

Assumptions | Subsequent Procedures Operational Design Phase

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Prepared by ICANN org

The Subsequent Procedures Operational Design Phase (SubPro ODP) project team reviewed the 300+ outputs in the [Final Report on the new gTLD-Subsequent Procedures Policy Development Process](#) and collaboratively drafted assumptions across all 41 topics of the Final Report. An [Initial Set of Assumptions](#) was shared and presented for discussion during the [ICANN73 SubPro ODP session](#). Since then, the project team has continued its work. This document presents a total of 36 assumptions by topic that have not been shared with the community and 152 assumptions by topic that have previously been shared with the community that are shaded gray. Previous versions of this document included assumption policy questions that are now located in a separate document [here](#). Index numbers have been added to the assumptions document as a way to reference specific assumptions in future documents.

Overarching Assumptions

General

Index	Assumption	Relevant Output	Rationale & Supporting References
O-1	The language used in this affirmation is the basis for the purpose of the program.	The Working Group affirms that the primary purposes of new gTLDs are to foster diversity, encourage competition, and enhance the utility of the DNS.	
O-2	The Board will determine which topics or issues will serve as dependencies or prerequisites to be addressed prior to the launch of the next round.		
O-7	The 2012 Applicant Guidebook (AGB) represents the implementation of the GNSO's 2007 policy recommendations on the introduction of new gTLDs. Not everything in the Guidebook is "policy."	The Working Group recommends that the existing policy contained in the 2012 Applicant Guidebook, that a "systematized manner of applying for gTLDs be developed in the long term," be maintained.	Also see: The SubPro recommendations, if adopted by the Board, will replace and supersede the GNSO's 2007 policy recommendations on the introduction of new gTLDs.
O-8	The specific scheduling and timing of rounds is determined by the org.	Recommendation 3.2: Upon the commencement of the next application submission period, there must be clarity around the timing and/or criteria for initiating subsequent procedures from that point forth. More specifically, prior to the commencement of the next application submission period, ICANN	

Index	Assumption	Relevant Output	Rationale & Supporting References
		must publish either (a) the date in which the next subsequent round of new gTLDs will take place or (b) the specific set of criteria and/or events that must occur prior to the opening up of the next subsequent round.	
O-10	The Board retains the ability to adopt temporary policies under the provisions of the Bylaws.		
O-19	ICANN org will design the next round processes to be as predictable as possible, this is our goal. There will always be unanticipated developments that will not be possible to get to 100%.		This is consistent with the rationale in the Final Report, which notes that "Rationale in Final Report: "The recommendations from this Working Group are intended and expected to lessen the likelihood of unaccounted for issues in the future, but this framework is a recognition that despite best efforts, some issues may be missed and circumstances may simply change over time."
O-382	The AGB for the next round will contain all updates and clarifications as appropriate per the ICANN Board's consideration, determination, and direction issued to ICANN org. Updates will strive to be clear and specific to the degree possible. Content will be updated in concert with the community per established process(es) and will be finalized well before the application submission window opens to provide potential applicants time to review the requirements.		
O-387	Community reporting will include general updates from ICANN org as well as specific status on topics/outputs		Community will want to know the overall status of the effort as well as specifics (issues) related to the Final Report.
O-386	The Program will operate on a cost recovery basis.	The Working Group affirms the principle of cost recovery reflected in the 2012 Applicant Guidebook: "The gTLD evaluation fee is set to recover costs associated with the new gTLD program. The fee is set to ensure that the program is fully funded and revenue neutral and is not subsidized by existing contributions from ICANN funding sources, including generic TLD registries and registrars, ccTLD contributions and RIR contributions."	A basic restatement of the affirmation.

Index	Assumption	Relevant Output	Rationale & Supporting References
P-6	Affirmation 1.1 refers to the text in section 1.1.6 of the Guidebook that says “It is the policy of ICANN that there be subsequent application rounds, and that a systemized manner of applying for gTLDs be developed in the long term,” and is not affirming the language in section 1.1.6 on the 1-year goal or requirement for reviews of the “first round.”	The Working Group recommends that the existing policy contained in the 2012 Applicant Guidebook, that a “systematized manner of applying for gTLDs be developed in the long term,” be maintained.	SubPro Final Report, p.221

Applicant Guidebook

Index	Assumption	Relevant Output	Rationale & Supporting References
O-463	Sections of the AGB may be shared with the community prior to the completion of the entire AGB.		In order to maximize efficiency, it is likely that the AGB will be updated in sections. Once a section is deemed “complete”, it will be put out for public comment. While this will increase the total number of public comments, it will spread the community’s review workload across a longer period of time, increasing the likelihood of effective community input before finalizing the AGB language.
O-464	Some implementation materials will be produced separately from the AGB.		Not all material can or should be published as part of the AGB.
O-466	The AGB will include process flows and descriptions of all primary/critical program functions. Procedural and training documentation for internal use will be generated after publication of the AGB as part of the operationalization phase.	Implementation Guidance 12.6: To ensure that the AGB is a practical resource for users, the core text should be focused on the application process. Historical context and policy should be included in appendices or a companion guide, while remaining linked to relevant AGB provisions. The Working Group suggests including step-by-step instructions for applicants with clear guidance about how the process may vary in the case of applications for different categories of TLDs or other situations.	ICANN org requires an approved version of the AGB to produce procedural and training documentation.

Applicant Support

Index	Assumption	Relevant Output	Rationale & Supporting References
O-187	Outreach and awareness efforts will be expansive and conducted well in advance of the opening of the next round, and no later than the start of the communications period/awareness campaign.	Outreach and awareness-raising activities should be delivered well in advance of the application window opening, as longer lead times help to promote more widespread knowledge about the program. Such outreach and education should commence no later than the start of	Conducting timely outreach is essential to ensuring participation in the next round of new gTLDs.

		the communications period.	
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Applicant Reviews

Index	Assumption	Relevant Output	Rationale & Supporting References
O-274	ICANN org will determine if application evaluation questions/guidance maximize predictability through internal evaluations.	All application evaluation questions and any accompanying guidance must be written such that it maximizes predictability and minimizes the likelihood of clarifying questions (CQs).	
O-275	Clarifying questions, responses and related material that are retained from the 2012 round will be analyzed by ICANN org to improve the clarity for future use.	In order to meet the objectives of the relevant recommendation, ICANN org should at a minimum, conduct a detailed analysis of CQs and CQ responses, additional guidance to the Applicant Guidebook, knowledge articles, and supplemental notes from the 2012 round of the New gTLD Program to better understand the basis for applicant' providing unanticipated responses to the 2012 questions. This effort will help improve the clarity of questions in the future. This implementation guidance is consistent with recommendations 2.6.b and 2.7.b from ICANN org's Program Implementation Review Report.	
O-276	ICANN Org will redact portions of CQ/CQ responses that it determines to be confidential.	ICANN org must publish CQs and CQ responses related to public questions. ICANN org may redact certain parts of the CQ and CQ response if there is nonpublic information directly contained in these materials or if publication in full is likely to allow the inference of nonpublic or confidential information.	
O-277	ICANN org/designee will perform a technical and operational evaluation only once and apply across all applications that share the exact same technical infrastructure (from the same or different applicant).	ICANN org or its designee should aggregate and/or consolidate the technical and operational evaluation across applications to the extent feasible where the applications, for all intents and purposes, share identical responses to the relevant questions, particularly as it relates to the proposed registry services. This is intended to apply even when an applicant indicates that it will not use a pre-evaluated RSP. For example, if an applicant submits multiple applications or multiple applications are submitted from different applicants that share a common technical infrastructure, the technical and operational evaluation may only need to be performed once for the first application processed and then applied to subsequent applications. Additional evaluation would only need to occur for subsequent applications if a new service is being	

		proposed or the application includes a new element that requires additional evaluation of services.	
O-278	The technical and operational evaluation must emphasize evaluation of elements that are specific to the application and/or applied-for TLD and should avoid evaluating elements that have already been thoroughly considered either as part of the RSP pre-evaluation program or previously in connection with another application and/or applied-for TLD.	Consistent with Implementation Guidance 39.6 under Topic 39: Registry System Testing, the technical and operational evaluation must emphasize evaluation of elements that are specific to the application and/or applied-for TLD and should avoid evaluating elements that have already been thoroughly considered either as part of the RSP pre-evaluation program or previously in connection with another application and/or applied-for TLD.	
O-282	The AGB, and, where applicable, corresponding information on ICANN's website, will be updated to include a list of resources for applicants re: RSPs, Stakeholder Groups/Associations where applicants can get more information.	As part of the financial evaluation, ICANN should not evaluate proposed business models, nor provide sample business models and/or tools for applicants to demonstrate financial wherewithal. The Applicant Guidebook should provide applicants with a list of resources to get information on RSPs, Stakeholder Groups and associations from which applicants can get information.	

Applicant Comments

Index	Assumption	Relevant Output	Rationale & Supporting References
O-291	Usability is a guiding principle when designing the application comment system. Note that comments may or may not directly be a part of the application system.	Systems supporting application comment must emphasize usability for those submitting comments and those reviewing the comments submitted. This recommendation is consistent with Program Implementation Review Report Recommendation 1.3.a, which states: "Explore implementing additional functionality that will improve the usability of the Application Comment Forum."	

Operational Readiness (e.g., Services, Vendors, Contracts, Security and Stability)

Index	Assumption	Relevant Output	Rationale & Supporting References
O-98	All data collection and processing conducted by ICANN will be in compliance with applicable laws and regulations.	The Working Group expects that data collection and processing conducted by ICANN org will be in compliance with applicable data protection law.	The current NGPC Framework will be utilized as a supporting document/reference for this recommendation.
O-145	The AGB will be updated to address the criteria for the newly proposed evaluation panel to	During the evaluation process, each applied-for string should be evaluated to determine whether it	The current NGPC Framework will be utilized as a supporting document/reference for this

	determine which of the four categories (as outlined in the NGPC Framework) an applied-for string falls under.	falls into one of the four groups, and therefore is subject to the applicable safeguards. An evaluation panel should be established for this purpose, the details of which will be determined in the implementation phase. The panel should be composed of experts in regulated industries, who will also be empowered to draw on the input of other experts in relevant fields.	recommendation.
O-256	ICANN will work with the community on monitoring the root and detect root zone scaling issues.	ICANN should continue to work with the community on mechanisms to monitor the root and develop procedures to ensure that any root zone scaling issues are detected in a timely manner.	ICANN, as part of its commitment to maintaining the security and stability of the DNS, should work with the community on developing procedures to detect issues related to scaling in the root zone, such as a Root Zone Early Warning System, as proposed by the Office of the CTO.
O-259	ICANN will not allow emojis at any level in top-level domain names, but the policy does not have jurisdiction over already registered second-level domain names.	In connection to the affirmation of Recommendation 4 from the 2007 policy, emojis in domain names, at any level, must not be allowed.	ICANN, in support of security and stability, must not allow emoji in top-level domain names. This also ties to recommendations from the SSAC in SAC095, which the Board has already accepted.
O-258	ICANN will work with the community on monitoring the root and detect root zone scaling issues.	ICANN should continue to work with the community on mechanisms to monitor the root and develop procedures to ensure that any root zone scaling issues are detected in a timely manner.	ICANN, as part of its commitment to maintaining the security and stability of the DNS, should work with the community on developing procedures to detect issues related to scaling in the root zone, such as a Root Zone Early Warning System, as proposed by the Office of the CTO.
O-261	ICANN will honor the principle of conservatism when adding new gTLDs to the root zone and will focus on the rate of change for the root zone rather than the total number of delegated strings.	ICANN must honor and review the principle of conservatism when adding new gTLDs to the root zone. ICANN must focus on the rate of change for the root zone over smaller periods of time (e.g., monthly) rather than the total number of delegated strings for a given calendar year.	To ensure security and stability, ICANN must ensure that TLDs are added at a consistent and conservative rate, and that rate of change must be monitored over a smaller period of time.
O-262	ICANN will delegate TLDs at a rate such that the overall number of TLDs in the root zone does not increase by more than 5 percent per month.	All application evaluation questions and any accompanying guidance must be written such that it maximizes predictability and minimizes the likelihood of clarifying questions (CQs).	In line with the principle of conservatism and monitoring the rate of increase of TLDs in the root, ICANN should not allow the amount of TLDs in the root zone to increase by more than 5 percent per month.
O-299	The Name Collision Occurrence Management Framework will continue to be used as-is, unless the Board approves a new framework. In the case that the Board approves a new framework, this framework will be in place prior to the opening of the next round.	Recommendation 29.1: ICANN must have a mechanism in place to evaluate the risk of name collisions in the New gTLD evaluation process, as well as during the transition to delegation phase, prior to the opening of the Application Submission period. Affirmation 29.2: The Working Group affirms continued use of the New gTLD Name Collision Occurrence Management Framework unless and until the ICANN Board adopts a new mitigation framework. This includes not changing the controlled interruption duration and the required readiness for human-life threatening	As the current authoritative framework, the Name Collision Occurrence Management Framework (https://www.icann.org/en/system/files/files/name-collision-framework-30jul14-en.pdf) will continue to be used in the next round, unless the Board approves a new framework. Any mitigation framework should be in place prior to the start of the next round.

