

**Annex 1 to ICANN Board New gTLD Program Committee Resolution 2014.09.08.NG02**

**GAC Advice (London, Singapore, Buenos Aires, Durban, Beijing): Actions and Updates  
(as of 8 September 2014)**

	<b>GAC Register #</b>	<b>GAC Advice</b>	<b>Action/Update</b>
<b>New Items of GAC Advice (London Communiqué)</b>			
1. SAFEGUARDS	<a href="#">2014-06-25 - Cat 1- Cat 2</a>	<p>The GAC advises the Board to call on the NGPC to provide the GAC with a comprehensive and satisfactory response to the legitimate concerns raised in the Beijing and Singapore Communiqués. The GAC considers that the current responses offered to the GAC fail to address a number of important concerns, including: 1) the process for verification of WHOIS information; 2) the proactive verification of credentials for registrants of domain names in regulated and highly regulated industries (the relevant Category 1 strings); 3) the proactive security checks by registries; 4) the Public Interest Commitments Dispute Resolution Process (PICDRP), which is not defined as to length of procedure or outcome; and 5) discrimination in restricted TLDs. (See Annex to London Communiqué)</p> <p>The GAC advises that the Board to provide its responses to GAC advice at least four weeks prior to ICANN meetings in order to give sufficient time to the GAC to assess and provide feedback on these complicated matters.</p>	<p>The NGPC accepts this advice, and has provided written responses to the concerns raised by the GAC in the Beijing and Singapore Communiqués. <i>See</i> <a href="https://www.icann.org/resources/correspondence/crocker-to-dryden-2014-09-02-en">https://www.icann.org/resources/correspondence/crocker-to-dryden-2014-09-02-en</a>. The NGPC provided its responses to the GAC more than five weeks prior to ICANN meetings in order to give sufficient time for the GAC to assess and provide feedback. In addition, the NGPC stands ready to schedule a conference call with interested members of the GAC, if helpful, to discuss further the concerns raised by the GAC.</p>

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2. .AFRICA	<a href="#">2014-06-25 .africa</a>	The GAC advises the ICANN Board: 1) to provide timely communication to the affected parties [concerning the .AFRICA application], in particular to provide clarity on the process and possible timelines; and  2) that following the release of the IRP recommendation, the Board should act expeditiously in prioritising their deliberations and delegate .AFRICA pursuant to the registry agreement signed between ICANN and ZACR.	The NGPC accepts this advice. The NGPC will continue to provide timely communication to the affected parties concerning the .AFRICA application.  With respect to the release of the IRP recommendation, the ICANN Bylaws require that “[w]here feasible, the Board shall consider the IRP Panel declaration at the Board’s next meeting.” ( <a href="#">Article IV, Sec. 3</a> )
3. .SPA	<a href="#">2014-06-25 .spa</a>	The GAC welcomes the NGPC's acceptance of the GAC advice on .spa. The GAC reiterates its advice ( <a href="https://gacweb.icann.org/display/GACADV/2014-03-27-spa">https://gacweb.icann.org/display/GACADV/2014-03-27-spa</a> ) on the issue that "the relevant parties in these discussions are the city of Spa and the applicants." The GAC therefore seeks NGPC's clarification on whether its explanation that "the applications will proceed through the normal process" means it will follow the Applicant Guidebook taking into consideration the GAC advice.	Yes. ICANN will follow the Applicant Guidebook taking into consideration the GAC advice. -Because neither of the .SPA applications were the subject of GAC advice pursuant to Module 3.1 of the Applicant Guidebook, both applications for .SPA remain active and will continue to be processed pursuant to the procedures of the AGB. Because there is more than one application for the .SPA TLD, the applicants will need to resolve the contention set pursuant to the procedures established in Module 4 of the Applicant Guidebook before ICANN will enter into a Registry Agreement with the prevailing applicant.
4. .WINE/.VIN	<a href="#">2014-06-25 .wine/.vin</a>	There was further discussion on the issue of .wine/.vin, but no agreement was reached because of the sensitive nature of the matter. The matter of .wine and .vin was raised at the High Level Governmental Meeting, where some members expressed concerns in terms of ICANN’s accountability and public policy. These concerns are not shared by all members.	The NGPC thanks the GAC for its update on the .wine/.vin TLD applications.

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5. PROTECTION OF CHILDREN	<a href="#">2014-06-25 Protection of Children</a>	The GAC reiterates its advice in the Buenos Aires Communiqué that new gTLD registry operators should be made aware of the importance of protecting children and their rights consistent with the UN Convention on the Rights of the Child.		The NGPC accepts this advice. In the 5 February 2014 iteration of the scorecard, the NGPC acknowledged the GAC’s view, and directed ICANN to contact all new gTLD registry operators to make them aware of the importance of protecting children and their rights consistent with the UN Convention on the Rights of the Child. To implement this, ICANN includes a notice in the materials provided to all registry operators after executing the Registry Agreement notifying them of the importance of protecting children and their rights consistent with the UN Convention on the Rights of the Child. ICANN will continue to provide this notice to all new registry operators.
6. GEO NAMES	<a href="#">2014-06-25 Geographic Names</a>	The GAC provided a briefing, led by the sub-group on geographic names of the working group on future gTLD issues, to the community on protection of geographic names in future new gTLD application rounds. Further work will be done on this matter and new updates will be provided at the next ICANN meeting.		The NGPC acknowledges the GAC’s work on the topic of protection of geographic names for future rounds of the New gTLD Program, and looks forward to additional updates from the GAC on this topic.

