

# Report of Public Comments

Title:		Release of Country and Territory Names within the .NEUSTAR TLD	
Publication Date:	22 December 2014		
Prepared By:	ICANN Staff		
<b>Comment Period:</b>		<b>Important Information Links</b>	
Comment Open Date:	19 September 2014		
Comment Close Date:	10 October 2014		
Reply Close Date:	8 November 2014		
Time (UTC):	23.59 UTC		
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<b>Section I: General Overview and Next Steps</b>			
<b>General Overview</b>			
<p>On 18 August 2014, NeuStar, Inc., the Registry Operator of the .NEUSTAR top-level domain (TLD), submitted a Registry Services Evaluation Policy (RSEP) request to allow the release of country and territory names required to be reserved by Section 4 of Specification 5 of the Registry Agreement (RA) at all levels of the .NEUSTAR TLD. The request is available for public information at: <a href="https://www.icann.org/en/system/files/files/neustar-country-territory-neustar-request-21aug14-en.pdf">https://www.icann.org/en/system/files/files/neustar-country-territory-neustar-request-21aug14-en.pdf</a>.</p>			
<p>In accordance to Section 2.4 of the <a href="#">Registry Services Evaluation Policy</a> (RSEP), ICANN conducted its preliminary determination to conclude that the proposed Registry Service did not raise significant Security, Stability or Competition issues (as defined in Section 1.3 and 1.4 of the RSEP).</p>			
<p>From 19 September – 8 November 2014, ICANN posted the proposed RA amendment for public comment, which resulted in a total of 4 comments. One of these comments was received after the close of the public comment forum, however, it is included in the following analysis.</p>			
<b>Next steps</b>			
<p>As provided in Section 4 of Specification 5 of the Registry Agreement, a registry operator may propose the release of reserved country and territory names “subject to review by ICANN’s Governmental Advisory Committee and approval by ICANN”. In its <a href="#">Los Angeles Communiqué</a> (15 October 2014), the GAC advised the Board that it “will review the use of country and territory names at the second level and advise the ICANN Board in due course”.</p>			
<p>Until the GAC provides further guidance to the Board, the ICANN community is invited to continue engagement on this issue through further Public Comment periods which are open in relation to other Registry requests for the release of country and territory names. Please refer to the recently opened public comments forum: <a href="https://www.icann.org/public-comments/bmw-mini-amendment-2014-12-">https://www.icann.org/public-comments/bmw-mini-amendment-2014-12-</a></p>			

[11-en.](#)

## Section II: Contributors

*At the time this report was prepared, a total of four (4) community submissions had been posted to the Forum. The contributors are all organizations/groups and they are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.*

### Organizations and Groups:

Name	Submitted by	Initials
Brand Registry Group	Philip Sheppard	BRG
INTA Internet Committee	Kathryne E. Badura	INTA
ICANN Business Constituency	Steve DelBianco	BC
ICANN Intellectual Property Constituency	Brian J. Winterfeldt	IPC

## Section III: Summary of Comments

*General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).*

All four (4) comments received support the release of country and territory domain names within the .NEUSTAR TLD and more generally within all .BRAND TLDs. Additionally, three (3) of the comments received also discussed process aspects for .BRAND TLDs to secure authorization for such release.

### Regarding the proposed introduction of country and territory names within .NEUSTAR and .BRAND TLDs:

- There is demand from end users for these names (BRG), which stand to improve user experience (BRG, INTA, BC, IPC) as well as the value delivered to them through the maintenance of strict quality controls by brand owners (IPC).
- These names would allow development and promotion by brand owners of localized and targeted content. (BRG, INTA, BC, IPC)
- The use of these names by brand owners would enhance security and trust (INTA, BC, IPC) by providing greater control over country-specific websites (INTA, IPC) and decreasing reliance on third-party TLD managers (BC), and would reduce phishing and fraud (IPC).
- The use of country and territory names would provide the benefit of “protecting and honoring intellectual property that conforms to international standards while not expanding any intellectual property right beyond that granted by the national governments issuing such rights”. (IPC)
- The use of these names would not result in user confusion since consumers will recognize that the country or territory name is used in the “private” context of the brand (INTA, BC).
- Country and territory names are already in use at all levels in legacy and sponsored gTLDs

(BRG, BC).

- The use of such names within .BRAND TLDs would be in alignment with the objectives of the New gTLD Program of “consumer trust, choice, and competition in the online global marketplace”. (IPC)

### **Comments on process aspects for .BRAND TLDs to secure authorization for release of country and territory names**

Some commenters argued that the use of these names by .BRAND TLDs should not be restricted:

- Such names are descriptive by nature and are not “proprietary”, they “should be freely available by brands to indicate a valid geographic connection”. (INTA)
- Because brand owners already routinely use geographic names and will have control over domain registrations within their TLDs, “it seems unnecessary to rigidly apply current blanket restrictions against all second-level country codes and country names within restricted dot.brand registries”. (IPC)

One commenter considered the RSEP process not fit for .BRAND TLDs to secure authorization for release of reserved country and territory names:

- “[T]here is no persuasive reason for [...] requiring closed .BRAND registries to submit to a cumbersome, unpredictable and potentially unevenly applied procedure to obtain the release” of country and territory names. (INTA)

Instead, it is proposed that:

- the New gTLD Registry Agreement include an appropriate exemption for .BRAND TLDs to release country and territory names. (BC, IPC)
- a centralized mechanism should be created for .BRAND TLDs to request the release of these names where .BRAND TLDs can request authorization from all governments in a single consolidated request”. (BC)

## **Section IV: Analysis of Comments**

*General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis.*

The comments received were all in favor of the release of country and territory names within .NEUSTAR, and more generally in favor of such release within .BRAND TLDs. In sum, they argued that such release would be in line with the objective of the new gTLD Program and justified by the value it would bring to brand owners and their audiences (improved user experience, relevance and localization of content, enhanced security and trust). As well, the commenters note that legacy and sponsored gTLD already use these names required to be reserved by New gTLD registries.

It should be noted that all of these comments emanate from associations and groups representing the interests of businesses and brand owners in the ICANN Community and beyond. No comments were received from other constituents, or representatives of other interests. In particular, the views

of countries and end-users were not represented in this Public Comment Period.

Finally, several of the comments discussed the appropriateness of the Registry Agreement's restrictions to the release of country and territory names, as well as that of the process for securing relevant authorizations to release such names. Among these comments were proposal to create a centralized mechanism, in lieu of RSEP, for .BRAND TLDs to request the release of such names and secure authorization from relevant governments.

In response to comments regarding the process for releasing reserved country and territory names, ICANN notes that similar comments emerged from the community with respect to the release of two-character domains required to be reserved in the New gTLD Registry Agreement. On 16 October 2014, the ICANN Board directed staff to "develop and implement an efficient procedure for the release of two-character domains currently required to be reserved in the New gTLD Registry Agreement". ICANN developed and implemented such a [procedure](#), and notes that if appropriate (depending on advice from the GAC and direction from the Board), it may be worth considering whether the new procedure could be leveraged to address the comments about developing a centralized mechanism to efficiently release country and territory names.