		conditions for currently delegated gTLDs and future new gTLDs.	
O-300	ICANN org will consider any outcomes of the ongoing Name Collision Analysis Project (NCAP) studies in implementation of the next round, as the outcomes of those studies may have an effect on components of the next round (e.g., DNS Stability Evaluation, NCMF).		ICANN org will need to consider any findings as it develops procedures for the next round, including the ongoing Name Collision Analysis Project (NCAP), which may produce findings related to current procedures for mitigating name collision (e.g., the Name Collision Occurrence Management Framework),..
O-370	Sequencing of SubPro recommendations: Implementation of Recommendation 41.2 would be prioritized after the new gTLD applications are processed and before new gTLD contracts are signed and new gTLDs are delegated.		Topic-specific but also overarching/related to sequencing of recommendations. SubPro Final Report, p.309

Information Management

Index	Assumption	Relevant Output	Rationale & Supporting References
O-54	Applications may qualify as more than one type and subject to multiple evaluation path flows.		As was the case during the 2012 round, ICANN org will receive a variety of applications that may fall under different types or categories of applications. In some cases, an application may fall under multiple "types" in which case they will be subject to multiple evaluation paths.
O-55	The New gTLD Program will continue to recognize and accept Intergovernmental organization, governmental entity, and applicant support as applicant types.		
O-57	ICANN org will identify and list any requirements pertaining to application changes in the Applicant Guidebook or other program documentation, as section 4 is does not specify if changes to any of the identified application, applicant, and string types are permitted during the application process or prior to signing the Registry Agreement.		
O-58	An applied-for string can be identified by an applicant as a geographic name; however, designation of the string as a geographic name will occur according to the geographic names review panel.		
O-64	The priority order of processing for IDN strings should continue in future rounds.		

O-425	ICANN org will process each application per the specific characteristics of that application.	To the extent that in the future, the then-current application process and/or base agreement unduly impedes an otherwise allowable TLD application by application type, string type, or applicant type, there should be a predictable community process by which potential changes can be considered. This process should follow the Predictability Framework discussed under Topic 2. See also the recommendation under Topic 36: Base Registry Agreement regarding processes for obtaining exemptions to certain provisions of the base Registry Agreement.	
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Applications Assessed in Rounds

Index	Assumption	Relevant Output	Rationale & Supporting References
O-44	IG 3.3 allows, but does not require, ICANN org to have more than one active round simultaneously (e.g., org could open round n+1 while some applications from round “n” are still being processed).		
O-45	ICANN org will need to provide lists of 'not currently available strings' from previous or current active rounds prior to the start of a new application round.		Applicants in a round need to be able to reference which strings are still in process from a previous round, as well as which strings are ineligible for applications due to being previously delegated.

Topic-specific Assumptions

Topic 2 | IRT and SPIRT (Predictability)

Index	Assumption	Relevant Output	Rationale & Supporting References
P-15	Recommendation 2.1 requires the formation of a SPIRT.	"ICANN must establish predictable, transparent, and fair processes and procedures for managing issues that arise in the New gTLD Program after the Applicant Guidebook is approved which may result in changes to the Program and its supporting processes. The Working Group recommends that ICANN org use the Predictability Framework detailed in Annex E of this Report as its guidance during implementation to achieve the goal of	

		<p>predictability in mitigating issues. Additionally, the Working Group recommends the formation of a Standing Predictability Implementation Review Team (“SPIRT”) (Pronounced “spirit”) to serve as the body responsible for reviewing potential issues related to the Program, to conduct analysis utilizing the framework, and to recommend the process/mechanism that should be followed to address the issue (i.e., utilize the Predictability Framework). The GNSO Council shall be responsible for oversight of the SPIRT and may review all recommendations of the SPIRT in accordance with the procedures outlined in the GNSO Operating Procedures and Annexes thereto”</p>	
P-16	<p>The refund policy should include factors for determining refunds on an “exceptional basis” based on the circumstances of the issue and how much work has been expended in processing the application.</p>		
P-20	<p>The same issue does not need to come before the SPIRT more than once.</p>		
P-21	<p>The scope of the Predictability Framework is to identify the proper mechanism for a solution (PDP, Guidance, study, other?). There is no bar to what mechanism the SPIRT, could recommend.</p>		
P-22	<p>Based on this scope, a primary question for handling issues under the Predictability Framework (see Annex E) would therefore be whether the issue raises any policy questions.</p>		
P-24	<p>Established GNSO processes take precedence over SPIRT in event of a conflict.</p>		
P-25	<p>The SPIRT is organized, chartered, and supported by the GNSO Council.</p>		
W-26	<p>Advice affecting program processes or specific applications may be issued at any time via one or more advisory committees.</p>		
P-30	<p>ICANN org will raise operational issues for Board consideration prior to notifying SPIRT. Policy</p>		<p>ICANN org will oversee the operation efforts of the New gTLD program. Significant operational changes that</p>

	related issues identified by ICANN org will be shared with the Board and GNSO Council for consideration prior to sharing with SPIRT.		impact applicants and require SPIRT consultation will be shared with the Board. As the GNSO oversees the policy development process they will oversee policy issues that require SPIRT consultation. This is based on guidance provided in Annex E 1-3.
P-33	<p>The Predictability Framework does not change the roles and responsibilities of:</p> <ul style="list-style-type: none"> the ICANN Board. the ICANN organization in relation to implementation of policies. the Implementation Review Team in relation to implementation of policies. 		SPIRT will only be used to address issues that arise in the New gTLD program and have the issues managed in a predictable, transparent and fair manner. The roles of the ICANN Board, ICANN org, and IR
P-35	Non-minor, new or significant operational issues will be determined by ICANN org and, if applicable, vetted by the ICANN Board prior to making any changes or raising the issue to SPIRT.		
P-37	In some cases documenting a change log will be limited based on specific considerations such as security, confidentiality, privacy, etc.	Implementation Guidance 2.5: ICANN org should maintain and publish a change log or similar record to track changes to the New gTLD Program, especially those that arise and are addressed via the Predictability Framework and the SPIRT. The change log should contain a level of detail sufficient for the community to understand the scope and nature of the change without compromising security, the privacy of individuals, or confidentiality obligations owed to applicants or to other third parties. The GNSO Council should be informed of updates to the change log on a regular and timely basis. Interested parties should be able to subscribe to the change log to be informed of changes.	To implement guidance 2.5 applicable data privacy laws will need to be considered.
P-38	ICANN org will work with the IRT to define the criteria for the "Code of Conduct". Code of Conduct will be enforced by the GNSO Council since the GNSO Council will be the governing body of SPIRT.	Annex 3 f. f. Code of Conduct • Members of the SPIRT will be subject to a code of conduct stating that they may not take action that is designed to discriminate against any entity/applicant or group of entities/applicants.	The criteria of Code of conduct is not defined in the guidance provided in Annex E. f. Since the GNSO Council will oversee SPIRT they will take on the role of enforcing the Code of Conduct.
W-12	ICANN will need to disclose to applicants how unanticipated developments will be handled, including refund policies.		
W-14	An applicant may voluntarily withdraw an application at any		

	point after submission and before registry agreement execution.		
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Topic 3 | Applications Assessed in Rounds

Index	Assumption	Relevant Output	Rationale & Supporting References
P-39	A clearly defined process for handling the rounds will need to be developed to address the topics affected. An assessment for the types of rounds should be outlined to help determine and recommend a course of action.	Output: Affirmation	The manner in which future rounds are structured may impact the implementations of a number of program elements, for example Applicant Guidebook (Topic 12), Communications (Topic 13), Application Support (Topic 17), and RSP Pre-Evaluation (Topic 6).
W-40	ICANN org will develop criteria for determining the end of an active round.		
P-46	ICANN systems need to be able to identify or “tag” which round an application is part of.		

Topic 4 | Different TLD Types

Index	Assumption	Relevant Output	Rationale & Supporting References
W-59	The Category 1 Safeguards applied in 2012 will continue.		

Topic 6 | RSP Pre-Evaluation

Index	Assumption	Relevant Output	Rationale & Supporting References
P-77	<p>Recommendation 6.8 states that the RSP pre-evaluation program must be funded by those seeking pre-evaluation, on a cost-recovery basis.</p> <p>Where the recommendation says “Costs of the program should be established during the implementation phase by the IRT in collaboration with ICANN org,” the reference to “costs” should refer to “fees.” That is, the IRT would not be in a position to determine the processing costs of the pre-evaluation process; however, in line with the rationale for this</p>		

	<p>recommendation, ICANN org would share the cost estimates with the IRT to help determine an appropriate fee structure. In addition, the IRT's role would be to provide input and advice on development of the fee structure, rather than having the responsibility to establish it as part of implementation.</p>		
P-80	<p>ICANN org will determine the full lifecycle of RSP pre-approval for each round including approval, monitoring and revocation of approval and the will consider the resulting downstream impacts on the round and applicants.</p>		
P-83	<p>An RSP that applies but does not pass pre-evaluation can still submit or support gTLD applications during the application submission period. In this instance, ICANN would conduct the technical evaluation according to the information submitted and the existing criteria, without reference to the RSP's pre-evaluation submission.</p>		
P-85	<p>Recommendation 6.5 requires that pre-evaluation occur prior to each application round and only applies to that specific round. Thus, a "Round n" pre-evaluated status could be used for "Round n" gTLD applications, but could not be used for "Round n+1" gTLD applications.</p>		
P-88	<p>A list of pre-evaluated RSPs will be published 6 months in advance of the opening of the application submission window.</p>	<p>A list of pre-evaluation RSPs must be published on ICANN's website with all of the other new gTLD materials and must be available to be used by potential applicants with an adequate amount of time to determine if they wish to apply for a gTLD using a pre-evaluated RSP.</p>	
P-90	<p>Applicants will be allowed to provide their own registry services for their applications or other applicants.</p>	<p>Participation in the RSP pre-evaluation process must be voluntary and the existence of the process shall not preclude an applicant from providing its own registry services or providing registry services to other new gTLD registry operators, provided that the applicant passes technical evaluation and testing during the standard application process.</p>	
P-91	<p>Both new and incumbent RSPs will be able to use the RSP pre-evaluation process and criteria shall be the same for both.</p>	<p>The RSP pre-evaluation process shall be open to all entities seeking such evaluation, including both new and incumbent RSPs. For the initial RSP pre-evaluation process, both the evaluation criteria and testing requirements shall be the</p>	

		same regardless of whether the RSP applying for evaluation is a new RSP or an incumbent RSP.	
P-94	The RSP pre-evaluation program must be funded on a cost-recovery basis.	The RSP pre-evaluation program must be funded by those seeking pre-evaluation on a cost recovery basis. Costs of the program should be established during the implementation phase by the Implementation Review Team in collaboration with ICANN org.	
P-429	The cost for RSP pre-evaluation will be established by the requirements from policy outputs and will be estimated and determined by ICANN org.	The RSP pre-evaluation program must be funded by those seeking pre-evaluation on a cost-recovery basis. Program cost should be established during the implementation phase by the IRT in collaboration with ICANN org.	

