Operators will provide the five critical registry functions for three to five years in the event of a TLD registry operator failure or in the case of transition from one registry operator to another

+ Next steps:

  – Contracting

  – Process Workshop – finalize details

  – Testing and Simulation

+ More information
  http://www.icann.org/en/resources/registries/ebero/faqs

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# Operational Support Mechanisms
## Data Escrow

**Important Dates:**

**07 Mar 2013**
Call for Data Escrow Agents
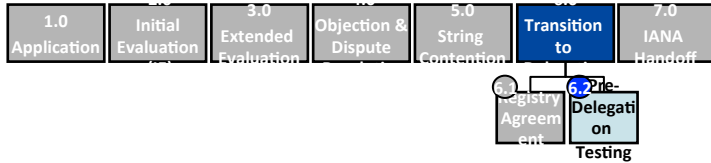
+ Data escrow requires each new gTLD registry to save data with an ICANN accredited data escrow agent

+ More information
http://newgtlds.icann.org/en/applicants/agb/base-agreement-spec-2-data-escrow

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# PROCESS
# PEOPLE
# TECHNOLOGY

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# Process
# Pre-Delegation Testing Procedures

## Process Overview 6.2 Pre-Delegation Testing

**Process flow:** 1.0 Application → 2.0 Initial Evaluation (IE) → 3.0 Extended Evaluation → 4.0 Objection & Dispute Resolution → 5.0 String Contention → 6.0 Transition to Delegation → 7.0 IANA Handoff

Sub-steps: 6.1 Registry Agreement, 6.2 Pre-Delegation Testing

### Process Overview:
The Pre-Delegation Testing (PDT) is the test required of an Applicant which assesses their ability to administer technical aspects of managing a new global top level domain (gTLD). This test must be passed successfully before the gTLD can be delegated into the domain name system (DNS). Prerequisite to this process is the Applicant's submission to ICANN of a completed PDT Test Form and an executed Registry Agreement (RyA). ICANN has engaged a PDT service provider (PDTSP) to execute the testing process on its behalf.

ICANN is responsible for:

- Determining the business rules of the interaction & responsibilities of ICANN & the PDTSP

- Approving the criteria of the tests and the criteria for passing or failing pre-delegation testing

- Validating application's readiness for PDT (i.e., successful completion of IE/EE, and resolution of an Change Requests, Objections, or String Contention issues)

- Acts as Applicant primary liaison throughout the process, scheduling the Applicant's testing appointment with the PDTSP, and providing introduction of Applicant to PDTSP

- Oversight of the PDT activities, affirming the Applicant has executed the PDT within the timeframe specified in the Applicant's RyA , and ensuring Applicant and PDTSP work in cooperation to achieve successful PDT outcome

- Ensuring Applicant has engaged an Escrow Agency to support data and finance user protections

- Responsible for oversight of the PDTSP service performance and operations, and compliance with ICANN SOW

- Facilitating ICANN Steering Committee's approval of PDT results prior to IANA handoff & Applicant notification

- PDT reporting and internal/external communication, as required (e.g., public posting, operational status, results)

### Key Dates:
Starts when first applications are successfully released from Initial Evaluation (Extended) with no Objections, GAC Advice , or String Contention issues outstanding, and have executed an ICANN Registry Agreement. PDT activity may start may be as early as April 22, 2013 with expected volumes ramping from 20 to 100 tests per week.

### Prerequisite / Process Inputs:

- *Application Status Ready for PDT* – PDT is triggered to start by application processing; includes executed RyA

- *Scheduled PDT Appointment* – facilitated by ICANN, a testing appointment secured by the Applicant and validated by PDTSP in accordance with PDTSP test staging and operational activities

- *Escrow Agent Engagement* – Applicant supplied information related to the independent entity they engaged to act as data escrow agent for data and financial registrant and user protections. Confirming Applicant has implemented Continued Operations Instrument and data escrow