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7. IGO PROTECTION S	<a href="#">2014-06-25 IGO Names and Acronyms;</a>  <a href="#">2014-03-27-IGO</a>	<p><u>London:</u> The GAC reaffirms its advice from the Toronto, Beijing, Durban, Buenos Aires and Singapore Communiqués regarding protection for IGO names and acronyms at the top and second levels, as implementation of such protection is in the public interest given that IGOs, as created by governments under international law, are objectively different rights holders; notes the NGPC's letter of 16 June 2014 to the GNSO concerning further steps under the GNSO Policy Development Process while expressing concerns that the process of implementing GAC advice has been so protracted; welcomes the NGPC's assurance that interim protections remain in place pending any such process; and confirms its willingness to work with the GNSO on outcomes that meet the GAC's concerns.</p> <p><u>Singapore:</u> The GAC recalls its previous public policy advice from the Toronto, Beijing, Durban and Buenos Aires Communiqués regarding protection for IGO names and acronyms at the top and second levels and awaits the Board's response regarding implementation of the GAC advice.</p>	<p>The NGPC is considering available options to reconcile the differences between the GAC advice and the GNSO policy recommendations concerning protections for IGO acronyms.</p> <p>On 16 June 2014, the NGPC sent a letter to the GNSO Council highlighting the previously noted concerns and providing an opportunity for the GNSO to consider modifying its policy recommendations at issue in accordance with Section 16 of the GNSO's PDP Manual. (Section 16 of the GNSO's PDP Manual permits modification to approved GNSO Council policies at any time prior to final approval by the Board.)</p> <p>At this time, the GNSO is considering the NGPC's June 16th letter, and the NGPC awaits a response from the GNSO. The NGPC will continue to provide updates to the GAC, the GNSO, and the broader ICANN community about its progress to address this matter. The temporary protections afforded to IGOs remain in place while the parties continue discussions.</p> <p>The NGPC will provide an update to the GAC on its discussions with the GNSO prior to ICANN 51 in Los Angeles.</p>

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8. RCRC NAMES	<a href="#">2014-06-25 RCRC</a> ;  <a href="#">2014-03-27-RCRC</a>	<p><u>London:</u> The GAC now advises that:</p> <p>I. the Red Cross and Red Crescent terms and names should not be equated with trademarks or trade names and that their protection could not therefore be adequately treated or addressed under ICANN's curative mechanisms for trademark protection;</p> <p>II. the protections due to the Red Cross and Red Crescent terms and names should not be subjected to, or conditioned upon, a policy development process;</p> <p>III. the permanent protection of these terms and names should be confirmed and implemented as a matter of priority, including in particular the names of the international and national Red Cross and Red Crescent organisations.</p> <p><u>Singapore:</u> Referring to the previous advice that the GAC gave to the board to permanently protect from unauthorised use the terms associated with the International Red Cross and Red Crescent Movement – terms that are protected in international legal instruments and, to a large extent, in legislation in countries throughout the world.</p> <p>The GAC advises that, for clarity, this should also include: (a) the 189 National Red Cross and Red Crescent Societies, in English and the official languages of their respective states of origin; and (b) the full names of the International Committee of the Red Cross and International Federation of the Red Cross and Red Crescent Societies in the six (6) United Nations Languages.</p>	<p>The NGPC is considering available options to reconcile the differences between the GAC advice and the GNSO policy recommendations concerning protections for the Red Cross and Red Crescent national society names. To note, the GNSO recommends that instead of reserving the RCRC society names as advised by the GAC, the names should be bulk added to the Trademark Clearinghouse for 90-days claims notification.</p> <p>On 16 June 2014, the NGPC sent a letter to the GNSO Council highlighting the previously noted concerns and providing an opportunity for the GNSO to consider modifying its policy recommendations at issue in accordance with Section 16 of the GNSO's PDP Manual. (Section 16 of the GNSO's PDP Manual permits modification to approved GNSO Council policies at any time prior to final approval by the Board.)</p> <p>At this time, the GNSO is considering the NGPC's June 16th letter, and awaits a response from the GNSO.</p> <p>The NGPC continues to deliberate on this matter and will provide updates to the GAC, the GNSO, and the broader ICANN community about its progress to address this matter.</p>