Topic 7 | Metrics and Monitoring

Index	Assumption	Relevant Output	Rationale & Supporting References
P-101	Recommendation 7.3 requires the identification of service-level requirements for each phase of application processing, and the publication of monthly data on performance against these requirements.	ICANN org must establish metrics and service level requirements for each phase of the application process including each during the review, evaluation, contracting and transition to delegation stages. ICANN must report on a monthly basis on its performance with respect to these key performance indicators.	
P-103	Recommendation 7.5 requires publication of SLAM data on a regular basis.	ICANN org must publish anonymized, aggregate SLA monitoring data on a regular basis.	
P-104	ICANN org will work with the IRT to develop the Impact Metrics and Service-Level Requirements.	From the Rationale for Recommendation 7.1 and Implementation Guidance 7.2: The Working Group agreed that fostering consumer choice, consumer trust, and market differentiation must continue to be primary focal points for the New gTLD Program, and therefore areas around which measures of success should be established, data collected, and effectiveness measured. The PDP briefly sought to try and identify metrics for success but ultimately determined that this exercise is more appropriately completed during the implementation phase, in accordance with Board-approved recommendations of the CCT-RT, although the Working Group has put forward some suggested metrics for further consideration as implementation guidance. The	

		Working Group believes that an Implementation Review Team should determine the appropriate metrics, and the data required, to measure such metrics on a regular basis to help evaluate the New gTLD Program.	
P-106	The rationale for Recommendation 7.1 notes that ICANN org may need to open negotiations with the contracted parties to require data submission in the terms of the RAA and Registry Agreement. This may require a policy recommendation.	From the Rationale for Recommendation 7.1 and Implementation Guidance 7.2: The Working Group recognizes that certain metrics may require the collection of additional data from the contracted parties which may not already be collected under the current Registry and Registrar Agreements. The Working Group therefore recognizes that ICANN org may need to enter into discussions with the Contracted Parties during implementation to determine what, if any, data may be needed in the future to measure these metrics on an ongoing basis, and to include the collection and use of such data in any subsequent Registry and Registrar Agreements, provided that such collection and use is in accordance with applicable law.	Terms included in the Registry Agreement and RAA cannot be required without negotiation with contracted parties unless they are the result of a policy recommendation. Should negotiation to include such terms fail, a policy recommendation would be required to include the terms in the agreements.
P-108	Implementation Guidance 7.6 recommends that the published SLAM data should include (a) the thresholds that have been applied in the monitoring, and (b) the number of events that have triggered or nearly triggered an EBERO event since launch of EBERO for the 2012 round (emphasis added). We read this to mean that the required publication of data in Recommendation 7.5 should also include certain past-looking data.	ICANN org should publish 1. The thresholds on the five critical registry functions that it has used to determine the triggering of an EBERO event 2. The number of events that have triggered or come close to triggering EBERO since launch of EBERO for the 2012 round.	
P-402	ICANN org will identify and design relevant baseline metrics that take into account the relevant CCT recommendations during the operational design phase.	"Metrics collected to understand the impact of the New gTLD Program should, broadly speaking, focus on the areas of trust, competition, and choice. The Working Group notes that the Competition, Consumer Trust and Consumer Choice Review's 2018 Final Report includes a series of recommendations regarding metrics. Work related to the development of metrics should be in accordance with CCT-RT recommendations currently adopted by the Board, as well as those adopted in the future. The Working Group suggests the following possible metrics for further consideration in the implementation phase: The presence of new gTLDs in lists of highly used websites, such as Alexa 1 Million and Cisco Umbrella 1 Million	

		<p>Recognition of specific gTLDs in niches, communities, and verticals</p> <p>Annual growth of new gTLDs as compared to legacy TLDs and previous application rounds, i.e., comparing the growth of TLDs approved in 2012 with TLDs approved in subsequent rounds</p> <p>Number of new registries and registrars year over year</p> <p>Locations of new registries and registrars year over year, in an effort to see how subsequent rounds affects diversity in the marketplace</p> <p>Categories of gTLDs offered and diversity metrics within those categories"</p>	
P-403	<p>During implementation, ICANN org will determine the appropriate "meaningful" metrics and data required that are not limited to CCT recommendations to evaluate the impact of the New gTLD Program. ICANN org will confer with the IRT when such metrics are identified.</p>	<p>"Rationale for Recommendation 7.1 and Implementation Guidance 7.2: The Working Group agreed that fostering consumer choice, consumer trust, and market differentiation must continue to be primary focal points for the New gTLD Program, and therefore areas around which measures of success should be established, data collected, and effectiveness measured. The PDP briefly sought to try and identify metrics for success but ultimately determined that this exercise is more appropriately completed during the implementation phase, in accordance with Board-approved recommendations of the CCT-RT, although the Working Group has put forward some suggested metrics for further consideration as implementation guidance. The Working Group believes that an Implementation Review Team should determine the appropriate metrics, and the data³⁹ required, to measure such metrics on a regular basis to help evaluate the New gTLD Program."</p>	
P-405	<p>Metrics designed by ICANN org and the IRT will comply with relevant privacy laws. Collection of data to measure metrics will be designed in a way that takes into account data protection and privacy concerns.</p>	<p>Rationale for Recommendation 7.1 and Implementation Guidance 7.2: The Working Group expects that data collection and processing conducted by ICANN org will be in compliance with applicable data protection law.</p>	

P-406	ICANN org will identify initial Service Level Agreements (SLA) requirements for each phase of application processing during the Operational Design Phase. These SLA requirements will be refined during the implementation phase.	"Recommendation 7.3: ICANN org must establish metrics and service level requirements for each phase of the application process including each during the review, evaluation, contracting and transition to delegation stages. ICANN must report on a monthly basis on its performance with respect to these key performance indicators."	
P-407	ICANN org will identify potential areas in the Subsequent procedures program that require further development and refinement of the SLA monitoring systems. This review will take place once the program has been running for a period of at least six months to allow for more robust monitoring of TLD operations.	"Recommendation 7.4: ICANN org must further develop its Service Level Agreement (SLA) monitoring to allow for more robust ongoing monitoring of TLD operations."	
P-408	ICANN org will publish anonymized, aggregate SLA monitoring data quarterly to the extent feasible	"Recommendation 7.5: ICANN org must publish anonymized, aggregate SLA monitoring data on a regular basis."	
P-409	During implementation, ICANN org may identify additional phases in the new gTLD program that require monitoring and metrics outside of the ones identified in the final report. ICANN org will confer with the IRT if and when such phases are identified.	"Recommendation 7.3: ICANN org must establish metrics and service level requirements for each phase of the application process including each during the review, evaluation, contracting and transition to delegation stages. ICANN must report on a monthly basis on its performance with respect to these key performance indicators."	
P-410	ICANN org will consider ongoing metrics similar to EBERO thresholds to monitor the New gTLD Program, and ensure that the IRT is kept informed about this.	Implementation Guidance 7.6: ICANN org should publish 1. The thresholds on the five critical registry functions that it has used to determine the triggering of an EBERO event 2. The number of events that have triggered or come close to triggering EBERO since launch of EBERO for the 2012 round.	

Topic 8 | Conflicts of Interests (COI)

Index	Assumption	Relevant Output	Rationale & Supporting References
P-109	ICANN org will develop a process to reduce conflicts of interest among dispute resolution service provider panelists, Independent Objectors, and application evaluators.	ICANN must develop a transparent process to ensure that dispute resolution service provider panelists, Independent Objectors, and application evaluators are free from conflicts of interest. This process	

		<p>must serve as a supplement to the existing Code of Conduct Guidelines for Panelists, Conflict of Interest Guidelines for Panelists, and ICANN Board Conflicts of Interest Policy.</p> <p>Recommendation 8.1</p>	
P-110	<p>ICANN org will use Code of Conduct Guidelines used in the 2012 round as a starting document, updating with relevant output from the PDP WG Final Report outputs.</p>	<p>ICANN must develop a transparent process to ensure that dispute resolution service provider panelists, Independent Objectors, and application evaluators are free from conflicts of interest. This process must serve as a supplement to the existing Code of Conduct Guidelines for Panelists, Conflict of Interest Guidelines for Panelists, and ICANN Board Conflicts of Interest Policy.</p> <p>Recommendation 8.1</p>	
P-111	<p>ICANN org will develop enhancements to the code of conduct mechanisms in a transparent manner. The rationale for 8.1 does not identify any specific issues with the priority round process.</p>	<p>ICANN must develop a transparent process to ensure that dispute resolution service provider panelists, Independent Objectors, and application evaluators are free from conflicts of interest. This process must serve as a supplement to the existing Code of Conduct Guidelines for Panelists, Conflict of Interest Guidelines for Panelists, and ICANN Board Conflicts of Interest Policy.</p> <p>Recommendation 8.1</p>	
P-112	<p>The rationale for 8.1 does not identify any specific issues with the priority round process.</p>	<p>ICANN must develop a transparent process to ensure that dispute resolution service provider panelists, Independent Objectors, and application evaluators are free from conflicts of interest. This process must serve as a supplement to the existing Code of Conduct Guidelines for Panelists, Conflict of Interest Guidelines for Panelists, and ICANN Board Conflicts of Interest Policy.</p> <p>Recommendation 8.1</p>	

Topic 9 | Registry Voluntary Commitments/Public Interest Commitments

Index	Assumption	Relevant Output	Rationale & Supporting References
W-116	<p>ICANN's Contractual Compliance function is limited by the scope of ICANN's mission as defined in the Bylaws.</p>		
P-120	<p>Recommendation 9.4 requires a process for determining if an applied-for string falls into one of the four groups of the NGPC</p>	<p>The Working Group recommends establishing a process to determine if an applied-for string falls into one of four groups defined</p>	

Index	Assumption	Relevant Output	Rationale & Supporting References
	<p>framework for highly sensitive strings and regulated industries. This determination is made on the string only and not other factors of the application..</p>	<p>by the NGPC framework for new gTLD strings deemed to be applicable to highly sensitive or regulated industries. This process must be included in the Applicant Guidebook along with information about the ramifications of a string being found to fall into one of the four groups.</p> <p>Recommendation 9.4</p>	
P-125	<p>ICANN will develop a process to review proposed RVCs to determine if and how they can be enforced by ICANN's contractual compliance.</p>		
P-128	<p>The word "voluntary" in Registry Voluntary Commitments means that it is voluntary for the applicant to submit such commitments. Once included in the Registry Agreement, compliance with the commitment is not voluntary.</p>		
P-130	<p>The capability for an operational comment period must be continuously available, as applicants can work with ICANN org at the appropriate points to submit new proposed RVCs at any point up to execution of the Registry Agreement.</p>		
P-137	<p>The NGPC framework established in response to Beijing GAC Advice will be used to apply additional Safeguards to high-sensitive/regulated industries.</p>	<p>"The Working Group affirms the framework established by the New gTLD Program Committee (NGPC) to apply additional Safeguards to certain new gTLD strings that were deemed applicable to highly sensitive or regulated industries, as established in response to the Governmental Advisory Committee (GAC) Beijing Communiqué. This framework includes ten (10) Safeguards of different levels implemented amongst a set of four groups with ascending levels of requirements:</p> <p>Regulated Sectors/Open Entry Requirements in Multiple Jurisdictions: Category 1 Safeguards 1-3 applicable</p> <p>Highly-Regulated Sectors/Closed Entry Requirements in Multiple</p>	

Index	Assumption	Relevant Output	Rationale & Supporting References
		<p>Jurisdictions: Category 1 Safeguards 1-8 applicable</p> <p>Potential for Cyber Bullying/Harassment: Category 1 Safeguards 1-9 applicable</p> <p>Inherently Governmental Functions: Category 1 Safeguards 1-8 and 10 applicable</p> <p>Strings that fall into these categories require the adoption of the relevant Category 1 Safeguards as contractually binding requirements in Specification 11 of the Registry Agreement (i.e., as mandatory Public Interest Commitments, or PICs). The Working Group affirms:</p> <p>The four groups described in the NGPC's scorecard;</p> <p>The four groups' varying levels of required Category 1 Safeguards; and</p> <p>The integration of the relevant Category 1 Safeguards into the Registry Agreement, by way of PICs"</p> <p>Affirmation 9.3</p>	
P-138	The Evaluation Panel tasked with evaluating the safeguard elements will conduct its evaluation after the Application Comment Period is complete and at no other time.	<p>The panel evaluating whether a string is applicable to highly sensitive or regulated industries should conduct its evaluation of the string after the Application Comment Period is complete.</p> <p>Implementation Guidance 9.7</p>	
P-139	Any RVCs submitted after application submission will be considered an Application Change and subject to recs under Topic 20.	ICANN must allow applicants to submit Registry Voluntary Commitments (RVCs) (previously called voluntary PICs) in subsequent rounds in their applications or to respond to public comments, objections, whether formal or informal, GAC Early Warnings, GAC Consensus Advice, and/or other comments from the	

