ICANN

Draft Applicant Guidebook, v4

Module 2

Please note that this is a discussion draft only. Potential applicants should not rely on any of the proposed details of the new gTLD program as the program remains subject to further consultation and revision.

31 May 2010

Module 2

Evaluation Procedures

This module describes the evaluation procedures and criteria used to determine whether applied-for gTLDs are approved for delegation. All applicants will undergo an Initial Evaluation and those that do not pass all elements may request Extended Evaluation.

The first, required evaluation is the **Initial Evaluation**, during which ICANN assesses an applied-for gTLD string, an applicant's qualifications, and its proposed registry services.

The following assessments are performed in the **Initial Evaluation**:

- String Reviews

    - String similarity

    - Reserved names

    - DNS stability

    - Geographical names

- Applicant Reviews

    - Demonstration of technical and operational capability

    - Demonstration of financial capability

    - Registry services reviews for DNS stability issues

An applicant must pass all these reviews to pass the Initial Evaluation. Failure to pass any one of these reviews will result in a failure to pass the Initial Evaluation.

Extended Evaluation may be applicable in cases in which an applicant does not pass the Initial Evaluation. See Section 2.3~~2~~ below.

2.1   Background Check

The application form requires applicants to provide information on the legal establishment of the applying entity, as well as the identification of directors, officers, partners, and major shareholders of that entity.

Background checks at both the entity level and the individual level will be conducted for all applications, to confirm eligibility. This inquiry is conducted on the basis of the information provided in questions 1-11 of the application form.

The background check may include, but is not limited to, any of the following areas:

- Corruption and bribery

- Terrorism

- Serious and organized crime

- Money laundering

- Corporate fraud and financial regulatory breaches

- Arms trafficking and war crimes

- Intellectual property violations

Identified issues with an individual named in the application will be handled on a case by case basis depending on the individual's position of influence on the applying entity and the registry operations. Examples of scenarios where an application might not pass the background checks include, but are not limited to:

- The applying entity has been found liable in a series of cybersquatting proceedings.

- The application names a corporate officer who has previously been convicted of a felony related to financial activities.

- The background check reveals that the applying entity has been disciplined by the government in its jurisdiction for conduct involving misuse of funds, however, that information was not disclosed in the application.

The background checks will be performed by a third-party firm that can execute these checks based on public information in the various regions of the world. For applications where the background check is not passed, the application will ordinarily be considered ineligible to proceed to the additional Initial Evaluation reviews. However, this will ultimately be at ICANN's discretion.

2.2~~1~~ *Initial Evaluation*

The Initial Evaluation consists of two types of review. Each type is composed of several elements.

String review: The first review focuses on the applied-for gTLD string to test:

- Whether the applied-for gTLD string is so similar to other strings that it would cause user confusion;

- Whether the applied-for gTLD string might adversely affect DNS security or stability; and

- Whether evidence of requisite government approval is provided in the case of certain geographical names.

Applicant review: The second review focuses on the applicant to test:

- Whether the applicant has the requisite technical, operational, and financial capability to operate a registry; and

- Whether the registry services offered by the applicant might adversely affect DNS security or stability.

2.2~~1~~.1 *String Reviews*

In the Initial Evaluation, ICANN reviews every applied-for gTLD string. Those reviews are described in greater detail in the following subsections.

2.2~~1~~.1.1 *String Similarity Review*

This review involves a preliminary comparison of each applied-for gTLD string against existing TLDs, Reserved Names (see subsection 2.2.1.2), and ~~against~~ other applied-for strings. The objective of this review is to prevent user confusion and loss of confidence in the DNS.

The review is to determine whether the applied-for gTLD string is so similar to one of the others that it would create a probability of detrimental user confusion if it were to be delegated into the root zone. The visual similarity check that occurs during Initial Evaluation is intended to augment the objection and dispute resolution process (see Module 3, Dispute Resolution Procedures) that addresses all types of similarity.

This similarity review will be conducted by an independent String Similarity Panel.

2.2~~1~~.1.1.1 *Review*s Performed ~~Procedures~~

The String Similarity Panel's task is to identify visual string similarities that would create a probability of user confusion.

The panel performs this task of assessing similarities that would lead to user confusion in three sets of circumstances, when comparing:

- Applied-for gTLD strings against existing TLDs and reserved names;

- Applied-for gTLD strings against other applied-for gTLD strings; and

- Applied-for gTLD strings against strings requested as IDN ccTLDs.

Similarity to Existing TLDs or Reserved Names – This review involves cross-checking between each applied-for string and the lists of existing TLD strings and Reserved Names to determine whether two strings are so similar to one another that they create a probability of user confusion.

~~All TLDs currently in the root zone can be found at http://iana.org/domains/root/db/.~~

In the simple case in which an applied-for gTLD string is identical to an existing TLD or reserved name, the application system ~~will recognize the existing TLD and~~ will not allow the application to be submitted.

Testing for identical strings also takes into consideration the code point variants listed in any relevant IDN~~language reference~~ table. For example, protocols treat equivalent labels as alternative forms of the same label, just as "foo" and "Foo" are treated as alternative forms of the same label (RFC 3490).

All TLDs currently in the root zone can be found at http://iana.org/domains/root/db/.

IDN tables that have been submitted to ICANN are available at http://www.iana.org/domains/idn-tables/.

Similarity to Other Applied-for gTLD Strings (String Contention Sets) – All applied-for gTLD strings will be reviewed against one another to identify any strings that

are so similar that they create a probability of user confusion if more than one is delegated into the root zone. In performing this~~the string confusion~~ review, the ~~panel of~~ String Similarity Panel~~Examiners~~ will create contention sets that may be used in later stages of evaluation.

A contention set contains at least two applied-for strings identical to one another or so similar that string confusion would result if more than one were delegated into the root zone. Refer to Module 4, String Contention Procedures, for more information on contention sets and contention resolution.

ICANN will notify applicants who are part of a contention set as soon as the String Similarity Review is completed~~by the conclusion of the Initial Evaluation period~~. (This provides a longer period for contending applicants to reach their own resolution before reaching the contention resolution stage.) These contention sets will also be published on ICANN's website.

Similarity to TLD strings requested as IDN ccTLDs -- Applied-for gTLD strings will also be reviewed for similarity to TLD strings requested in the IDN ccTLD Fast Track process (see http://www.icann.org/en/topics/idn/fast-track/). Should a conflict with a prospective fast-track IDN ccTLD be identified, ICANN will take the following approach to resolving the conflict.

If one of the applications has completed its respective process before the other is lodged, that TLD will be delegated. A gTLD application that has been approved by the Board for entry into a registry agreement will be considered complete, and therefore would not be disqualified by~~based on contention with~~ a newly-filed IDN ccTLD request. Similarly, an IDN ccTLD request that has completed evaluation (i.e., is "validated") will be considered complete and therefore would not be disqualified by~~based on contention with~~ a newly-filed gTLD application.

In the case where neither application has completed its respective process, where~~If~~ the gTLD applicant does not have the required approval from the relevant government or public authority, a validated request for an IDN ccTLD will prevail and the gTLD application will not be approved. The term "validated" is defined in the IDN ccTLD Fast Track Process Implementation, which can be found at http://www.icann.org/en/topics/idn.

In the case where a gTLD applicant has obtained the support or non-objection of the relevant government or public authority, but is eliminated due to contention with a string requested in the IDN ccTLD Fast Track process, a full refund is available to the applicant if the gTLD application was submitted prior to the publication of the ccTLD request.

If both the gTLD applicant and the IDN ccTLD requestor have the required approval from the relevant government or public authority, both applications will be kept on hold until the contention is resolved through agreement between the parties, i.e., resolved by the government.

2.21.1.1.2   *Review Methodology*

The String Similarity Panel is informed in part by an algorithmic score for the visual similarity between each applied-for string and each of other existing and applied-for TLDs and reserved names. The score will provide one objective measure for consideration by the panel, as part of the process of identifying strings likely to result in user confusion. In general, applicants should expect that a higher visual similarity score suggests a higher probability that the application will not pass the string similarity review. However, it should be noted that the score is only indicative and that the final determination of similarity is entirely up to the Panel's judgment.

The algorithm used supports the most common characters in Arabic, Chinese, Cyrillic, Devanagari, Greek, Japanese, Korean, and Latin scripts. It can also compare strings in different scripts to each other.

The algorithm, user guidelines, and additional background information are available to applicants for testing and informational purposes.[1] Applicants will have the ability to test their strings and obtain algorithmic results through the application system prior to submission of an application.

