Public Comment of the ENS Foundation

Re: Initial Report of the Technical Study Group
on gTLD Integrations with Alternative Naming Systems

From: Alexander Urbelis
Executive Director & Chief Legal Officer
ENS Foundation

Introduction

The ENS Foundation (the "Foundation") appreciates the opportunity to comment on the Initial Report of the Technical Study Group ("TSG") on gTLD Integrations with Alternative Naming Systems (the "Report").

The Foundation is the Cayman Islands foundation company that holds the mission, trademarks, and institutional stewardship of the Ethereum Name Service ("ENS"), the first large-scale Web3 naming platform, in continuous operation since 2017.

Following a vote of ENS tokenholders ratified onchain in August 2026, the Foundation now represents ENS in policy and standards bodies, and this comment continues the positions taken by ENS Labs, Ltd. in prior ICANN proceedings, including its March 2026 comment on the Name Collision Procedure Documentation for the 2026 Round.

In the interest of full transparency: The founder of ENS, Nicholas Johnson, participated in the TSG through a seat on the study group, and the .ens application, filed by ENS Labs, Ltd. and stewarded by the Foundation, is pending in the 2026 Round as a brand TLD.

The Foundation's commitments are long on the record. ENS supports ICP-3 and the single authoritative DNS root. ENS deliberately built its namespace on a string that cannot be delegated in the DNS, precisely so that its naming system could grow without ever colliding with the root or requiring anything from it. ENS has committed not to create additional TLDs outside the ICANN process, and it has built bridges to the DNS through DNSSEC-based integration and CCIP-Read rather than parallel roots. Responsible alternative naming does not need the DNS to owe it anything.

I. The Foundation Supports the Report's Core Framework

The string-plus-controller principle and the Unified Source of Truth are the correct foundations. A name is safe across systems only when the same string answers to the same controller in every system, for the whole life of the name, and the Report is right to make that the organizing test. The framework is also feasible in practice: commenters from within the ENS ecosystem, including service providers who have published working implementations of the string-plus-controller model with lifecycle

management, controller proofs, and pending-state handling, have demonstrated as much in this docket. The TSG's central conclusion, that appropriately designed integrations can operate without material risk to the security or stability of the DNS, is sound.

II. The Clarification the Final Report Needs: How Existing Namespaces Map to the DNS

The most consequential ambiguity in the Report is what it means for naming systems that already exist. The Final Report should resolve it with four plain statements:

- **Scope.** The framework applies where a registry operator affirmatively proposes an integration as part of a Registry Service and demonstrates effective control over the alternative naming system included in it.
- **Independent systems.** An independently operated same-string namespace is not an integration. Its existence creates no claim, priority, reservation, or grandfathering right in the corresponding DNS string, and imposes no monitoring, withholding, or liability obligation on a registry operator or applicant that does not control it.
- **Rights protection.** Where an integration withholds or enrolls pre-existing alternative names, the conversion of any such name into an active DNS allocation must pass through the same rights protection mechanisms, including Sunrise and Claims, that govern every other allocation. Section 8.3's corollary should be clarified accordingly: *viz.*, there is no special dispensation from launch-phase protections.
- **No fait accompli.** Registration volume in an alternative naming system is not evidence of, or sufficient reason for, entitlement. As ENS cautioned in its March 2026 comment, a framework that converts installed bases accumulated outside the DNS into leverage within it creates a rational incentive for every prospective applicant to launch strings first and present ICANN with a market reality later. The Final Report should state expressly that no automatic entitlement to DNS delegation, registration, reservation, or priority arises from an alt-name registration.