Index	Assumption	Relevant Output	Rationale & Supporting References
		<p>GAC. Applicants must be able to submit RVCs at any time prior to the execution of a Registry Agreement; provided, however, that all RVCs submitted after the application submission date shall be considered Application Changes and be subject to the recommendation set forth under topic 20: Application Changes Requests, including, but not limited to, an operational comment period in accordance with ICANN's standard procedures and timeframes.</p> <p>Recommendation 9.9</p>	
P-146	ICANN org will develop a process to determine if an applied-for string falls into 1 of 4 groups as noted in the NGPC Framework.	<p>The Working Group recommends establishing a process to determine if an applied-for string falls into one of four groups defined by the NGPC framework for new gTLD strings deemed to be applicable to highly sensitive or regulated industries. This process must be included in the Applicant Guidebook along with information about the ramifications of a string being found to fall into one of the four groups.</p>	

Topic 11 | Universal Acceptance

Index	Assumption	Relevant Output	Rationale & Supporting References
P-152	All Universal Acceptance information will be made available to applicants as appropriate. Information can be found on both the UASGtech and the UA Steering Committee site: https://www.icann.org/uasg-en	Applicants should be made aware of Universal Acceptance challenges in ASCII and IDN TLDs. Applicants must be given access to all applicable information about Universal Acceptance currently maintained on ICANN's Universal Acceptance Initiative page, through the Universal Acceptance Steering Group, and kept apprised of future efforts.	
P-153	Universal Acceptance (UA) information will be contained in the Applicant Guidebook and prominently referenced.	ICANN should include more detailed information regarding Universal Acceptance issues either directly in the Applicant Guidebook or by reference in the Applicant Guidebook and for any additional resources produced by the	

		Universal Acceptance Steering Group and other related efforts.	
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Topic 12 | Applicant Guidebook

Index	Assumption	Relevant Output	Rationale & Supporting References
P-465	To minimize any advantage to a particular set of applicants, all language versions of the AGB will be published as closely together as possible.	Recommendation 12.9: All other translated versions of the AGB, including in the six U.N. languages, must be available no later than two (2) months prior to the commencement of the application submission period. Implementation Guidance 12.10: All translations of the final AGB should be available concurrent with or as close as possible in time to when the English version is published, but in no event later than two (2) months prior to the commencement of the application submission period.	This aligns with the intent of the recommendation and will ensure that applicants who rely on documentation in a language other than English are not disadvantaged.

Topic 13 | Communications

Index	Assumption	Relevant Output	Rationale & Supporting References
P-155	The application process will include when ICANN will be communicating with applicants and in what manner. Comment forums are a separate communications process when used to inform evaluation panels.	“ICANN will provide frequent communications with applicants and the public including comment forums which will be used to inform evaluation panels.”	SubPro Final Report p. 57

Topic 17 | Applicant Support

Index	Assumption	Relevant Output	Rationale & Supporting References
P-177	Should there be more applications that meet the scoring threshold than there are funds to allocate, ICANN will seek additional funding for qualifying applicants that need support. This could be by making an adjustment to the regular application fees to provide more funding for supported applicants, assuming the AGB is not yet	The dedicated Implementation Review Team should consider how to allocate financial support in the case where available funding cannot provide reduced fees to all applicants that meet the scoring requirements threshold.	Funds for Applicant Support may be limited. In the case that it may not be possible to obtain additional funding, ICANN should be prepared to allocate funds equally across all qualifying applicants.

Index	Assumption	Relevant Output	Rationale & Supporting References
	finalized; additional budget allocation by the Board; and/or by reducing the amount of financial support for each applicant, so that all applicants receive support.		
P-178	ICANN will conduct research and/or engage researchers to assess the amount of the bid credit for Applicant Support Applicants participating in Auctions of Last Resort.	Research should be conducted in the implementation phase to determine the exact nature and amount of the bid credit, multiplier, or other mechanism described in Recommendation 17.15. Research should also be completed to determine a maximum value associated with the bid credit, multiplier, or other mechanism.	The amount of the bidder credit for Applicant Support Applicants must be backed by research and analysis to prevent potential issues related to inequity and/or gaming.
P-179	ICANN will facilitate pro-bono assistance by identifying potential service providers and maintaining a list of such providers. ICANN will not provide any assistance directly.	Therefore, the Working Group recommends the following language in place of Implementation Guideline N: "ICANN must retain the Applicant Support Program, which includes fee reduction for eligible applicants and facilitate the provision of pro-bono non-financial assistance to applicants in need." The revised language updates the original Implementation Guideline to: <ul style="list-style-type: none"> • acknowledge that the Applicant Support Program was in place in the 2012 round • include reference to pro-bono non-financial assistance in addition to fee reduction • eliminate the reference to economies classified by the UN as least developed, as the Program is not limited to these applicants. 	Although ICANN cannot provide assistance directly, ICANN should, in addition to financial assistance, also provide resources for applicants to receive pro-bono services. For example, in the previous round, ICANN facilitated a directory of pro-bono services. On the ASP FAQ page (https://newgtlds.icann.org/en/applicants/candidate-support/faqs) it states: "Examples of the types of support that organizations can provide include: <ul style="list-style-type: none"> - New gTLD Program application writing and application process -Logistical assistance -Technical help -Legal and filing support -Registry back-end services -Infrastructure for providing IPv6 compatibility; IPV6 compatible hardware/networks -DNS services -IDN implementation support -DNSSEC consulting -Translations -Training – in areas like building a sustainability plan, marketing, and operations.
P-180	In lieu of a "dedicated IRT," a sub-team of the IRT will be established to foster cohesion and continuity with the implementation of the overall New gTLD Program.	A dedicated IRT should be established and charged with developing implementation elements of the Applicant Support Program. In conducting its work, the IRT should revisit the 2011 Final Report of the Joint Applicant Support Working Group, as well as the 2012 implementation of the Applicant Support program.	ICANN org recognizes that the GNSO has initiated a GNSO Guidance Process (GGP) in August 2022. The GGP's scope focuses on Applicant Support. Convening one IRT would enhance efficiency, recognizing that Applicant Support is integral to other aspects of the new gTLD program.
P-181	Procedures for the Support Applicant Review Panel (SARP) will be similar to other evaluation panels, such as those evaluations foreseen under Topic 27: Applicant	The Working Group supports Recommendation 6.1.a in the Program Implementation Review Report, which states: "Consider leveraging the same procedural	The procedures for the SARP should be aligned with other evaluation panels and these procedures should be transparent.

Index	Assumption	Relevant Output	Rationale & Supporting References
	Reviews.	practices used for other panels, including the publication of process documents and documentation of rationale.”	
P-182	ICANN will research “globally recognized procedures” that could be adapted for the Applicant Support Program and will engage a vendor to develop framework/metrics/evaluation criteria for Applicant Support Program.	<p>The Working Group supports Recommendation 6.1.b in the Program Implementation Review Report, which states: “6.1.b: Consider researching globally recognized procedures that could be adapted for the implementation of the Applicant Support Program.”</p> <p>In implementing the Applicant Support Program for subsequent rounds, the dedicated Implementation Review Team should draw on experts with relevant knowledge, including from the targeted regions, to develop appropriate program elements related to outreach, education, business case development, and application evaluation. Regional experts may be particularly helpful in providing insight on the development of business plans from different parts of the world.</p> <p>The dedicated Implementation Review Team should seek advice from experts in the field to develop an appropriate framework for analysis of metrics to evaluate the success of the Applicant Support Program. The Working Group identified a non-exhaustive list of potential data points to support further discussion in the implementation phase. The Working Group</p>	Having a better understanding of globally recognized procedures may help ICANN implement a program that better suits the needs of potential applicants. Additionally, engaging experts in developing criteria, frameworks, will help ICANN better meet (and define) the needs of its target groups/regions.
P-183	Applicants will qualify for support, or not, based upon community-established criteria and evaluation. Applicants seeking support through the Applicant Support Program that do not qualify will retain the option to pay the full application fee.	Unless the Support Applicant Review Panel (SARP) reasonably believes there was willful gaming, applicants who are not awarded support (whether “Qualified” or “Disqualified”) must have the option to pay the balance of the full standard application fee and transfer to the standard application process. Applicants must be given a limited period of time to provide any additional information that would be necessary to convert the application into one that would meet the standard criteria (e.g., showing how the applicant for financial and other support could acquire the requisite financial backing and other support services to pass the applicable evaluation criteria). That said, this limited period of time should not cause unreasonable delay to the	It would be challenging for ICANN org to make a determination as to whether an applicant “willfully gamed” the Applicant Support Program. The determination as to whether an applicant seeking support receives that support, or any support, is dependent upon applying agreed-upon criteria and based upon the evaluation of the SARP. Applicants seeking support that do not qualify retain the ability to apply for a new gTLD under the standard application fee structure.

Index	Assumption	Relevant Output	Rationale & Supporting References
		<p>other elements of the New gTLD Program or to any other applicants for a string in which its application may be in a contention set.</p>	
P-185	<p>ICANN org will publish the base funding amount available prior to launching the Applicant Support Program. However, ICANN org will also seek additional funds should there be more qualified applicants seeking support than the original funding available.</p>	<p>ICANN org must develop a plan for funding the Applicant Support Program, as detailed in the Implementation Guidelines below.</p> <p>ICANN org should evaluate whether it can provide funds (as they did in 2012) or whether additional funding is needed for the Applicant Support Program in subsequent rounds. The amount of funding available to applicants should be determined and communicated before the commencement of the application round.</p>	<p>ICANN must determine the amount of funding and where it will come from. To ensure that potential applicants are aware of the amount of funding available, this should be communicated prior to the next round.</p> <p>The funding in the previous round, as well as the use of those funds, provides a starting point for determining the amount of funding for the next round. As mentioned in the assumptions related to conducting outreach/engagement, to determine the amount of funding needed, it is key to have a clear estimate of potential applicants.</p>
P-184	<p>Fee reduction will be available to eligible applicants. The Applicant Guidebook will contain a list of enforceable eligibility criteria for the Applicant Support Program.</p>	<p>The Working Group recommends that as was the case in the 2012 round, fee reduction must be available for select applicants who meet evaluation criteria through the Applicant Support Program... The Working Group believes that the high level goals and eligibility requirements for the Applicant Support Program remain appropriate. The Working Group notes, however, that the Applicant Support Program was not limited to least developed countries in the 2012 round and believes that the Program should continue to be open to applicants regardless of their location as long as they meet other program criteria.</p>	<p>This also relates to Output 15.3 (Application Fees): "Application fees may differ for applicants that qualify for applicant support."</p> <p>Continuing/expanding the Applicant Support Program goes hand-in-hand with ICANN's commitment to making IDN/UA the focus of the next round. Global engagement cannot be achieved without providing additional opportunities for assistance (both financial and non-financial) to those who need it. It is important that ICANN develops the criteria/framework for the Applicant Support Program prior to opening of the application round so that eligibility and evaluation criteria can be detailed in the Applicant Guidebook, as was the case with other evaluation panels/procedures in the previous round.</p>
P-186	<p>ICANN will restrict Applicant Support applicants that prevail in an Auction of Last Resort from assigning the TLD for a period of at least three years. ICANN will require that any Applicant Support applicant conducting an assignment of the TLD three to seven years past the signing of the Registry Agreement to repay the full amount of the support received (financial and non-financial). ICANN will define specific cases when assignments will be allowed</p>	<p>If the applicant receiving Applicant Support prevails in an auction, there should be restrictions placed on the applicant either from assigning the Registry Agreement, and/or from any Change of Control for a period of no less than three (3) years. This restriction seeks to prevent gaming of the Applicant Support Program, whereby an applicant transfers its ownership of a registry to a third party in exchange for any form of financial gain. However, assignments that become</p>	<p>Limits on assignments for Applicant Support applicants that prevail in Auctions of Last Resort are important to prevent gaming.</p>