The algorithm supports the common characters in Arabic, Chinese, Cyrillic, Devanagari, Greek, Japanese, Korean, and Latin scripts. It can also compare strings in different scripts to each other.

The panel will examine all the algorithm data and perform its own review of similarities between strings and whether they rise to the level of string confusion. In cases of strings in scripts not yet supported by the algorithm, the panel's assessment process is entirely manual.

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[1] *See* http://icann.sword-group.com/algorithm/

The panel will use a common standard to test for whether string confusion exists, as follows:

Standard for String Confusion – String confusion exists where a string so nearly resembles another visually that it is likely to deceive or cause confusion. For the likelihood of confusion to exist, it must be probable, not merely possible that confusion will arise in the mind of the average, reasonable Internet user. Mere association, in the sense that the string brings another string to mind, is insufficient to find a likelihood of confusion.

2.2~~1~~.1.1.3 ——*Outcomes of the String Similarity Review*

An application that fails the string similarity review due to~~and is found too~~ similar~~ity~~ to an existing TLD will not pass the Initial Evaluation, and no further reviews will be available. Where an application does not pass the string similarity review, the applicant will be notified as soon as the review is completed.

An application for a string that is found too similar to ~~found at risk for string confusion with~~ another applied-for gTLD string will be placed in a contention set.

An application that passes the string similarity review is still subject to objection~~challenge~~ by an existing TLD operator or by another gTLD applicant in the current application round. That process requires that a string confusion objection be filed by an objector having the standing to make such an objection. Such category of objection is not limited to visual similarity. Rather, confusion based on any type of similarity (including visual, aural, or similarity of meaning) may be claimed by an objector. Refer to Module 3, Dispute Resolution Procedures, for more information about the objection process.

An applicant may file a formal objection against another gTLD application on string confusion grounds ~~(see Module 3)~~. Such an objection may, if successful, change the configuration of the preliminary contention sets in that the two applied-for gTLD strings will be considered in direct contention with one another (see Module 4, String Contention Procedures). The objection process will not result in removal of an application from a contention set.

2.2~~1~~.1.2 Reserved Names ~~Review~~

All applied-for gTLD strings are compared~~The Reserved Names review involves comparison~~ with the list of top-level Reserved Names to ensure that the applied-for gTLD string does not appear on that list.

Top-Level Reserved Names List

AFRINIC	*IANA-SERVERS*	*NRO*
ALAC	*ICANN*	*RFC-EDITOR*
APNIC	*IESG*	*RIPE*
ARIN	*IETF*	*ROOT-SERVERS*
ASO	*INTERNIC*	*RSSAC*
CCNSO	*INVALID*	*SSAC*
EXAMPLE*	*IRTF*	*TEST**
GAC	*ISTF*	*TLD*
GNSO	*LACNIC*	*WHOIS*
GTLD-SERVERS	*LOCAL*	*WWW*
IAB	*LOCALHOST*	
IANA	*NIC*	

*Note that in addition to the above strings, ICANN will reserve translations of the terms "test" and "example" in multiple languages. The remainder of the strings are reserved only in the form included above.

If an applicant enters a Reserved Name as its applied-for gTLD string, the application system will recognize the Reserved Name and will not allow the application to be submitted.

In addition, applied-for gTLD strings are reviewed during the String Similarity review~~in a process identical to that described in the preceding section~~ to determine whether they are similar to a Reserved Name. An application for a gTLD string that is identified as too similar to a Reserved Name will not pass the Reserved Names review.

2.2~~1~~.1.3 DNS Stability Review

This review determines whether an applied-for gTLD string might cause instability to the DNS. In all cases, this will involve a review for conformance with technical and other requirements for gTLD strings (labels). In some exceptional cases, an extended review may be necessary to investigate possible technical stability problems with the applied-for gTLD string.

2.2~~1~~.1.3.1 DNS Stability: String Review Procedure

New gTLD labels must not adversely affect the security or stability of the DNS. During the Initial Evaluation period,

ICANN will conduct a preliminary review on the set of applied-for gTLD strings to:

- ensure that applied-for gTLD strings comply with the requirements provided in section 2.21.1.3.2, and

- determine whether any strings raise significant security or stability issues that may require further review.

There is a very low probability that an extended analysisreview will be necessary for a string that fully complies with the string requirements in subsection 2.21.1.3.2 of this module. However, the string review process provides an additional safeguard if unanticipated security or stability issues arise concerning an applied-for gTLD string.

ICANN will notify applicants who have not passed the Initial Evaluation due to security or stability concerns about the applied-for gTLD string by the conclusion of the Initial Evaluation period. Applicants will have 15 calendar days to decide whether to proceed with Extended Evaluation. See Section 2.2 for further information on the Extended Evaluation process.

In such a case, the DNS Stability Panel will perform an extended review of the applied-for gTLD string during the Initial Evaluation period. The panel will determine whether the string fails to comply with relevant standards or creates a condition that adversely affects the throughput, response time, consistency, or coherence of responses to Internet servers or end systems, and will report on its findings.

If the panel determines that the string complies with relevant standards and does not create the conditions described above, the application will pass the DNS Stability review.

If the panel determines that the string does not comply with relevant technical standards, or that it creates a condition that adversely affects the throughput, response time, consistency, or coherence of responses to Internet servers or end systems, the application will not pass the Initial Evaluation and cannot proceed. In the case where a string is determined likely to cause security or stability problems in the DNS, the applicant will be notified as soon as the DNS Stability review is completed.

2.21.1.3.2 *String Requirements*

ICANN will review each applied-for gTLD string to ensure that it complies with the requirements outlined in the following paragraphs.

If an applied-for gTLD string is found to violate any of these rules, the application will be denied. No further reviews are available.

Part I -- Technical Requirements for all Labels (Strings) – The technical requirements for top-level domain labels follow.

1.1   The ASCII label (i.e., the label as transmitted on the wire) must be valid as specified in technical standards *Domain Names: Implementation and Specification* (RFC 1035), and *Clarifications to the DNS Specification* (RFC 2181). This includes the following:

   1.1.1   The label must have no more than 63 characters.

   1.1.2   Upper and lower case characters are treated as identical.

1.2   The ASCII label must be a valid host name, as specified in the technical standards *DOD Internet Host Table Specification* (RFC 952), *Requirements for Internet Hosts — Application and Support* (RFC 1123), and *Application Techniques for Checking and Transformation of Names (RFC 3696).* This includes the following:

   1.2.1   The label must consist entirely of letters, digits and hyphens.

   1.2.2   The label must not start or end with a hyphen.

1.3   There must be no possibility for confusing an ASCII label for an IP address or other numerical identifier by application software. For example, representations such as "255", "o377" (255 in octal) or "0xff" (255 in hexadecimal) as the top-level domain can be interpreted as IP addresses. As such, labels:

   1.3.1   Must not be wholly comprised of digits between "0" and "9."

   1.3.2   Must not commence with "0x" or "x," and have the remainder of the label wholly comprised of hexadecimal digits, "0" to "9" and "a" through "f."

      1.3.3   Must not commence with "0o" or "o," and have the remainder of the label wholly comprised of digits between "0" and "7."

  1.4   The ASCII label may only include hyphens in the third and fourth position if it represents a valid internationalized domain name in its A-label form (ASCII encoding as described in Part II).

  1.5   The presentation format of the domain (i.e., either the label for ASCII domains, or the U-label for internationalized domain names) must not begin or end with a digit.[2]

Part II -- Requirements for Internationalized Domain Names – These requirements apply only to prospective top-level domains that contain non-ASCII characters. Applicants for these internationalized top-level domain labels are expected to be familiar with the IETF IDNA standards, Unicode standards, and the terminology associated with Internationalized Domain Names.

  2.1   The label must be a valid internationalized domain name, as specified in *Internationalizing Domain Names in Applications* (RFC 3490). This includes the following, non-exhaustive, list of limitations:

      2.1.1   Must only contain Unicode code points that are defined as "Valid" in The Unicode Codepoints and IDNA (see http://icann.org/en/topics/idn/rfcs.htm~~http://tools.ietf.org/wg/idnabis/~~), and be accompanied by unambiguous contextual rules where necessary.[3]

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[2] The primary concern relating to the use of leading- or trailing-numeric labels is due to issues raised by bi-directional scripts when used in conjunction with those labels. Experience has shown that presentation behavior of strings with leading or trailing numbers in bi-directional contexts can be unexpected and can lead to user confusion. As such, a conservative approach is to disallow numerals leading or trailing top-level domain labels.

