NEW gTLD PROGRAM: NEXT ROUND

gTLD

gTLD Base Registry Agreement

GAC Session Session 2 of 2

09 July 2025 | 14:00 UTC

ICANN

Agenda

Proposed Next Round Base gTLD Registry
Agreement - Public Comment Proceeding 1 of 2

01 Objectives of the Next Round Registry Agreement

02 Scope

03 Review Process

04 Specific Updates

05 Timing

06 Q&A

Next Round Base Registry Agreement Objectives

1. Reflect the Subsequent Procedures (SubPro) <u>Final Report</u> recommendations and implementation guidance.

2. Update obligations with other policy recommendations and ICANN Board approved community recommendations (e.g., Registration Data Policy, IDN EPDP Phase 1).

3. Include a limited set of operational improvements designed to create efficiencies.

Scope: Summary of Topics Evaluated for the *Registry Agreement

Source	Number of Topics
SubPro + Next Round Implementation Updates	18
Other Policies	4
ICANN Board Approved Community Recommendations	1
Operational Updates	26

Note: no review was done on the Registrar Accreditation Agreement (RAA) as there were no impacts from the SubPro Final Report

Scope: Examples of Topics Evaluated beyond SubPro Recommendations

- Registration Data Policy

- Phase 1 Final Report on the Internationalized Domain Names Expedited Policy Development Process (IDN EPDP Phase 1)

- Rights Protection Mechanisms PDP Phase 1 Final Report - Trademark Claims Recommendations for New Policies or Procedures

- Protection of Intergovernmental Organizations (IGO) and International Non-Intergovernmental Organizations (INGO) Identifiers in All gTLDs Policy

- ICANN Board Approved Community Recommendations: SAC074 Incident Reporting

- Operational Updates
  - Updates to current processes (e.g., updates to TLD nameservers)
  - Updates to create efficiencies

Example: Variant TLDs (SubPro Recs 25.5-25.8 + IDN EPDP Phase 1)

Proposed Specification 14

- Definitions
- Requirements
  - Critical Functions and MSAs
  - Change of Control/Assignments
  - Registry Services
  - Delegation and testing of the TLD Set
  - Data Escrow
  - Zone File Access
  - Service Level Agreement/Emergency Thresholds
  - Termination
  - Voluntary Removal and Revocation
  - Fees - still TBD
  - Second-level label Allocation

Possible Impacts to Covenants and other Specifications Investigated

- Covenants
  - Section 3.4: Root-Zone Information Publication
  - Section 7.1: Indemnification
- Specifications
  - Specification 3: Reporting
  - Specification 6: Allocation of IDN variants
  - Accounting for the 8 instances of "IDN variants" already in the RA

Review Process

- ICANN org provided a ***preliminary working draft*** to the SubPro IRT in November 2024.

  - Discussions with the SubPro IRT focused on twenty-three (23) updates that include Policy, approved Board recommendations, and Next Round Implementation updates.
  - The objective of those discussions were to stay true to the Policy recommendation language and implementation guidance

- Members of the Registries Stakeholder Group (RySG) have reviewed and provided feedback to ICANN on the 26 proposed operational updates. This feedback has been taken into account in the proposed Next Round RA.

Next Round RA: Policy Updates (SubPro Recommendations and other Policies)

Policy Updates

[SubPro Final Report](#)

Source	Topic	Reference	Notes
SubPro PDP Final Report - Recommendation 17.2	Reduced fees for approved Applicant Support Program (ASP) applicants	Alternative Section 6.1(a)	Alternative Section 6.1(a)(Registry-Level Fees) provides a schedule for (and conditions to retain) **reduced Registry-Level Fixed Fees** for gTLDs operated by a Registry Operator that received support through ICANN's Applicant Support Program.
SubPro PDP Final Report - Recommendation 17.17	Change of Control and Assignments for ASP applicants	Section 7.5(g)	For gTLDs operated by a Registry Operator that received support through ICANN's Applicant Support Program, additional Section 7.5(g) provides that **change of control and assignments generally will not be permitted from years 0-3, and from years 3-7**, change of control and assignments may be possible if all support funding received through the Applicant Support Program is paid back to ICANN.
SubPro PDP Final Report - Recommendation 20.8	Application Change Requests - .Brand TLDs	Specification 13, Alternative Sections 9.3(i) and 9.5	**.BRAND TLDs can change the applied-for string as a result of a contention set.** As a result, the definition of .BRAND TLDs has been updated to be consistent with the policy requirements and alternative text is provided in Spec 13, Section 9.3(i) and Section 9.5 to accommodate such change.

