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Other toponymic issues

**Internet Corporation for Assigned Names and Numbers (ICANN):
Introduction of new generic Top Level Domain (gTLD) names and
the consideration of Geographic Names***

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Introduction of New gTLDs and the consideration of Geographic Names

ICANN

The Internet Corporation for Assigned Names and Numbers (ICANN) was formed in 1998 as a not-for-profit public-benefit corporation whose participants from all over the world are dedicated to maintaining a secure, stable and interoperable Internet. The international multi-stakeholder model under which ICANN operates also seeks to promote competition and develop policy for the Internet's unique identifiers such as Top Level Domain (TLD) names (such as .com and .ca).

Increasing competition and choice in the generic TLD (gTLD) marketplace has been a key public policy goal of ICANN since it was founded 10 years ago. ICANN's mandate specifically calls for it to maintain and build on processes that will promote competition and protect consumer interests, without compromising the security and stability of the Internet. This includes the consideration and implementation of new gTLD.

At the time ICANN was founded, there were eight gTLDs (.com, .net, .org, .mil, .gov, .edu, .int and .arpa) and over time an additional 13 gTLDs have been added to the domain name system, such as .biz, .info and .travel.

New gTLDs—the policy development process

The decision to allow new TLDs in basic Latin alphabet (or script) and other character sets, such as Arabic and Chinese (to list just two examples) was the result of a detailed and lengthy policy development process involving many representatives of the global Internet community, including governments, civil society, and the technical community.

ICANN's policies are developed through bottom-up consensus based processes and in this instance the policy was developed by one of ICANN's policy making bodies, the Generic Names Supporting Organisation (GNSO) in accordance with ICANN's bylaws: <http://www.icann.org/en/general/bylaws.htm#AnnexA>. Four key questions were considered during this process:

- whether to introduce new top level domains and if the introduction should be restricted in some way;
- what are the criteria for determining which strings are allowable (the criteria for Geographic Names are among these);
- what is the allocation methods; and
- what contractual terms should be included in each agreement between the registry and ICANN.

This policy development process lasted approximately 18 months and in October 2007, the GNSO presented a Final Report to the ICANN Board recommending the introduction of new gTLDs and outlining a number of principles, recommendations and implementation guidelines:

<http://gns0.icann.org/issues/new-gtlds/pdp-dec05-fr-parta-08aug07.htm> and
<http://gns0.icann.org/issues/new-gtlds/pdp-dec05-fr-partb-01aug07.htm>

The Governmental Advisory Committee (GAC) of ICANN (see www.gac.icann.org), which considers and provides advice on the activities of ICANN as they relate to concerns of governments, contributed to this process through the *GAC Principles Regarding New gTLDs* http://gac.icann.org/web/home/gTLD_principles.pdf (GAC Principles). The GAC Principles identified a set of general public policy principles related to the introduction, delegation and operation of new gTLDs.

In June 2008, following careful consideration of the GNSO Final Report and the GAC Principles, the ICANN Board accepted the recommendations of the GNSO Final Report and asked staff to continue work on developing an implementation plan. A major output from this planning is the Draft Applicant Guidebook (versions 1 and 2) which provides information to potential applicants about the process for obtaining a TLD and how applications will be evaluated.

More detailed information on the consideration of the GAC position and that of the GNSO, is available in the Explanatory Memorandum on the Proposed Process for Geographic Name Applications <http://www.icann.org/en/topics/new-gtlds/geographic-names-22oct08-en.pdf>

New gTLDs—the implementation plan

In October 2008, an initial version of the Draft Applicant Guidebook (the new gTLD application instruction manual), along with six explanatory memoranda, was posted for public comment and resulted in more than 300 comments. Following a detailed analysis and consideration of the comments, the Guidebook was revised, and a second version was posted on 18 February 2009. The public comment period closed on 13 April 2009, and ICANN will publish an analysis of the comments as well as version 3 of the Draft Applicant Guidebook following ICANN's Sydney meeting (22 to 26 June 2009). Further refinement of the process will be undertaken over the coming months, and it is anticipated that the process will be launched in early 2010.

Applications for new gTLDs will be sought in application rounds, with the first round to open early in 2010. The length of time available to submit applications is likely to be approximately 8 weeks. There will be a \$US100 fee to submit an application, and an evaluation fee of \$US185,000. The evaluation fee has been set to recover costs associated with the development of the new gTLD program. While the number of applications is unknown, a popular estimate is in the order of 500. Applications are expected for geographical names such as .berlin and .paris, along with popular generic terms such as .sport, .bank, .eco and well known brand names.

Consideration of Geographic Names

Geographic Names are afforded special consideration in the new gTLD process and this is reflected in version 2 of the Draft Applicant Guidebook, as follows:

The following types of applications for new gTLDs are considered geographical names and must be accompanied by documentation of support or non-objection from the relevant government(s) or public authority (ies):

- An application for any string that is a meaningful representation¹ of a country or territory name listed in the ISO 3166-1 standard (see http://www.iso.org/iso/country_codes/iso_3166_databases.htm), as updated from time to time. A meaningful representation includes a representation of the country or territory name in any language.