This concern also applies to all-numeric strings; however, a larger concern with those strings is the risk of confusion and software incompatibilities due to the fact that a top-level domain of all numbers could result in a domain name that is indistinguishable from an IP address. That is, if (for example) the top-level domain .151 were to be delegated, it would be problematic to programmatically determine whether the string "10.0.0.151" was an IP address or a domain name.

[3] It is expected that ~~the IDNA2008 protocol will be completed and~~ conversion tools for IDNA 2008 will be available before the Application Submission period begins, and that labels will be checked for validity under IDNA2008. In this case, labels valid under the previous version of the protocol (IDNA2003) but not under IDNA2008 will not meet this element of the requirements. Labels that are valid under both versions of the protocol will meet this element of the requirements. Labels valid under IDNA2008 but not under IDNA2003 may meet the requirements; however, applicants are strongly advised to note that the duration of the transition period between the two protocols cannot presently be estimated nor guaranteed in any specific timeframe. The development of

> 2.1.2 Must be fully compliant with Normalization Form C, as described in *Unicode Standard Annex #15: Unicode Normalization Forms*. See also examples in http://unicode.org/faq/normalization.html.
>
> 2.1.3 Must consist entirely of characters with the same directional property.

2.2 The label must meet the relevant criteria of the ICANN *Guidelines for the Implementation of Internationalised Domain Names*. See http://www.icann.org/en/topics/idn/implementation-guidelines.htm. This includes the following, non-exhaustive, list of limitations:

> 2.2.1 All code points in a single label must be taken from the same script as determined by the Unicode Standard Annex #24: Unicode Script Property.
>
> 2.2.2 Exceptions to 2.2.1 are permissible for languages with established orthographies and conventions that require the commingled use of multiple scripts. However, even with this exception, visually confusable characters from different scripts will not be allowed to co-exist in a single set of permissible code points unless a corresponding policy and character table are clearly defined.

Part III - Policy Requirements for Generic Top-Level Domains – These requirements apply to all prospective top-level domain strings applied for as gTLDs.

3.1 Applied-for gTLD strings in ASCII (i.e., strings consisting exclusively of LDH characters) must be composed of three or more visually distinct characters. Two-character ASCII strings are not permitted, to avoid conflicting with current and future country codes based on the ISO 3166-1 standard.

3.2 Applied-for gTLD strings in IDN scripts (i.e., strings in which the U-label includes at least one non-LDH character) must be composed of two or more visually distinct characters in the script, as

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support for IDNA2008 in the broader software applications environment will occur gradually. During that time, TLD labels that are valid under IDNA2008, but not under IDNA2003, will have limited functionality.

appropriate. Note, however, that a two-character IDN string will not be approved if:

3.2.1   It is visually similar to any one-character label (in any script); or

3.2.2   It is visually similar to any possible two-character ASCII combination.

Applied-for gTLD strings must be composed of three or more visually distinct letters or characters in the script, as appropriate. [4]

Two-character strings that consist of Unicode code points in scripts such as the Latin, Greek, and Cyrillic script blocks are intrinsically confusable with currently defined or potential future country code TLD (ccTLD) strings based on the ISO 3166-1 alpha-2 codes. Therefore, a very conservative standard is used to assess applied-for strings that consist of two Greek, Cyrillic, or Latin characters: a default presumption of confusability to which exceptions may be made in specific cases.

In performing the comparison of a two-character string to two-character ASCII combinations, the following rankings are used. The higher the rank, the more likely the applied-for gTLD string presents a significant risk of user confusion.

[6] Both characters are visually identical to an ASCII character.

[5] One character is visually identical to, and one character is visually confusable with, an ASCII character.

[4] Both characters are visually confusable with, but neither character is visually identical to, an ASCII character.

[3] One character is visually distinct from, and one character is visually identical to, an ASCII character.

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[4] The requirement for gTLD strings to consist of at least three visually distinct characters remains under discussion. An implementation support team of technical and linguistic experts is currently engaging in work on a proposed solution to enable gTLDs of fewer than three characters where appropriate. The proposed solutions will then be made available for public comment.

[2] One character is visually distinct from, and one character is visually confusable with, an ASCII character.

[1] Both characters are visually distinct from an ASCII character.

These rankings are for guidance only, and the assessment is made based on the rankings and on the expertise of the panelists. The probability of user confusion presented by a given string does not depend strictly on the individual confusability of each character, if considered separately. The assessment of visually distinct and visually confusable takes into account both the individual features of each character and their combined effect.

2.2~~1~~.1.4   *Geographical Names*

Applications for gTLD strings must ensure that appropriate consideration is given to the interests of governments or public authorities in geographic~~country or territory~~ names~~, as well as certain other types of place names~~. The requirements and procedure ICANN will follow are described in the following paragraphs. Applicants should review these requirements even if they do not believe their intended gTLD string is a geographic name.

2.2.1.4.1   *Treatment of Country or Territory Names*[5]

Applications for strings that are country or territory names will not be approved, as they are not available under the New gTLD Program in this application round. A string shall be considered to be a country or territory name if:

   i.   it is an alpha-3 code listed in the ISO 3166-1 standard.

   ii.   it is a long-form name listed in the ISO 3166-1 standard, or a translation of the long-form name in any language.

   iii.   it is a short-form name listed in the ISO 3166-1 standard, or a translation of the short-form name in any language.

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[5] Country and territory names are excluded from the process based on advice from the Governmental Advisory Committee in recent communiqués providing interpretation of Principle 2.2 of the GAC Principles regarding New gTLDs to indicate that strings which are a meaningful representation or abbreviation of a country or territory name should be handled through the forthcoming ccPDP, and other geographical strings could be allowed in the gTLD space if in agreement with the relevant government or public authority.

iv.   it is the short- or long-form name association with a code that has been designated as "exceptionally reserved" by the ISO 3166 Maintenance Agency.

v.   it is a separable component of a country name designated on the "Separable Country Names List," or is a translation of a name appearing on the list, in any language. See the Annex at the end of this module.

i.vi.   It is a permutation or transposition of any of the names included in items (i) through (v). Permutations include removal of spaces, insertion of punctuation, and addition or removal of grammatical articles like "the." A transposition is considered a change in the sequence of the long or short–form name, for example, "RepublicCzech" or "IslandsCayman."

2.21.1.4.21 ~~Strings Considered~~ Geographical Names Requiring Government Support

The following types of applied-for strings~~cations~~ are considered geographical names and must be accompanied by documentation of support or non-objection from the relevant governments or public authorities:

1. An application for any string that is a *country or territory name*. A string shall be considered to be a country or territory name if:

ii.   it is an alpha-3 code listed in the ISO 3166-1 standard.

iii.   it is a long-form name listed in the ISO 3166-1 standard, or a translation of the long-form name in any language.

iv.   it is a short-form name listed in the ISO 3166-1 standard, or a translation of the short-form name in any language.

v.   it is the short- or long-form name association with a code that has been designated as "exceptionally reserved" by the ISO 3166 Maintenance Agency.

vi. ~~it is a separable component of a country name designated on the "Separable Country Names List," or is a translation of a name appearing on the list, in any language. See the Annex at the end of this module.~~

~~It is a permutation or transposition of any of the names included in items (i) through (v). Permutations include removal of spaces, insertion of punctuation, and addition or removal of grammatical articles like "the." A transposition is considered a change in the sequence of the long or short-form name, for example, "RepublicCzech" or "IslandsCayman."~~

1. 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.

    In this case, it is anticipated that the relevant government or public authority would be at the national level.

~~2. 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.~~

~~3. 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.~~

2. An application for a *city name*, where the applicant declares that it intends to use the gTLD for purposes associated with the city name.

    City names present challenges because city names may also be generic terms or brand names, and in many cases no city name is unique. Unlike other types of geographic names, there are no established lists that can be used as objective references in the evaluation process. Thus, city names are not universally protected. However, the process does provide a means for cities and applicants to work together where desired.

    An application for a city name will be subject to the geographic names requirements (i.e., will require documentation of support or non-objection from the relevant governments or public authorities) if:

(a) It is clear from applicant statements within the application that the applicant will use the TLD primarily for purposes associated with the city name; and

(b) The applied-for string is a city name as listed on official city documents.[6]

In the case of an application that meets conditions (a) and (b), documentation of support will be required only from the relevant governments or public authorities of the city named in the application.

4.3.   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.

