

New gTLD Subsequent Procedures

Operational Design Phase (ODP)



ICANN75 Annual General Meeting
21 September 2022

Agenda

1

Subsequent
Procedures and
Operational Design
Phase (ODP)
Background - 5 min.

2

Project Update - 5 min

3

Business Process
Design Overview -
25 min

4

Questions and
Answers - 25 min

Presenters



Karen Lentz

VP Policy Research & Stakeholder Programs



Chris Bare

Director, Strategic Initiatives



Aaron Hickmann

Sr. Director, Operations Service Delivery & Support

Subsequent Procedures and Operational Design Phase (ODP) Background

Agenda Item 1

Subsequent Procedures Policy Development Process (PDP)

On 12 January 2012, ICANN org opened the 2012 round of the New gTLD Program and 1930 applications were submitted. Of the 1241 delegated gTLDs: 97 were IDN, 56 were community, 53 were geographic, and 494 were brand gTLDs.

On 18 February 2021, the Generic Name Support Organization (GNSO) Council voted to approve the [New Generic Top-Level Domain \(gTLD\) Subsequent Procedures Policy Development Process Final Report](#) (the “Final Report”).

On 24 March 2021, the GNSO Council transmitted its [Recommendations Report](#) to the ICANN Board, following the GNSO Council’s approval of the Final Recommendations, and the Board is now considering the Outputs contained in the Final Report.

Operational Design Phase (ODP)

Sub Pro ODP Board Resolution:

- (2021.09.12.01) The Board directs the President and CEO, to take the steps needed to **organize the resources required to begin work on the ODP, and to advise the Board when the work of the ODP is initiated** within the organization...The Board requests **regular updates on the progress of the work and delivery of the Operational Design Assessment (ODA)**.
- (2021.09.12.02) The Board authorizes the President and CEO of **up to US\$9M to fund the internal project needed for initiation of the ODP, the execution of the ODP including community engagement, formation and delivery of an ODA to the Board, and any additional related work that may be required to support the ICANN Board's consideration...**

Objective of the ODP:

- To perform an assessment of policy recommendations in order to **provide the Board with relevant information on the operational impact of implementation.**
- The ODP supports the **Board's ability to request a focused assessment** of the operational impact of GNSO Council-approved recommendations.
- The ODP will also **support ICANN org's consultation with the community to solicit feedback on the assumptions, facts, and figures** that underpin ICANN org's ODP assessment.

