



Issue: Implementation of Category 1 and Category 2 GAC Advice

Date: December 20, 2013

The New TLD Applicant Group (NTAG) appreciates the work undertaken by the New gTLD Program Committee (NGPC) in arriving at the intended implementation plans outlined in its correspondence of October 29, to Heather Dryden, Chair of the Governmental Advisory Committee (GAC) concerning the NGPC's implementation of GAC Safeguard Advice on Category 1 and Category 2 strings.

The NTAG fully recognizes the many cultural, political, and legal challenges that the GAC and NGPC have reconciled through the Safeguard Advice and Public Interest Commitments (PICs) respectively, in particular given the complexity of the issues raised. The NTAG has strong consensus support for the NGPC's proposal to implement the Category 1 Advice through the introduction of additional PICs that are implementable and enforceable by Registry Operators and ICANN, while also addressing the public policy concerns encapsulated in the GAC Advice. Additionally, a strong consensus of NTAG members welcome the NGPC's efforts to allow many applicants identified in the GAC Category 2 Advice to advance through ICANN's application process.¹

During the ICANN 48 Public Meeting in Buenos Aires, Argentina, members of the NGPC affirmed that in the absence of new Consensus GAC Advice or any opposing these implementation plans, the NGPC would move forward with the implementation of the GAC Safeguard Advice as outlined. The NTAG notes that the GAC's Buenos Aires Communiqué "welcomed the response of the Board to the GAC's Beijing Communiqué Advice on Category 1 and Category 2 strings." We believe this GAC response gives the NGPC the grounds needed to proceed with the implementation of the GAC Safeguard Advice on Category 1 and Category 2 strings as outlined.² To this end, the NTAG submits the following requests for the NGPC's consideration:

Category 1 Strings:

We ask that ICANN communicate the modified Category 1 Safeguards and corresponding PIC requirements to affected applicants. This would have the effect of lifting the NGPC's earlier freeze on Category 1 applications.³ Additionally, we ask that ICANN proceed with issuing Contracting Information Requests to otherwise eligible applicants for Category 1 strings so that affected applicants may move forward within the application process.

Category 2 Strings:

¹ While NTAG received strong consensus for this letter, two members opposed the views expressed herein: Dot Registry LLC and Latin American Telecom.

² The NTAG recognizes the GAC Advice regarding the re-categorization of the .DOCTOR gTLD, as well as the request for an additional clarification and briefing related to the implementation of Category 2 Advice, and understands that this will be addressed by the NGPC.

³ We note however that individual applicants may wish to implement increased safeguards and submit additional PICs on a voluntary basis.

We ask that the NGPC continue to allow applicants for Category 2 strings prepared to execute the Registry Agreement as approved to move forward.

We thank the NGPC for considering these requests, as well as for its tireless work in balancing the policy recommendations of the GAC and the practical interests of registries in its implementation of Safeguard Advice. The NGPC proposal and its acceptance by the GAC represent a critical step toward the successful launch of the New gTLD Program and demonstrate sensitivity to the diversity of interests at play in a true multi-stakeholder process. With this goal in mind, we stand willing and eager to communicate and collaborate with ICANN, the NGPC, and the GAC throughout the implementation of the GAC Advice.

Sincerely,

The New TLD Applicant Group