



80 | POLICY
FORUM

ICANN80 GAC and ALAC Joint Session

12 June 2024



Session Agenda

1. Introduction and welcome by GAC/ALAC Chairs (5 mins)
 - Jonathan Zuck, ALAC Chair
 - Nico Caballero, GAC Chair
 2. Presentation of Contention Resolution (30 mins)
 - Presentation by Jonathan Zuck (ALAC)
 - Presentation by Nigel Hickson (GAC)
 3. Applicant Support Program Discussion - (15 mins)
 - Presentation by Claire Craig, ALAC Vice Chair
 - Reactions from Rosalind KennyBirch (GAC Small Team on ASP)
 4. Moderated Q&A Session - Kristina Hakobyan, GAC Liaison (15 mins)
 5. Closing remarks and next steps - All (10 mins)
-

ALAC - Contention Resolution

ALAC Perspective

Propose that the GAC/ALAC issue joint Advice at ICANN 80 on Contention Resolution Draft

The GAC and ALAC formally propose the following:

1. Prohibit Private Contention Resolution

The NERA study states explicitly, *“Realistically, the practices of compensating losers and funds rolling will be present in any scenario where ICANN allows some form of private resolution – including joint ventures”*

2. Use a “Sealed Bid, Second Price Auction” as part of the application process in lieu of an ICANN auction of last resort.

3. A significant multiplier should be used for non-commercial applicants that find themselves in a contention.

GAC - Contention Resolution

- Something the GAC and the ALAC takes very seriously
 - We provided GAC advice on this issue
 - [ICANN77 GAC Communique](#)
 - Auctions: Mechanisms of Last Resort/Private Resolution of Contention Sets in New gTLDs
- (1) to take steps to avoid the use of auctions of last resort in contentions between commercial and non-commercial applications; alternative means for the resolution of such contention sets, such as drawing lots, may be explored.
 - (2) To ban or strongly disincentivize private monetary means of resolution of contention sets, including private auctions.

GAC - Contention Resolution

- The issue of “Contention” is very pertinent given the recent Blog post from the ICANN Board Chair and the publication of the NERA Report (commissioned by ICANN) on “Addressing monetary means of private resolution”
- The Blog post and Report outlines a potential way forward on contention resolution; this either relying on the forming of joint ventures between the applicants or on the payment of fees by applicants that want to use “private auctions” ;
- We understand the Board discussed this issue this week and will further opine on the issue.
- We will need to consider, based on this feedback, whether we await further details from Board and / or issue some form of GAC Advice; perhaps with ALAC
- Welcome thoughts from GAC members

Applicant Support Program

- **New gTLD Program Outreach and Engagement Plan, incorporating plan for Applicant Support Program Outreach**

ALAC Perspective

- ASP & New gTLD Program are intrinsically linked, so outreach & engagement has to be done for both
- Aim for RALO-GSE regional collaboration through FY2025 regional outreach plans etc - understand country market potential; identify target audiences; build RALO capacity, help shape/disseminate communication materials focussed on value of operating a gTLD & business cases - **“resource in a box”**
- **Collaboration with GAC members on outreach and engagement?**
- Efforts pending finalization of string application fee, ASP Fund, receipt of proposed communication materials, discussions with GSE Teams

- Response from GAC “Small Team” (Rosalind Kenny Birch)
- General discussion

Applicant Support Program

- The GAC made 6 key points in its ICANN79 advice, building off previous advice:
 - To ensure the Applicant Support Program (ASP) focuses on facilitating global diversification of the new gTLD application program, bearing in mind historical community calls for a 'remedial round'.
 - **We are using this objective to measure the ASP's success when the programme is delivered.**
 - To publish a comprehensive ASP communications and outreach strategy and associated implementation plan for review and comment by the community with itemized costs, detailed scope and clear metrics of success identified.
 - **We are still awaiting delivery on this** - The Outreach plan on new gTLDs has been published by ICANN including a section on the ASP. We are still awaiting further detail on itemized costs, detailed scope and clear metrics of success (including specific targets).
 - We requested an assessment of the appropriate budget to support the program and the associated communications and outreach strategy in the context of inflation trends since the launch of the last ASP.
 - **We are still awaiting delivery on this** - This was expected to be published in May. While we have seen some ranges, we are unclear on details, including what measurements are underpinning the cited 40 and 45 applicant figures.
 - To develop a holistic approach to the ASP. The GAC has previously recognized in Communique Advice that lowering application fees alone is not sufficient to ensure the ASP meets its objectives.
 - **We are awaiting the outcome of revised recommendation 17.2**
 - In the thrust of this aim, the GAC asked for consideration to be given to substantially reducing or eliminating ongoing ICANN registry fees for successful applicants for at least five years, and consider further flexibility thereafter according to applicant needs.
 - **We are awaiting the outcome of revised recommendation 17.2.**
 - We asked the ICANN to explore the potential of leveraging (including contracting and financing the services of), a platform to which new gTLDs, supported through the ASP, could move to eventually operate their own back-end services.
 - **We as a GAC need to look to respond to this** - We are aware the Board has asked some useful questions in this regard.

Questions?

Closing Remarks and Next Steps

Thank you to our ALAC friends for this most useful dialogue