GAC Discussion on Subsequent Rounds of New gTLDs

Session 3

Contents

Session Objectives

GAC Members to 1) Review recent developments on the Operational Design Phase, 2) Discuss and prepare for upcoming facilitated dialogue with the GNSO Council on Closed Generics.

Leadership Proposal for GAC Action

1. GAC to discuss the upcoming GAC/GNSO dialogue on Closed Generics, including:

    a. Background on closed generics and previous GAC advice/positions;

    b. Review/Discussion of ICANN org Briefing Paper for GAC/GNSO Council dialogue;

    c. GAC to receive an ICANN org update on the status of the GAC/GNSO dialogue and possible next steps.

2. GAC Members to discuss priority topics pertaining to the SubPro PDP WG Final Report with the aim to prepare, if needed, potential GAC Consensus Advice and/or any other input for the ICANN Board.

Current Status and Recent Developments

Closed Generics

As part of the Operational Design Phase (ODP) work, several policy issues were identified for the ICANN Board to address, including closed generics, since the SubPro PDP WG did not reach consensus on policy recommendations on closed generics. [GAC advice from 2013](#) states that *"for strings representing generic terms, exclusive registry access should serve a public interest goal"*.

In March 2022 the ICANN Board [reached](#) out to the GAC and GNSO Chairs to identify interest in a GAC/GNSO collaboration in a small focused group with subject matter experts from both groups to attempt the development of a framework for closed generics, followed by a subsequent [letter](#) including a framing paper outlining roles and responsibilities, the process and expected timing. Both the GAC and GNSO have agreed to this dialogue taking place and [invited](#) participation from At-Large. The GAC [agreed](#) to the proposed facilitator for the dialogue as brought forward by the ICANN Board, and is awaiting a Problem Statement and Briefing Paper to be circulated by ICANN org to set the basis for the dialogue. GAC members identified for this effort include the GAC Chair, Switzerland, Canada, UK and Nigeria.

Should the GAC and GNSO reach agreement on a framework, the broader community will be invited to provide feedback. Following community input, the proposed framework – if agreed upon – can be considered through the appropriate GNSO policy development process. If the dialogue does not result in a mutually agreed framework, the Board will need to consider appropriate next steps.

Operational Design Phase (ODP)

To help inform its discussion on whether the outputs of the [Subpro PDP WG Final Report](#) are in the best interest of the ICANN community or ICANN, in September 2021, the ICANN Board [approved](#) the initiation of an Operational Design Phase (ODP). The ODP is a process in which ICANN org develops and provides the ICANN Board with relevant information to facilitate the Board's determination of whether the Policy Development Process recommendations are in the best interest of the ICANN community or ICANN.

After a three-month ramp-up period, the ODP started on 3 January 2022. The ICANN Board has asked that ICANN org submit the Operational Design Assessment (ODA), the final output of the ODP 10 months after its start.

The ODA will provide the Board with an understanding of the operational impacts of accepting the recommendations, including potential obstacles, expected costs, and the timeline to implementation. More information on the ODP process can be found on the [ODP webpage.](#)

ICANN75 Focus and Next Steps

ICANN75 provides an opportunity for the GAC to review its materials and positions on subsequent rounds of new gTLDs in preparation for submission of potential GAC Advice to the ICANN Board regarding the next round of new gTLDs. More specifically, the GAC may wish to review its positions on closed generics, in preparation for the upcoming dialogue with the GNSO Council to attempt to identify a workable framework for this issue. At ICANN75, GAC members who volunteered to take part in the Closed Generics small group will be meeting informally with their counterparts in the GNSO, with the aim of kick-starting the dialogue post ICANN75.

Additionally, GAC membership may wish to monitor and consider contributing to studies and deliberations of either (or both) Operational Design Phase and Implementation Review Team, consistent with GAC positions on issues of importance to the GAC.

Now that the ICANN org has begun the Operational Design Phase, next steps with varying timelines include:

i. ICANN org to conduct ODP and deliver Operational Design Assessment (ODA) to the ICANN Board for consideration;

ii. ICANN Board consideration of the PDP recommendations as adopted by GNSO Council - opportunity for GAC Consensus Advice to the ICANN Board;

iii. ICANN Board vote;

iv. ICANN org (as directed by the Board) to begin implementation of the policy recommendations (which will likely include a revised Applicant Guidebook).

Upon completion of these successive steps ICANN org would be expected to start a new round of applications for gTLDs, timing to be confirmed.

Key Reference Documents

- [Final Report on the new gTLD Subsequent Procedures PDP WG](#)
- [GAC Consensus Collective Comment](#) (1 June 2021) on GNSO New gTLD Subsequent Procedures Final Outputs for ICANN Board Consideration.
- New gTLDs Subsequent Procedures ODP [Scoping Document.](#)
- Board-Facilitated Process for a GAC-GNSO Council Dialogue on Closed Generics: a [Framing Paper](#)

Further Information

- GAC Policy Background Document on Subsequent Rounds of New gTLDs: https://gac.icann.org/briefing-materials/public/gac-policy-background-new-gtlds-subsequent-rounds.pdf

Document Administration

Title	ICANN75 GAC Session Briefing - Subsequent Rounds of New gTLDs
Distribution	GAC Members (before meeting) and Public (after meeting)
Distribution Date	Version 1: 1 September 2022