5.4.   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.[7]

In the case of an application for a string which represents a continent or UN region, documentation of support will be required from at least 609% of the respectiverelevant national governments in the region, and there may be no more than one written objection to the application from relevant governments in the region and/or public authorities associated with the continent or the UN region.

An applied-for gTLD string that falls into any of 1 through 4 the listed above categories is considered to represent a geographical name. In the event of any doubt, it is in the applicant's interest to consult with relevant governments and public authorities and enlist their support or non-objection prior to submission of the application, in order to preclude possible objections and pre-address any ambiguities concerning the string and applicable requirements.

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[6] City governments with concerns about strings that are duplicates, nicknames or close renderings of a city name should not rely on the evaluation process as the primary means of protecting their interests in a string. Rather, a government may elect to file a formal objection to an application that is opposed by the relevant community, or may submit its own application for the string...

[7] *See* http://unstats.un.org/unsd/methods/m49/m49regin.htm.

In the event that there is more than one relevant government or public authority for the applied-for gTLD string, the applicant must provide documentation of support or non-objection from all the relevant governments or public authorities. It is anticipated that this may apply to the case of a sub-national place name.

It is the applicant's responsibility to:

- identify whether its applied-for gTLD string falls into any of the above categories; and

- determine the relevant governments or public authorities; and

- identify which level of government support is required.

The requirement to include documentation of support for certain applications does not preclude or exempt applications from being the subject of objections on community grounds (refer to subsection 3.1.1 of Module 3), under which applications may be rejected based on objections showing substantial opposition from the targeted community.

2.21.1.4.32   *Documentation Requirements*

The documentation of support or non-objection should include a signed letter from the relevant government or public authority. Understanding that this will differ across the respective jurisdictions, the letter could be signed by the minister with the portfolio responsible for domain name administration, ICT, foreign affairs, or the Office of the Prime Minister or President of the relevant jurisdiction; or a senior representative of the agency or department responsible for domain name administration, ICT, foreign affairs, or the Office of the Prime Minister. To assist the applicant in determining who the relevant government or public authority may be for a potential geographic name, the applicant may wish to consult with the relevant Governmental Advisory Committee (GAC) representative.[8]

The letter must clearly express the government's or public authority's support for or non-objection to the applicant's application and demonstrate the government's or public authority's understanding of the string being requested and intended use.

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[8] *See* http://gac.icann.org/gac-membershttp://gac.icann.org/index.php?name=Representatives&mode=4.

The letter should also demonstrate the government's or public authority's understanding that the string is being sought through the gTLD application process and that the applicant is willing to accept the conditions under which the string will be available, i.e., entry into a registry agreement with ICANN requiring compliance with consensus policies and payment of fees. (See Module 5 for a discussion of the obligations of a gTLD registry operator.)

A sample letter of support is available as an attachment to this module.

It is important to note that a government or public authority is under no obligation to provide documentation of support or non-objection in response to a request by an applicant.[9]

If there are reasons for doubt about the authenticity of the communication, ICANN will consult with the relevant diplomatic authorities or members of ICANN's Governmental Advisory Committee for the government or public authority concerned on the competent authority and appropriate point of contact within their administration for communications.

2.21.1.4.43 *Review Procedure for Geographical Names*

A Geographic Names Panel (GNP) will determineconfirm whether each applied-for gTLD string represents a geographical name, and verify the relevance and authenticity of the supporting documentation where necessary.

The GNP will review all applications received, not only those where the applicant has noted its applied-for gTLD string as a geographical name. For any application where the GNP determines that the applied-for gTLD string is a country or territory name (as defined in this module), the application will not pass the Geographical Names review and will be denied. No additional reviews will be available.

For any applications where the GNP determines that the applied-for gTLD string is not a geographical name requiring government support (as described in this module), the application will pass the Geographical Names review with no additional steps required.

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[9] It is also possible that a government may withdraw its support for an application at a later time, including after the new gTLD has been delegated. For a discussion of the issues and options available in such instances, see the accompanying Explanatory Memorandum, *Withdrawal of Government Support for Registry – Post-Delegation Options.*

For any application where the GNP determines that the applied-for gTLD string is a geographical name requiring government support (as described in this module), the GNP will confirm that the applicant has provided the required documentation from the all relevant governments or public authorities, and that the communication from the government or public authority is legitimate and contains the required content. ICANN may confirm the authenticity of the communication by consulting with the relevant diplomatic authorities or members of ICANN's Governmental Advisory Committee for the government or public authority concerned on the competent authority and appropriate point of contact within their administration for communications.

The GNP may communicate with the signing entity of the letter to confirm their intent and their understanding of the terms on which the support for an application is given.

In cases where an applicant has not provided the required documentation, the applicant will be contacted and notified of the requirement, and given a limited time frame to provide the documentation. If the applicant is able to provide the documentation before the close of the Initial Evaluation period, and the documentation is found to meet the requirements, the applicant will pass the geographical names review. If not, the applicant will have additional time to obtain the required documentation; however, if the applicant has not produced the required documentation by the required date (at least 90 days from the date of notice), the application will be considered incomplete and will be ineligible for further review. The applicant may reapply in subsequent application rounds, if desired, subject to the fees and requirements of the specific application rounds.

If there is more than one application for a string representing a certain geographical name as described in this section, and the applications are considered complete (i.e., have requisite government approvals), the applications will be suspended pending resolution by the applicants.

If an application for a string representing a geographical name is in a contention set with applications for similar strings that have not been identified as geographical names, the string contention will be settled using the string contention procedures described in Module 4.

2.2.2 *Applicant Reviews*

Concurrent with the applied-for gTLD string reviews described in subsection 2.2.1, ICANN will review the applicant's technical and operational capability, its financial capability, and its proposed registry services. Those reviews are described in greater detail in the following subsections.

2.2.2.1 *Technical/Operational Review*

In its application, the applicant will respond to a set of questions (see questions 24 – 44 in the Application Form) intended to gather information about the applicant's technical capabilities and its plans for operation of the proposed gTLD.

Applicants are not required to have deployed an actual gTLD registry to pass the Technical/Operational review. It will be necessary, however, for an applicant to demonstrate a clear understanding and accomplishment of some groundwork toward the key technical and operational aspects of a gTLD registry operation. Subsequently, each applicant that passes the technical evaluation and all other steps will be required to complete a pre-delegation technical test prior to delegation of the new gTLD. Refer to Module 5, Transition to Delegation, for additional information.

2.2.2.2 *Financial Review*

In its application, the applicant will respond to a set of questions (see questions 45-50 in the Application Form) intended to gather information about the applicant's financial capabilities for operation of a gTLD registry and its financial planning in preparation for long-term stability of the new gTLD.

Because different registry types and purposes may justify different responses to individual questions, evaluators will pay particular attention to the consistency of an application across all criteria. For example, an applicant's scaling plans identifying system hardware to ensure its capacity to operate at a particular volume level should be consistent with its financial plans to secure the necessary equipment. That is, the evaluation criteria scale with the applicant plans to provide flexibility.

2.2.2.3 *Evaluation Methodology*

Dedicated technical and financial panels of evaluators will conduct the technical/operational and financial reviews, according to the established criteria and scoring

methodology included as an attachment to this module. These reviews are conducted on the basis of the information each applicant makes available to ICANN in its response to the questions in the Application Form.

The evaluators may request clarification or additional information during the Initial Evaluation period. For each application, clarifying questions will be consolidated and sent to the applicant from each of the panels. The applicant will thus have onean additional opportunity to clarify or supplement itsthe application in those areas where a requested is made by the evaluators. These communications will occur via the online application system, rather than by phone, letter, email, or other means. Unless otherwise noted, sSuch communications will include a 3-week deadline for the applicant to respond. Any supplemental information provided by the applicant will become part of the application.

It is the applicant's responsibility to ensure that the questions have been fully answered and the required documentation is attached. Evaluators are entitled, but not obliged, to request further information or evidence from an applicant, and are not obliged to take into account any information or evidence that is not made available in the application and submitted by the due date, unless explicitly requested by the evaluators.

2.21.3 Registry Services Review

Concurrent with the other reviews that occur during the Initial Evaluation period, ICANN will review the applicant's proposed registry services for any possible adverse impact on security or stability. The applicant will be required to provide a list of proposed registry services in its application.

