# Geographic name protections
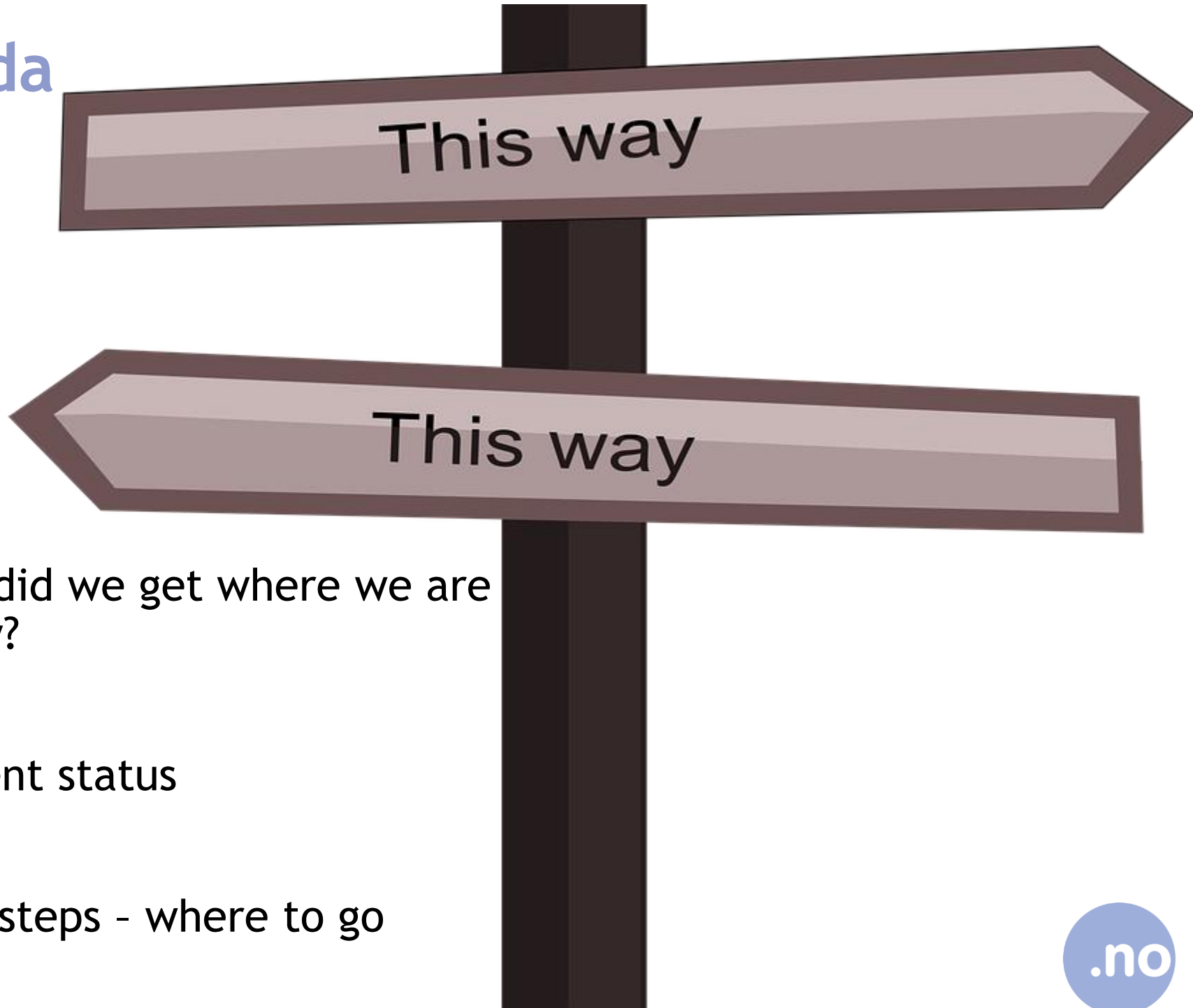# Where are we, where do we go?

**ICANN 60**
**Annebeth B. Lange/Nick Wenban-Smith**

# Agenda



❖ How did we get where we are today?

❖ Current status

❖ Next steps – where to go

# What are we talking about?

❖ New gTLD policy – the geographical restrictions

❖ Only Top Level

❖ AGB 2012 settled on

    ❖ Blocked
        ❖ All 2 letters in latin alphabet are blocked/ reserved ccTLDs
        ❖ 274 3-letter combinations from ISO 3166 (out of 17,576)
        ❖ Country names and translations

    ❖ Requires govt/ authority support or non-objection
        ❖ Sub-national names (.wales)
        ❖ Capital city names (.berlin)
        ❖ City names where representative use is intended (.melbourne)

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.no

# How did we get where we are today?

- ❖ CCWG country and territory names formed March 2014, following The Study Group on C&T names

- ❖ No consensus, in fact views increasingly polarised as time went on

- ❖ Report produced February 2017

- ❖ Unable to reach any consensus recommendations apart from (i) continue to reserve all 2-letter strings, and (ii) to wind up the CCWG and try again