Index	Assumption	Relevant Output	Rationale & Supporting References
	<p>f. Restricting assignments will, however, not restrict "change of control," in which case, an applicant supporting a TLD may be acquired by another entity.</p>	<p>necessary for the following reasons shall be permitted:</p> <ul style="list-style-type: none"> • Assignments due to the TLD being unable to meet its financial obligations and unable to secure financing or restructure operations to carry out operations in the short-term. • Assignments due to death or retirement of a majority shareholder. • Assignments due to EBERO. • Assignments to affiliates or subsidiaries. • Assignments required by competition authorities. <p>All assignments after such time shall be governed under the then-current Registry Agreement standard provisions, provided that any Assignment or Change of Control after the third (3rd) year, but prior to the seventh (7th) year, shall require the applicant to repay the full amount of financial support received through the Program, including application fees and any bid credit, multiplier, or related benefits, plus an additional ten percent (10%).</p>	
<p>P-459</p>	<p>The Applicant Support Program will evaluate and notify applicants seeking support the results of their evaluation at least six months prior to the opening of the new gTLD application window.</p>		<p>Recognizing several objectives of the Applicant Support Program referenced in the Final Report (and specifically IG 17.4)--providing more notice to potential applicants, allowing for the pursuit of a normal path if the application fails, limits disruption to the overall program in an even more effective manner-- ICANN org suggests initiating the Applicant Support Program in advance of the application window for a new gTLD. This also takes into account that ICANN org will need time to plan and manage the funding plan according to the number of requests for support and that entities applying for support need time to plan and make decisions about whether to proceed with their new gTLD application, depending on whether they qualify for support and what levels/types of support. Note that this assumption on timeline aligns with the RSP Pre-Evaluation process, which will also launch 18 months prior to the gTLD application window opening. Also recognizing that initiating the Applicant Support Program this far in advance may unintentionally disadvantage potential applicants</p>

Index	Assumption	Relevant Output	Rationale & Supporting References
			that do not learn about the new gTLD program 18 months in advance of the next round opening, it may be worth considering how to mitigate this risk, i.e., keeping the Applicant Support Program open until [X] months before and/or during the new gTLD application window.
P-460	The most flexible option for providing fee reductions will be to use a percentage of reduction that will be applied across the entire fee structure. That is, an applicant that qualifies for Applicant Support will receive a specified percentage of fee reduction for all relevant processes and evaluations the applicant may participate in.		Within the lifecycle of an application, there are a number of points at which fees may be charged, depending on the type of application. For example, a Community Application becomes eligible for CPE and is assessed a separate fee. The largest fee will be the base application fee, which all applications will be required to pay, but providing discounts throughout the lifecycle of the application also ensures that applicants of limited financial means will not be surprised with large fees if the application needs to be updated or evaluated for specific elements. Therefore, providing a percentage discount for certain aspects will be helpful in terms of predictability and moderating the costs throughout the process.
P-445	Financial assistance criteria will be updated to be inclusive of applicants with demonstrable financial need, regardless of geographic location or economic development status.	Outreach efforts should not only target the Global South, but also those located in struggling regions that are further along in their development. In addition, the evaluation criteria for Applicant Support must be similar to those currently set forth in Criteria #1, Section 4 (Operation in a developing economy) of the Financial Assistance Handbook.	Global engagement includes those in many regions within and outside of the Global South, and the Applicant Support Program should take that into account in both its outreach plans and evaluation criteria. While it would be difficult to define “struggling regions” and at what scales (e.g., from a poor neighborhood in an affluent city in an advanced economy?), it is less challenging to define and obtain evidence for an applicant’s financial need, regardless of their location.
P-447	As ICANN is not a grant-seeking organization, ICANN will, through the Pro Bono Assistance Program, act as a facilitator in the introduction of industry players or potential funding partners to the prospective entrants.	ICANN org should seek funding partners to help financially support the Applicant Support Program, as appropriate.	The ICANN Board noted in its comment on the Draft Final Report that this Implementation Guidance would change the role of ICANN, as ICANN is not a grant-seeking organization. Alternatively, ICANN should act as a facilitator in the introduction of industry players or potential funding partners to the prospective entrants.

Topic 19 | Application Queuing

Index	Assumption	Relevant Output	Rationale & Supporting References
P-193	The reference to 'IDN strings that elect to participate in the prioritization draw' in Recommendation 19.3 is illustrative of Implementation Guidance 19.2 examples for procedures related to application queuing. Recommendation 19.3 does not require an optional, fee-based prioritization draw.	Procedures related to application queuing should be simplified and streamlined to the extent possible. For example, applicants could be provided the opportunity to pay the optional fee for participating in the drawing along with payment for the application. Another suggestion is to explore ways to assign a prioritization number during the application process without the need for a distinctly separate drawing event.	IG 19.2 includes two examples of how to prioritize applications. The reference in Recommendation 19.3 that applications can elect to participate in a prioritization draw is to illustrate one of those examples.

Topic 20 | Change Requests

Index	Assumption	Relevant Output	Rationale & Supporting References
		The Working Group recommends allowing application changes to support the settling of contention sets through business combinations or other forms of joint ventures. In the event of such a combination or joint venture, ICANN org may require that re-evaluation is needed to ensure the new combined venture or entity still meets the requirements of the program. The applicant must be responsible for additional material costs incurred by ICANN due to re-evaluation, and the application could be delayed.	
W-195	ICANN org will implement a mailing list or other 'opt in' mechanism for notification purposes regarding when an application change request triggers an operational comment period.	Community members should have the option of being notified if an applicant submits an application change request that requires an operational comment period to be opened at the commencement of that operational comment period.	
W-196	Additional costs and delays will be incurred if re-evaluation is necessary due to joint ventures or combination of applications - in case these settle contention sets.	The Working Group recommends allowing application changes to support the settling of contention sets through business combinations or other forms of joint ventures. In the event of such a combination or joint venture, ICANN org may require that re-evaluation is needed to ensure that the new combined venture or entity still meets the requirements of the program. The applicant must be responsible for additional, material costs incurred	

		by ICANN due to re-evaluation and the application could be subject to delays.	
W-197	Applicants will have the option to delay evaluation of their own application in order to submit a change request on the basis of business combination or other form of joint venture. Such a pause should not exceed a 60 calendar day limit.	ICANN org should explore the possibility of allowing applicants to request that the evaluation of their own application is delayed by 60-90 days so that they can submit an applicant change request on the basis of business combination or other form of joint venture. This request would need to be made prior to Initial Evaluation of the application.	
W-198	Implementing Recommendation 20.8 will require amending Specification 13 of the Registry Agreement. The descriptive word, as detailed in (b), will have to be in the language and script of the relevant Trademark Registration.	The Working Group recommends allowing .BRAND TLDs to change the applied-for string as a result of a contention set where (a) the change adds descriptive word to the string, (b) the descriptive word is in the description of goods and services of the Trademark Registration, (c) such a change does not create a new contention set or expand an existing contention set, (d) the change triggers a new operational comment period and opportunity for objection and, (e) the new string complies with all New gTLD Program requirements. When the .BRAND applicant changes the applied-for string, the new string will also be considered a .BRAND. The Working Group recognizes that an exception or a modification to Specification 13 will be needed to implement this recommendation. The Working Group further recognizes that in order to implement this recommendation, applications seeking to change their applied-for string will need to be evaluated for eligibility as a .Brand before the string change request is accepted. This may occur either by ICANN specifically evaluating those individual applications during Initial Evaluation or by evaluating all applicants that elect to be .BRANDs during Initial Evaluation.	

Topic 21 | Reserved Names

Index	Assumption	Relevant Output	Rationale & Supporting References
P-200	Special-use Domain names as noted in IETF RFC 6761 will continue to be reserved.	The Working Group acknowledges the reservation at the top level of Special-Use Domain Names through the procedure described in	

		IETF RFC 6761. Recommendation 21.4	
P-201	The list of reserved strings in the AGB will be increased to include "PTI".	The Working Group recommends reserving as unavailable for delegation at the top level the acronym associated with Public Technical Identifiers, "PTI". Recommendation 21.6	

Topic 22 | Registrant Protections

Index	Assumption	Relevant Output	Rationale & Supporting References
P-205	EBERO and associated triggers for EBERO as well as Registrant Protections noted in Spec. 6 of the RA will continue to be used.	The Working Group affirms existing registrant protections used in the 2012 round, including the Emergency Back-end Registry Operator (EBERO) and associated triggers for an EBERO event and critical registry functions. In addition, as described under Topic 27: Applicant Reviews: Technical/Operational, Financial and Registry Services, the substantive technical and operational evaluation is being maintained and therefore, protections against registry failure, including registry continuity, registry transition, and failover testing continue to be important registrant protections. The Working Group also supports the registrant protections contained in Specification 6 of the Registry Agreement. Affirmation 22.1	
W-204	If a COI is required it will not be part of the financial evaluation and should only be required at the time of executing the RA.	To the extent that it is determined that a Continued Operations Instrument will be required, it should not be part of the financial evaluation. It should only be required at the time of executing the Registry Agreement.	
P-209	TLDs that are approved for a code of conduct exemption and/or Spec 13 will not be required to provide a COI or any sort of contribution to EBERO functions, though they will still be subject to the protections from the EBERO program.	TLDs that have exemptions from the Code of Conduct (Specification 9), including .Brand TLDs qualified for Specification 13, must also receive an exemption from Continued Operations Instrument (COI) requirements or requirements for the successor to the COI.	

Topic 24 | String Similarity

Index	Assumption	Relevant Output	Rationale & Supporting References
P-213	Applicants will be required to file a String Confusion Objection no less than 30 days after the release of String Similarity Evaluation results.	The deadline for filing a String Confusion Objection must be no less than thirty (30) days after the release of the String Similarity Evaluation results. This recommendation is consistent with Program Implementation Review Report recommendation 2.3.a.	
P-214	Affirmation 24.1 will only apply to applied-for strings that are confusingly similar to existing top-level domains or a reserved name. The option to differentiate confusingly similar strings by intended usage (via RVCs, as per Rec 24.2) only applies to applied-for strings. In other words, an applied-for string cannot circumvent Affirmation 24.1 in any way including not by including an RVC that limits/specifies intended use of that string.	The Working Group affirms Recommendation 2 from the 2007 policy, which states “Strings must not be confusingly similar to an existing top-level domain or a Reserved Name.”	
P-215	The intended use of existing strings that are already in the root by the time the immediate next round opens cannot be determined.	<p>The Working Group recommends updating the standards of both (a) confusing similarity to an existing top-level domain or a Reserved Name, and (b) similarity for purposes of determining string contention, to address singular and plural versions of the same word, noting that this was an area where there was insufficient clarity in the 2012 round. Specifically, the Working Group recommends prohibiting plurals and singulars of the same word within the same language/script in order to reduce the risk of consumer confusion. For example, the TLDs .EXAMPLE342 and .EXAMPLES may not both be delegated because they are considered confusingly similar. This expands the scope of the String Similarity Review to encompass singulars/plurals of TLDs on a per-language/script basis.</p> <p>An application for a single/plural variation of an existing TLD or Reserved Name will not be permitted if the intended use of the applied-for string is the single/plural version of the existing TLD or Reserved Name. For example, if there is an existing TLD .SPRINGS that is used in connection with elastic objects and a new application for .SPRING that is also intended to be used in connection with elastic objects, .SPRING will not be permitted.</p>	SAC114 included: “The SSAC recommends that the words “intended use” be removed as a defining characteristic to determine for whether applications should be placed in the same contention set or not.” https://www.icann.org/en/system/files/files/sac-114-en.pdf

