

**TABLE OF CONTENTS – NGPC PAPERS**

Agenda.....p. 2

Update on String Similarity.....p. 3-4

BGC Recommendation on Reconsideration Request 13-5.....p. 5-9

GAC Communiqué Durban – Review of Scorecard.....p. 10-14

GAC Communiqué Beijing – Review of Scorecard.....p. 15

GAC Communiqué Beijing – Category 1.....p. 16-21

ALAC Statement on Preferential Treatment for Community Applications in String  
Contention.....p. 22-23

ALAC Statement on Community Expertise in Community Priority  
Evaluation..... p. 24-25

Notice of Meeting.....p. 26-27

## NGPC Meeting – 10 September 2013 Agenda

### Consent Agenda:

- Approval of Minutes

### Main Agenda:

- Update on String Similarity (Shepherd **Mike Silber**, Input from **Bruce Tonkin**)
- BGC recommendation on Reconsideration Request 13-5 (Shepherd **Amy Stathos**)
- GAC Communiqué Durban – Comprehensive Review of the Scorecard (Shepherd **Chris Disspain**)
- GAC Communiqué Beijing – Comprehensive Review of the Scorecard (Shepherd **Chris Disspain**)
- GAC Communiqué Beijing – Category 1 (Shepherd **Chris Disspain**)
- ALAC Statement on the Preferential Treatment for Community Applications in String Contention (Shepherd **George Sadowsky**)
- ALAC Statement on Community Expertise in Community Priority Evaluation (Shepherd **George Sadowsky**)
- AOB

## ICANN NGPC PAPER NO. 2013.09.10.2a

**TITLE:** Update on String Similarity

**PROPOSED ACTION:** For Information

### **EXECUTIVE SUMMARY:**

The New gTLD Applicant Guidebook (AGB) address string similarity through two separate processes: (a) string similarity review, and (b) string confusion objections submitted to a designated Dispute Resolution Service Provider (DRSP). As part of the Initial Evaluation process in the AGB, each string was reviewed by an independent panel for visual string similarity. This review involved a visual similarity check and preliminarily compared each applied-for gTLD string against existing TLDs, reserved names, and other applied-for strings. The objective of this review was to prevent user confusion and loss of confidence in the DNS resulting from delegation of similar strings. (AGB Section 2.2.1.1)

The String Similarity Review Panel was comprised of experts in the field, and the panel implemented the criteria established in the AGB. ICANN spent extensive time working the String Similarity panel in order to promote consistency of the process and results.

On 25 June 2013, the NGPC adopted a [resolution](#) stating that no changes were needed to the existing mechanisms in the AGB to address the issue of potential consumer confusion resulting from allowing singular and plural versions of the same string. The rationale for that NGPC's decision is included in the Reference Materials to this paper, which included a discussion of the process used by the panel of linguistic experts from InterConnect Communications and the University College London to perform a visual similarity review, and whether the evaluation process would be undermined if the NGPC were to exert its own opinion and override the determination of the expert panel.

Applications that passed the String Similarity Panel review were still subject to objection on the basis of string confusion. The grounds for filing a string confusion objection were whether “the applied-for gTLD string is confusingly similar to an existing TLD or to

another applied-for gTLD in the same round of applications.” (AGB 3.2.1) These grounds are more broad than the String Similarity Panel review, which was limited to visual similarity. String confusion objections might be based on any type of alleged similarity, and objectors could claim confusion based on visual, aural, or similarity of meaning, for example. Existing TLD operators had standing to file a string confusion objection against an applied-for string. Additionally, any gTLD applicant in the current application round had standing to file a string confusion objection against another applied-for string. (AGB 3.2.2.1)

The standard for string confusion was the same for both the visual similarity check and the broader objection process: "it must be probable, not merely possible, that confusion will arise in the mind of the average, reasonable Internet user." (AGB 2.2.1.1.2)

Currently, the designated DRSP is issuing decisions on string confusion objections. Some members of the community have raised concerns about the seemingly inconsistent decisions made by the DRSP's panelists, and have questioned why certain objections were not consolidated to avoid this result. Section 3.4.2 of the AGB states that "ICANN strongly encourages all of the DRSPs to consolidate matters whenever practicable." Any applicant or objector may propose to consolidate objections if the DRSP itself has not decided to consolidate two or more objections. Consolidation is at the discretion of the DRSP. At ICANN's request the DRSP is looking at ways to reconcile seemingly inconsistent results.

