

## Community Priority Evaluation Guidelines: Red-lined Feedback on the Guidelines

The purpose of this document is to provide comments that make the Guidelines more specific in alignment with the Applicant Guidebook. Our comments are in *red*.

### Introductory principles

- These guidelines are pursuant to the established guidelines in ICANN Applicant Guidebook (AGB). Nothing in this guidelines document may supersede anything stated in the AGB. In case of any contradiction between these guidelines and the AGB, the AGB will prevail.
- Quoting from the AGB - The scoring process is conceived to identify qualified community-based applications, while preventing both “false positives” (awarding undue priority to an application that refers to a “community” construed merely to get as ought-after generic word as a gTLD string) and “false negatives” (not awarding priority to a qualified community application).
  - Since a winning “community” application eliminates all other competing applications, the community applicant must meet the high standard set in the AGB, especially when the community applicant seeks to obtain a generic string.
- For the purpose of evaluating an application only the following maybe considered –
  - Rules and procedures set out in the AGB
  - Content in the application submitted by the applicant. Note that the applicant may not make any changes in the application, or provide any unsolicited supplementary information during the process
  - Comments by the applicant and any supporting organizations inasmuch as they are comments in support, or clarifying comments, but do not in any way change or supplement the application submitted by the applicant.
  - Comments made by others inasmuch as they provide information in support or opposition of the application along with detailed reasoning of the same.
- There can be no unsolicited communication from the applicant during the process. All communication between the applicant and the panel must be solicited by the panel and must be public. Applicant may not approach the panel privately in any manner.
- The principles in these guidelines and in the AGB must be applied consistently to all community applications evaluated by the panel. The reasoning used to provide a certain score for a certain section must be identical across applications.

### Criterion #1: Community Establishment

This section relates to the community as explicitly identified and defined according to statements in the application. (The implicit reach of the applied-for string is not considered here, but taken into account when scoring Criterion #2, “Nexus between Proposed String and Community.”)

Measured by

1-A Delineation

1-B Extension

A maximum of 4 points is possible on the Community Establishment criterion, and each sub-criterion has a maximum of 2 possible points.

1-A Delineation

AGB Criteria	Evaluation Guidelines
<b>Scoring</b>	
<p><b>Delineation:</b>                  2= Clearly <u>delineated</u>, <u>organized</u>, and <u>pre-existing</u> community.                  1= Clearly delineated and pre-existing community, But not fulfilling the requirements for a score of 2.                  0= Insufficient delineation and pre-existence for a score of 1.</p>	<ul style="list-style-type: none"> <li>• First the panel must determine if the applicant community meets the definition of <u>community</u> in the Guidebook (see below).</li> <li>• If the alleged community does not meet the Guidebook definition of community the applicant scores zero.</li> <li>• If the applicant passes the community definition the following questions must be scored when evaluating the application:                         <ul style="list-style-type: none"> <li>○ <i>Is the community clearly delineated?</i></li> <li>○ <i>Is the community clearly organized?</i></li> <li>○ <i>Is there at least one entity mainly dedicated to the community?</i></li> <li>○ <i>Does the entity (referred to above) have documented evidence of community activities?</i></li> <li>○ <i>Is the community clearly pre-existing?</i></li> <li>○ <i>Has the community been active since at least September 2007?</i></li> </ul> </li> </ul> <p><i>To score 2 points the application must present a community that is a “community” under the Guidebook definition, and is clearly delineated, clearly organized and clearly pre-existing. An application cannot score 2 points if it fails in clearly delineated or clearly organized or clearly pre-existing. To score 1 point the application must present a clearly delineated community <u>and</u> clearly pre-existing community. If the application can only evidence clearly delineated or clearly pre-existing the score is zero.</i></p>

**Definitions**

“Community” - Usage of the expression “community” has evolved considerably from its Latin origin – “communitas” meaning “fellowship” – while still implying more of cohesion than a mere commonality of interest. Notably, as “community” is used throughout the application, there should be: (a) an awareness and recognition of a community among its members; (b) some understanding of the community’s existence prior to September 2007 (when the new gTLD policy recommendations were completed); and (c) extended tenure or longevity—non-transience— into the future.