Policy Updates

Source	Topic	Reference	Notes
SubPro PDP Final Report - Recommendation 21.6	Two-Character ASCII Labels	Specification 5, Section 2	ICANN updated Spec 5, Section 2 to include measures for second level Letter/Letter Two-Character ASCII Labels to Avoid Confusion with Corresponding Country Codes (approved by the ICANN Board 8 Nov 2016). Refer to: https://www.icann.org/en/system/files/files/revised-measures-ltr-ltr-two-char-ascii-labels-country-codes-08nov16-en.pdf
SubPro PDP Final Report - Recommendation 22.5	Continued Operations Instrument (COI)	Deleted all references to COI ● Section 1.3(iii) ● Section 2.12 ● Section 2.13(f) ● Section 4.3(c) ● Section 4.5 ● Section 7.16(f) ● Specification 8	No longer a requirement.

Policy Updates

Source	Topic	Reference	Notes
SubPro PDP Final Report - Recommendations 25.5, 25.6, 25.7, 25.8 **Phase 1 Final Report of IDN EPDP)**	Variant TLDs	• Section 2.23 • Specification 14 • Updated references from "IDN Variants" to "second-level names" Specification 5, Sections 1, 3.2, 3.3, 4, 5, & 6 to avoid confusion • Specification 6, Section 7	Updated to reflect recommendations and policy updates. The introduction of **variant gTLDs** requires a significant number of new requirements in the Next Round RA that are represented in the new **Specification 14**. Those requirements impact covenants and specifications throughout the Next Round RA that are now also added as proposed provisions where applicable.
SubPro PDP Final Report - Implementation Guidance 26.5	Delegation Testing	Section 2.20	Updated to reflect implementation guidance to delay addition to the root zone in case of DNS service instabilities.
SubPro PDP Final Report - Recommendation 36.4	Fraudulent and Deceptive Practices	Section 4.3(f)(iii) and Specification 11(e)	Still under discussion with the SubPro IRT.

Policy Updates

Source	Topic	Reference	Notes
Registration Data Policy	Updates to registration data	- Spec 2 – Part A – 5.3 - Spec 4 1.1.3 - updated 1.2.3 – moved to 1.9 1.3.2 - updated 1.6 – removed 1.9 – moved from 1.2.3 3.1 – updated 3.1.1 – updated 3.2 – updated	The Registration Data Policy is an ICANN Consensus Policy that describes requirements for processing registration data for registrars and gTLD registry operators. The updates included in the proposed Next Round RA reflects the Registration Data Policy that is effective on 21 August 2025. For more information regarding this policy please go to www.icann.org/en/contracted-parties/consensus-policies/registration-data-policy
Community Registration Policies from the Applicant Guidebook	Community Registration Policies	Section 2.21 and Specification 12	Clean up changes to align with the Applicant Guidebook (Section 6.8.4) and conform with Specification 12.

Policy Updates

Source	Topic	Reference	Notes
Protection of Intergovernmental Organizations (IGOs) and Non-Governmental Organizations (INGOs) Identifiers in All gTLDs Policy	IGO/INGOs	Specification 5, Section 6	Updated to reflect the consensus policy requirements in the Protection of IGO and INGO Identifiers in All gTLDs Policy.
Phase 1 Final Report on the Review of All RPMs - Sunrise Final Rec 1	Compliance with RPMs	Specifications 7, Section 1	Still under discussion with the SubPro IRT.
Phase 1 Final Report on the Review of All RPMs - Trademark Claims Final Rec 1	No Sunrise or Claims Period for .Brand TLDs and Code of Conduct Exempt Registry Operators	Specification 9, Sections 6 and 7 and Specification 13, Section 4	Updated to reflect updated RPM policy work and TMCH Requirements.

Next Round RA: Operational Updates

Overview of Proposed Operational Updates

Operational updates based on learnings from 2012 round, designed to create improvements and/or efficiencies for ICANN and registry operators, including:

- Improvements to the termination and dispute resolution provisions to to reduce the costs and time spent for uncontested disputes.