Project Update

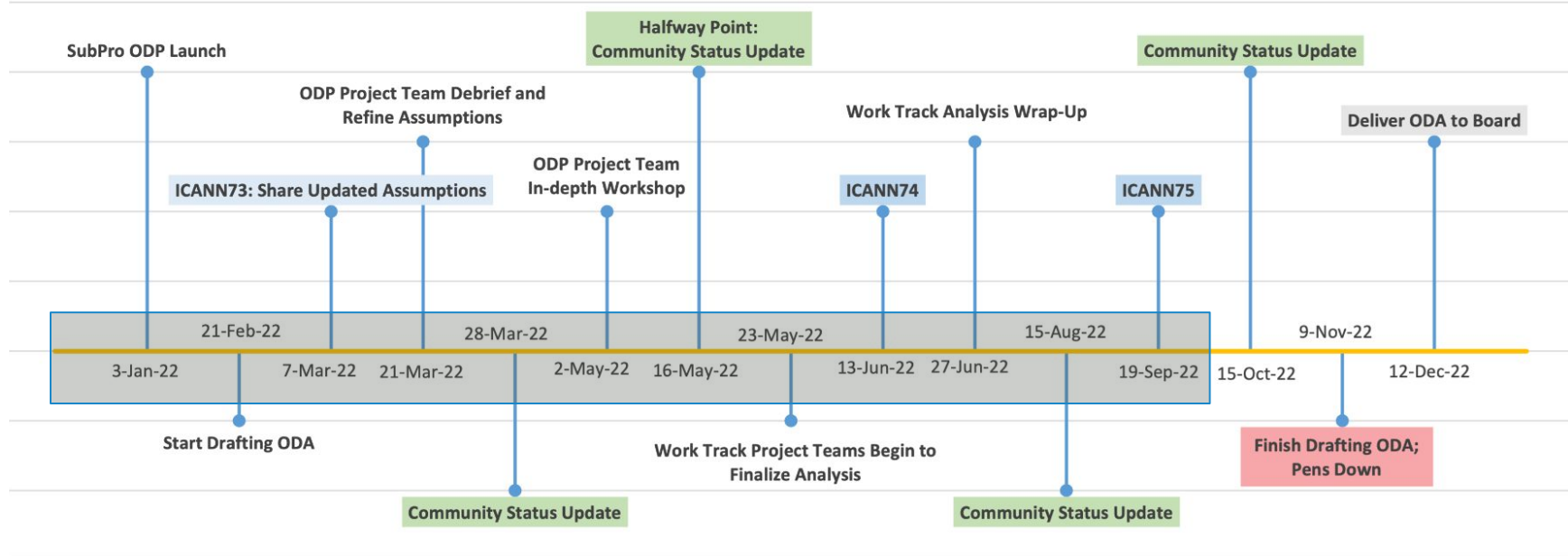
Agenda Item 2

Operational Design Phase Progress

SubPro ODP Stages	Description	Status
Policy Analysis	Review and analysis of the 300+ policy outputs in the Final Report. The assumptions and policy questions come out of this work.	Complete
Process Development	Development of a high-level business process design using the 2012 Applicant Guidebook processes as a baseline for developing the application processes for the next round.	Nearly Complete
Operational Assessment	An assessment of the impact to ICANN to implement the proposed business process design. This includes timelines and costs for systems, staffing and outsourcing. It also includes an explanation of the risks associated with implementation.	In Progress
ODA Drafting	The development, drafting, and finalization of the ODA.	In Progress

SubPro ODP High-Level Timeline

Sub Pro Operational Design Phase (ODP) Summary Timeline - Estimated with Six-Week Adjustment



Resolved (2021.09.12.01), ...The Board requests regular updates on the progress of the work and delivery of the Operational Design Assessment (ODA), the expected output of the ODP, within ten months from the date of initiation, provided that there are no unforeseen matters that could affect the timeline, of which any such matters are to be communicated to the Board immediately upon identification.

Ongoing Activities:

Work track and project team analysis, meeting with GNSO Council liaison, monthly status reports, Community Status Updates, legal reviews, communications.

What comes after ODP?

Once the Board considers the Operational Design Assessment (ODA), there are a number of actions that need to occur before the launch of the next round application window.

New gTLD Program Subsequent Procedures Milestones

		Stage 1: Policy Development	Stage 2: Implementation & Design and	Stage 3: Operation
ICANN	Community	<ul style="list-style-type: none"> • Launch Working Group • WG finalizes report • GNSO approves report 	<ul style="list-style-type: none"> • Form IRT 	<ul style="list-style-type: none"> • Application System Beta Testing • Form SPIRT
	Board	<ul style="list-style-type: none"> • Request ODP from org 	<ul style="list-style-type: none"> • Consider ODA, Approve Final Report • Approve Readiness Operations • Approve Final AGB 	<ul style="list-style-type: none"> • Approve Opening of the next round
	Organization	<ul style="list-style-type: none"> • Launch Steering Committee • ODP Preparation • Start ODP 	<ul style="list-style-type: none"> • AGB Development • Finalize AGB • Deliver ODA to Board • Comms SubPro Outreach • Process Design 	<ul style="list-style-type: none"> • Open App Window • Begin Application Processing • Begin ongoing operation • Operational review(s) • Next Round Outreach • Launch RSP Pre-approval

↑
We are here!