2.21.3.1 Definitions

Registry services are defined as:

1. operations of the registry critical to the following tasks: the receipt of data from registrars concerning registrations of domain names and name servers; provision to registrars of status information relating to the zone servers for the TLD; dissemination of TLD zone files; operation of the registry zone servers; and dissemination of contact and other information concerning domain name server registrations in the TLD as required by the registry agreement;

2. other products or services that the registry operator is required to provide because of the establishment of a consensus policy; and

3. any other products or services that only a registry operator is capable of providing, by reason of its designation as the registry operator.

Proposed registry services will be examined to determine if they might raise significant stability or security issues. Examples of services proposed by existing registries can be found at http://www.icann.org/en/registries/rsep/. In most cases, these proposed services successfully pass this inquiry.

Registry services currently provided by gTLD registries can be found in registry agreement appendices. See http://www.icann.org/en/registries/agreements.htm.

A full definition of registry services can be found at http://www.icann.org/en/registries/rsep/rsep.html.

~~The following registry services are customary services offered by a registry operator:~~

- ~~Receipt of data from registrars concerning registration of domain names and name servers~~

- ~~Provision of status information relating to zone servers for the TLD~~

- ~~Dissemination of TLD zone files~~

- ~~Dissemination of contact or other information concerning domain name registrations~~

- ~~Internationalized Domain Names (if applicable)~~

- ~~DNS Security Extensions~~

~~The applicant must describe whether any of these registry services are intended to be offered in a manner unique to the TLD.~~

~~Any additional registry services that are unique to the proposed gTLD registry should be described in detail. Directions for describing the registry services are provided at http://www.icann.org/en/registries/rsep/rrs_sample.html.~~

For purposes of this review, security and stability are defined as follows:

Security – an effect on security by the proposed registry service means (1) the unauthorized disclosure, alteration, insertion or destruction of registry data, or (2) the

unauthorized access to or disclosure of information or resources on the Internet by systems operating in accordance with all applicable standards.

Stability – an effect on stability means that the proposed registry service (1) does not comply with applicable relevant standards that are authoritative and published by a well-established, recognized, and authoritative standards body, such as relevant standards-track or best current practice RFCs sponsored by the IETF, or (2) creates a condition that adversely affects the throughput, response time, consistency, or coherence of responses to Internet servers or end systems, operating in accordance with applicable relevant standards that are authoritative and published by a well-established, recognized and authoritative standards body, such as relevant standards-track or best current practice RFCs and relying on registry operator's delegation information or provisioning services.

2.2~~1~~.3.2   *Customary Services*~~Methodology~~

The following registry services are customary services offered by a registry operator:

- Receipt of data from registrars concerning registration of domain names and name servers

- Provision of status information relating to zone servers for the TLD

- Dissemination of TLD zone files

- Dissemination of contact or other information concerning domain name registrations

- DNS Security Extensions

The applicant must describe whether any of these registry services are intended to be offered in a manner unique to the TLD.

Any additional registry services that are unique to the proposed gTLD registry should be described in detail. Directions for describing the registry services are provided at http://www.icann.org/en/registries/rsep/rrs_sample.html.

2.2.3.3 *TLD Zone Contents*

ICANN receives a number of inquiries about use of various record types in a registry zone, as entities contemplate different business and technical models. Permissible zone contents for a TLD zone are:

- Apex SOA record.

- Apex NS records and in-bailiwick glue for the TLD's DNS servers.

- NS records and in-bailiwick glue for DNS servers of registered names in the TLD.

- DS records for registered names in the TLD.

- Records associated with signing the TLD zone (i.e., RRSIG, DNSKEY, NSEC, and NSEC3).

An applicant wishing to place any other record types into its TLD zone should describe in detail its proposal in the registry services section of the application. This will be evaluated and could result in an extended evaluation to determine whether the service would create a risk of a meaningful adverse impact on security or stability of the DNS. Applicants should be aware that a service based on use of less-common DNS resource records in the TLD zone, even if approved in the registry services review, might not work as intended for all users due to lack of application support.

2.2.3.4   Methodology

Review of the applicant's proposed registry services will include a preliminary determination of whether any of the proposed registry services raise significant security or stability issues and require additional consideration.

If the preliminary determination reveals that there may be significant security or stability issues (as defined in subsection 2.2.3.1) surrounding a proposed service, the application will be flagged for an extended review by the Registry Services Technical Evaluation Panel (RSTEP), see http://www.icann.org/en/registries/rsep/rstep.html). This review, if applicable, will occur during the Extended Evaluation period (refer to Section 2.3).

In the event that an application is flagged for extended review of one or more registry services, an additional fee to cover the cost of the extended review will be due from the applicant. Applicants will be advised of any additional fees due, which must be received before the additional review begins.

2.2.4 Applicant's Withdrawal of an Application

An applicant who does not pass the Initial Evaluation may withdraw its application at this stage and request a partial refund (refer to subsection 1.5 of Module 1).

2.32 *Extended Evaluation*

An applicant may request an Extended Evaluation if the application has failed to pass the Initial Evaluation elements concerning:

> ~~DNS stability—String review (refer to subsection 2.1.1.3). There is no additional fee for an extended evaluation in this instance.~~

- Geographical names (refer to subsection 2.21.1.4) – There is no additional fee for an extended evaluation in this instance.

- Demonstration of technical and operational capability (refer to subsection 2.21.2.1). There is no additional fee for an extended evaluation in this instance.

- Demonstration of financial capability (refer to subsection 2.21.2.2). There is no additional fee for an extended evaluation in this instance.

- Registry services (refer to subsection 2.21.3). Note that this investigation incurs an additional fee (the Registry Services Review Fee) if the applicant wishes to proceed. See Section 1.5 of Module 1 for fee and payment information.

An Extended Evaluation does not imply any change of the evaluation criteria. The same criteria used in the Initial Evaluation will be used to review the application in light of clarifications provided by the applicant.

From the time an applicant receives notice of failure to pass the Initial Evaluation, eligible applicants will have 15 calendar days to submit to ICANN the Notice of Request for Extended Evaluation. If the applicant does not explicitly request the Extended Evaluation (and pay an additional fee in the case of a Registry Services inquiry) the application will not proceed.

~~2.2.1 DNS Stability -- Extended Evaluation~~

~~This section applies to an Extended Evaluation of DNS security or stability issues with an applied-for gTLD string, as described in subsection 2.1.1.3.~~

~~If an application is subject to Extended Evaluation, the DNS Stability Panel will review the security or stability issues identified during the Initial Evaluation.~~

~~The panel will review the string and determine whether the string fails to comply with relevant standards or creates a condition that adversely affects the throughput, response time, consistency, or coherence of responses to Internet servers or end systems, and will communicate its findings to ICANN and to the applicant.~~

~~If the panel determines that the string does not comply with relevant technical standards or creates a condition that adversely affects the throughput, response time, consistency, or coherence of responses to Internet servers or end systems, the application cannot proceed.~~

2.3.1 Geographical Names Extended Evaluation

In the case of an application that has been identified as a geographical name requiring government support, but where the applicant has not provided evidence of support or non-objection from all relevant governments or public authorities by the end of the Initial Evaluation period, the applicant has additional time in the Extended Evaluation period to obtain and submit this documentation.

If the applicant submits the documentation to the Geographic Names Panel by the required date, the GNP will perform its review of the documentation as detailed in section 2.2.1.4. If the applicant has not provided the documentation by the required date (at least 90 days from the date of the notice), the application will not pass the Extended Evaluation, and no further reviews are available.

2.3.2~~2.2.3~~ Technical/Operational or Financial Extended Evaluation

The following applies to an Extended Evaluation of an applicant's technical and operational capability or financial capability, as described in subsection 2.2~~1~~.2.

An applicant who has requested Extended Evaluation will again access the online application system and clarify its answers to those questions or sections on which it received a non-passing score. The answers should be responsive to the evaluator report that indicates the reasons for failure. Applicants may not use the Extended Evaluation period to substitute portions of new information for the information submitted in their original applications, i.e., to materially change the application.

An applicant participating in an Extended Evaluation on the Technical / Operational or Financial reviews will have the option to have its application reviewed by the same evaluation panelists who performed the review during the

Initial Evaluation period, or to have a different set of panelists perform the review during Extended Evaluation.

The Extended Evaluation allows an additional exchange of information between the evaluators and the applicant to further clarify information contained in the application. This supplemental information will become part of the application record. Such communications will include a deadline for the applicant to respond.

ICANN will notify applicants at the end of the Extended Evaluation period as to whether they have passed. If an applica~~nt~~tion passes Extended Evaluation, it~~s application~~ continues to the next stage in the process. If an applica~~nt~~tion does not pass Extended Evaluation, it~~the application~~ will proceed no further. No further reviews are available.