		<p>If there is an application for the singular version of a word and an application for a plural version of the same word in the same language/script during the same application window, these applications will be placed in a contention set, because they are confusingly similar.</p> <p>Applications will not automatically be placed in the same contention set because they appear visually to be a single and plural of one another but have different intended uses. For example, .SPRING and .SPRINGS could both be allowed if one refers to the season and the other refers to elastic objects, because they are not singular and plural versions of the same word. However, if both are intended to be used in connection with the elastic object, then they will be placed into the same contention set. Similarly, if an existing TLD .SPRING is used in connection with the season and a new application for .SPRINGS is intended to be used in connection with elastic objects, the new application will not be automatically disqualified. The Working Group recommends using a dictionary to determine the singular and plural version of the string for the specific language.</p> <p>The Working Group recognizes that singulars and plurals may not visually resemble each other in multiple languages and scripts globally. Nonetheless, if by using a dictionary, two strings are determined to be the singular or plural of each other, and their intended use is substantially similar, then both should not be eligible for delegation.</p>	
P-216	The SWORD tool will not be used in the subsequent procedures.	Eliminate the use of the SWORD tool in subsequent procedures.	
P-397	Operators of existing TLDs will not be required to add a RVC to their TLD to limit or define the intended use of the string.	The Working Group recommends updating the standards of both (a) confusing similarity to an existing top-level domain or a Reserved Name, and (b) similarity for purposes of determining string contention, to address singular and plural versions of the same word, noting that this was an area where there was insufficient clarity in the 2012 round. Specifically, the Working Group recommends prohibiting plurals and singulars of the same word within the same language/script in order to reduce the risk of consumer confusion. For example, the TLDs	

		<p>.EXAMPLE342 and .EXAMPLES may not both be delegated because they are considered confusingly similar. This expands the scope of the String Similarity Review to encompass singulars/plurals of TLDs on a per-language/script basis.</p> <p>An application for a single/plural variation of an existing TLD or Reserved Name will not be permitted if the intended use of the applied-for string is the single/plural version of the existing TLD or Reserved Name. For example, if there is an existing TLD .SPRINGS that is used in connection with elastic objects and a new application for .SPRING that is also intended to be used in connection with elastic objects, .SPRING will not be permitted.</p> <p>If there is an application for the singular version of a word and an application for a plural version of the same word in the same language/script during the same application window, these applications will be placed in a contention set, because they are confusingly similar.</p> <p>Applications will not automatically be placed in the same contention set because they appear visually to be a single and plural of one another but have different intended uses. For example, .SPRING and .SPRINGS could both be allowed if one refers to the season and the other refers to elastic objects, because they are not singular and plural versions of the same word. However, if both are intended to be used in connection with the elastic object, then they will be placed into the same contention set. Similarly, if an existing TLD .SPRING is used in connection with the season and a new application for .SPRINGS is intended to be used in connection with elastic objects, the new application will not be automatically disqualified. The Working Group recommends using a dictionary to determine the singular and plural version of the string for the specific language.</p> <p>The Working Group recognizes that singulars and plurals may not visually resemble each other in multiple languages and scripts globally. Nonetheless, if by using a dictionary, two strings are determined to be the singular or plural of each other, and their intended use is substantially similar, then both should not be eligible for delegation.</p>	
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<p>P-399</p>	<p>Singular and plural versions of the same string applied for in the same round may not be automatically placed in a contention set based on visual similarity if the intended use is different.</p>	<p>The Working Group recommends updating the standards of both (a) confusing similarity to an existing top-level domain or a Reserved Name, and (b) similarity for purposes of determining string contention, to address singular and plural versions of the same word, noting that this was an area where there was insufficient clarity in the 2012 round. Specifically, the Working Group recommends prohibiting plurals and singulars of the same word within the same language/script in order to reduce the risk of consumer confusion. For example, the TLDs .EXAMPLE342 and .EXAMPLES may not both be delegated because they are considered confusingly similar. This expands the scope of the String Similarity Review to encompass singulars/plurals of TLDs on a per-language and script basis.</p> <p>An application for a single/plural variation of an existing TLD or Reserved Name will not be permitted if the intended use of the applied-for string is the single/plural version of the existing TLD or Reserved Name. For example, if there is an existing TLD .SPRINGS that is used in connection with elastic objects and a new application for .SPRING that is also intended to be used in connection with elastic objects, .SPRING will not be permitted.</p> <p>If there is an application for the singular version of a word and an application for a plural version of the same word in the same language or script during the same application window, these applications will be placed in a contention set, because they are confusingly similar.</p> <p>Applications will not automatically be placed in the same contention set because they visually appear to be a single and plural of one another but have different intended uses. For example, .SPRING and .SPRINGS could both be allowed if one refers to the season and the other refers to elastic objects, because they are not singular and plural versions of the same word. However, if both are intended to be used in connection with the elastic object, then they will be placed into the same contention set. Similarly, if an existing TLD .SPRING is used in connection with the season and a new application for .SPRINGS is intended to be used in connection with elastic objects, the new application will not be</p>	
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		<p>automatically disqualified. The Working Group recommends using a dictionary to determine the singular and plural version of the string for the specific language.</p> <p>The Working Group recognizes that singulars and plurals may not visually resemble each other in multiple languages and scripts globally. Nonetheless, if by using a dictionary, two strings are determined to be the singular or plural of each other, and their intended use is substantially similar, then neither should be eligible for delegation.</p>	
<p>P-400</p>	<p>ICANN will select appropriate, commonly used dictionaries to determine the singular and plural version of the string for a specific language.</p>	<p>The Working Group recommends updating the standards of both (a) confusing similarity to an existing top-level domain or a Reserved Name, and (b) similarity for purposes of determining string contention, to address singular and plural versions of the same word, noting that this was an area where there was insufficient clarity in the 2012 round. Specifically, the Working Group recommends prohibiting plurals and singulars of the same word within the same language/script in order to reduce the risk of consumer confusion. For example, the TLDs .EXAMPLE342 and .EXAMPLES may not both be delegated because they are considered confusingly similar. This expands the scope of the String Similarity Review to encompass singulars and plurals of TLDs on a per-language or per-script basis.</p> <p>An application for a single or plural variation of an existing TLD or Reserved Name will not be permitted if the intended use of the applied-for string is the single or plural version of the existing TLD or Reserved Name. For example, if there is an existing TLD .SPRINGS that is used in connection with elastic objects and a new application for .SPRING that is also intended to be used in connection with elastic objects, .SPRING will not be permitted.</p> <p>If there is an application for the singular version of a word and an application for a plural version of the same word in the same language or script during the same application window, these applications will be placed in a contention set, because they are confusingly similar.</p>	

		<p>Applications will not automatically be placed in the same contention set because they appear visually to be a single and plural of one another but have different intended uses. For example, .SPRING and .SPRINGS could both be allowed if one refers to the season and the other refers to elastic objects, because they are not singular and plural versions of the same word. However, if both are intended to be used in connection with the elastic object, then they will be placed into the same contention set. Similarly, if an existing TLD .SPRING is used in connection with the season and a new application for .SPRINGS is intended to be used in connection with elastic objects, the new application will not be automatically disqualified. The Working Group recommends using a dictionary to determine the singular and plural version of the string for the specific language.</p> <p>The Working Group recognizes that singulars and plurals may not visually resemble each other in multiple languages and scripts globally. Nonetheless, if by using a dictionary, two strings are determined to be the singular or plural of each other, and their intended use is substantially similar, then neither should be eligible for delegation.</p>	
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Topic 25 | IDN Tables

Index	Assumption	Relevant Output	Rationale & Supporting References
P-217	A string not yet in the RZ-LGR can be applied for but ICANN org will determine whether the application for such a string should be deprioritized and/or deferred to a next round. ICANN will make clear to such applicants of the possibility that such a string may never be delegated.	If a script is not yet integrated into the RZ-LGR, applicants should be able to apply for a string in that script, and it should be processed up to, but not including, contracting. Applicants under such circumstances should be warned of the possibility that the applied-for string may never be delegated and they will be responsible for any additional evaluation costs.	Strings that are not in the RZ-LGR may be applied for but should not be prioritized, so as to avoid expending ICANN org resources on such applications. ICANN should be clear that such strings may never be delegated.
P-218	Single character gTLDs, which do not introduce confusion risks, will be allowed for specific scripts/languages.	Single character gTLDs may be allowed for limited script/language combinations where a character is an ideograph (or ideogram) and do not introduce confusion risks that rise above commonplace similarities, consistent with	Allowing single character gTLDs in defined scripts/languages, which may have many single character/ideogram words, is essential to ensuring a diverse applicant pool (e.g., .愛 'love')

		SSAC171 and Joint ccNSO-GNSO IDN Workgroup (JIG) reports.	
P-219	IDN-variant gTLDs will be allowed in cases where the labels are allocated to the same entity and have the same back-end registry service provider. ICANN will update Registry Agreements with this policy.	IDN gTLDs identified as variant TLDs of already existing or applied for gTLDs will be allowed only if labels are allocated to the same entity and, when delegated, only if they have the same back-end registry service provider. This policy must be captured in relevant Registry Agreements.	Ensuring that variants are allocated to the same entity and have the same back-end registry service provider is essential to preventing user confusion, should variants be delegated to separate entities.
P-222	Second-level labels under allocated variant TLDs must be allocated to the same entity. Second-level variant labels must also be allocated to the same entity.	<p>A given second-level label under any allocated variant TLD must only be allocated to the same entity/registrar, or else withheld for possible allocation only to that entity (e.g., s1 under {t1, t1v1, ...}, e.g., s1.t1 and s1.t1v1).</p> <p>For second-level variant labels that arise from a registration based on a second-level IDN table, all allocatable variant labels in the set must only be allocated to the same entity or withheld for possible allocation only to that entity (e.g., all allocatable second-level labels {s1, s1v1, ...} under all allocated variant TLD labels {t1, t1v1, ...}).</p> <p>Second-level labels derived from Recommendation 25.6 or Recommendation 25.7 are not required to act, behave, or be perceived as identical.</p>	Ensuring that second-level labels and variants are allocated to the same entity and have the same back-end registry service provider is essential in preventing user confusion, should variants be delegated to separate entities.
P-240	The application system needs to integrate RZ-LGR for algorithmic calculations for the applied-for label. Both IDN and ASCII gTLD application labels need to be processed for their validity, availability, and variant relationships.	Compliance with Root Zone Label Generation Rules (RZLGR168,RZ-LGR-2, and any future RZ-LGR rules sets) must be required for the generation of TLDs and variants ¹⁶⁹ labels, including the determination of whether the label is blocked or allocatable. IDN TLDs must comply with IDNA2008 (RFCs 5890-5895) or its successor(s). To the extent possible, and consistent with Implementation Guidance 26.10, algorithmic checking of TLDs should be used.	
P-256	ICANN org will need to develop a mechanism to undertake compliance enforcement for this requirement.	<p>A given second-level label under any allocated variant TLD must only be allocated to the same entity/registrar, or else withheld for possible allocation only to that entity (e.g., s1 under {t1, t1v1, ...}, e.g., s1.t1 and s1.t1v1).</p> <p>For second-level variant labels that arise from a registration based on a second-level IDN table, all allocatable variant labels in the set must only be allocated to the same entity or withheld for possible</p>	This requires looking at gTLD and its variant gTLDs, which may be different zones (there may be different implementations for managing gTLD variants).

		allocation only to that entity (e.g., all allocatable second-level labels {s1, s1v1, ...} under all allocated variant TLD labels {t1, t1v1, ...}).	
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Topic 26 | Security and Stability

Index	Assumption	Relevant Output	Rationale & Supporting References
P-420	Rate control should not just be limited to delegation; attention should be paid during the preceding steps, during contracting and pre-delegation.	The number of TLDs delegated in the root zone should not increase by more than approximately five percent per month, with the understanding that there may be minor variations from time to time.	ICANN org should monitor the rate of applications moving through the application process to complement measures to control the rate of delegation.
P-260	ICANN will catalog obligations for root zone operators in maintaining a larger root zone.	ICANN should investigate and catalog the long term obligations for root zone operators of maintaining a larger root zone.	ICANN already maintains obligations for root zone operators.
P-419	Rate control will take into account any ccTLDs that are added to the root, too	The number of TLDs delegated in the root zone should not increase by more than approximately 5 percent per month, with the understanding that there may be minor variations from time-to-time.	ICANN org should monitor the rate of ccTLDs being added to the root in considering the acceptable rate of change of the root .
P-264	ICANN will determine criteria for when adding TLDs to the root may cause a “service instability” and should be delayed. ICANN will update its obligations to registries accordingly.	ICANN should structure its obligations to new gTLD registries so that it can delay their addition to the root zone in case of DNS service instabilities. Objective criteria should be developed to determine what could be classified as a “service instability.”	ICANN should have a mechanism to delay additions to the root zone to prevent potential security or stability issues.
P-418	Output 26.6 does not imply any new obligations for the RSOs.	“ICANN should investigate and catalog the long term obligations for root zone operators of maintaining a larger root zone.”	The rate of change of the root zone does not change the obligations to the root zone operators.
W-417	ICANN org will create a model of growth once it is clear how many applications are submitted in the next and the following round (i.e., two more rounds as of now). Once ICANN org has created the model, ICANN org will consider IG 26.6.	“ICANN should investigate and catalog the long term obligations for root zone operators of maintaining a larger root zone.”	

