

Response to Documentary Information Disclosure Policy Request

To: Alvaro Alvarez on behalf of Donuts Inc.

Date: 4 September 2016

Re: Request No. 20160805-1

Thank you for your Request for Information dated 5 August 2016 (Request), which was submitted through the Internet Corporation for Assigned Names and Numbers (ICANN) Documentary Information Disclosure Policy (DIDP) on behalf of Donuts Inc. (Donuts). For reference, a copy of your Request is attached to the email forwarding this Response.

Items Requested

Your Request seeks the disclosure of “the agreement(s) between ICANN and Stiftelsen för Internetinfrastruktur (‘.SE’) for pre-delegation testing (‘PDT’) services.”

Response

In December 2012, ICANN entered into an agreement for Pre-Delegation Testing (PDT) services with Stiftelsen för Internetinfrastruktur (now known as Internetstiftelsen I Sverige) (IIS). (See <https://www.icann.org/news/announcement-2012-12-21-en>.) The agreement sets forth the terms and conditions under which IIS will support ICANN in providing PDT services in accordance with the technical and operational criteria described in the Guidebook. The period of performance began in December 2012 and was later extended via subsequent amendments to 30 June 2017.

The Request seeks disclosure of the agreement and subsequent amendments with IIS for the provision of PDT services. That documentation, however, is subject to the following DIDP Defined Conditions for Nondisclosure and is not appropriate for disclosure:

- Information provided to ICANN by a party that, if disclosed, would or would be likely to materially prejudice the commercial interests, financial interests, and/or competitive position of such party or was provided to ICANN pursuant to a nondisclosure agreement or nondisclosure provision within an agreement.
- Confidential business information and/or internal policies and procedures.
- Trade secrets and commercial and financial information not publicly disclosed by ICANN.

Notwithstanding the applicable Defined Conditions of Nondisclosure, ICANN also evaluated the documents subject to these conditions to determine if the public interest in disclosing them outweighs the harm that may be caused by such disclosure. ICANN has determined that there are no particular circumstances for which the public interest in disclosing the documents outweighs the harm that may be caused to ICANN, its

contractual relationships, and its contractors' deliberative processes by the requested disclosure.

Nevertheless, ICANN has published a Summary of PDT Testing Vendor Selection Process and Services Agreement (Summary) on the Pre-Delegation Testing webpage on the new gTLD microsite. (See <https://newgtlds.icann.org/en/applicants/pdt> and <https://newgtlds.icann.org/en/applicants/pdt/vendor-selection-summary-02sep16-en.pdf>.) The Summary provides an overview of the scope and operational terms of the PDT agreement with IIS as well as how the agreement has been updated several times to address ICANN's dynamic capacity needs to provide technical testing services of registry operations. The Summary also provides information relating to costs, explaining that in the "current version of the Pre-Delegation Testing Services Agreement Cost Structure for fiscal year 2017, ICANN guaranteed a minimum of 20 tests per month, with a maximum of 12 tests per week. The unit cost was reduced from \$5,000 to \$4,000 per test." (See <https://newgtlds.icann.org/en/applicants/pdt/vendor-selection-summary-02sep16-en.pdf>.)

About DIDP

ICANN's DIDP is limited to requests for documentary information already in existence within ICANN that is not publicly available. In addition, the DIDP sets forth Defined Conditions of Nondisclosure. To review a copy of the DIDP, please see <http://www.icann.org/en/about/transparency/didp>. ICANN makes every effort to be as responsive as possible to the entirety of your Request. As part of its accountability and transparency commitments, ICANN continually strives to provide as much information to the community as is reasonable. We encourage you to sign up for an account at MyICANN.org, through which you can receive daily updates regarding postings to the portions of ICANN's website that are of interest because, as we continue to enhance our reporting mechanisms, reports will be posted for public access.

We hope this information is helpful. If you have any further inquiries, please forward them to didp@icann.org.