- Clarifying changes to align the Next Round RA fees with registries on the current Base RA, reflect current practices, optimize billing practices, and provide clarity on when and how ICANN may implement a fee increase.

- Several updates and/or clarifications to technical provisions to update technology and technical standards in the Base RA.

Operational Updates

Topic	Reference	Notes
Clean-Up Changes	Throughout the Next Round RA	ICANN has made various clean-up changes throughout the Next Round RA (e.g., typos, defined terms and/or section references). The first such change is in Section 2.2.
Reserved Names	Section 2.6, Section 2.9, and Specification 5	Updated references from "self-allocate" and "allocate" to "register" where applicable to avoid confusion.
Emergency Transition	Section 2.13	Based on ICANN's experiences in the Emergency Back-End Registry Operator (EBERO) process, ICANN is proposing updates to the Emergency Transition provisions in furtherance of serving its remit to ensure the security and stability of the DNS. Proposed changes in Section 2.13 create objective triggers to address these experiences, includes a path to temporarily remove a gTLD that is not in use from the root zone as a form of Emergency Transition, and includes a clear path to terminate a gTLD registry agreement if a registry is unable to resume the operation of the gTLD. For readability, ICANN has also created subclauses to this Section 2.13. Note: 2.13(a)(ii) is still under discussion with the RySG.

Operational Updates

Topic	Reference	Notes
Personal Data	Section 2.18	Given the changes to data processing and protection laws over the years, ICANN has further updated this provision.
SAC074 Incident Reporting	Section 2.19 (new)	Under consideration as it relates to implementation of Board resolution 2018.02.04.07
Brand TLDs	Section 2.22 (new) and Specification 13	Rather than refer to a separate stand-alone Specification, ICANN added new Section 2.22 to effectively incorporate Specification 13 into the Next Round RA. For ease of review, we have marked Specification 13 against the latest version (found here: https://www.icann.org/en/registry-agreements/related-materials#specification-13).
TLD Nameservers	Sections 3.3, 3.4, and 3.5	Updated provision to reflect the current URL, the current process for Registry Operators to update their gTLD nameservers, and clean up changes to clarify the entity performing the action. ICANN made similar changes in Sections 3.4 and 3.5 and elsewhere in the Next Round RA to clarify the entity performing the corresponding actions.

Operational Updates

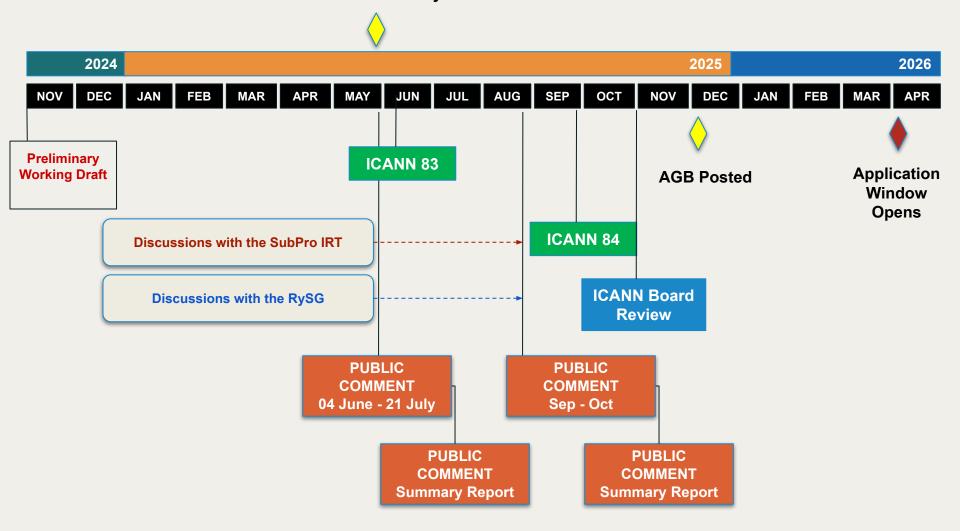| Topic	Reference	Notes
Renewal	Section 4.2	ICANN is proposing improvements to the termination and dispute resolution provisions to ensure the funding ICANN receives from registries in good standing is not spent on uncontested disputes. The changes made to these sections retain the substantive rights of Registry Operators and serve to differentiate between an engaged registry and a disengaged registry.
Termination by ICANN	Section 4.3	
Termination By Registry Operator	Section 4.4	Note that the renewal provisions and termination by Registry Operator provisions were updated to align with the changes made to termination by ICANN provisions.
Transition Upon Termination	Section 4.5	Further note changes to Section 4.5 (and variations thereof) are intended solely as clarification as to ICANN's current practices and should be read in conjunction with new subsection 2.13(a)(iv).
Dispute Resolution	Sections 5.1 and 5.2	Portions marked in Section 4.3(h) are still under discussion with the RySG.