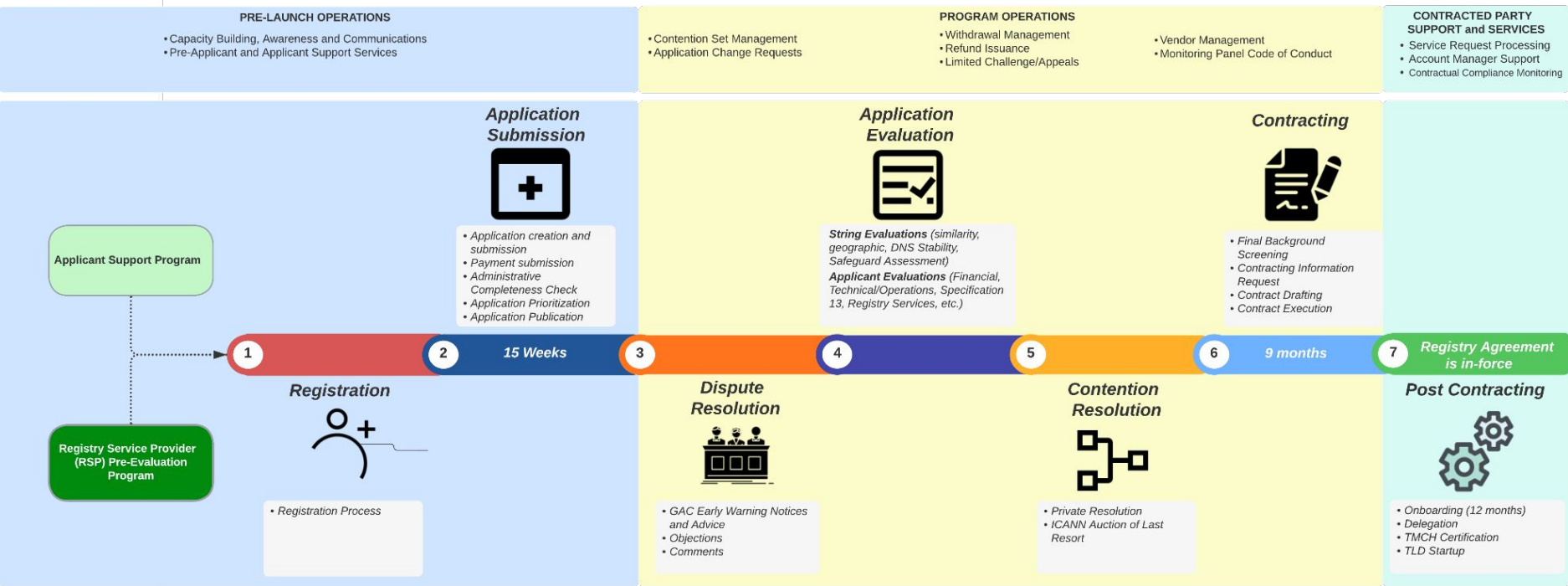
Business Process Design Overview

Agenda Item 3

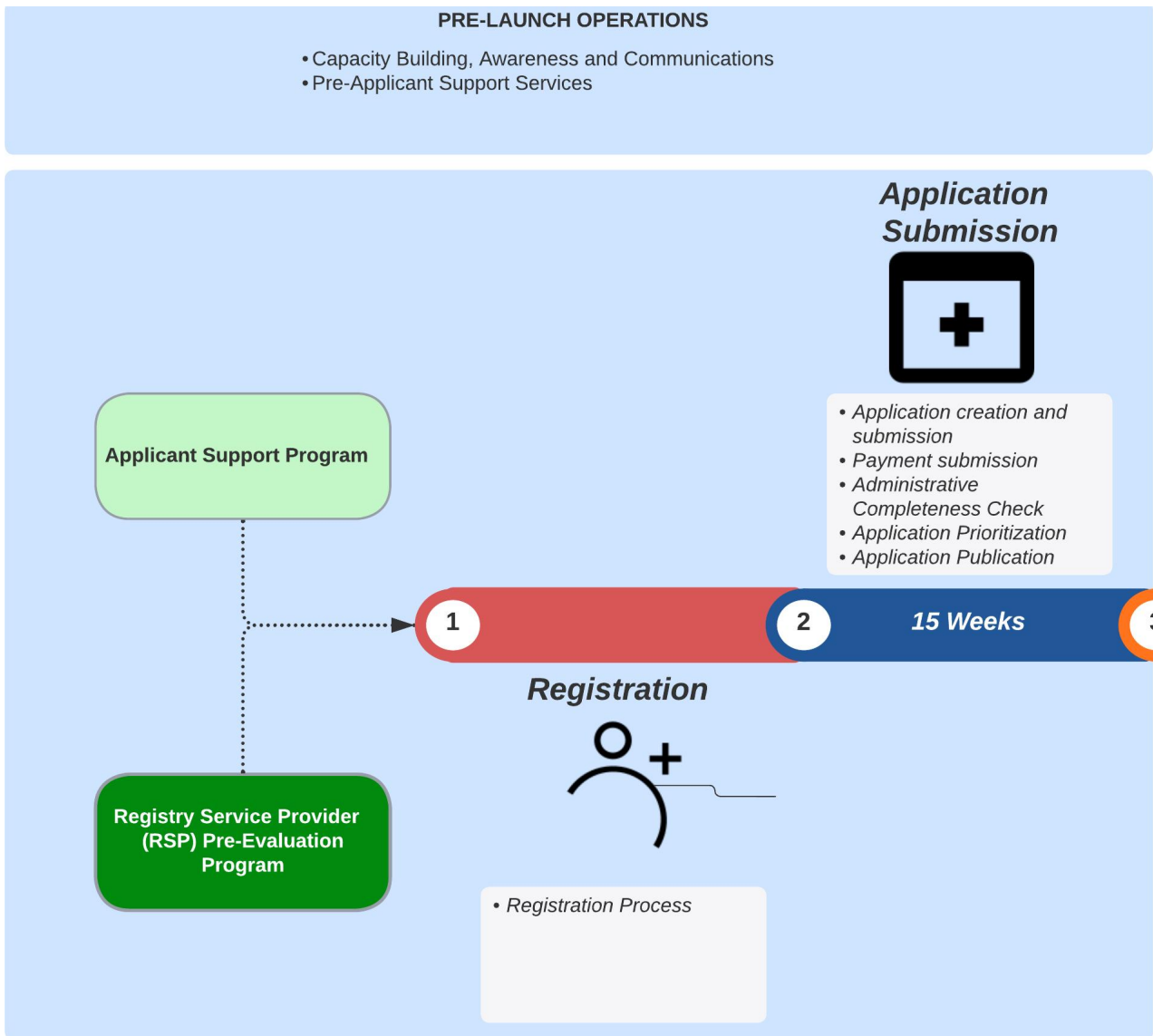
High-Level Business Process Design Overview

- Summary of proposed business process design - current thinking
- Developed based upon:
 - Final Report Outputs
 - The Program Implementation Review Report
 - General experience gained from the 2012 round
 - Operational experience from supporting contracted parties since 2014
- Created with a level of detail to facilitate an estimation of effort and resources required - detailed workflows, exception paths defined during implementation
- Application systems will be developed to provide a useable and straightforward interface
- Does not include specific questions, criteria or detailed procedures that would be developed during implementation in consultation with the Implementation Review Team

High Level Business Process Design Overview



High Level Business Process Design Overview



High Level Business Process Design Overview

- Contention Set Management
- Application Change Requests

PROGRAM OPERATIONS

- Withdrawal Management
- Refund Issuance
- Limited Challenge/Appeals

- Vendor Management
- Monitoring Panel Code of Conduct

CONTRACTED PARTY SUPPORT and SERVICES

- Service Request Processing
- Account Manager Support
- Contractual Compliance Monitoring

Application Evaluation



String Evaluations (similarity, geographic, DNS Stability, Safeguard Assessment)

Applicant Evaluations (Financial, Technical/Operations, Specification 13, Registry Services, etc.)

Contracting



- Final Background Screening
- Contracting Information Request
- Contract Drafting
- Contract Execution