2.3~~2~~.3 *Registry Services Extended Evaluation*

This section applies to Extended Evaluation of registry services, as described in subsection 2.2~~1~~.3.

If a proposed registry service has been referred to the Registry Services Technical Evaluation Panel (RSTEP) for an extended review, the RSTEP will form a review team of members with the appropriate qualifications.

The review team will generally consist of 3 members, depending on the complexity of the registry service proposed. In a 3-member panel, the review could be conducted within 30 to 45 days. In cases where a 5-member panel is needed, this will be identified before the extended evaluation starts. In a 5-member panel, the review could be conducted in 45 days or fewer.

The cost of an RSTEP review will be covered by the applicant through payment of the Registry Services Review Fee. Refer to payment procedures in section 1.5 of Module 1. The RSTEP review will not commence until payment has been received.

If the RSTEP finds that one or more of the applicant's proposed registry services may be introduced without risk of a meaningful adverse effect on security or stability, these services will be included in the applicant's contract with ICANN. If the RSTEP finds that the proposed service would create a risk of a meaningful adverse effect on security or stability, the applicant may elect to proceed with its application without the proposed service, or withdraw its application for the gTLD. In this instance, an applicant has 15 calendar days to notify ICANN of its intent

to proceed with the application. If an applicant does not explicitly provide such notice within this time frame, the application will proceed no further.

2.~~4~~3 *Parties Involved in Evaluation*

A number of independent experts and groups play a part in performing the various reviews in the evaluation process. A brief description of the various panels, their evaluation roles, and the circumstances under which they work is included in this section.

2.~~4~~3.1   *Panels and Roles*

The **String Similarity Panel** will assess~~es~~ whether a proposed gTLD string is likely to result in user confusion due to similarity with any reserved name~~word~~, any existing TLD, any requested IDN ccTLD, or any new gTLD string applied for in the current application round. This occurs during the String Similarity review in Initial Evaluation.

The **DNS Stability Panel** will review each applied-for string to determine whether the proposed string might adversely affect the security or stability of the DNS. This occurs during the DNS Stability String Review in Initial Evaluation~~, and may occur again if an applicant does not pass the review in Initial Evaluation and requests Extended Evaluation~~.

The **Geographical Names Panel** will review each application to determine whether the applied-for gTLD represents a geographic name, as defined in this guidebook. In the event that the string represents a geographic name and requires government support, the panel will ensure that the required documentation is provided with the application and verify that the documentation is from the relevant governments or public authorities and is authentic.

The **Technical Evaluation Panel** will review the technical components of each application against the criteria in the Applicant Guidebook, along with proposed registry operations, in order to determine whether the applicant is technically and operationally capable of operating a gTLD registry. This occurs during the Technical/Operational Reviews in Initial Evaluation, and may also occur in Extended Evaluation if elected by the applicant.

The **Financial Evaluation Panel** will review each application against the relevant business, financial and organizational criteria contained in the Applicant Guidebook, to determine whether the applicant is financially capable of maintaining a gTLD registry. This occurs during the Financial

Review in Initial Evaluation, and may also occur in Extended Evaluation if elected by the applicant.

The **Registry Services Technical Evaluation Panel (RSTEP)** will review the proposed registry services in the application to determine if any registry services might raise significant security or stability issues. This occurs, if applicable, during the Extended Evaluation period.

Depending on the results of additional work concerning IDN variants, IDN tables and variant strings submitted in gTLD applications may be reviewed by a designated panel with the necessary expertise.

Members of theseall panels are required to abide by the established Code of Conduct and Conflict of Interest guidelines included in this module.

2.43.2   *Panel Selection Process*

ICANN is in the process of selecting qualified third-party providers to perform the various reviews.[10] In addition to the specific subject matter expertise required for each panel, specified qualifications are required, including:

- The provider must be able to convene – or have the capacity to convene - globally diverse panels and be able to evaluate applications from all regions of the world, including applications for IDN gTLDs.

- The provider should be familiar with the IETF IDNA standards, Unicode standards, relevant RFCs and the terminology associated with IDNs.

- The provider must be able to scale quickly to meet the demands of the evaluation of an unknown number of applications. At present it is not known how many applications will be received, how complex they will be, and whether they will be predominantly for ASCII or non-ASCII gTLDs.

- The provider must be able to evaluate the applications within the required timeframes of Initial and Extended Evaluation.

It is anticipated that tThe providers will be formally engaged and announcedselected during this year.

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[10] *See* http://icann.org/en/topics/new-gtlds/open-tenders-eoi-en.htm.

~~Additional updates will be posted~~ on ICANN's website prior to the opening of the Application Submission period.

2.~~1~~4~~3~~.3 ──── *Code of Conduct Guidelines for Panelists*

The purpose of the New gTLD ~~Application~~ Program ("Program") Code of Conduct ("Code") is to prevent real and apparent conflicts of interest and unethical behavior by any Evaluation Panelist ("Panelist").

Panelists shall conduct themselves as thoughtful, competent, well prepared, and impartial professionals throughout the application process. Panelists are expected to comply with equity and high ethical standards while assuring the Internet community, its constituents, and the public of objectivity, integrity, confidentiality, and credibility. Unethical actions, or even the appearance of compromise, are not acceptable. Panelists are expected to be guided by the following principles in carrying out their respective responsibilities. This Code is intended to summarize the principles and nothing in this Code should be considered as limiting duties, obligations or legal requirements with which Panelists must comply.

Bias -- Panelists shall:

- not advance personal agendas or non-ICANN approved agendas in the evaluation of applications;

- examine facts as they exist and not be influenced by past reputation, media ─,accounts, or third-party opinions ~~etc~~ about the ~~A~~application~~s~~~~nts~~ being evaluated;

- exclude themselves from participating in the evaluation of an application if, to their knowledge, there is some predisposing factor that could prejudice them with respect to such evaluation; and

- exclude themselves from evaluation activities if they are philosophically opposed to or are on record as having made generic criticism about a specific type of applicant or application.

Compensation/Gifts -- Panelists shall not request or accept any compensation whatsoever or any gifts of substance

from the Applicant being reviewed or anyone affiliated with the Applicant. (Gifts of substance would include any gift greater than USD 25 in value).

If the giving of small tokens is important to the Applicant's culture, Panelists may accept these tokens; however, the total of such tokens must not exceed USD 25 in value. If in doubt, the Panelist should err on the side of caution by declining gifts of any kind.

Conflicts of Interest -- Panelists shall act in accordance with the "New gTLD Application Program Conflicts of Interest Guidelines" (see subsection 2.4.3.1).

Confidentiality -- Confidentiality is an integral part of the evaluation process. Panelists must have access to sensitive information in order to conduct Applicant evaluations. Panelists must maintain confidentiality of information entrusted to them by ICANN and the Applicant and any other confidential information provided to them from whatever source, except when disclosure is legally mandated or has been authorized by ICANN. "Confidential information" includes all elements of the Program and information gathered as part of the process – which includes but is not limited to: documents, interviews, discussions, interpretations, and analyses – related to the review of any new gTLD application.

Enforcement -- Breaches of this Code, whether intentional or not, shall be reviewed by ICANN, which may make recommendations for corrective action, if deemed necessary. Serious breaches of the Code may be cause for dismissal of the person, persons or provider committing the infraction.

Affirmation -- All Panelists shall read this Code prior to commencing evaluation services and shall certify in writing that they have done so and understand the Code.

2.4.3.14 Conflict of Interest Guidelines for Panelists

It is recognized that third-party providers may have a large number of employees in several countries serving numerous clients. In fact, there is it is possibleility that the a number of Panelists may be very well known within the registry / registrar community and have provided professional services to a number of potential applicants.

To safeguard against the potential for inappropriate influence and ensure applications are evaluated in an

objective and independent manner, ICANN has established detailed Conflicts of Interest guidelines and procedures that will be followed by the Evaluation Panelists. To help ensure that the guidelines are appropriately followed ICANN will:

- Require each Evaluation Panelist (provider and individual) to acknowledge and document understanding of the Conflicts of Interest guidelines.

- Require each Evaluation Panelist to disclose all business relationships engaged in at any time during the past six months.

- Where possible, identify and secure primary and , secondary, and contingent third party backup providers for each of the evaluation panels highlighted in the Applicant Guidebook.

- In conjunction with the Evaluation Panelists, develop and implement a process to identify conflicts and re-assign applications as appropriate to secondary or contingent third party providers to perform the reviews.