Operational Updates

Topic	Reference	Notes
Fees	Article 6	ICANN made clean-up and clarifying changes to align the Next Round RA fees with registries on the current Base RA, reflect current practices, optimize billing practices, and provide clarity on when and how ICANN may implement a fee increase.
Performance of Critical Functions	Section 7.5	Clarified the process required if a Registry Operator requests an amendment or termination of a Material Subcontracting Arrangement (MSA) which results in a Registry Operator performing any Critical Function itself.
ZONEMD	Exhibit A, Section 1.1.8	Among other clean-up changes to Exhibit A, ICANN revised Section 1.1.8 of Exhibit A to allow ZONEMD records in gTLD zones.
RFC and Other References	Specification 2, Part A, Sections 3, 4, 7, 8 and 9 and Part B, Section 7	ICANN replaced Section 9 of Spec 2, Part A with the specific reference instead in the body of the agreement for ease of reference.
Update Data Escrow Profiles	Specification 2, Part A, Section 3.2	Updated to account for an additional step with data escrow profiles when a registry is approved to offer a new Registry Service.
Data Escrow - Processing of Deposit Files	Specification 2, Part A, Section 4	Updated to reflect the new OpenPGP standard; recommended compression, secure upload, and cryptographic algorithms; and a mechanism to update those if needed in the future.

Operational Updates

Topic	Reference	Notes
Release of Deposits	Specification 2, Part B, Section 6	Updated to simplify failure condition to submit data escrow deposits that allows release of data escrow deposit to ICANN.
References to WHOIS and WHOIS Sunset Date	Specifications 3, 4 and 10	ICANN has deleted or updated references to WHOIS and related terms following the sunset of WHOIS services.
Centralized Zone Data Service (CZDS)	Specification 4, Section 2	Updated to reflect that: ● Registry Operators shall no longer provide direct access to zone files and instead shall do so through CZDS. ● Registry Operators must respond to a Centralized Zone Data Access request within 7 days. ● In an EBERO event, Registry Operators shall authorize the EBERO to take action for the CZDS to auto-approve and auto-renew all zone file access requests.
Schedule of Reserved Names	Specification 5, Section 3.2, Section 3.4, and Specification 9, Section 1(b)	Members of the Registries Stakeholder Group propose to update the number of names a Registry Operator may register and activate in the DNS at all levels for the promotion of the gTLD from 100 to 500 and add language so such names are non-cumulative.

Operational Updates

Topic	Reference	Notes
EPP Extension to Launch a gTLD	Specification 6, Section 1.2	Updated to make RFC 5733 optional unless the Registry Operator uses contact objects and make the Launch Phase Extension (RFC 8334) mandatory. This is expected to provide uniformity across the industry, benefiting registries and registrars.
Successor RFCs and Amendments to STDs	Specification 6, Section 1.8 (new) and 1.9 (new)	Addition to enable ICANN and Registry Operators to handle RFC successors and Standards successors, amendments, or modifications by mutual agreement.
Name Collision Report Handling	Specification 6, Section 6.3	Members of the SubPro IRT suggested updates to reflect that ICANN reviews the name collision reports before relaying to the Registry Operator and that the Registry Operator must report back to ICANN what action is taken.

Next Round Base RA Roadmap

Q&A

APPENDIX

Definitions

Registry Operators (RO) are responsible for the management, administration, and promotion of a top-level domain (TLD)

Registry Service Providers (RSP) manage the technical operations in support of Registry Operators

Registrars manage the provisioning of domain names under a TLD

Registry Agreement (RA) defines the rights, obligations, and responsibilities for the RO to operate a TLD

Registry Agreement 101

What does the existing Registry Agreement include?

- The **operational criteria** to ensure compliance with ICANN policies;

- The core **obligations** of the RO **to operate a TLD**, the core obligations of ICANN, the term and termination provisions, fees, amendment process, and special provisions;

- Specifications that clearly define the **responsibilities**, **technical and operational standards**, and **obligations** that registry operators must follow to ensure the stable and secure operation of TLDs within the Domain Name System (DNS).