3

4

5

6

9 months

7

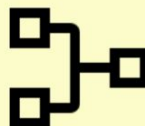
Registry Agreement is in-force

Dispute Resolution



- GAC Early Warning Notices and Advice
- Objections
- Comments

Contention Resolution



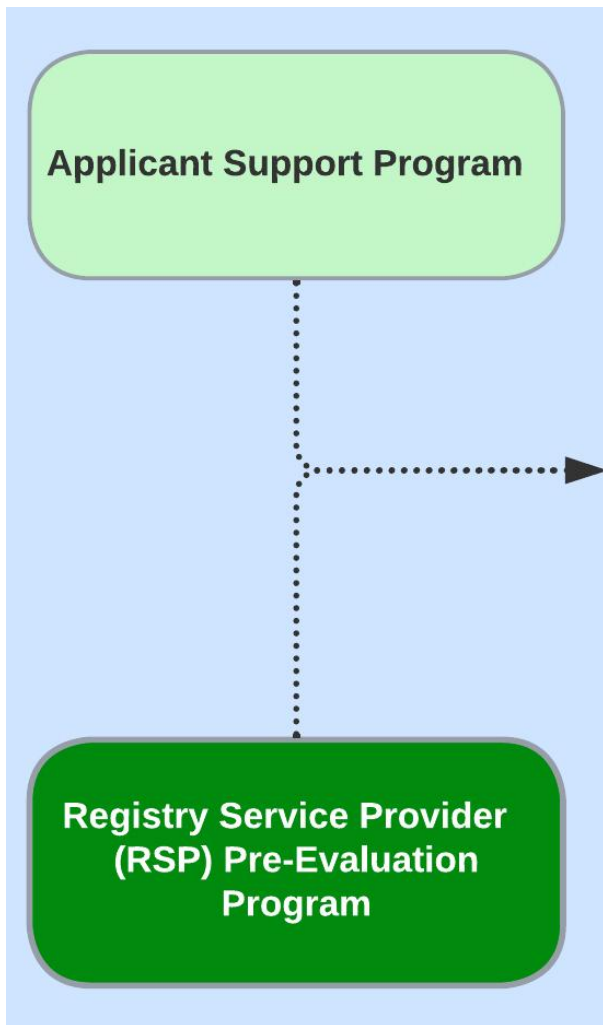
- Private Resolution
- ICANN Auction of Last Resort

Post Contracting



- Onboarding (12 months)
- Delegation
- TMCH Certification
- TLD Startup

Pre-Launch Operations



Optional sub-programs for specific groups

- Evaluations start **18 months before gTLD Application Submission period starts** - results posted 6 months prior submission period start

Application Support Program (ASP)

- For applicants **seeking financial and non-financial assistance (pro bono services)**
- Evaluation will focus on financial need, financial capabilities and public interest goals
- Those who qualify for support will be notified at least 6 months prior to the opening of the application submission period
- **Those who do not qualify may still apply during the application submission period as an unsupported applicant**

Registry Service Provider (RSP) Pre-Evaluation Program

- **Greatest value for organizations that plan to provide technical operations for several applications**
- A separate and specific application fee applies to applicants
- **Evaluation encompasses technical evaluation and testing**
- List of pre-approved RSPs will be published 6 months prior to the start of the application submission period
- gTLD applicants who intend to use a pre-approved RSP will **not be subject to another technical evaluation**

Pre-Launch Operations (cont'd)