A string is deemed a meaningful representation of a country or territory name if it is:

The name of the country or territory; or

A part of the name of the country or territory denoting the country or territory; or

A short-form designation for the name of the country or territory that is recognizable and denotes the country or territory.

- An application for any string that is an exact match of a sub-national place name, such as a county, province, or state, listed in the ISO 3166-2 standard, as updated from time to time.
- An application for any string that is a representation, in any language, of the capital city name of any country or territory listed in the ISO 3166-1 standard.
- An application for a city name, where the applicant clearly intends to use the gTLD to leverage the city name. An application for a string which is a city name, but is also a generic term or a product name, will not require documentation of support or non-objection, provided that the application clearly reflects that it will be used to leverage the generic term or product name. If an applicant declares that it intends to use the applied-for gTLD string for purposes associated with a city name, documentation of support or non-objection from the relevant government(s) or public authority (ies) will be required.
- An application for a string which represents a continent or UN region appearing on the “Composition of macro geographical (continental) regions, geographical sub-regions,” and selected economic and other groupings” list at <http://unstats.un.org/unsd/methods/m49/m49regin.htm>.

The supporting documentation (letter) must clearly express the government’s or public authority’s support or non-objection for the application and demonstrate an understanding of the string being requested and its intended use. The letter should also demonstrate an understanding that the string is being sought through the gTLD application process and that the applicant is

¹ This is subject to change as the ICANN Board directed staff to provide greater specificity on the scope of protection at the top level for the names of countries and territories listed in the ISO 3166-1 standard. Rather than having a ‘meaningful representation’ of a country or territory name, a defined list of names will be developed by staff to meet the Board’s request for greater specificity. The list may comprise the short form or long form name as it appears on the ISO 3166-1 Part 1 list and any translation thereof, the alpha 3 code representation of the country or territory name, and other exceptions based on the ISO 3166-1 list.

willing to accept the conditions under which the string is available, such as entry into a registry agreement with ICANN which requires compliance with consensus policies and payment of fees.

To assist with the evaluation of applications, i.e., to determine whether a proposed TLD string is a geographic name, a Geographic Names Panel will be engaged to assess the applications. It is anticipated that the Panel will be comprised of people with geographic, linguistic and governmental expertise. ICANN has recently called for Expressions of Interest for this panel and the closing date is 11 June 2009. More information is available at: <http://www.icann.org/en/announcements/announcement-2-02apr09-en.htm>

In addition to seeking comments on the Draft Applicant Guidebook, the Board has directed staff to provide greater specificity on the scope of protection at the top level for the names of countries and territories listed in the ISO 3166-1 standard (as referenced with footnote 1 above); and have also sought assistance from ICANN's Governmental Advisory Committee in finding a solution to provide protection for geographic names at the second level of a top level domain, such as australia.beach or hawaii.beach.

In addition to the protections afforded the geographic terms as outlined above, there is also provision for community based objections. One of the functions of the community ground for objection is to protect against misappropriation of a community label, for example, a river or landmark that is of significance to a group of people. All strings (names) sought under the new gTLD process will be published, and objections to those strings can be filed. For community based objections, the objector must prove that it is an established institution and that it has an ongoing relationship with a defined community that consists of a restricted population. Module 3 of the Draft Applicant Guidebook provides more information on the process and requirements. The standards and tests for objections continue to be developed as input from the community is received and considered.

A page on ICANN's website is dedicated to the new gTLD process and contains the complete set of information available on the subject. A number of these documents are available in the six UN languages, including the New gTLD Draft Applicant Guidebook, version 2. This information is available at: <http://www.icann.org/en/topics/new-gtld-program.htm>

There is a wealth of information available on ICANN's website on the new gTLD process, and we appreciate that it is not easy for newcomers to navigate, or necessarily understand the numerous elements of the process. ICANN is willing to appoint a liaison for the UNGEGN to contact, to ensure that the UNGEGN is kept up-to-date with developments in the introduction of new gTLDs, and in particular, as it applies to geographic names. The liaison would also be available to answer any questions, and provide background on how the process has evolved.

Participation of the UNGEGN

Comments or input from the UNGEGN on any element of the new gTLD process would be welcome. While the formal period for commenting on version 2 of the

Draft Applicant Guidebook has closed, the consultation process will continue through ICANN's next meeting in Sydney, Australia, from 22 to 26 June 2009.

ICANN is willing to appoint a liaison, or point of contact, to the UNGEGN to assist with awareness raising and keeping the UNGEGN up-to-date with developments. In return, ICANN would welcome any technical assistance the UNGEGN may be able to provide on geographic names issues that may arise.

ICANN is seeking expressions of interest for a Geographic Names Panel. The closing date for responding is 11 June 2009. ICANN would welcome assistance the UNGEGN may be able to provide in circulating this information to mailing lists or by other networks.

ICANN glossary

A glossary of ICANN terms is available at
<http://www.icann.org/en/general/glossary.htm>

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