Compliance Period -- All Evaluation Panelists must comply with the Conflicts of Interest guidelines beginning with the opening date of the Application Submissionpre-registration period and ending with the public announcement by ICANN of the final outcomes of all the applications from the Applicant in question.

Guidelines -- The following guidelines are the minimum standards with which all Evaluation Panelists must comply. It is recognized that it is impossible to foresee and cover all circumstances in which a potential conflict of interest might arise. In these cases the Evaluation Panelist should evaluate whether the existing facts and circumstances would lead a reasonable person to conclude that there is an actual conflict of interest.

Evaluation Panelists and Immediate Family Members:

- Must not be under contract, have or be included in a current proposal to provide Professional Services for or on behalf of the Applicant during the Compliance Period.

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- Must not currently hold or be committed to acquire any interest in a privately-held Applicant.

- Must not currently hold or be committed to acquire more than 1% of any publicly listed Applicant's outstanding equity securities or other ownership interests.

- Must not be involved or have an interest in a joint venture, partnership or other business arrangement with the Applicant.

- Must not have been named in a lawsuit with or against the Applicant.

- Must not be a:

   o Director, officer, or employee, or in any capacity equivalent to that of a member of management of the Applicant;

   o Promoter, underwriter, or voting trustee of the Applicant; or

   o Trustee for any pension or profit-sharing trust of the Applicant.

Definitions--

Evaluation Panelist: An Evaluation Panelist is any individual associated with the review of an application. This includes any primary, secondary, and contingent third party Panelists engaged by ICANN to review new gTLD applications.identified through the Expressions of Interest (EOI) process.

Immediate Family Member: Immediate Family Member is a spouse, spousal equivalent, or dependent (whether or not related) of an Evaluation Panelist.

Professional Services: include, but are not limited to legal services, financial audit, financial planning / investment, outsourced services, consulting services such as business / management / internal audit, tax, information technology, registry / registrar services.

2.4.3.2 Code of Conduct Violations

Evaluation panelist breaches of the Code of Conduct, whether intentional or not, shall be reviewed by ICANN,

which may make recommendations for corrective action, if deemed necessary. Serious breaches of the Code may be cause for dismissal of the person, persons or provider committing the infraction.

In a case where ICANN determines that a Panelist has failed to comply with the Code of Conduct, the results of that Panelist's review for all assigned applications will be discarded and the affected applications will undergo a review by new panelists.

Complaints about violations of the Code of Conduct by a Panelist may be brought to the attention of ICANN via the public comment and applicant support mechanisms, throughout the evaluation period. Concerns of applicants regarding panels should be communicated via the defined support channels (see subsection 1.4.2). Concerns of the general public (i.e., non-applicants) can be raised via the public comment forum, as described in Module 1.

2.4.43.5 — *Communication Channels*

Defined channels for technical support or exchanges of information with ICANN and with evaluation panels are~~will be made~~ available to applicants during the Initial Evaluation and Extended Evaluation periods. Contacting individual ICANN staff members, Board members, or ~~other~~ individuals engaged by ICANN to performing~~ing~~ an evaluation role in order to lobby for a particular outcome or to obtain confidential information about applications under review is not appropriate. In the interests of fairness and equivalent treatment for all applicants, any such individual contacts will be referred to the appropriate communication channels.

DRAFT - New gTLD Program – Initial Evaluation and Extended Evaluation

Application is confirmed as complete and ready for evaluation during Administrative Completeness Check

Background Check
Third-party provider reviews applicant's background.

Initial Evaluation – *String Review*

Initial Evaluation – *Applicant Review*

String Similarity
Application is reviewed to determine if applied-for string is too similar to exisiting TLDs or Reserved Names.

DNS Stability
All strings reviewed and in extraordinary cases, DNS Stability Panel may determine that string has a strong likelihood of causing DNS instability.

Geographical Names
Geographical Names Panel (GNP) determines if applied-for string is geographical name requiring government support.

Technical and Operational Capability
Technical and Operational panel reviews applicant's answers to questions and supporting documentation.

Financial Capability
Financial panel reviews applicant's answers to questions and supporting documentation.

Registry Services
Registry services panel reviews applicant's registry services and may refer applications to Extended Evaluation for further review.

String Similarity Panel compares all applied-for strings and creates contention sets. ICANN will seek to publish the String Similarity results, including contention sets, prior to publication of full IE results.

The GNP confirms supporting documentation where required.

Extended Evaluation can be for any or all of the four elements below:
- *Technical and Operational Capability*
- *Financial Capability*
- *Geographical Names*
- *Registry Services*
But NOT for String Similarity or DNS Stability

Does applicant pass all elements of Initial Evaluation?

No →

Yes → **Applicant continues to subsequent steps.**

Applicant elects to pursue *Extended Evaluation?*

No → **Ineligible for further review**

Yes → **Extended Evaluation proceedings**

Does applicant pass all elements of Extended Evaluation?

No → **Ineligible for further review**

Yes → **Applicant continues to subsequent steps.**

DRAFT – For Discussion Purposes – Apr 10 – V1.43

Annex: Separable Country Names List

Under various proposed ICANN policies, ~~gTLD application restrictions on~~ ~~eligibility for~~ country or territory name~~s reservation or allocation is~~are tied to listing in property fields of the ISO 3166-1 standard. Notionally, the ISO 3166-1 standard has an "English short name" field which is the common name for a country and can be used for such protections; however, in some cases this does not represent the common name. This registry seeks to add additional protected elements which are derived from definitions in the ISO 3166-1 standard. An explanation of the various classes is included below.

Separable Country Names List

Code	English Short Name	Cl.	Separable Name
ax	Åland Islands	B1	Åland
as	American Samoa	C	Tutuila
		C	Swain's Island
ao	Angola	C	Cabinda
ag	Antigua and Barbuda	A	Antigua
		A	Barbuda
		C	Redonda Island
au	Australia	C	Lord Howe Island
		C	Macquarie Island
		C	Ashmore Island
		C	Cartier Island
		C	Coral Sea Islands
bo	Bolivia, Plurinational State of	B1	Bolivia
ba	Bosnia and Herzegovina	A	Bosnia
		A	Herzegovina
br	Brazil	C	Fernando de Noronha Island
		C	Martim Vaz Islands
		C	Trinidade Island
io	British Indian Ocean Territory	C	Chagos Archipelago
		C	Diego Garcia
bn	Brunei Darussalam	B1	Brunei
		C	Negara Brunei Darussalam
cv	Cape Verde	C	São Tiago
		C	São Vicente
ky	Cayman Islands	C	Grand Cayman
cl	Chile	C	Easter Island
		C	Juan Fernández Islands
		C	Sala y Gómez Island
		C	San Ambrosio Island
		C	San Félix Island
cc	Cocos (Keeling) Islands	A	Cocos Islands
		A	Keeling Islands
co	Colombia	C	Malpelo Island
		C	San Andrés Island
		C	Providencia Island
km	Comoros	C	Anjouan
		C	Grande Comore
		C	Mohéli
ck	Cook Islands	C	Rarotonga
cr	Costa Rica	C	Coco Island
ec	Ecuador	C	Galápagos Islands
gq	Equatorial Guinea	C	Annobón Island
		C	Bioko Island
		C	Río Muni
fk	Falkland Islands (Malvinas)	B1	Falkland Islands

		B1	Malvinas
fo	Faroe Islands	A	Faroe
fj	Fiji	C	Vanua Levu
		C	Viti Levu
		C	Rotuma Island
pf	French Polynesia	C	Austral Islands
		C	Gambier Islands
		C	Marquesas Islands
		C	Society Archipelago
		C	Tahiti
		C	Tuamotu Islands
		C	Clipperton Island
tf	French Southern Territories	C	Amsterdam Islands
		C	Crozet Archipelago
		C	Kerguelen Islands
		C	Saint Paul Island
gr	Greece	C	Mount Athos
gd	Grenada	C	Southern Grenadine Islands
		C	Carriacou
gp	Guadeloupe	C	la Désirade
		C	Marie-Galante
		C	les Saintes
hm	Heard Island and McDonald Islands	A	Heard Island
		A	McDonald Islands
va	Holy See (Vatican City State)	A	Holy See
		A	Vatican
hn	Honduras	C	Swan Islands
in	India	C	Amindivi Islands
		C	Andaman Islands
		C	Laccadive Islands
		C	Minicoy Island
		C	Nicobar Islands
ir	Iran, Islamic Republic of	B1	Iran
ki	Kiribati	C	Gilbert Islands
		C	Tarawa
		C	Banaba
		C	Line Islands
		C	Kiritimati
		C	Phoenix Islands
		C	Abariringa
		C	Enderbury Island
kp	Korea, Democratic People's Republic of	C	North Korea
kr	Korea, Republic of	C	South Korea
la	Lao People's Democratic Republic	B1	Laos
ly	Libyan Arab Jamahiriya	B1	Libya
mk	Macedonia, the Former Yugoslav Republic of	B1	Macedonia
my	Malaysia	C	Sabah
		C	Sarawak
mh	Marshall Islands	C	Jaluit
			Kwajalein
			Majuro
mu	Mauritius	C	Agalega Islands
		C	Cargados Carajos Shoals
		C	Rodrigues Island
fm	Micronesia, Federated States of	B1	Micronesia
		C	Caroline Islands (see also pw)
		C	Chuuk