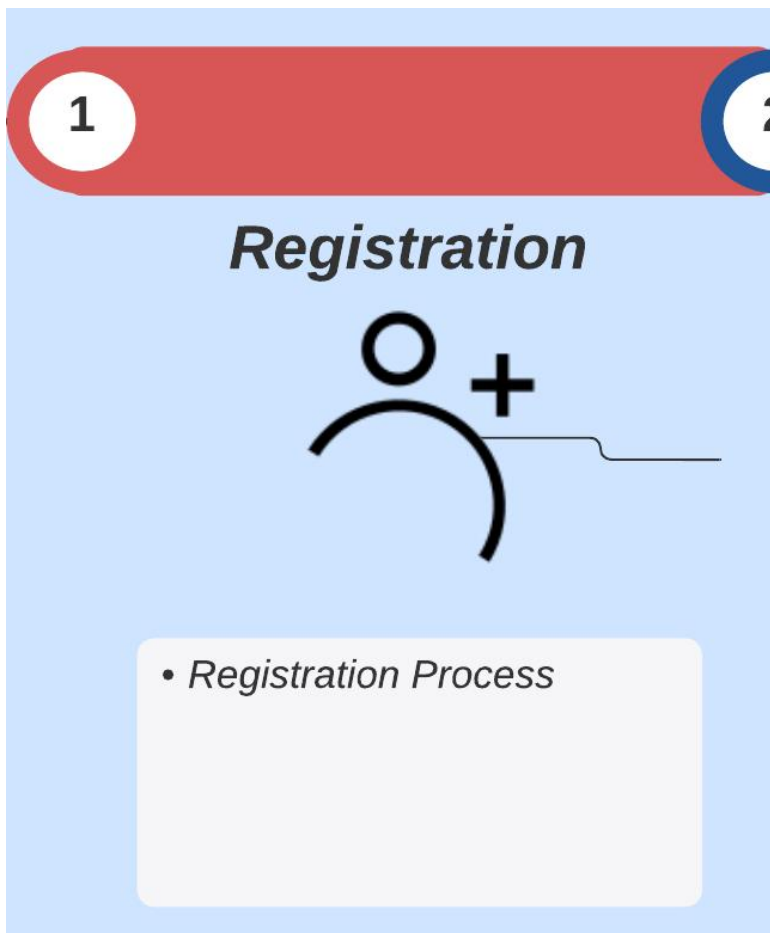
Registration Process

Similar to the 2012 round, a **registration period will open prior to the gTLD application submission period.**

Accounts may be created for individuals and entities. Individuals may not apply to become a registry operator - only business entities (LLC, GmbH, AG, non-profit, etc.) are eligible.

A minimum of **two individuals** (primary and secondary) **must be added** to ensure contactability.

When possible information will be validated - for example, a verification that email addresses are functional.



The diagram is a light blue rectangular box with a red header bar at the top. On the left side of the header bar is a white circle containing the number '1'. The word 'Registration' is written in a bold, italicized, black serif font in the center of the box. Below the text is a black icon of a person's head and shoulders with a plus sign to its right, and a horizontal line extending from the plus sign to the right. At the bottom of the box is a white rounded rectangle containing a single bullet point followed by the text 'Registration Process'.

Pre-Launch Operations (cont'd)

Application Submission



- *Application creation and submission*
- *Payment submission*
- *Administrative Completeness Check*
- *Application Prioritization*
- *Application Publication*

2

15 Weeks

Application Submission

- Submission period will be **open for 15 weeks**
- Multiple applications may be created per account
- Payment is due promptly upon submission
- **Submitted applications will be subject to administrative review** to ensure applications are complete - responses are valid, legible (for attached documents), etc.
- Completed applications will be **prioritized per Recommendation 19.3**
- Public portions of applications will be published

3

Dispute Resolution



- *GAC Early Warning Notices and Advice*
- *Objections*
- *Comments*

Dispute Resolution

Begins **after public portions of applications have been posted**

Those who wish to comment may register and provide comments and attachments regarding applications or applicants. Comments submitted in the first 60 days may be provided to applicable evaluation panels.

Objections may be filed on the **same four grounds as in 2012**, per Final Report:

1. String Confusion
2. Legal Rights
3. Limited Public Interest
4. Community

The **GAC may issue Early Warning Notices and/or Advice** on applications

Program Operations

Application Evaluation



String Evaluations (similarity, geographic, DNS Stability, Safeguard Assessment)

Applicant Evaluations (Financial, Technical/Operations, Specification 13, Registry Services, etc.)

4

Application Evaluation

Certain evaluations **occur for all strings**:

- String Similarity
- Geographic Determination
- Technical and DNS Stability
- Safeguard Assessment (NGPC category)

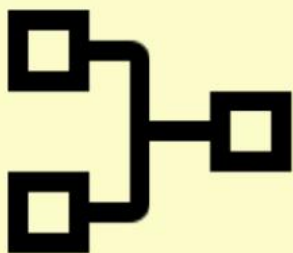
All applicable elements of each application **are evaluated**:

- Financial Evaluation
- Technical/Operational (if not using a pre-approved RSP)
- Background Screening
- Community Priority Evaluation (opt-in)
- Specification 13/Specification 9 exemption
- Registry Services

Where answers are not clear, **certain panels may issue Clarifying Questions** to allow applicants to provide more information.

5

Contention Resolution



- *Private Resolution*
- *ICANN Auction of Last Resort*

Contention Resolution

Certain applications will be **placed in contention sets** due to string similarity results and based on the results of objections. Generally, only **one string out of a contention set may proceed to contracting**.

Contention sets **may be resolved by members of the contention set** through an agreed upon method - for example formation of a joint venture or private auction.

A community applicant may prevail through Community Priority Evaluation.