NGPC action is not requested at this stage, but it could be beneficial to have the option in the future to escalate concerns or involve the NGPC to help resolve issues if needed.

**Signature Block:**

Submitted by: Christine Willett

Position: Vice President, gTLD Operations

Date Noted: 4 September 2013

Email: [christine.willett@icann.org](mailto:christine.willett@icann.org)

**ICANN NEW gTLD PROGRAM COMMITTEE SUBMISSION NO. 2013-09-10-2b**

**TO:** ICANN New gTLD Program Committee

**TITLE:** Reconsideration Request 13-5

**PROPOSED ACTIONS:** For Committee Consideration and Approval

**EXECUTIVE SUMMARY:**

On 7 July 2013, Booking.com B.V. (“Booking.com”), through its counsel, Crowell & Moring, submitted a reconsideration request (“Request”), seeking reconsideration of the ICANN staff action of 26 February 2013, when the results of the String Similarity Panel were posted for the New gTLD Program. Specifically, the Request seeks reconsideration of the placement of the applications for .hotels and .hoteis into a string similarity contention set. Alternatively, Booking.com requests that the ICANN provide a detailed analysis and reasoning regarding the decision to place .hotels into a non-exact match contention set. The BGC considered Booking.com’s Request at its 1 August 2013 meeting and concluded that Booking.com has not stated proper grounds for reconsideration. The BGC recommended to the NGPC that the Request be denied and that no further action be taken in response to the Request.

**BOARD GOVERNANCE COMMITTEE (BGC) RECOMMENDATION:**

The BGC recommends that Reconsideration Request 13-5 be denied and that no further action be taken in response to the Request. As detailed in the Recommendation attached to the Reference Materials in support of this paper, the BGC determined that Request 13-5 fails to state any grounds that support reconsideration.

**PROPOSED RESOLUTION:**

Whereas, Booking.com B.V.’s (“Booking.com”) Reconsideration Request, Request 13-5, sought reconsideration of the ICANN staff action of 26 February 2013, when the results of the String Similarity Panel were posted for the New gTLD Program, placing the applications for .hotels and .hoteis into a string similarity contention set.

Whereas, the BGC considered the issues raised in Reconsideration Request 13-5.

Whereas, the BGC recommended that Reconsideration Request 13-5 be denied because Booking.com has not stated proper grounds for reconsideration.

Resolved (2013.09.10.xx), the New gTLD Program Committee adopts the BGC Recommendation on Reconsideration Request 13-5, which can be found at <http://www.icann.org/en/groups/board/governance/reconsideration/recommendation-booking-01aug13-en.pdf>.

**PROPOSED RATIONALE:**

ICANN's Bylaws call for the Board Governance Committee to evaluate and make recommendations to the Board with respect to Reconsideration Requests. *See* Article IV, section 3 of the Bylaws. The New gTLD Program Committee ("NGPC"), bestowed with the powers of the Board in this instance, has reviewed and thoroughly considered the BGC Recommendation on Reconsideration Request 13-5 and finds the analysis sound.

Having a reconsideration process whereby the BGC reviews and, if it chooses, makes a recommendation to the Board/NGPC for approval positively affects ICANN's transparency and accountability. It provides an avenue for the community to ensure that staff and the Board are acting in accordance with ICANN's policies, Bylaws, and Articles of Incorporation.

The Request seeks a reversal of the 26 February 2013 decision of the String Similarity Review Panel (the "Panel") to place Booking.com's application for .hotels in the same contention set as .hoteis. Specifically, Booking.com asserted that its applied for string of .hotels can co-exist in the root zone with the applied for string .hoteis without concern of confusability, and therefore, .hotels should not have been placed in the same contention set with .hoteis.

The Request calls into consideration: (1) whether the Panel violated any policy or process in conducting its visual similarity review of Booking.com's application; and (2) whether the NGPC has the ability to overturn the Panel's decision on .hotels/.hoteis on the basis that the decision was provided as an "advice to ICANN" and that ICANN made the ultimate decision to accept that advice.

