

Summary of Incremental Changes in the Next Round Registry Agreement - 2 of 2 Public Comment

As mentioned in the Guided Submission form for the Next Round RA Public Comment proceeding, below is a comprehensive list of all proposed incremental changes as compared to the Next Round RA provided in first Public Comment by topic area with the corresponding Next Round RA section reference for each of the changes listed in order of appearance in the Next Round RA.

Topic	Reference	Notes
Emergency Transition	Section 2.13	Removed previously proposed new language that would have allowed for transition of a TLD to an Emergency Back End Registry Operator (EBERO) provider before the TLD fails any of the Critical Functions under certain conditions. Additional changes have been made to adjust for the change in subsection references.
Personal Data	Section 2.18	Clean up changes to clarify that a registry operator must notify each ICANN accredited registrar that is a party of the Registry-Registrar Agreement for the TLD of the purposes for which Personal Data is processed and for no other purposes unless further notice is provided.
Incident Reporting	Section 2.19	Removed the previously proposed new section that was under discussion to find the appropriate implementation path for SAC074. Following a consultation with the ICANN Board, ICANN intends to implement through a Global Amendment so that both current and new registry operators would have a consistent obligation for Incident Reporting. Additional changes have been made to adjust for the change in section numbering.
Renewal	Section 4.2	Further changes made to these sections reflect (1) revisions in response to

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Termination by ICANN	Section 4.3	public comments (see Sections 4.3(a) and 4.3(h)) where we changed 14 days to initiate arbitration to 21 days, (2) removal of brackets or revisions to proposed new language previously bracketed (see Sections 4.3(f) and (h)), and (3) clean-up changes among related provisions (see changes in renewal provisions, termination by Registry Operator provisions and Sections 4.3(a), 4.3(b), 4.3(h), 4.5, and 5.1).
Termination by Registry Operator	Section 4.4	
Transition of Registry Upon Termination of Agreement	Section 4.5 including alternate version and in Spec 13, Section 6	We also included clean-up changes to clarify to what extent the obligations under Section 2.18 related to Personal Data will survive post termination in Section 4.6.
Effect of Termination	Section 4.6	
Mediation	Section 5.1	Further, as noted on the Open Proceedings page: • Section 4.3(f) (Termination by ICANN); Specification 11, Section 3(e) (Public Interest Commitments): revised the previously proposed new language in Specification 11, Section 3(e) to incorporate the wording and intent of Recommendation 36.4 of the Final Report. • Section 4.3(h) (Termination by ICANN): revised the previously proposed new language to reflect the conditions a registry operator must fulfill before it can initiate mediation to dispute a termination for nonpayment prior to the termination's effectiveness.
Variable Registry-Level Fee	Section 6.3	Clean up changes.
RPM Fees	Section 6.4	Revised reference from "Pass-Through Fees" to "RPM Fees" and aligned defined terms.
Change of Control; Assignment and Subcontracting	Section 7.5	Clean up changes. Specifically as it relates to changes in Section 7.5(g) for Applicant Support Program TLDs, we have simply moved around language for better readability and also added further clarity for the avoidance of doubt.

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Specifications (General)	Throughout Next Round RA	Updated to reinsert “of the Agreement” to make corresponding section references clearer.
Section references	Specification 2	Lowercased section references consistent with other references to external documents.
Internet Standards	Specification 4, Section 1.9	Added a provision title of “Internet Standards”.
Schedule of Reserved Names; Letter/Letter Two Character ASCII Labels	Specification 5, Section 2.1.1	Added clarifying language.
Schedule of Reserved Names; Reservations for Registry Operators	Specification 5, Section 3.2	Removed temporary footnote and other clean up changes in response to public comment.
Amendments to STDs	Specification 6, Section 1.9	Updated “STD” as singular to mirror structure of Section 1.8 above.
Name Collision Report Handling	Specification 6, Section 6.3	Removed temporary footnote and updated to refer to such notice in a manner consistent with the notices provision of the Next Round RA.
Phase 1 Final Report on the Review of All RPMs - Sunrise Final Rec 1	Specifications 7, Section 1	Revised the previously proposed new language to incorporate the wording and intent of Sunrise Final Recommendation #1 in Phase 1 Final Report on the Review of All Rights Protection Mechanisms in All gTLDs Policy Development Process.
Registry Operator Code of Conduct and .BRAND TLD Provisions	Specification 9, Sections 6 and 7 and Specification 13 Sections 4.1 and 4.3	Revised to reflect feedback from the first public comment and to account for when a registry operator that qualifies for a Code of Conduct exemption or an Applicable Brand Registry Operators chooses to implement any of the Services

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		(as defined in the Trademark Clearinghouse Requirements).
Public Interest Commitments	Specification 11, Section 2	Added prongs (i) and (ii) under subclause (a) for ease of differentiating between specific voluntary public interest commitments from application sections listed in subclause (a) and specific voluntary public interest commitments recognized by ICANN as being used to resolve an objection or address GAC Consensus Advice during the New gTLD Program application process listed in subclause (b).
SubPro PDP Final Report - Recommendation 36.4	Specification 11, Section 3(e)	As stated above, revised the previously proposed new language in Specification 11, Section 3(e) to incorporate the wording and intent of Recommendation 36.4 of the Final Report.
Community Registration Policies	Specification 12	Revised to align with other language in Spec 12.
Renewal	Specification 14, Section 2.9	Clean up changes.
Fees for Variant TLDs	Specification 14, Section 2.13 (Variant TLD Fees)	Section 2.13 of Specification 14 remains bracketed pending Board consideration of Recommendations 7.4 and 7.5 from Phase 1 Final Report on the Internationalized Domain Names Expedited Policy Development Process (IDN EPDP Phase 1).
Allocation of Variant Second-Level Names	Specification 14, Section 2.14	Updated to clarify that all second-level domain names, and any allocatable variants thereof under a TLD Set is either allocated to the same registrant or else withheld