- *PDT Data and Information* –Applicant submitted pre-test data and information to the PDTSP to set up testing activities (including PDT Form)
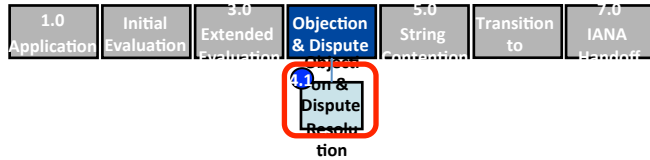
## 6.2 Pre-Delegation Testing Process
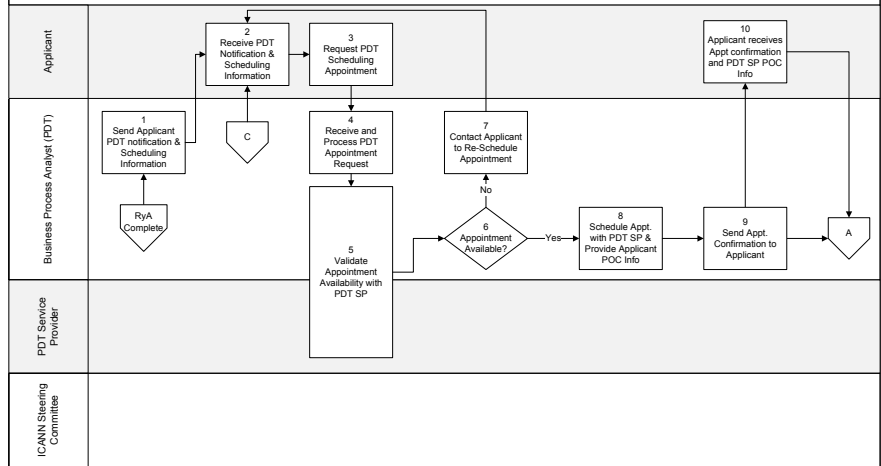


## 6.2 Pre-Delegation Testing Process (Continued)
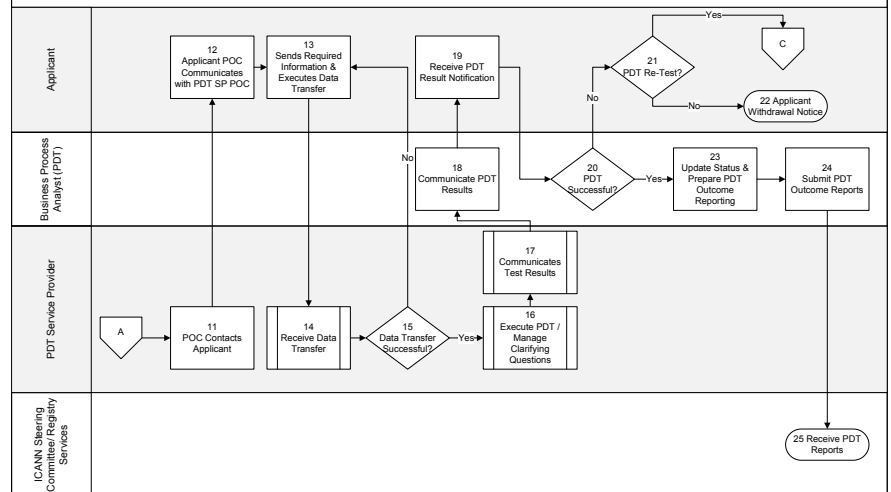
# Process
# Objection and Dispute Resolution Procedures

## Process Overview 4.1 Objection and Dispute Resolution

| 1.0 Application | Initial Evaluation | 3.0 Extended Evaluation | Objection & Dispute | 5.0 String Contention | Transition to | 7.0 IANA Handoff |
|---|---|---|---|---|---|---|

**Process Overview:**

The objection process is intended to afford businesses, individuals, governmental entities and communities an opportunity to formally advance arguments against introducing certain new gTLDs into the domain name system. Parties with standing may file formal objections to applied-for gTLD strings on the grounds of string confusion, legal rights, limited public interest or community opposition.

*Objection Filing*

Objectors must file a formal objection directly with specified Dispute Resolution Service Providers (DRSP), third party qualified experts identified by ICANN to manage dispute resolution. Different providers are responsible for different grounds for objection as follows:

• The International Centre for Dispute Resolution: *String Confusion*
• The Arbitration and Mediation Center of the World Intellectual Property Organization: *Legal Rights*
• The International Centre of Expertise of the International Chamber of Commerce: *Limited Public Interest and Community Opposition*

