

Annex 1 to ICANN NGPC Resolution 2013.09.28.NG02

Remaining Items From Beijing and Durban GAC Advice: Updates and Actions

28 September 2013

GAC Register #	GAC Advice	NGPC Response/Notes
Durban Communiqué		
<p>1. 2013-09-09-wine and vin (Letter from GAC Chair to ICANN Board re: .wine and .vin.)</p>	<p>The GAC advises the ICANN Board that the GAC has finalized its consideration of the strings .wine and .vin and further advises that the applications should proceed through the normal evaluation process.</p>	<p>On 4 June 2013, the NGPC passed a resolution stating that ICANN will not proceed beyond initial evaluation of the applications for .wine and .vin. On 9 September 2013, the NGPC received a letter from Heather Dryden to Steve Crocker re: .wine and .vin. The letter noted that there is no GAC consensus advice on additional specific safeguards, and that the GAC or its members may communicate further details to the Board as to the nature of the differences in views. As such, the NGPC stands ready to hear from GAC members as to the nature of the differences in views expressed in the advice while the NGPC is analyzing the community input received on this advice.</p> <p>The NGPC directs staff to analyze the GAC advice and other community input received on this issue, and prepare an analysis and recommendation for decision at the NGPC meeting in Buenos Aires.</p>

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2. 2013-07-18 – gTLDStrings (Durban Communiqué §1.1.b.i.i.1)	The GAC Advises the Board to leave the following applications for further consideration and advises the ICANN Board not to proceed beyond initial evaluation until the agreements between the relevant parties are reached: .spa (application number 1-1309-12524 and 1-1619-92115)		At its 10 September 2013 meeting, the NGPC accepted this advice. Accordingly, ICANN will allow evaluation and dispute resolution processes to go forward, but will not enter into registry agreements with applicants for the identified strings, subject to the parties having reached agreement or the GAC issuing final advice prior to the close of the ICANN Public meeting in Buenos Aires.
3. 2013-07-18 – gTLDStrings (Durban Communiqué §1.1.b.i.i.2)	The GAC Advises the Board to leave the following application for further consideration and advises the ICANN Board not to proceed beyond initial evaluation until the agreements between the relevant parties are reached: .yun (application number 1-1318-12524)		At its 10 September 2013 meeting, the NGPC accepted this advice. Accordingly, ICANN will allow evaluation and dispute resolution processes to go forward, but will not enter into registry agreements with applicants for the identified strings, subject to the parties having reached agreement or the GAC issuing final advice prior to the close of the ICANN Public meeting in Buenos Aires.
4. 2013-07-18 – gTLDStrings (Durban Communiqué §1.1.b.i.i.3)	The GAC Advises the Board to leave the following application for further consideration and advises the ICANN Board not to proceed beyond initial evaluation until the agreements between the relevant parties are reached: .guangzhou (IDN in Chinese - application number 1-1121-22691)		At its 10 September 2013 meeting, the NGPC accepted this advice. Accordingly, ICANN will allow evaluation and dispute resolution processes to go forward, but will not enter into registry agreements with applicants for the identified strings, subject to the parties having reached agreement or the GAC issuing final advice prior to the close of the ICANN Public meeting in Buenos Aires.
5. 2013-07-18 – gTLDStrings (Durban Communiqué §1.1.b.i.i.4)	The GAC Advises the Board to leave the following application for further consideration and advises the ICANN Board not to proceed beyond initial evaluation until the agreements between the relevant parties are reached: .shenzhen (IDN in Chinese - application number 1-1121-82863)		At its 10 September 2013 meeting, the NGPC accepted this advice. Accordingly, ICANN will allow evaluation and dispute resolution processes to go forward, but will not enter into registry agreements with applicants for the identified strings, subject to the parties having reached agreement or the GAC issuing final advice prior to the close of the ICANN Public meeting in Buenos Aires.