The BGC noted that a similar reconsideration request was previously submitted by Booking.com on 28 March 2013 and placed on hold pending the completion of a request pursuant to ICANN's Documentary Information Disclosure Policy. Therefore, this Request relates back to the date of the original filing and should be evaluated under the Bylaws that were in effect from 20 December 2012 through 10 April 2013.

In consideration of the first issue, the BGC reviewed the grounds stated in the Request, including the attachments, and concluded that Booking.com failed to adequately state a Request for Reconsideration of Staff action because they failed to identify any policy or process that was violated by Staff. The BGC noted that Booking.com does not suggest that the process for String Similarity Review set out in the Applicant Guidebook was not followed, or that ICANN staff violated any established ICANN policy in accepting the Panel's decision to place .hotels and .hoteis in the same contention set. Rather, Booking.com seeks to supplant what it believes the review methodology for assessing visual similarity should have been as opposed to the methodology set out in Section 2.2.1.1.2 of the Applicant Guidebook and asks that the BGC (and the Board through the New gTLD Program Committee) retry the 26 February 2013 decision based upon its proposed methodology. The BGC concluded that this is not sufficient ground for Reconsideration because the Reconsideration process is not available as a mechanism to re-try the decisions of the evaluation panels.

With respect to Booking.com's contention that the 26 February 2013 decision was taken without material information, such as that of Booking.com's linguistic expert's opinion or other "information that would refute the mistaken contention that there is likely to be consumer confusion between '.hotels' and '.hoteis'", the BGC concluded that there is no process in the String Similarity Review for applicants to submit additional information. As ICANN has explained to Booking.com in response to its DIDP requests for documentation regarding the String Similarity Review, the Review was based upon the methodology in the Applicant Guidebook, supplemented by the Panel's process documentation; the process does not allow for additional inputs. The BGC noted that Booking.com's disagreement as to whether the methodology should have resulted in a finding of visual similarity does not mean that ICANN (including the third party vendors performing String Similarity Review) violated

any policy in reaching the decision (nor does it support a conclusion that the decision was actually wrong).

In consideration of the second issue, the BGC determined that Booking.com's suggestion that the Board (through the NGPC) has the ability to overturn the Panel's decision on .hotels/.hoteis because the Panel merely provided "advice to ICANN" and that ICANN made the ultimate decision to accept that advice is based upon inaccurate conclusions of the String Similarity Review process. As such, the BGC concluded that Booking.com has not stated sufficient grounds for reconsideration. The BGC noted that all applied for strings are reviewed the Panel according to the standards and methodology of the visual string similarity review set out in the Applicant Guidebook. The Guidebook clarifies that once contention sets are formed by the Panel, ICANN will notify the applicants and will publish results on its website. (AGB, Section 2.2.1.1.1.) Whether the results are transmitted as "advice" or "outcomes" or "reports", ICANN had always made clear that it would rely on the advice of its evaluators in the initial evaluation stage of the New gTLD Program, subject to quality assurance measures. The subsequent receipt and consideration of GAC advice on singular and plural strings does not change the established process for the development of contention sets based on visual similarity as the ICANN Board is required under the Bylaws to consider GAC Advice on issues of public policy, such as singular and plural strings. The BGC concluded that Booking.com is actually proposing a new and *different* process when it suggests that ICANN should perform substantive review (instead of process testing) over the results of the String Similarity Review Panel's outcomes prior to the finalization of contention sets.

In addition to the above, the full BGC Recommendation that can be found at <http://www.icann.org/en/groups/board/governance/reconsideration/recommendation-booking-01aug13-en.pdf> and that is attached to the Reference Materials to the Board Submission supporting this resolution, shall also be deemed a part of this Rationale.

Adopting the BGC's recommendation has no financial impact on ICANN and will not negatively impact the systemic security, stability and resiliency of the domain name system.



This decision is an Organizational Administrative Function that does not require public comment.