- ❖ WT 5 under New gTLD Subsequent Procedures Working Group to take the work further

- ❖ Decided in Johannesburg. No clarity on how, where, or why this will be more successful than the CCWG

- ❖ Co-chairs from GNSO, GAC, ALAC and ccNSO to lead the WT

.no

# Current status

❖ **Agreed**

   ❖ All 2-letter (latin alphabet) combinations should be left for future ccTLDs

❖ **Challenges**

   ❖ Remaining geo questions need to be resolved prior to further rounds of new gTLDs

   ❖ GNSO policy processes vs the view that geo-names are not generic
      ❖ (Bylaw change would be required to alter that fact)

   ❖ The current rules do produce some curious outcomes
      ❖ .vodka is allowed but not .gin
      ❖ .bmw is allowed but not .vw

   ❖ AGB2012 was very clear, but people still got it wrong, now the debate of e.g. river and mountain names as deserving geographic protections

.no

# Is AGB 2012 a compromise that should be kept?

# Too little: GAC comments

❖ The 2012 rules were too liberal, insufficient rules in place for some strings of community interest and culturally sensitive terms - places, rivers, mountains, territories

❖ Particular emphasis on improving early warnings

  ❖ Public Interest Commitments (PICs)

❖ Potentially infinite list of terms which are provided by countries to ICANN and not released as a new gTLD without further process/ checks/ consideration

❖ However many GAC members are content with the AGB2012 status quo

.no

# Too much: GNSO view so far

❖ Too many restrictions in AGB 2012

❖ Strong presumption that a string should be available as a new gTLD unless there are good legal grounds

❖ A few voices even support release of 2 letter strings not already delegated, including those on ISO 3166-list

❖ 3 letters should ALL be made available (the 274 currently blocked on the 3166 alpha-3 list)

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# APTLD Statement on Country and Territory Designators as TLDs

❖ The Asia-Pacific Top-Level Domain Association (APTLD) is aware that there are continuing efforts to register labels designating countries and territories as gTLDs. This issue was discussed in detail at the APTLD members' meeting held in Tbilisi, Georgia in September 2017 and a variety of views were expressed.

❖ Consequently, APTLD wishes to state that it supports the continuation of the status-quo regarding country and territory designators as top-level domains, i.e.:

- All 2-letter ASCII codes, whether or not in the ISO 3166 alpha-2 list, are reserved for ccTLDs.

- All 3-letter ASCII codes in the ISO 3166 alpha-3 list are reserved and cannot be applied for.

- All strings in the ICANN Reserved Country and Territory Names lists and any strings which may represent a country or territory name in any language in any script would not be delegated as a gTLD.

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# Centr Statement on Country and Territory Designators as TLDs

❖ The topic of geographic terms as new gTLDs was discussed at the 58th CENTR General Assembly held in Brussels on 4 October 2017. It was noted that the ccNSO Council had nominated Annebeth Lange (Norid, .no) as a co-chair of the new Work Track 5 within the ICANN Subsequent Procedures policy framework, which is going to look in more detail at this topic. It was further noted that the ICANN Cross Community Working Group on the Use of Country and Territory Names as TLDs had failed to reach a consensus after three years of work, and that the topic was also discussed at ICANN59 in Johannesburg.

❖ Whilst Work Track 5 is still at a very early stage, the CENTR members present at the General Assembly unanimously supported the following approach:  That CENTR members and others within the ccTLD community participate positively and constructively within Work Track 5;  Based on CENTR members' past experience over many years, this is a complicated and contentious topic, and there is not an obvious consensus solution to the problems posed; and In the absence of any new consensus within Work Track 5, CENTR members believe that the current restrictions on registration of geographic terms as new gTLDs should be maintained, namely:

  ❖ All 2-letter ASCII codes, whether or not they are currently in the ISO 3166-1 alpha-2 list, are reserved for exclusive use as present and future ccTLDs;

  ❖ The 3-letter ASCII codes in the ISO 3166-1 alpha-3 list should remain blocked and ineligible to be applied for as a new gTLD, meaning that the vast majority of the 17,576 3-letter combinations are available for use as new gTLDs, but confusion with existing ccTLDs is mitigated; and

  ❖ The compromise restrictions on registration of country and territory names as new gTLDs as set out in ICANN's 2012 Applicant Guidebook should be retained.

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# LacTLD Statement on Country and Territory Designators as TLDs

❖ On the agenda for General Assembly meeting 15 November 2017
❖ Watch this space …

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# Just right? - ccNSO view

❖ The 2012 protections were reasonable and proportionate

❖ It took five years of policy discussions to reach these

❖ A compromise between those who wanted more and those who wanted less – taking politics and ethics into consideration

❖ No changes should be made to those without cross-community agreement

❖ Currently strong global support for the current status quo from ccTLDs

❖ This area has potential to be damaging to the ICANN community, cause disputes and delay subsequent rounds

❖ If it's not broken don't try to fix it!

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# Questions