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6. 2013-07-18 – Obj- Amazon (Durban Communiqué §1.1.a.i.1)	The GAC Advises the ICANN Board that the GAC has reached consensus on GAC Objection Advice according to Module 3.1 part I of the Applicant Guidebook on the following application: .amazon (application number 1-1315-58086) and related IDNs in Japanese (application number 1-1318-83995) and Chinese (application number 1-1318-5591)	<p>As noted in the NGPC Scorecard adopted 10 September 2013, the applicant submitted a voluminous response to the GAC advice. Due to the complexity and uniqueness of the issues raised in the applicant’s response, and the volume of the information submitted, the NGPC intends to further study and analyze the issues raised by this application and advice.</p> <p>The NGPC directs staff to prepare additional analysis regarding the GAC advice and the issues raised by the applicant for NGPC consideration at a subsequent meeting.</p>
7. 2013-07-18 – IGO Acronyms (Durban Communiqué §5.c.i)	The GAC advises the ICANN Board that the GAC is interested to work with the IGOs and the NGPC on a complementary cost-neutral mechanism that would: (a) provide notification to an IGO if a potential registrant seeks to register a domain name matching the acronym of an IGO at the second level, giving the IGO a reasonable opportunity to express concerns, if any; and (b) allow for an independent third party to review any such registration request, in the event of a disagreement between an IGO and potential registrant.	<p>At its 10 September 2013 meeting, the NGPC accepted the GAC advice to continue discussions with the GAC and the IGOs regarding protections of IGO acronyms.</p> <p>The NGPC is working on an implementation plan for the advice and will inform the GAC of the details upon approval by the NGPC.</p>
8. 2013-07-18 – IOCRC (Communiqué §5.a.i(sic))	The GAC advises the ICANN Board that the same complementary cost neutral mechanisms to be worked out (as above in 4.c.i. (sic)) 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).	<p>As noted above, the NGPC accepted the GAC advice to continue discussions with the GAC and the IGOs regarding protections of IGO acronyms.</p> <p>Refer to the proposed approach above.</p>

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Beijing Communiqué		
<p>9. 2013-04-11- Safeguards – Categories -1 (Beijing Communiqué Annex I, Category 1)</p>	<p>Strings that are linked to regulated or professional sectors should operate in a way that is consistent with applicable laws. These strings are likely to invoke a level of implied trust from consumers, and carry higher levels of risk associated with consumer harm.</p> <p>(Refer to the GAC Register of Advice for the full text of each Category 1 Safeguard.)</p>	<p>At its 2 July 2013 meeting, the NGPC adopted a resolution to defer entering into registry agreements with applicants who have applied for TLD strings listed in the GAC’s Category 1 Safeguard Advice, pending a dialogue with the GAC. As noted by the community during the public comment period on the GAC’s safeguard advice, the GAC’s Category 1 Safeguard Advice presents some implementation concerns. The NGPC began a dialogue with the GAC during the ICANN 47 meeting in Durban. The NGPC is working on an implementation plan for the advice and will inform the GAC of the details upon approval by the NGPC.</p>

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<p>10. 2013-04-11-Safeguards – Categories -2 (Beijing Communiqué Annex I, Category 2, Item 2)</p>	<p>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>This GAC advice applies to strings that the GAC identified as having one or more applicants that appeared to be seeking exclusive registry access. ICANN has received communications from many of the applicants for strings mentioned in this advice, stating that they are prepared enter the Registry Agreement as approved by the NGPC, which prohibits exclusive registry access for generic strings.</p> <p>Since moving forward with these applicants is consistent with the GAC advice, the NGPC directs staff to move forward with the contracting process for applicants for strings identified in the Category 2 Safeguard Advice that are prepared to enter into the Registry Agreement as approved.</p> <p>The NGPC further directs staff to prepare an analysis and proposal for how to implement the Category 2 Safeguard Advice for applicants who do intend to impose exclusive registry access for generic strings.</p>