Submitted By: Amy A. Stathos, Deputy General Counsel

Dated Noted: 5 September 2013

Email: amy.stathos@icann.org

**ICANN NGPC PAPER NO. 2013-09-10-2c**

**TITLE:** **Scorecard for GAC Advice Issued in the Durban  
Communiqué**

**PROPOSED ACTION:** **For Resolution**

**EXECUTIVE SUMMARY:**

The GAC delivered advice on the New gTLD Program in its Durban Communiqué issued 18 July 2013. The NGPC has developed a GAC scorecard to respond to the advice in the Durban Communiqué, similar to the one used to address the Beijing Advice as well as during the GAC and the Board meetings in Brussels on 28 February and 1 March 2011. At this time, the NGPC is being asked to consider accepting the GAC advice issued in the Durban Communiqué as described in the attached scorecard (Annex 1 to the proposed resolution). Almost all items of advice are scored as “1A,” which indicates that the NGPC’s proposed position is consistent with GAC advice as described in the scorecard. The NGPC needs additional time to consider the applicant comments on the GAC’s objection advice issued against .amazon (application number 1-1315-58086) and related IDNs in Japanese (application number 1-1318-83995) and Chinese (application number 1-1318-5591) (i.e. GAC Registry of Advice 2013-07-18 – Obj- Amazon). Accordingly, the scorecard does not include a score for this item. The NGPC will consider this matter at a future meeting.

**STAFF RECOMMENDATION:**

Staff recommends the NGPC accept the GAC advice as presented in the attached scorecard so that the greatest number of new gTLD applications are able to continue to move forward as soon as possible.

**PROPOSED RESOLUTION:**

Whereas, the GAC met during the ICANN 47 meeting in Durban and issued a Communiqué on 18 July 2013 (“Durban Communiqué”).

Whereas, on 1 August 2013, ICANN posted the Durban Communiqué and officially notified applicants of the advice <<http://newgtlds.icann.org/en/announcements-and-media/announcement-01aug13-en>>, triggering the 21-day applicant response period pursuant to the Applicant Guidebook Module 3.1.

Whereas, the NGPC met on 12 August 2013 to consider a plan for responding to the GAC's advice on the New gTLD Program, transmitted to the Board through its Durban Communiqué.

Whereas, the NGPC has considered the applicant responses submitted during the 21-day applicant response period, and the NGPC has identified items of advice in the attached scorecard where its position is consistent with the GAC's advice in the Durban Communiqué.

Whereas, the NGPC developed a scorecard to respond to the GAC's advice in the Durban Communiqué similar to the one used to address the Beijing Advice as well as during the GAC and the Board meetings in Brussels on 28 February and 1 March 2011, and has identified where the NGPC's position is consistent with GAC advice, noting those as "1A" items.

Whereas, the NGPC is undertaking this action pursuant to the authority granted to it by the Board on 10 April 2012, to exercise the ICANN Board's authority for any and all issues that may arise relating to the New gTLD Program.

Resolved (2013.xx.xx.NGxx), the NGPC adopts the "ICANN Board New gTLD Program Committee Scorecard in response to GAC Durban Communiqué" (4 September 2013), attached as Annex 1 to this Resolution, in response to the items of GAC advice in the Durban Communiqué as presented in the scorecard.

## **PROPOSED RATIONALE:**

### **Why the NGPC is addressing the issue?**

Article XI, Section 2.1 of the ICANN Bylaws

<<http://www.icann.org/en/about/governance/bylaws - XI>> permit the GAC to "put issues

to the Board directly, either by way of comment or prior advice, or by way of specifically recommending action or new policy development or revision to existing policies.” The GAC issued advice to the Board on the New gTLD Program through its Durban Communiqué dated 18 July 2013. The ICANN Bylaws require the Board to take into account the GAC’s advice on public policy matters in the formulation and adoption of the policies. If the Board decides to take an action that is not consistent with the GAC advice, it must inform the GAC and state the reasons why it decided not to follow the advice. The Board and the GAC will then try in good faith to find a mutually acceptable solution. If no solution can be found, the Board will state in its final decision why the GAC advice was not followed.

**What is the proposal being considered?**

The NGPC is being asked to consider accepting the GAC’s Durban advice as described in the attached ICANN Board New gTLD Program Committee Scorecard in response to GAC Durban Communiqué” (4 September 2013). As noted in the scorecard, most items of advice are scored as “1A,” which indicates that the NGPC’s position is consistent with GAC advice as described in the scorecard.

