

12 September 2023

RE: Concerns Regarding ICANN's Approval of Google Domains Transfer of Registrar Ownership to Squarespace and the ICANN Approval Process for New gTLDs

Candy Horses, LLC
Caramel Petty
Via electronic mail

Dear Caramel Petty,

In July 2023, you submitted a [complaint](#) stating your "...profound concerns and dissatisfaction with the recent decision made by ICANN to approve the .mov and .zip top-level domains (TLDs) and to allow Google Domains' business, including its Registry Operator operations, to be sold to Squarespace without adequate scrutiny. Our primary concern lies in the apparent lack of due diligence by ICANN in evaluating the potential risks associated with these newly introduced TLDs." To address your concern you are requesting "...that ICANN provides more comprehensive documentation regarding the process of becoming a Registry Operator and the associated fees." Additionally, you state that you "...strongly urge ICANN to reevaluate its approval process for new TLDs and to provide more transparency in the assessment of Registry Operators' capabilities." This letter is in response to your complaint.

It is not the role or directive of the Complaints Office to usurp determinations made by ICANN functions or staff. Instead, the role of the Complaints Office is to receive, research, analyze, and resolve issues as openly as possible, and to help ICANN build on its operational effectiveness openly and transparently. The [complaints process](#) includes conferring with ICANN staff colleagues with expertise in the area(s) that are or may be relative to the subject matter of your complaint. Complaints Office findings and recommendations are based on the results of that research and analysis, coupled with my own expertise.

Google Domains Request to Transfer Ownership to Squarespace

Google Domains, the entity transferring its registrar ownership to Squarespace, is an ICANN Accredited Registrar, rather than a Registry Operator. A Registrar is a company that sells domain names to the public. Whereas, Google, under its trade name Charleston Road Registry, is the Registry Operator of several gTLDs, including .mov and .zip. A Registry Operator is a company that manages the technical aspects of a Top-Level Domain, by maintaining the authoritative database of all registered domain names and publishing the DNS zone, among other things. When a registrar sells a domain name to the public, the registrar is purchasing it from the registry.

ICANN received a request from Google Domains seeking to transfer ownership of its registrar to Squarespace. This is a common request and something that ICANN handles regularly. ICANN has published documentation describing the [procedure for transferring ownership](#) of a registrar's ICANN accreditation providing transparency into the process. Registrar requests to transfer

ownership must comply with the terms and requirements in their contract with ICANN and are subject to ICANN's review and approval. ICANN recently completed its review of the proposed transfer of ownership and has confirmed the gaining registrar will continue to meet or exceed established criteria for being an ICANN accredited registrar. As such, ICANN has provided its consent to the transfer. Google Domains' request to transfer ownership of its registrar to Squarespace has no effect on the .mov and .zip gTLD registries operated by Charleston Road Registry.

Lastly, there are restrictions and conditions in Google Domains' and Charleston Road Registry's contracts with ICANN that require any registrar and registry under common control to have separate legal entities and maintain separate books of accounts.

ICANN's Approval of .mov and .zip

In 2012, Charleston Road Registry, a subsidiary of Google, submitted applications to become the Registry Operator for the .mov and .zip gTLDs. The applications were submitted as part of ICANN's implementation of community developed policy to offer a [New gTLD Program](#). Charleston Road Registry's applications were successful in meeting or exceeding ICANN's rigorous criteria for technical, financial, and operational capabilities. In 2014, the .mov and .zip applications were approved, Charleston Road Registry executed registry agreements with ICANN, and the gTLDs were [delegated](#) into the root zone.

In your complaint you discuss the importance of security. ICANN shares your perspective. Here are a few measures ICANN has in place to address security concerns in the gTLD name space. For strings like .mov and .zip, which share the same string as commonly used file extensions, ICANN's contract with the Registry Operator requires certain measures to mitigate this type of risk. ICANN's contracts with registries and registrars, contain obligations they must adhere to mitigate risks of phishing and malware; such as requiring registrants of second level domain names to provide a valid email address, and requiring all registrants agree to terms of service that prohibit the use of their domain names for malicious purposes. In addition to these existing mechanisms, ICANN is engaged in a community process to enhance mitigation measures registries and registrars must take to address DNS Abuse. Google has publicly supported these proposed changes to the Registry and Registrar agreements.

Becoming a gTLD Registry Operator

In 2012, ICANN launched the New gTLD Program which was developed transparently using [ICANN's multistakeholder model](#). The purpose of the Program was to enhance innovation, competition, and consumer choice at the top-level. The 2012 New gTLD Program provided a limited window of time for qualified entities to apply to become a gTLD Registry Operator. The application review process included rigorous assessments of the gTLD string (eg., .zip, .mov) being applied for, and the operational, technical, and financial capabilities of the applicant. The Program was implemented transparently, and included many new safeguards to help support a secure, stable, and resilient Internet.

You can find more information about the origins of the 2012 New gTLD Program on ICANN's dedicated webpages (<https://newgtlds.icann.org/en>). The pages offer information on what gTLDs were applied for, by who, and the status of each application. You will also find information on what evaluations were conducted, what disputes arose, their outcomes, and the Applicant Guidebook. The Applicant Guidebook was for new gTLD applicants and specified the documents and information required to apply, the financial and legal commitments, expectations for the application evaluation periods, and instructions for submitting an application.

Criteria for Future New gTLD Registry Operators

Following the development and launch of the 2012 New gTLD Program round, in 2021 the ICANN community submitted policy recommendations to the ICANN Board to initiate the Next Round of new gTLDs. The new policy recommendations considered the 2012 criteria and lessons learned as part of their development, and were updated to address those learnings. The Board is currently considering the 2021 policy recommendations and the ICANN organization and community are planning for implementation. You can follow the preparations for the Next Round of New gTLDs here <https://www.icann.org/newgtlds-next-round-en>.

Conclusion

ICANN takes its role seriously and has structured its activities, priorities, and behaviors to support its important mission. Errors and misunderstandings happen from time to time and when they do, ICANN evaluates the circumstances and makes improvements and/or adjustments where needed. In evaluating your complaint, I did not identify any improvements for ICANN, however I thought it helpful to include resources and education that reflect how your concerns are addressed today. ICANN appreciates you bringing your questions and concerns forward. Thank you for the opportunity to work with you.