If a contention set does not self-resolve, **ICANN org will conduct an Auction of Last Resort.**

Program Operations

Contracting



- *Final Background Screening*
- *Contracting Information Request*
- *Contract Drafting*
- *Contract Execution*

6

9 months

Contracting

Final step before an applicant becomes a registry operator

Three key requirements

- Application must have **passed all application evaluations**
- Application must **not be subject** to objections, accountability mechanisms, Board Advice, or open processes such as a change request
- If the application was in a contention set, the **set has been resolved with the application prevailing**

ICANN org will request applicable information from applicant, provide a draft registry agreement, discuss any potential changes and execute the agreement.

Post Contracting

7

*Registry Agreement
is in-force*

Post Contracting



- *Onboarding (12 months)*
- *Delegation*
- *TMCH Certification*
- *TLD Startup*

Post Contracting

ICANN org will assist newly contracted registry operators (RO) with:

- **Onboarding** - complete all tasks needed to delegate
- **Delegation** - the gTLD is added to the root zone
- Conducting **Trademark Clearinghouse (TMCH) certification** as required by rights protection mechanisms
- Getting approval for the **TLD Startup/Launch plan**

ICANN org supports registry operators with service requests required by policy or the registry agreement such as the Registry Service Evaluation Policy, name change, etc.

Contractual Compliance will accept complaints related to contracted parties, pass them along if applicable, and monitor RO obligations.

Questions & Answers

Agenda Item 4

Questions and Answers

Follow Our Work

- SubPro ODP web page at icann.org/subpro-odp
- Mail List
 - Email: subpro-odp@icann.org
 - Archive: <https://mm.icann.org/pipermail/subpro-odp/>
- Communication and Meetings:
 - Board
 - GNSO Council Liaison
 - Community groups, upon request
- Regional engagement activities

Appendix

SubPro ODP Activity Since ICANN74

Date	Activity
12 July 2022	Published a blog focusing on the Systems and Tools Work Track
14 July 2022	Published an update on the status of Subpro ODP and Whois Disclosure System Design Initiatives
31 July 2022	Completed Policy Analysis of Final Report Outputs
9 August - 1 September 2022	Held several half-day cross work track discussions focused on business process design and internal policy analysis of the Final Report outputs
15 August 2022	Published August Community Status Report
15 August 2022	Published fifth batch of assumptions
6 September 2022	Published a blog on the Vendor Procurement Work Track

SubPro ODP Stakeholder Activities

Since ICANN74 the org has provided ongoing support to project stakeholders.

- Board & Board Caucus
 - Supported a number of SubPro Board Caucus sessions, including preparation of briefing materials on Policy Issues, as well as SubPro-relevant dependencies and open advice items.
 - Supported the June Board Workshop session on SubPro ODP.
- GNSO Council Liaison
 - Met monthly with the GNSO Liaison to discuss Policy Question Sets, Clarification/Confirmation of Understanding on Recommendation 3.7, remaining assumptions, and impact of WHOIS Disclosure Paper on SubPro ODP timeline.
- ICANN SubPro Project Steering Committee
 - Supported project steering committee discussions
- Work Track Leads
 - Held numerous half-day workshops with SubPro Work Track leads and other functions as needed to discuss final report topics, outputs, and overall methodology for ODA drafting

Sub Pro ODP Finances: Jan-Aug 2022

Resource and Costs Overview by Work Track (WT)

SubPro ODP	Project-to-Date (January to August 2022)		
Work Track (WT)	FTE (avg)	Total Hours	Total Expenses*
WT 1: Project Governance	3.0	3,323	\$420
WT 2: Policy Development and Implementation Materials	2.7	3,143	\$343
WT 3: Operational Readiness	1.1	1,185	\$166
WT 4: Systems and Tools	2.1	2,190	\$283
WT 5: Vendors	0.4	281	\$64
WT 6: Communications and Outreach	1.2	1,313	\$145
WT 7: Resources, Staffing, and Logistics	1.4	1,613	\$159
WT 8: Finance	0.9	863	\$93
WT 9: Overarching	1.6	1,538	\$163
Shared Services Support**	NA	NA	\$761
Total	14.3	15,446	\$2,597

**Expenses presented in \$US thousands*

***Shared Services Support is not a work track and represents allocated costs from ICANN org for general administrative costs. Any arithmetic inconsistencies are due to rounding.*