**Which stakeholders or others were consulted?**

On 1 August 2013, ICANN posted the GAC advice and officially notified applicants of the advice <<http://newgtlds.icann.org/en/announcements-and-media/announcement-01aug13-en>>, triggering the 21-day applicant response period pursuant to the Applicant Guidebook Module 3.1. The complete set of applicant responses are provided at: <http://newgtlds.icann.org/en/applicants/gac-advice/durban47>. The NGPC has considered the applicant responses in formulating its response to the GAC advice as applicable.

**What concerns or issues were raised by the community?**

As part of the 21-day applicant response period, several of the applicants indicated that they have entered into dialogue with the affected parties, and they anticipated reaching agreement on the areas of concern. Some of the applicants noted that they have proposed additional safeguards to address the concerns of the relevant governments are unsure as

to whether a settlement can be reached. These applicants asked that the ICANN Board allow their applications to proceed even if an agreement among the relevant parties cannot be reached. Additionally, inquiries have been made as to whether applicants and the relevant governments will have the opportunity to comment on conversations among the GAC, ICANN Board, and ICANN staff. There have been requests that that the GAC, NGPC, and ICANN staff consult with applicants before decisions regarding any additional safeguards are made.

Other applicants noted the important role of governments in the multi-stakeholder model, but advised the NGPC that it should not allow governments to exercise veto power over ICANN policies adopted through the multi-stakeholder process.

### **What significant materials did the Board review?**

As part of its deliberations, the NGPC reviewed the following materials and documents:

- GAC Durban Communiqué:  
[https://gacweb.icann.org/download/attachments/27132037/Final\\_GAC\\_Communique\\_Durban\\_20130717.pdf?version=1&modificationDate=1374215119858&api=v2](https://gacweb.icann.org/download/attachments/27132037/Final_GAC_Communique_Durban_20130717.pdf?version=1&modificationDate=1374215119858&api=v2)
- Applicant responses to GAC advice: <http://newgtlds.icann.org/en/applicants/gac-advice/durban47>
- Applicant Guidebook, Module 3:  
<http://newgtlds.icann.org/en/applicants/agb/objection-procedures-04jun12-en.pdf>
- Summary of Applicant Responses to GAC Advice in the Durban Communiqué

### **What factors did the Board find to be significant?**

In adopting its response to the GAC's advice in the Durban Communiqué, the NGPC considered the applicant comments submitted, the GAC's advice transmitted in the Durban Communiqué, and the procedures established in the AGB.

**Are there positive or negative community impacts?**

The adoption of the GAC advice as provided in the attached scorecard will assist with resolving the GAC advice in manner that permits the greatest number of new gTLD applications to continue to move forward as soon as possible.

**Are there fiscal impacts or ramifications on ICANN (strategic plan, operating plan, budget); the community; and/or the public?**

There are no foreseen fiscal impacts associated with the adoption of this resolution.

**Are there any security, stability or resiliency issues relating to the DNS?**

Approval of the proposed resolution will not impact security, stability or resiliency issues relating to the DNS.

**Is this either a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment?**

ICANN posted the GAC advice and officially notified applicants of the advice on 1 August 2013. This triggered the 21-day applicant response period pursuant to the Applicant Guidebook Module 3.1.

**ICANN NGPC PAPER NO. 2013.09.10.2d**

**TITLE:** **Status Update on NGPC Responses to GAC Advice  
in the Beijing Communiqué**

**PROPOSED ACTION:** **For Information**

**EXECUTIVE SUMMARY:**

As requested by the NGPC at its previous meeting, the attached Annex 1 provides a status update on the actions taken by the NGPC to respond to the GAC's advice in the Beijing Communiqué issued 11 April 2013. Over the past several months, the NGPC has taken several actions to respond to the advice in the Beijing Communiqué, including:

- Adopting a Scorecard of 1As on 4 June 2013 in response to non-safeguard advice in the Beijing Communiqué.
- Adopting a resolution on 25 June 2013 on the safeguards applicable to all strings, and Category 2 Exclusive Registry Access.
- Adopting a resolution on 2 July 2013 providing temporary protections for IGO identifiers.

This paper is provided for informational purposes. To note, the NGPC continues to work through some items of advice in the Beijing Communiqué, including the Category 1 safeguards, and the NGPC may consider taking action at subsequent meetings.