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<b>Remaining Open Items of GAC Advice (Beijing, Durban, Buenos Aires, Singapore)</b>			
9. RAM/ INDIANS	<a href="#">2014-03-27-ram-indians</a>	<p>Further to its Durban Communiqué, the GAC advises the ICANN Board that:</p> <p>a.) The GAC recognizes that religious terms are sensitive issues. The application for .ram is a matter of extreme sensitivity for the Government of India on political and religious considerations. The GAC notes that the Government of India has requested that the application not be proceeded with; and</p> <p>b.) as noted in the Durban Communiqué, the Government of India has requested that the application for .indians not proceed.</p>	<p>In response to the GAC’s advice in the Durban Communiqué concerning .RAM and .INDIANS, on 10 September 2013, the NGPC adopted an iteration of the <a href="#">Scorecard</a> taking note of the concerns expressed in the GAC’s advice.</p> <p>a) With respect to .RAM, in the <a href="#">14 May 2014 iteration of the Scorecard</a>, the NGPC took note of the concerns expressed in the GAC’s Singapore advice that “the application for .ram is a matter of extreme sensitivity for the Government of India on political and religious considerations.” The NGPC also noted the applicant response to the Board from Chrysler Group LLC (“Chrysler”) concerning this advice, in which Chrysler indicated that it “remains hopeful that an accommodation can be reached that addresses the Government’s concerns, yet allows Chrysler to register and operate .RAM as a restricted, exclusively-controlled gTLD. Chrysler representatives are willing to meet with the Government of India to discuss the resolution of this matter at any time that is convenient for the Government.” At this time, the NGPC continues to deliberate on this item of GAC advice and encourages the impacted parties to continue the noted discussions.</p> <p>b) With respect to .INDIANS, the NGPC notes that on 26 August 2014, the applicant for .INDIANS notified ICANN that it was withdrawing its application from the New gTLD Program.</p>

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10. IOC/RC RC PROTECTION S	2013-07-18 – IOCRC (Durban Communiqué §5.a.i(sic))	The GAC advises the ICANN Board that the same complementary cost neutral mechanisms to be worked out for the protection of acronyms of IGOs be used to also protect the acronyms of the International Committee of the Red Cross (ICRC/CICR) and the International Federation of Red Cross and Red Crescent Societies (IFRC/FICR).		The NGPC accepts this advice. The mechanism to be developed to protect acronyms of IGOs will also be used to protect the acronyms of the International Committee of the Red Cross (ICRC/CICR) and the International Federation of Red Cross and Red Crescent Societies (IFRC/FICR).

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<p>11. CAT 2 SAFEGUARDS – EXCLUSIVE ACCESS</p>	<p><a href="#">2013-04-11-Safeguards – Categories -2</a>; <a href="#">2013-11-20-Cat1-Cat2</a></p> <p>(Beijing Communiqué Annex I, Category 2, Item 2; Buenos Aires Communiqué §1.e)</p>	<p><u>Beijing</u>: For strings representing generic terms, exclusive registry access should serve a public interest goal. In the current round, the GAC has identified the following non-exhaustive list of strings that it considers to be generic terms, where the applicant is currently proposing to provide exclusive registry access: .antivirus, .app, .autoinsurance, .baby, .beauty, .blog, .book, .broker, .carinsurance, .cars, .cloud, .courses, .cpa, .cruise, .data, .dvr, .financialaid, .flowers, .food, .game, .grocery, .hair, .hotel, .hotels, .insurance, .jewelry, .mail, .makeup, .map, .mobile, .motorcycles, .movie, .music, .news, .phone, .salon, .search, .shop, .show, .skin, .song, .store, .tennis, .theater, .theatre, .tires, .tunes, .video, .watches, .weather, .yachts, .クラウド [cloud], .ストア [store], .セール [sale], .ファッション [fashion], .家電 [consumer electronics], .手表 [watches], .書籍 [book], .珠宝 [jewelry], .通販 [online shopping], .食品 [food]</p> <p><u>Buenos Aires</u>: The GAC welcomes the Board’s communication with applicants with regard to open and closed gTLDs, but seeks written clarification of how strings are identified as being generic.</p>	<p>The NGPC continues to deliberate on how to implement the GAC’s advice concerning exclusive registry access for strings representing generic terms. As previously noted, twelve applicants responded that the TLD would be operated as an exclusive access registry. These 12 applicants have applied for the following strings: .BROKER, .CRUISE, .DATA, .DVR, .GROCERY, .MOBILE, .PHONE, .STORE, .THEATER, .THEATRE and .TIRES. In response to ICANN’s request, each of the 12 applicants have provided an explanation of how exclusive access registry for the applied-for TLD would serve a public interest goal.</p> <p>At its 21 June 2014 meeting, the NGPC discussed possible next steps to consider the GAC’s advice, and considered whether it would be appropriate and beneficial to initiate a public comment period concerning the responses from the 12 applicants. The NGPC directed staff to prepare potential questions that could be used to frame a possible public comment forum, and agreed to consider this matter further at a subsequent meeting. The NGPC is actively working on this matter and anticipates further considering this matter during its meeting at ICANN 51 in Los Angeles.</p>