Current Base RA & Global Amendments

- "2012" Base Registry Agreement

- 2017 Global Amendment - clarified obligations; included operational efficiencies to make the RA scalable; and reinforced security, stability, and contractual compliance provisions.

- 2023 Global Amendment to the Registry Agreement to add Registration Data Access Protocol (RDAP) obligations.

- 2024 Global Amendment to the Registry Agreement to enhance the existing contracts by creating clear obligations to stop or otherwise disrupt DNS Abuse.

Base Registry Agreement - Approved 21 January 2024

Structure of the Registry Agreement

- Articles 1-7
  - Article 1: Introduction & Definitions
  - Article 2: TLD Operation & Obligations of the Registry Operator
  - Article 3: Obligations of ICANN
  - Article 4: Term and Termination
    - Term: An initial term of 10 years
    - The presumption of renewal
  - Article 5: Dispute Resolution
  - Article 6: Fees
  - Article 7: Miscellaneous (legal and administrative)
- Exhibit A: Approved Services
- Specifications

Exhibit A: Approved Registry Services

Exhibit A lists the **Registry Services** that are **approved by ICANN** for a specific gTLD under the Registry Agreement.

- DNS Service - TLD Zone Contents

- The Internationalized Domain Names (IDNs) an RO is approved to offer are included in Exhibit A

- To add a service an RO must submit an Registry Services Evaluation Policy (RSEP) request; if approved the service will be added to the TLD RA.

*Existing Registry Agreement: Specifications

- Specification 1: **Consensus Policies and Temporary Policies**

- Specification 2: **Data Escrow Requirements**

- Specification 3: **Monthly Reporting**

- Specification 4: **Registration Data Publication Services**

- Specification 5: **Schedule of Reserved Names**

- Specification 6: **Registry Interoperability and Continuity Specifications**

- Specification 7: **Minimum Requirements for Rights Protection Mechanisms (RPMs)**

- Specification 8: **Continued Operations Instrument (COI)**

- Specification 9: **Registry Operator Code of Conduct**

- Specification 10: **Registry Performance Specifications**

- Specification 11: **Public Interest Commitments**

- **Specification 12: **Community Registration Policies**

- ***Specification 13: **.BRAND TLD Provisions**

*Based on 2012 Base RA
**Only added if a Community-based TLD
***Only added if a .BRAND TLD

Specification 1: Consensus Policies and Temporary Policies

Defines how **ICANN policies**—specifically **Consensus Policies** and **Temporary Policies**—apply to registry operators.

Objectives of Specification 1:

- Ensures that all registry operators are **bound by global internet policies** developed through ICANN's **multi-stakeholder model**.

- Provides a framework for **adopting, implementing, and enforcing** such policies.

- Supports DNS **security, stability, and competition**.

Specification 2: Data Escrow Requirements

The RO shall engage with an ICANN-approved data escrow agent to comply with the data escrow provisions of the registry agreement. The agreement RO shall have with any data escrow agent should include:

- Part A (Technical Requirements),
- Part B (Legal Requirements), and
- ICANN must be named as the third-party beneficiary in this agreement.

Purpose: to safeguard registration data in the event of a registry's business or technical failure.

Specification 3: Format and Content for Registry Operator Monthly Reporting

The RO shall deliver one set of monthly reports to ICANN. ICANN will keep these reports confidential for three months before posting on icann.org.

The reports, **Per-Registrar Transactions Report and the Registry Functions Activity Report,** provide detailed data on domain name transactions, including:

- New domain registrations;

- Renewals and deletions;

- Transfers between registrars; and

- Redemption grace period activity.

Specification 4: Registration Data Publication Services

Registration Data Directory Services: Modified with the 2023 Global Amendment to update the protocol from WHOIS to Registration Data Access Protocol (RDAP) obligations.

Zone File Access: RO shall allow any Internet user to access an Internet host server or servers designated by RO and download RO's zone file data. Additionally, RO shall provide bulk access to its zone files for its TLD to ICANN on a continuous basis.

Bulk Registration Data Access to ICANN: In an effort to verify and ensure the operational stability of Registry Services as well as to facilitate compliance checks on accredited registrars, RO will provide ICANN on a weekly basis with up-to-date Registration Data.