**Signature Block:**

Submitted by: Jamie Hedlund

Position: Advisor to the President

Date Noted: 4 September 2013

Email: jamie.hedlund@icann.org

## ICANN NGPC PAPER NO. 2013.09.10.2e

**TITLE:** **GAC Advice in Beijing Communiqué regarding Category 1 Safeguards**

**PROPOSED ACTION:** **For Discussion**

### **EXECUTIVE SUMMARY:**

In the Beijing Communiqué, the GAC proposed “Category 1” safeguard advice, which includes recommended restrictions and consumer protections for sensitive strings and regulated markets. The Category 1 Safeguard Advice is identified in the GAC Register of Advice as “2013-04-11-Safeguards-Category-1”. The Category 1 Safeguard Advice is divided into three main sections. The first section provides five (5) items of advice that apply to “strings that are linked to regulated or professional sectors.” The Beijing Communiqué identified a list of strings to which this advice applies. The second section provides three (3) additional pieces of advice that should apply to a limited subset of the strings noted in the GAC’s list that are “associated with market sectors which have clear and/or or regulated entry requirements (such as: financial, gambling, professional services, environmental, health and fitness, corporate identifiers, and charity) in multiple jurisdictions....” The third section includes an additional requirement for applicants for the following strings: .fail, .gripe, .sucks and .wtf.

At its 2 July 2013 meeting, the NGPC adopted a resolution to defer entering into registry agreements with applicants who have applied for TLD strings listed in the GAC’s Category 1 Safeguard Advice, pending a dialogue with the GAC. As noted by the community during the public comment period on the GAC’s safeguard advice, the GAC’s Category 1 Safeguard Advice presents some implementation concerns.

The NGPC began a dialogue with the GAC during the ICANN 47 meeting in Durban, South Africa. After hearing the concerns of the GAC in Durban and discussing the implementation issues, the NGPC is being asked to discuss a potential framework as a path forward to address the Category 1 safeguard advice. A working draft of the framework proposal is attached to this Briefing Paper as Annex 1.

### **STAFF RECOMMENDATION:**



Staff recommends the NGPC discuss proposed framework as a path forward for addressing the GAC's Category 1 safeguard advice in the Beijing Communiqué. Staff recommends that the NGPC schedule a dialogue with the GAC to discuss the proposed framework.

**Signature Block:**

Submitted by: Jamie Hedlund

Position: Advisor to the President

Date Noted: 4 September 2013

Email: [jamie.hedlund@icann.org](mailto:jamie.hedlund@icann.org)





Privileged and Confidential



**ICANN NGPC PAPER NO. 2013.09.10.2f**

**TITLE:** **ALAC Statement on the Preferential Treatment for  
Community Applications in String Contention**

**PROPOSED ACTION:** **For NGPC Discussion**

**EXECUTIVE SUMMARY:**

The NGPC is being asked to review and discuss the ALAC’s statement dated 9 August 2013 entitled “ALAC Statement on the Preferential Treatment for Community Applications in String Contention” (the “ALAC Statement on Community Applications”). The ALAC Statement on Community Applications urges ICANN to review the 688 applications currently in contention, and provide preferential treatment to applications that meet the characteristics of community applications even if not submitted as a community application. Implementing the ALAC’s advice would represent a change to the policies and procedures established in the current Applicant Guidebook.

The ALAC notes that some new gTLD applications, that are intended for communities and have wide public or grassroots support, were not submitted as community applications. The ALAC believes that applications with demonstrable support, appropriate safeguards, and strong emphasis on community service should be accorded preferential treatment in the new gTLD string contention resolution process. The ALAC notes that this position is in support of the GAC’s position in the Durban Communiqué. In the Durban Communiqué, the GAC reiterated its advice from the Beijing Communiqué “regarding preferential treatment for all applications which have demonstrable community support, while noting community concerns over the high costs for pursuing a Community Objection process as well as over the high threshold for passing Community Priority Evaluation.” The GAC therefore advised the ICANN Board to, “Consider to take better account of community views, and improve outcomes for communities, within the existing framework, independent of whether those communities have utilized ICANN’s Formal community processes to date.” (Durban Communiqué Section IV.7.b.)