Topic 27 | Applicant Reviews

Index	Assumption	Relevant Output	Rationale & Supporting References
W-416	The evaluation as envisaged in	The technical and operational	

	Rec 27.14 requires a holistic analysis of hardware, software, services, bandwidth, process, and procedures.	evaluation must also consider the total number of TLDs and expected registrations for an applicant's given RSP.	
W-280	ICANN Org will consider the total number of TLDs and expected registrations for an RSP during technical and operational evaluation prior to determining pass/fail.	The technical and operational evaluation must also consider the total number of TLDs and expected registrations for an applicant's given RSP.	
P-268	Question 30b on "security policy" will be removed from the Technical/Operational questions asked to applicants.	While affording the improvements to clarity that will result from Recommendation 27.3, ICANN org should retain the same substantive framework for the technical and operational questions utilized in the 2012 round of the New gTLD Program. The exception to this affirmation is Q30b - Security Policy.	
P-269	Applicants will not be required to provide their full security policy; however the AGB will be updated to include new text re: Q30b "Security Policy" and applicants will be required to explain how the new mechanism meets the goals noted.	A mechanism(s) should be established to meet the spirit of the goals embodied within Q30b - Security Policy without requiring applicants to provide their full security policy. The Applicant Guidebook should clearly explain how the mechanism meets these goals and may draw on explanatory text included in the Attachment to Module 2: Evaluation Questions and Criteria from the 2012 Applicant Guidebook.	
P-271	ICANN will allow applicants to self-certify if they meet the criteria, and if not, 3rd party certification will be required.	<p>If any of the following conditions are met, an applicant should be allowed to self certify that it is able to meet the goals as described in Implementation Guidance 27.17. This self-certification will serve as evidence that the applicant has the financial wherewithal to support its application for the TLD.</p> <p>If the applicant is a publicly traded corporation, or an affiliate as defined in the current Registry Agreement, listed and in good standing on any of the world's largest 25 stock exchanges (as listed by the World Federation of Exchanges)</p> <p>If the applicant and/or its officers are bound by law in its jurisdiction to represent financials accurately and the applicant is in good standing in that jurisdiction; or</p> <p>If the applicant is a current registry operator or an affiliate (as defined in the current Registry Agreement) of a current registry operator that is not in default on any of its financial obligations under its applicable</p>	

		<p>Registry Agreements, and has not previously triggered the utilization of its Continued Operations Instrument.</p> <p>If the applicant is unable to meet the requirements for self-certification, the applicant must provide credible third-party certification of its ability to meet the goals as described in Implementation Guidance 27.17.</p>	
P-284	The financial evaluation will be designed in a modular way to support the reuse of certain required information across multiple applications.	The Working Group affirms Recommendation 8 from the 2007 policy with the following proposed additional text in italics: "Applicants must be able to demonstrate their financial and organizational operational capability in tandem for all currently-owned and applied-for TLDs that would become part of a single registry family." Therefore, applicants must identify whether the financial statements in its application apply to all of its applications, a subset of them or a single application (where that applicant and/or its affiliates have multiple applications).	
P-456	The evaluation of registry services during the next round of new gTLDs will follow the RSEP process (e.g., in regards to criteria and definitions) but according to the timeline and other relevant criteria of the new gTLD process (e.g., application priority, RSP Pre-Evaluation).	The Registry Services Evaluation Policy (RSEP) Process Workflow should be amended to fit within the new gTLD processes and timelines (e.g., using priority number to order evaluation, using Clarifying Questions to address issues).	
P-424	Pre-approved Registry Services selected by applicants during applicant submission will be automatically included in Applicant's Exhibit A.	Recommendation 27.21: A certain set of optional pre-approved additional registry services will not require registry services evaluation and those selected by the applicant at the time application submission will automatically be included in the applicant's Exhibit A upon contract execution. That list will include those that are included in the base Registry Agreement and on the Fast Track RSEP Process and Standard Authorization Language page as of the drafting of this report and as updated from time to time.	

Topic 28 | Application Comments

Index	Assumption	Relevant Output	Rationale & Supporting References
P-288	The comment period of the next round will mirror the process of the 2012 round.	Section 1.1.2.3 of the 2012 Applicant Guidebook states "ICANN will open a comment period (the Application	

		<p>Comment Period) at the time applications are publicly posted on ICANN's website . . . This period will allow time for the community to review and submit comments on posted application materials." The Working Group affirms that as was the case in the 2012 round, community members must have the opportunity to comment during the Application Comment Period on applications submitted. Comments must be published online as they were in the 2012 round so that they are available for all interested parties to review.</p>	
P-290	<p>Commentators have to disclose whether they are employed by, are under contract with, have a financial interest in, or are submitting the comment on behalf of an applicant.</p>	<p>In addition, each commenter should be asked whether they are employed by, are under contract with, have a financial interest in, or are submitting the comment on behalf of an applicant. If so, they must reveal that relationship and whether their comment is being filed on behalf of that applicant.</p>	
P-292	<p>Searchability of comments should be improved and full text searches should be possible.</p>	<p>The system used to collect application comments should better support filtering and sorting of comments to help those reviewing comments find relevant responses, particularly when there is a large number of entries. One example is an ability to search comments for substantive text within the comment itself. In the 2012 new gTLD round a search could be done on categories of comments, but not a search of the actual text within the comment itself.</p>	
P-293	<p>Commentators should be able to include attachments. ICANN will investigate whether there are any commercially reasonable mechanisms to search attachments.</p>	<p>The system used to collect application comments should allow those submitting comments to include attachments. ICANN should investigate whether there are any commercially reasonable mechanisms to search attachments.</p>	
W-296	<p>The clarifying question process in response to a comment that may reduce the score of an evaluator will be repeated in the next round.</p>	<p>As was the case in the 2012 round, when an application comment might cause an evaluator to reduce scoring, ICANN must issue a Clarifying Question to the applicant and give the applicant an opportunity to respond to the comment.</p>	
W-414	<p>Evaluators will not be expected to disregard comments from parties that may have stated a financial interest in one or more applications, but rather take that into account in determining whether the information in the comment is pertinent to whether the application meets the relevant evaluation criteria.</p>	<p>IG 28.5: "In addition, each commenter should be asked whether they are employed by, are under contract with, have a financial interest in, or are submitting the comment on behalf of an applicant. If so, they must reveal that relationship and whether their comment is being filed on behalf of that applicant."</p>	

W-413	ICANN org is not in a position to verify the identity, representation or affiliation of commenters. However, the registration process to provide comments will clearly state the requirements and gather the applicable information.	IG 28.5: "In addition, each commenter should be asked whether they are employed by, are under contract with, have a financial interest in, or are submitting the comment on behalf of an applicant. If so, they must reveal that relationship and whether their comment is being filed on behalf of that applicant."	ICANN cannot verify this information beyond asking for name and email address
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Topic 29 | Name Collision (NCAP)

Index	Assumption	Relevant Output	Rationale & Supporting References
P-301	All applied-for strings will be subject to a DNS Stability Evaluation that considers the level of name collision risk for that string.	Implementation Guidance 29.4: To the extent possible, all applied-for strings should be subject to a DNS Stability evaluation to determine whether they represent a name collision risk.	As part of the effort to mitigate name collisions, name collision risk should be considered for all strings as part of DNS Stability Evaluation.
P-412	ICANN org will ensure that any name collision risk criteria/tests developed by the ICANN community will be made available to applicants for their consideration as to whether they should move forward with their application.	The ICANN community should develop name collision risk criteria and a test to provide information to an applicant for any given string after the application window closes so that the applicant can determine if they should move forward with evaluation.	The ICANN community may develop risk criteria/tests that could be helpful to applicants as they assess whether they should move forward with their application, as some strings could incur more collisions than others, which may affect whether a string can be delegated.

Topic 30 | GAC Advice/Early Warning

Index	Assumption	Relevant Output	Rationale & Supporting References
P-304	If the GAC issues Consensus Advice after the finalization and publication of the next Applicant Guidebook, the ICANN Board will engage in the Board-GAC Consultation process to address its concerns.	To the extent that the GAC provides GAC Consensus Advice (as defined in the ICANN Bylaws) in the future on categories of TLDs, the GAC should provide this Advice prior to the finalization and publication of the next Applicant Guidebook. In the event that GAC Consensus Advice is issued after the finalization and publication of the Applicant Guidebook and whether the GAC Consensus Advice applies to categories, groups or classes of applications or string types, or to a particular string, the ICANN Board should take into account the circumstances resulting in such timing and the possible detrimental	

		effect of such timing in determining whether to accept or override such GAC Consensus Advice as provided in the Bylaws.	
P-305	The GAC EW and Application Comment periods should be concurrent, but the GAC EW period could be even longer. The period will be defined in the AGB.	The Working Group recommends that GAC Early Warnings are issued during a period that is concurrent with the Application Comment Period. To the extent that there is a longer period given for the GAC to provide Early Warnings (above and beyond the Application Comment Period), the Applicant Guidebook must define a specific time period during which GAC Early Warnings can be issued.	
P-306	If the GAC member believes that an application shouldn't proceed, they should provide a written explanation describing why the Early Warning was submitted and how the applicant may address the GAC member's concerns.	Government(s) issuing Early Warning(s) must include a written explanation describing why the Early Warning was submitted and how the applicant may address the GAC member's concerns.	
W-308	GAC Consensus Advice and GAC Early Warnings is an integral part of any future rounds.	The Working Group acknowledges the ability of the GAC to issue GAC Consensus Advice in accordance with the ICANN Bylaws. In addition, subject to the recommendations below, the Working Group supports the 2012 implementation of GAC Early Warnings. Section 1.1.2.4 of the 2012 Applicant Guidebook describes the Early Warning mechanism: "Concurrent with the [public] comment period, ICANN's Governmental Advisory Committee (GAC) may issue a GAC Early Warning notice concerning an application. This provides the applicant with an indication that the application is seen as potentially sensitive or problematic by one or more governments."	