Specification 5: Schedule of Reserved Names

The RO is required to reserve the following labels from initial registration unless ICANN authorizes in writing release of such labels:

- **Two-character labels**:
  - In 2014, ICANN authorized the release of Non-Letter/Letter Two-Character ASCII Labels
  - In 2016, ICANN authorized the release of Non-Letter/Letter Two-Character ASCII Labels subject to implementing measures to avoid confusion with corresponding country codes.

- **Reservations for ROs:** a list of second-level domain names that registry operators must reserve and withhold from registration or allocation (e.g., WWW, RDDS, *RDAP, WHOIS, or NIC).

- **Country and Territory Names:** The country and territory names including their Internationalized Domain Name (IDN) variants shall be withheld from registration or allocated to RO at all levels. RO may release a name by following the specific Guidelines on Releasing Country and Territory Names.

- **International Olympic Committee; International Red Cross and Red Crescent Movement -** the names and IDN variants shall be withheld from registration

- **Intergovernmental Organizations (IGOs) -** RO required to implement protection mechanisms to the protection of identifiers for IGOs.

*Added in the 2023 Global Amendment

Specification 6: Registry Interoperability and Continuity Specifications

Specification 6 defines the **technical and operational standards** that registry operators must follow to ensure the **interoperability, reliability, and continuity** of their top-level domain (TLD) services. These requirements help maintain the **stability and security of the DNS** across all gTLDs. This includes:

- The **consistent performance** of core registry functions,
- The required support for **interoperability** with registrars and internet infrastructure.
- The **continuity of operations** in case of failure or transition.

Specification 7: Minimum Requirements for Rights Protection Mechanisms (RPMs)

Specification 7 outlines the **mandatory and minimum rights protection mechanisms (RPMs)** that all registry operators must implement to protect **intellectual property rights** and prevent **abuse or misuse** of domain names during and after the launch of a new gTLD. This includes:

- The **protection of trademark holders** during TLD launch and ongoing operations (Trademark Clearinghouse Requirements).

- Dispute Resolution Mechanisms:

  - the [Trademark Post-Delegation Dispute Resolution Procedure](#) (PDDRP),

  - [Registration Restriction Dispute Resolution Procedure](#) (RRDRP), and

  - the [Uniform Rapid Suspension system](#) (URS).

Specification 8: Continued Operations Instrument

Specification 8 requires registry operators to establish and maintain a **Continued Operations Instrument (COI)**—a financial commitment designed to ensure the **continuity of critical registry functions** in case the registry fails or goes out of business.

Specification 9: Registry Operator Code of Conduct

Specification 9 sets out a **Code of Conduct** that registry operators must follow to ensure **fairness, transparency, and non-discriminatory practices** in their dealings with registrars and other market participants.

- Prevent **conflicts of interest** between registry operators and affiliated registrars.

- Promote **fair competition** in the domain name marketplace.

- Ensure **equal access** to registry services for all ICANN-accredited registrars.

Specification 10: Registry Performance Specifications

Specification 10 includes:

- The definitions for terms of the key technical services and the **minimum performance standards** that registry operators must meet for those technical services.
- The minimum **emergency thresholds** for the **five critical functions**: DNS Service, Domain Name System Security Extensions (DNSSEC), Extensible Provisioning Protocol (EPP), Registration Data Directory Services (RDDS), and Data Escrow.
- Emergency Escalation protocols.

Specification 11: Public Interest Commitments

Specification 11 outlines commitments that registry operators make to act in the **public interest** when operating a generic top-level domain (gTLD).

The three sections of Specification 11 include:

- Section 1 states that the registry operator will only use registrars that have signed the 2013 Registrar Accreditation Agreement.

- Section 2 provides the voluntary commitments incorporated into their registry agreements as binding commitments and enforceable via the Public Interest Commitment Dispute Resolution Process (PICDRP).

- Section 3 provides additional commitments including those safeguards that applied to a broad category of strings related to highly regulated markets (Reference: GAC Category 1 Safeguard Advice).

Specification 12: Community Registration Policies

Specification 12 applies to **Community gTLDs** - top-level domains that were applied for as serving a **clearly defined community** (e.g., .bank, .catholic).