To note, the Community Priority Evaluation (CPE) panel firm has developed a set of guidelines that are based on the criteria in the Applicant Guidebook. These guidelines were developed by the CPE panel firm to ensure quality and consistency in the evaluation process. The guidelines were posted for community feedback until 10 September 2013. Staff notes that it submitted the ALAC's statement to the community feedback forum so that the CPE panel firm could take these comments into consideration.

**STAFF RECOMMENDATION:**

Staff recommends that the NGPC prepare a response letter to the ALAC acknowledging the concerns and its statement and noting the outcome of this discussion.

**Signature Block:**

Submitted by: Akram Atallah

Position: President, Generic Domains Division

Date Noted: 4 September 2013

Email: akram.atallah@icann.org

**ICANN NGPC PAPER NO. 2013.09.10.2g**

**TITLE:** **ALAC Statement on Community Expertise in  
Community Priority Evaluation**

**PROPOSED ACTION:** **For NGPC Review and Discussion**

**EXECUTIVE SUMMARY:**

The NGPC is being asked to review and discuss the ALAC’s statement dated 9 August 2013 entitled “ALAC Statement on Community Expertise in Community Priority Evaluation” (the “ALAC Statement on Community Experts”). The ALAC Statement on Community Experts calls for additional community-related expertise on the Community Priority Evaluation (CPE) panel, and offers to provide community volunteers to serve on the panel as members or advisors.

Specifically, the ALAC has raised concerns that the two entities reviewing community applications—Economist Intelligence Unit (EIU) and InterConnect Communications (InterConnect)—may be predisposed toward business applications and may “discriminate against applications emphasizing community service.”

The EIU was selected as the primary firm performing CPE. The EIU is the business information arm of The Economist Group, publisher of The Economist. (<http://www.eiu.com/default.aspx>) Through a global network of more than 900 analysts and contributors, the EIU continuously assesses political, economic, and business conditions in more than 200 countries, and helps executives, governments, and institutions by providing timely, reliable, and impartial analysis. The EIU was vetted through a selective process, and the EIU is developing an objective set of criteria for performing the Community Priority Evaluation. These guidelines are based on the criteria in the Applicant Guidebook, and have been posted for community feedback until 10 September 2013. Additional information on the selection criteria for the panel firms and the qualifications of the EIU and InterConnect can be found in the Reference Materials to this paper.



**STAFF RECOMMENDATION:**

Staff recommends that the NGPC prepare a response letter to the ALAC acknowledging its statement and the expressed concerns, noting the outcome of this discussion.

**Signature Block:**

Submitted by: Akram Atallah

Position: President, Generic Domains Division

Date Noted: 4 September 2013

Email: akram.atallah@icann.org

**New gTLD Program Committee Members,**

**Attached below please find the Notice of the following New gTLD committee meeting:**

**10 September 2013 – NGPC Meeting at 13:00:00 UTC – This Committee meeting is estimated to last 2 hours.**

<http://www.timeanddate.com/worldclock/fixedtime.html?msg=New+gTLD+Committee+Meeting&iso=20130910T13>

**Some other time zones:**

**10 September 2013 – 6:00 AM PDT Los Angeles**

**10 September 2013 – 9:00 AM EDT Washington, D.C.**

**10 September 2013 – 3:00 PM CEST Brussels**

**Consent Agenda:**

- Approval of Minutes

**Main Agenda:**

- Update on String Similarity
- BGC recommendation on Reconsideration Request 13-5
- GAC Communiqué Durban – Comprehensive Review of the Scorecard
- GAC Communiqué Beijing – Comprehensive Review of the Scorecard
- GAC Communiqué Beijing – Category 1
- ALAC Statement on the Preferential Treatment for Community Applications in String Contention
- ALAC Statement on Community Expertise in Community Priority Evaluation
- AOB

**MATERIALS -- All Materials will be available on** Contact Information Redacted

**If**

**you have trouble with access, please let us know and we will work with you to assure that you can use the BoardVantage Portal for this meeting.**

**If you have any questions, or we can be of assistance to you, please let us know.**

**If call information is required, it will be distributed separately**

**If you have any questions, or we can be of assistance to you, please let us know.**

**John Jeffrey**

**General Counsel & Secretary, ICANN**

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