		C	Kosrae
		C	Pohnpei
		C	Yap
md	Moldova, Republic of	B1	Moldova
		C	Moldava
an	Netherlands Antilles	B1	Antilles
		C	Bonaire
		C	Curaçao
		C	Saba
		C	Saint Eustatius
		C	Saint Martin
nc	New Caledonia	C	Loyalty Islands
mp	Northern Mariana Islands	C	Mariana Islands
		C	Saipan
om	Oman	C	Musandam Peninsula
pw	Palau	C	Caroline Iislands (see also fm)
		C	Babelthuap
ps	Palestinian Territory, Occupied	B1	Palestine
pg	Papua New Guinea	C	Bismarck Archipelago
		C	Northern Solomon Islands
		C	Bougainville
pn	Pitcairn	C	Ducie Island
		C	Henderson Island
		C	Oeno Island
re	Réunion	C	Bassas da India
		C	Europa Island
		C	Glorioso Island
		C	Juan de Nova Island
		C	Tromelin Island
ru	Russian Federation	B1	Russia
		C	Kaliningrad Region
sh	Saint Helena, Ascension, and Tristan de Cunha	A	Saint Helena
		A	Ascension
		A	Tristan de Cunha
		C	Gough Island
		C	Tristan de Cunha Archipelago
kn	Saint Kitts and Nevis	A	Saint Kitts
		A	Nevis
pm	Saint Pierre and Miquelon	A	Saint Pierre
		A	Miquelon
vc	Saint Vincent and the Grenadines	A	Saint Vincent
		A	The Grenadines
		C	Northern Grenadine Islands
		C	Bequia
		C	Saint Vincent Island
ws	Samoa	C	Savai'i
		C	Upolu
st	Sao Tome and Principe	A	Sao Tome
		A	Principe
sc	Seychelles	C	Mahé
		C	Aldabra Islands
		C	Amirante Islands
		C	Cosmoledo Islands
		C	Farquhar Islands
sb	Solomon Islands	C	Santa Cruz Islands
		C	Southern Solomon Islands
		C	Guadalcanal
za	South Africa	C	Marion Island

		C	Prince Edward Island
gs	South Georgia and the South Sandwich Islands	A	South Georgia
		A	South Sandwich Islands
sj	Svalbard and Jan Mayen	A	Svalbard
		A	Jan Mayen
		C	Bear Island
sy	Syrian Arab Republic	B1	Syria
tw	Taiwan, Province of China	B1	Taiwan
		C	Penghu Islands
		C	Pescadores
tz	Tanzania, United Republic of	B1	Tanzania
tl	Timor-Leste	C	Oecussi
to	Tonga	C	Tongatapu
tt	Trinidad and Tobago	A	Trinidad
		A	Tobago
tc	Turks and Caicos Islands	A	Turks Islands
		A	Caicos Islands
tv	Tuvalu	C	Fanafuti
ae	United Arab Emirates	B1	Emirates
us	United States	B2	America
um	United States Minor Outlying Islands	C	Baker Island
		C	Howland Island
		C	Jarvis Island
		C	Johnston Atoll
		C	Kingman Reef
		C	Midway Islands
		C	Palmyra Atoll
		C	Wake Island
		C	Navassa Island
vu	Vanuatu	C	Efate
		C	Santo
ve	Venezuela, Bolivarian Republic of	B1	Venezuela
		C	Bird Island
vg	Virgin Islands, British	B1	Virgin Islands
		C	Anegada
		C	Jost Van Dyke
		C	Tortola
		C	Virgin Gorda
vi	Virgin Islands, US	B1	Virgin Islands
		C	Saint Croix
		C	Saint John
		C	Saint Thomas
wf	Wallis and Futuna	A	Wallis
		A	Futuna
		C	Hoorn Islands
		C	Wallis Islands
		C	Uvea
ye	Yemen	C	Socotra Island

Maintenance

A Separable Country Names Registry will be maintained and published by ICANN Staff.

Each time the ISO 3166-1 standard is updated with a new entry, this registry will be reappraised to identify if the changes to the standard warrant changes to the entries in this registry. Appraisal will be based on the criteria listing in the "Eligibility" section of this document.

Codes reserved by the ISO 3166 Maintenance Agency do not have any implication on this registry, only entries derived from normally assigned codes appearing in ISO 3166-1 are eligible.

If an ISO code is struck off the ISO 3166-1 standard, any entries in this registry deriving from that code must be struck.

Eligibility

Each record in this registry is derived from the following possible properties:

Class A:	The ISO 3166-1 English Short Name is comprised of multiple, separable parts whereby the country is comprised of distinct sub-entities. Each of these separable parts is eligible in its own right for consideration as a country name. For example, "Antigua and Barbuda" is comprised of "Antigua" and "Barbuda."
Class B:	The ISO 3166-1 English Short Name (1) or the ISO 3166-1 English Full Name (2) contains additional language as to the type of country the entity is, which is often not used in common usage when referencing the country. For example, one such short name is "The Bolivarian Republic of Venezuela" for a country in common usage referred to as "Venezuela."
Class C:	The ISO 3166-1 Remarks column containing synonyms of the country name, or sub-national entities, as denoted by "often referred to as," "includes", "comprises", "variant" or "principal islands".

In the first two cases, the registry listing must be directly derivative from the English Short Name by excising words and articles. These registry listings do not include vernacular or other non-official terms used to denote the country.

Eligibility is calculated in class order. For example, if a term can be derived both from Class A and Class C, it is only listed as Class A.

Attachment to Module 2

Sample Letter of Government Support

[This letter should be provided on official letterhead]

ICANN
Suite 330, 4676 Admiralty Way
Marina del Rey, CA 90292

Attention: New gTLD Evaluation Process

Subject: Letter for support for [TLD requested]

This letter is to confirm that [government entity] fully supports the application for [TLD] submitted to ICANN by [applicant] in the New gTLD Program. As the [Minister/Secretary/position] I confirm that I have the authority of the [x government/public authority] to be writing to you on this matter. [Explanation of government entity, relevant department, division, office, or agency, and what its functions and responsibilities are]

The gTLD will be used to [explain your understanding of how the name will be used by the applicant. This could include policies developed regarding who can register a name, pricing regime and management structures.] [Government/public authority/department] has worked closely with the applicant in the development of this proposal.

The [x government/public authority] supports this application, and in doing so, understands that in the event that the application is successful, [applicant] will be required to enter into a Registry Agreement with ICANN. In doing so, they will be required to pay fees to ICANN and comply with consensus policies developed through the ICANN multi-stakeholder policy processes.

[Government / public authority] further understands that the Registry Agreement provides that ICANN will comply with a legally binding decision in the relevant jurisdiction where there has been a dispute between [government/public authority] and the applicant.

[Optional] This application is being submitted as a community-based application, and as such it is understood that the Registry Agreement will reflect the community restrictions proposed in the application. In the event that we believe the registry is not complying with these restrictions, possible avenues of recourse include the Registry Restrictions Dispute Resolution Procedure.

[Optional] I can advise that in the event that this application is successful [xx government/public authority] will enter into a separate agreement with the applicant. This agreement will outline the conditions under which we support them in the operation of the TLD, and circumstances under which we would withdraw that support. ICANN will not be a party to this agreement, and enforcement of this agreement lies fully with [government/public authority].

[Government / public authority] understands that the Geographic Names Panel engaged by ICANN will, among other things, conduct due diligence on the authenticity of this documentation. I would request that if additional information is required during this process, that [name and contact details] be contacted in the first instance.

Thank you for the opportunity to support this application.

Yours sincerely

Signature from relevant government/public authority