Community gTLDs may have the following requirements in their Specification 12:

- **Eligibility Restrictions**
  - Only individuals or entities that meet **defined community criteria** may register domains.
  - Registry must verify registrant eligibility.
- **Name Selection Policies -** Registrants may be limited to choosing names that are relevant or appropriate to the community.
- **Enforcement Mechanisms -** Registry must have **processes to enforce community-based restrictions**, including handling complaints or violations.
- **Transparency and Accountability**
  - Policies must be **published and consistently applied**.
  - The registry operator may be required to engage with the community and report on its adherence to these obligations.

Specification 13: .BRAND TLD Provisions

Specification 13 applies to **.brand TLDs**—top-level domains operated by a company or organization to **represent its own brand**. These TLDs are not open to the general public for registration and are used to promote a **brand identity.**

Definitions for a .BRAND TLD:

- Registered trademark was issued to RO and/or its affiliates **prior** to filing of its application to ICANN;

- Only the RO, its Affiliates or Trademark Licensees are registrants of domain names in the TLD and control the DNS records associated with domain names at any level in the TLD;

- The TLD is not a Generic String TLD (as defined in Specification 11); and

- RO has provided ICANN with an accurate and complete copy of such trademark registration.

REMINDERS:

This is the first of two presentations about the Registry Agreement (RA)

1. 17 June 2025: Review the existing RA,

2. Date TBD: Review the proposed Next Round RA.

The proposed Next Round RA is currently out the first of two Public Comment proceedings (4 June - 21 July).

SubPro Recommendations

Topic/Rec	Topics	Status
Implementation Guidance 4.3	To the extent that in the future, the then-current application process and/or base Registry Agreement unduly impedes an otherwise allowable TLD application by application type, string type, or applicant type, there should be a predictable community process by which potential changes can be considered.	Future based recommendation not currently actionable
Rec 9.2 Registry Voluntary Commitments	Provide single-registrant TLDs with exemptions and/or waivers to mandatory PICs included in Specification 11 3(a) and Specification 11 3(b)	ICANN Board did not adopt
Rec 9.8 Registry Voluntary Commitments	If an applied-for string is determined to fall into one of the four groups of strings applicable to highly sensitive or regulated industries, the relevant Category 1 Safeguards must be integrated into the Registry Agreement as mandatory Public Interest Commitments.	Existing infrastructure can support; See GAC Cat 1 Safeguards
Rec 9.9 Registry Voluntary Commitments	ICANN must allow applicants to submit Registry Voluntary Commitments (RVCs) (previously called voluntary PICs) in subsequent rounds in their applications or to respond to public comments, objections, whether formal or informal, New gTLD Subsequent Procedures Final Report Date: 1 February 2021 Page 41 of 400 GAC Early Warnings, GAC Consensus Advice, and/or other comments from the GAC.	Will be a part of the application process

SubPro Recommendations: Topic 36 - Base Registry Agreement

Affirmation	Topics	Status
Affirmation 36.1	The Working Group affirst the following recommendations and guidelines from the 2007 policy: ● Principle F: Ensure compliance with ICANN policies. ● Rec 10: Must be a base contract provided to applicants. ● Rec 14: The agreement term must be of commercially reasonable length. ● Rec 15: Renewal expectancy. ● Rec 16: Registries mus apply existing Consensus Policies and adopt new Consensus Policies as they are approved. ● Implementation Guideline J: the contract must balance market certainty and flexibility for ICANN to accommodate a rapidly changing marketplace. ● Implementation Guideline K: ICANN should take a consistent approach to the establishment of registry fees.	Status quo; no update required
Affirmation 36.2	The Working Group affirms the current practice of maintaining a single base Registry Agreement with "Specifications"	Status quo; no update required

SubPro Recommendations: Topic 36 - Base Registry Agreement

Rec	Topic	Status
36.3	There must be a clearer, structured, and efficient method to apply for, negotiate, and obtain exemptions to certain provisions of the base Registry Agreement, subject to public notice and comment. A clear rationale must be included with any exemption request. This allows ICANN org to consider unique aspects of registry operators and TLD strings, as well as provides ICANN org the ability to accommodate a rapidly changing marketplace. The Working Group notes that consensus policy must not be the subject of individual Registry Agreement negotiations.	No update in RA required; will be managed in post-contracting phase
36.4	ICANN must add a contractual provision stating that the registry operator will not engage in fraudulent or deceptive practices.	In discussion with the SubPro IRT