ICANN will provide objection funding assistance to Governments and the At-Large Advisory Committee (ALAC). Where requested and approved, ICANN will pay required funding assistance fees directly to the appropriate DRSP. Objections may also be filed by the Independent Objector (IO), appointed to act independently and solely in the best interests of the public, not on behalf of any particular persons or entities. The IO is limited to filing objections on the grounds of Limited Public Interest and Community Opposition.
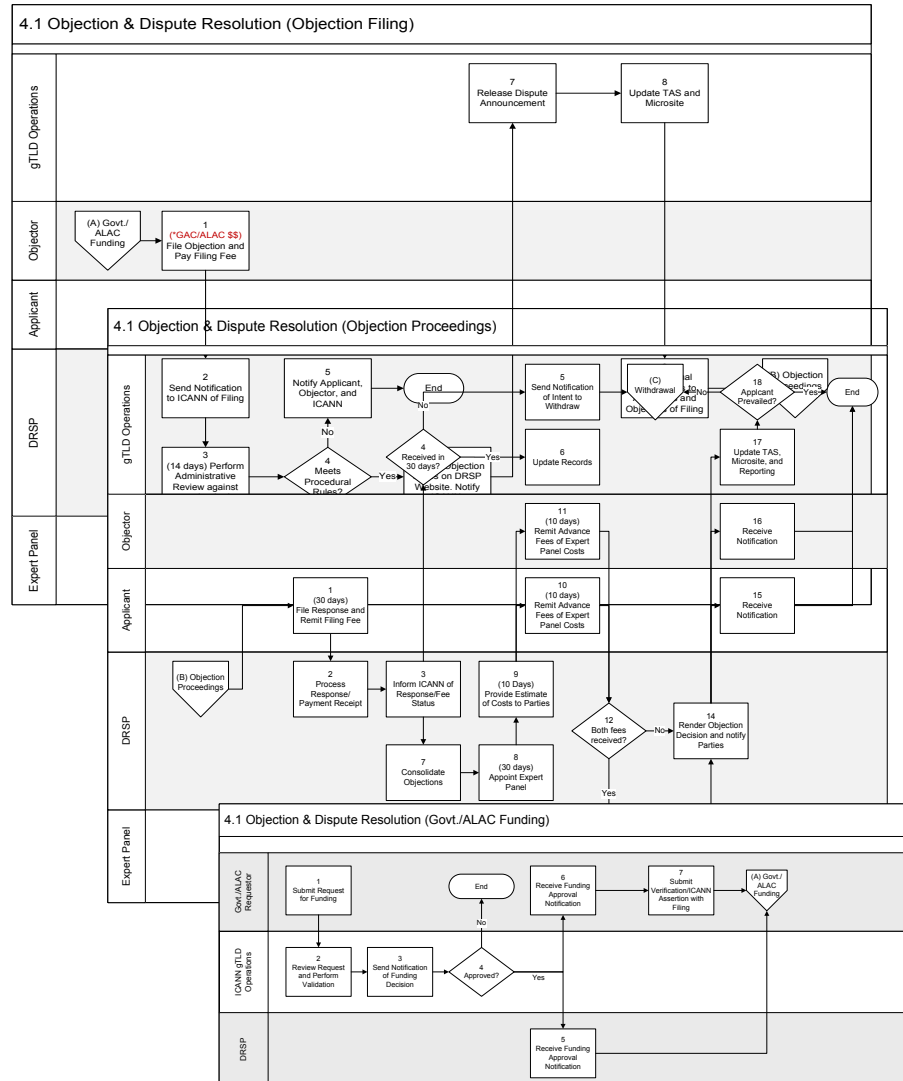
*Objection Processing*

Each DRSP will:

• Conduct administrative reviews of objections to ensure compliance with the New gTLD Dispute Resolution Procedure and applicable DRSP rules.
• Notify applicants of filed objections and collect responses and respective filing fees.
• Appoint an expert panel to resolve objections and communicate results to ICANN and the respective parties.
• Collect fees associate with the expert panel from involved parties and refund fees to the prevailing party.

ICANN is responsible for:

• Posting a Dispute Announcement notice of all objections filed and subsequently posting the results determined by DRSPs
• Funding Government, ALAC, and IO objection fees
• Informing all internal ICANN stakeholders on Objection & Dispute Resolution progress (e.g., Legal, ALAC point of contact, GAC point of Contact)
• Monitoring the progress of all objection proceedings including regular status and communication
• Processing applications appropriately, dependent upon objection results

If the prevailing party is the applicant, the applicant may proceed to the subsequent stage of the new gTLD program review. If the applicant does not clear the objection, the applicant is not eligible for further new gTLD program review.

# People

## Application Processing

- **Background Screening**
- **Initial Evaluation**
- **Transition to Delegation**
- **Applicant Assistance**
- **Objection Filing**
- **Extended Evaluation**
- **String Contention**

## Rights Protection Mechanisms

- **Trademark Clearinghouse**
- **URS**
- **Post Delegation Dispute Resolution**

## Operational Support Mechanisms

- **Data Escrow**
- **SLA Monitoring**
- **EBERO**

## Customer Service

- **Customer Inquiries**
- **Withdrawals**
- **Change Requests**
- **Evaluation Support**
- **Correspondence**

## Program Operations

- **Procurement & Vendor Management**
- **Finance**
- **Communications**

## Program Support

- **Risk Management**
- **Board Support**
- **Policy Engagement & Implementation**

## Systems & Technology

- **Application Evaluation Management**
- **Application Tracking & Management**
- **Applicant & Panel Support**
- **Public Posting & Communication**

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# Technology
## Industry Standard Tools

# Thank you!

Attend Additional New gTLD Sessions:

Monday:        New gTLD Security Stability & Resiliency (SSR) Update

Monday:        New gTLD Registry, 2013 RAA, & Registrants Rights & Responsibilities

Wednesday:     IDN Variant Program

Wednesday:     New gTLD Pre-Delegation Testing Process Review

Thursday:      Trademark Clearinghouse