We respectfully submit that this properly frames critical issues surrounding existing namespaces. A widely deployed same-string namespace is of concern to ICANN as a security and user-protection question, the collision question, but should not be viewed as a source of rights. Where names resolve to payment addresses and identities, delegating a colliding string could result in misdirection, confusion, and loss. That assessment belongs in the name-collision framework, evaluated with the qualitative evidence and data sources ENS identified in its March comment (pre-existing registration counts, resolution paths, browser and application integration, applicant

track record), whoever the applicant may be. The two frameworks should work together: the TSG framework governs integrations a registry proposes and controls; the collision framework assesses risk from alt namespaces. Neither should convert registrations into rights. The Registries Stakeholder Group asks the same of the Final Report in this docket: it should create no rights for independently operated alternative namespaces and impose no new obligations on registry operators that propose no integration. The Foundation's position is thus consistent with that of the contracted parties who would administer any integration the framework approves.

The WIPO Arbitration and Mediation Center raises the complementary concern: cybersquatting already exists at scale in alternative namespaces, and infringing names must not map into the root unchecked. The rights-protection statement above answers that concern directly: we submit that every name registered in an alternative namespace should pass through Sunrise and Claims like any other allocation.

III. Integration in the Other Direction is Outside the Report's Scope, and Already Conformant

The Report addresses one direction of integration: a registry operator extending a gTLD into an alternative naming system as a Registry Service. It does not address, and should not be read to govern, the other direction: a DNS registrant electing to make a name it already holds resolvable in an additional context, as ENS has enabled since 2021 through DNSSEC-based import. Such registrant-elected use involves no Registry Service, creates no second allocation and no parallel namespace, and imposes nothing on any registry or registrar. It is the DNS working as designed: the registrant invokes the DNSSEC chain of trust the DNS itself provides, and ENS honors that chain as authoritative.

Of particular note, integration in this reverse direction also satisfies the Report's own organizing test. In other words, the DNSSEC proof is the controller proof, so the same string answers to the same controller in both systems without deviation. Given the above, we suggest that the Final Report state that registrant-elected resolution of existing DNS names in additional contexts lies outside its scope.

IV. Public Verifiability Strengthens the Framework

Several commenters make the same objection: the framework's consistency guarantees rest on the registry's own word. The registry answers the very queries that check the registry's conduct. For naming systems that run on public blockchains, this criticism inverts. Anyone can audit the allocation state, the controller records, and the full transaction history of such a system, at any time, without the registry's cooperation. The open ledger offers stronger verification than the DNS side of any integration. The Final Report should treat public verifiability as an assurance factor when it evaluates a

proposed integration, and should favor architectures that let any party confirm the integration state directly rather than take the registry's attestation on faith. Verifiability, like registration volume, speaks to assurance, not to rights.

V. No Retroactive Effect on 2026 Round Applications

ICANN published the Report two days before the 2026 Round application window closed. The Foundation joins the commenters who ask that the Final Report impose no retroactive application requirements, evaluation criteria, contention or objection rights, or applicant representations concerning systems an applicant does not control.

The principle is simple. An applicant that proposes an integration should explain it and demonstrate that it is safe. An applicant that proposes none should carry no obligations under this framework on account of a same-string system it does not control; whatever risk such a system presents belongs in the name-collision assessment, where every application already has an obligation to account for this issue.

The Foundation states its interest plainly: it stewards the pending .ens application for a brand TLD, and it accepts without reservation that whatever framework this process produces will govern any integration it may one day propose.

Conclusion

ENS built the largest alternative naming system in operation on a string the DNS root cannot delegate, has operated it for nine years without asking ICANN for recognition, and has bridged to the DNS through the ICANN process rather than around it. The Foundation supports the TSG's framework because it rewards exactly that posture: integration as an affirmative, controlled, verifiable act, and never as a claim, right, or entitlement.

We ask the Final Report to say clearly what the Initial Report implies: that existing namespaces map to the DNS through security assessment and standard rights protections, not through entitlements, and that a DNS registrant's choice to make a name it already holds resolvable in additional contexts lies outside the framework's scope. We offer the Foundation's expertise and data as the TSG completes its work.

Respectfully submitted,

Alexander Urbelis
Executive Director & Chief Legal Officer
ENS Foundation