Topic 31 | Objections

Index	Assumption	Relevant Output	Rationale & Supporting References
W-311	The same process and guidelines taken in the 2012 round to formal objections will be repeated in subsequent procedures.	Subject to the recommendations/implementation guidance below, The Working Group affirms the following recommendations and implementation guidance from 2007: Recommendation 6: "Strings must not be contrary to generally accepted legal norms relating to morality and public order that are	

		<p>enforceable under generally accepted and internationally recognized principles of law. Examples of such limitations that are internationally recognized include, but are not limited to, restrictions defined in the Paris Convention for the Protection of Industrial Property (in particular restrictions on the use of some strings as trademarks), and the Universal Declaration of Human Rights (in particular, limitations to freedom of speech rights).”</p> <p>Recommendation 20: “An application will be rejected if it is determined, based on public comments or otherwise, that there is substantial opposition to it from among significant established institutions of the economic sector, or cultural or language community, to which it is targeted or which it is intended to support.”</p> <p>Implementation Guideline H: “External dispute providers will give decisions on objections.”</p> <p>Implementation Guideline P (IG P, including subheadings on process and guidelines, refers specifically to the Community Objection): “The following process, definitions and guidelines refer to Recommendation 20. Process Opposition must be objection based. Determination will be made by a dispute resolution panel constituted for the purpose. The objector must provide verifiable evidence that it is an established institution of the community (perhaps like the RSTEP pool of panelists from which a small panel would be constituted for each objection). Guidelines The task of the panel is the determination of substantial opposition. a) substantial – in determining substantial the panel will assess the following: signification portion, community, explicitly targeting, implicitly targeting, established institution, formal existence, detriment b) significant portion – in determining significant portion the panel will assess the balance between the level of objection submitted by one or more established institutions and the level of support provided in the application from one or more established institutions. The panel will assess significance proportionate to the explicit or implicit targeting. c) community – community should be interpreted broadly and will include, for example, an economic sector, a cultural community, or a linguistic community. It may be a closely related community which believes it</p>	
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		<p>is impacted. d) explicitly targeting – explicitly targeting means there is a description of the intended use of the TLD in the application. e) implicitly targeting – implicitly targeting means that the objector makes an assumption of targeting or that the objector believes there may be confusion by users over its intended use. f) established institution – an institution that has been in formal existence for at least 5 years. In exceptional cases, standing may be granted to an institution that has been in existence for fewer than 5 years. Exceptional circumstances include but are not limited to a reorganization, merger or an inherently younger community. The following ICANN organizations are defined as established institutions: GAC, ALAC, GNSO, ccNSO, ASO. g) formal existence – formal existence may be demonstrated by appropriate public registration, public historical evidence, validation by a government, intergovernmental organization, international treaty organization or similar. h) detriment – the objector must provide sufficient evidence to allow the panel to determine that there would be a likelihood of detriment to the rights or legitimate interests of the community or to users more widely.”</p> <p>Implementation Guideline Q: “ICANN staff will provide an automatic reply to all those who submit public comments that will explain the objection procedure.”</p>	
W-314	<p>The need for data from approved providers will require a contract. Implementation of this recommendation may be subject to applicable confidential requirements, applicable business practices, and may apply only to fees that were charged for filed formal objections during the round.</p>	<p>Information about fees that were charged by dispute resolution service providers in previously filed formal objections should be accessible for future review.</p>	
W-315	<p>The opportunity to file an objection should be made clear in AGB and possibly via other outreach mechanisms.</p>	<p>Consideration should be given to whether there were barriers to filing a formal objection in the 2012 round, and if so, whether those barriers can and should be reduced in subsequent procedures. Specifically, the Working Group suggests further consideration of the time required to file a formal objection, the expertise required, and limited awareness of the opportunity to file.</p>	
W-317	<p>ICANN org will need to build in a timeline by when parties need to reach an agreement on panel size</p>	<p>For all types of formal objections, the parties to a proceeding must be given the opportunity to mutually</p>	

	for formal objections.	agree upon a single panelist or a three-person panel, bearing the costs accordingly. Following the model of the Limited Public Interest Objection in the 2012 round, absent agreement from all parties to have a three-expert panel, the default will be a one-expert panel.	
W-318	Providing information on processes used to handle the filing and processing of formal objections will be subject to all relevant privacy requirements.	ICANN must provide transparency and clarity in the processes used to handle the filing and processing of formal objections, including the resources and supplemental guidance used by dispute resolution provider panelists to arrive at a decision, expert panelist selection criteria and processes, and filing deadlines. The following implementation guidance provides additional direction in this regard.	
W-319	A high level overview of the process used by panelists for filings, responses, and evaluation of objections will be included in the AGB.	All criteria and/or processes to be used by panelists for the filing of, response to, and evaluation of each formal objection should be included in the Applicant Guidebook.	
W-320	ICANN org will work with dispute resolution providers to publicize fee and refund policies to the extent permissible.	Information about fees and refunds for the dispute resolution processes should be readily available prior to the commencement/opening of the application submission period.	
W-321	A centralized location for publishing information will need to be established to assist dispute resolution providers in making a decision. Implementation will be subject to applicable business practices and privacy requirements.	Prior to the launch of the application submission period, to the extent that dispute resolution panelists draw on other guidance, processes and/or sources of information to assist them with processing and making decisions, such information should be made publicly available and easily found, either on their respective websites or preferably, in a central location.	
W-322	Application change requests will be possible in response to concerns raised in a formal objection. Application changes are subject to Topic 20 recommendations.	Applicants must have the opportunity to amend an application or add Registry Voluntary Commitments (RVCs) in response to concerns raised in a formal objection. All these amendments and RVCs submitted after the application submission date shall be considered Application Changes and be subject to the recommendations set forth under Topic 20: Application Change Requests including, but not limited to, an operational comment period in accordance with ICANN's standard procedures and timeframes.	
W-323	RVCs used to resolve a formal objection will need to be included in the RA as binding contractual commitments. The implementation	To the extent that RVCs are used to resolve a formal objection either (a) as a settlement between the objector(s) and the applicant(s) or	

	of this recommendation will be subject to the enforceability of PICs/RVCs in light of current ICANN Bylaws language.	(b) as a remedy ordered by an applicable dispute panelist, those RVCs must be included in the applicable applicant(s) Registry Agreement(s) as binding contractual commitments enforceable by ICANN through the PICDRP.	
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Topic 33 | Dispute Resolution Procedures After Delegation

Index	Assumption	Relevant Output	Rationale & Supporting References
W-325	The PICDRP and the RRDRP will remain available to those alleging harm by a new gTLD registry operator's conduct.	The Working Group affirms that the Public Interest Commitment Dispute Resolution Procedure (PICDRP) and the Registration Restrictions Dispute Resolution Procedure (RRDRP) should remain available to those harmed by a new gTLD registry operator's conduct, subject to the recommendation below.	

Topic 35 | Auctions

Index	Assumption	Relevant Output	Rationale & Supporting References
P-344	Objections filed outside the standard objection period as a result of a change request must address aspects of the application that changed.	...provided however, objections during this new period must be of the type that arise due to the changing circumstances of the application and not merely the type of objection that could have been filed against the surviving application or the withdrawn applications in the contention set during the initial objection filing period."	Clarification of responsibility over the types of objections that could be submitted vs. the types of objections that merit consideration. (p. 174 of Final Report)
P-345	Applicants will be required to formally state in their application that they have a bona fide intention to operate the applied-for new gTLD.	Applications must be submitted with a bona fide ("good faith") intention to operate the gTLD. Applicants must affirmatively attest to a bona fide intention to operate the gTLD clause for all applications that they submit. New gTLD Subsequent Procedures Final Report Date: 20 January 2021 Page 175 of 400 • Evaluators and ICANN must be able to ask clarifying questions to any applicant it believes may not be submitting an application with a bona fide intention. Evaluators and ICANN shall use, but are not limited to, the "Factors" described below in their consideration of whether an application was submitted	"Factors" described in the Final Report relate to potential indicators of bad faith that would only come to light after applications are submitted and in some cases, after auction and delegation. Therefore, it will be difficult to determine whether applications are submitted with a bona fide good faith intention, other than asking applicants to explicitly state this in their application. (Final Report pp.174-176)

		absent bona fide intention.	
P-347	The IRT may identify other alternative factors that ICANN can use when determining the lack of bona fide intent to operate the gTLD.		
P-348	The IRT will incorporate the Contention Resolution Transparency Requirements into the updated Applicant Guidebook.	Recommendation 35.5: Applicants resolving string contention must adhere to the Contention Resolution Transparency Requirements as detailed below. Applicants disclosing relevant information will be subject to the Protections for Disclosing Applicants as detailed below.	
P-349	Given that the working group did not reach consensus on alternative auction mechanisms and the GNSO council did not approve recommendations 35.2 and 35.4, ICANN org will use the same auctions methodology for ICANN's auction of last resort as described in the 2012 applicant guidebook with the addition of the Contention Resolution Transparency Requirements.		
P-350	ICANN will monitor application strings to see if they have been delegated into the root within 2 years or tries to assign the TLD within a year.	If an applicant's string is not delegated into the root within two (2) years of the Effective Date of the Registry Agreement, this may be a factor considered by ICANN in determining lack of bona fide intention to operate the gTLD for that applicant	
P-351	ICANN org will follow all applicable laws and regulations including privacy law requirements in publishing the names and contact information for parties relating to the participation of an applicant in the private action or Auction of Last Resort.		
P-352	Assuming that all applications will be made with a bona fide intent to operate the gTLD, evaluation of bona fide intent may take place when issues arise and an applicant needs to be evaluated. Evaluation of bona fide intent may not resolve string contentions.	Recommendation 35.3: Applications must be submitted with a bona fide ("good faith") intention to operate the gTLD. Applicants must affirmatively attest to a bona fide intention to operate the gTLD clause for all applications that they submit.	

Topic 36 | New Base Registry Agreement

Index	Assumption	Relevant Output	Rationale & Supporting References
P-355	There will be a single base registry agreement that utilizes “Specifications”. There will not be different registry agreements for different types of applications (e.g., Brand, Community, etc.)	“The Working Group affirms the current practice of maintaining a single base Registry Agreement with “Specifications.”	ICANN org should continue the current practice of using a single base Registry Agreement with Specifications.
P-356	ICANN org will use a process similar to the process implemented for requesting exemptions (e.g., Code of Conduct exemption) in the 2012 round for the subsequent round.	There must be a clearer, structured, and efficient method to apply for, negotiate, and obtain exemptions to certain provisions of the base Registry Agreement, subject to public notice and comment. A clear rationale must be included with any exemption request. This allows ICANN org to consider unique aspects of registry operators and TLD strings, as well as provides ICANN org the ability to accommodate a rapidly changing marketplace. The Working Group notes that consensus policy must not be the subject of individual Registry Agreement negotiations	

Topic 37 | Registrar Non-Discrimination

Index	Assumption	Relevant Output	Rationale & Supporting References
W-361	Recommendation 19 in the 2007 policy will be updated in accordance with Recommendation 37.1.	Recommendation 19 in the 2007 policy states: “Registries must use only ICANN accredited registrars in registering domain names and may not discriminate among such accredited registrars.” The Working Group recommends updating Recommendation 19 to state: “Registries must use only ICANN accredited registrars in registering domain names, and may not discriminate among such accredited registrars unless an exemption to the Registry Code of Conduct is granted as stated therein, provided, however, that no such exemptions shall be granted without public comment.” Recommendation 37.1	

Topic 38 | Registrar Support for New gTLDs

Index	Assumption	Relevant Output	Rationale & Supporting References
P-362	There will be no changes to practices that it is up to each individual registrar to determine which gTLDs it carries.	The Working Group affirms existing practice that it is up to a registrar to determine which gTLDs it carries. Affirmation 38.1	

Topic 39 | Registry System Testing

Index	Assumption	Relevant Output	Rationale & Supporting References
P-364	There will be no changes to practices that it is up to each individual registrar to determine which gTLDs it carries.	The Working Group affirms existing practice that it is up to a registrar to determine which gTLDs it carries. Affirmation 38.1	
P-365	Registry System tests that ICANN will develop and administer are part of the applicant assessment process. The footnote 258 on p. 189 makes a distinction between 'evaluation' and 'testing' though neither term is used in Recommendation 39.1. ICANN org's assessment of the test it conducts will be evaluative in nature. (39.1)		Sub Pro Final report, p.189
P-367	IDN tables that reference Label Generation Rules will be reviewed during the evaluation process using IDN tools available at the time of review. IDN tables that match the published ref. LGRs at the second level will not be tested further.	The testing of Internationalized Domain Name (IDN) tables should be removed if the applicant is using reference Label Generation Rules published by ICANN. To the extent an applicant is proposing tables that are reference Label Generation Rules, the tables should be reviewed during the evaluation process and the evaluator should utilize IDN tools available at the time of review.	

Topic 41 | Compliance

Index	Assumption	Relevant Output	Rationale & Supporting References
P-368	A clear compliance and	The Working Group affirms	

	termination process will be a part of the base contract for a subsequent round.	Recommendation 17 from the 2007 policy, which states: "A clear compliance and sanctions process must be set out in the base contract which could lead to contract termination."	
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