*The “community,” as it relates to Criterion #1, refers to the stated community in the application.*

*Consider the following:*

- *Does the community exhibit more cohesion than a mere commonality of interest?*
    - o *Do the community members as a whole tend to unite and stick together demonstrating cohesion and not just common interest? Is there specific community action showing uniting and sticking together for a common cause?*
    - o *Determine if there is awareness and recognition of a community among its members. Do the members defined in the application have a clear awareness and recognition of the existence of the community specified in the application?*
    - o *Determine if there is some understanding of the community’s existence prior to September 2007*
    - o *Determine if the community has extended tenure or longevity – non-transience – into the future*
  - *Was the entity established to administer the community?*
    - o *What evidence demonstrates that the entity is recognized by the entire community claimed by application?*
  - *Does the entity’s mission statement (dated prior to September 2007) clearly identify the community?*
- Additional research may need to be performed to establish that there is documented evidence of*
- *community activities*
  - *cohesion*
  - *awareness and recognition amongst the members claimed in the application of the existence of the community claimed in the application*

*Research may include reviewing the entity’s web site, including pre-dated mission statements, pre-dated charters; reviewing websites of community members, etc.*

*If the community does not pass the Guidebook definition or the administering entity does not legitimately represent the entire community claimed, the application scores zero for Delineation.*

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**Comment [1]:** Websites may easily have been modified to identify the “community” recently. It is imperative to review documented evidence, especially mission statements and charters, which are dated prior to the new gTLD program.

<p>"Delineation" relates to the membership of a community, where a clear and straight-forward membership definition scores high, while an unclear, dispersed or unbound definition scores low.</p>	<p>"Delineation" also refers to the extent to which a community has the requisite awareness and recognition from its members.</p> <p>The following <b>non-exhaustive</b> list denotes elements of straight-forward member definitions: fees, skill and accreditation requirements, privileges or benefits entitled to members, etc.</p> <p><b>Consider the following:</b></p> <ul style="list-style-type: none"> <li>• Is there a clear definition that encompasses all the members of the community as defined in the application?</li> <li>• Are the members as defined in the application homogenous or are they dispersed? Are there different types of members with a common membership definition that is applicable to all of them?</li> </ul>
<p>"Pre-existing" means that a community has been active as such since before the new gTLD policy recommendations were completed in September 2007.</p>	<p><b>Simple evidence of an organization(s) that was founded prior to 2007 is not sufficient to meet the clearly pre-existing parameter. The applicant must show that the "community" has been active implying cohesion and not a mere commonality of interests prior to 2007.</b></p>
<p>"Organized" implies that there is at least one entity mainly dedicated to the community, with documented evidence of community activities.</p>	<p><i>"Mainly" could imply that the entity administering the community may have additional roles/functions beyond administering the community, but one of the key or primary purposes/functions of the entity is to administer a community or a community organization.</i></p> <p><i>Consider the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Was the entity established to administer the specific community defined in the application?</i></li> <li>• <i>Does the entity administer the community on behalf of all the members defined in the application?</i></li> <li>• <i>Does the entity's pre-dated mission statement clearly identify the community?</i></li> </ul>
<p><b>Criteria 1-A Guidelines</b></p>	

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**Comment [2]:** The words "non-exhaustive" and "etc." leave room for inconsistency on the part of separate panels. Using such words should be avoided.

<p>With respect to “Delineation” and “Extension,” it should be noted that a community can consist of legal entities (for example, an association of suppliers of a particular service), of individuals (for example, a language community) or of a logical alliance of communities (for example, an international federation of national communities of a similar nature). All are viable as such, provided the requisite awareness and recognition of the community is at hand among the members. Otherwise the application would be seen as not relating to a real community and score 0 on both “Delineation” and “Extension.”</p> <p>With respect to “Delineation,” if an application satisfactorily demonstrates all three relevant parameters (delineation, pre-existing and organized), then it scores a 2.</p>	<p>The AGB stresses on the following aspect –</p> <ul style="list-style-type: none"><li>• All are viable as such, <u>provided the requisite awareness and recognition of the community is at hand among the members</u>. Otherwise the application would be seen as not relating to a real community and score 0 on both “Delineation” and “Extension”.</li></ul> <p>Consider the following with respect to every organization or individual that is defined to be a member in the application:</p> <ul style="list-style-type: none"><li>• <i>Are those specific organizations or individuals aware of the existence of the community defined in the application?</i></li><li>• <i>Do those specific organizations or individuals recognize the community defined in the application?</i></li><li>• <i>Is there clear evidence of such awareness and recognition?</i></li></ul>
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1-B Extension

AGB Criteria	Evaluation Guidelines
<b>Scoring</b>	
<p>Extension:</p> <p>2 = Community of <u>considerable size</u> and <u>longevity</u></p> <p>1 = Community of either considerable size or longevity, but not fulfilling the requirements for a score of 2.</p> <p>0 = Community of neither considerable size nor longevity</p>	<p><i>First the panel must determine if the applicant community meets the definition of community in the Guidebook (see above). If the community does not meet the Guidebook definition of community the application scores zero. If the applicant passes the community definition the following questions must be scored when evaluating the application:</i></p> <ul style="list-style-type: none"> <li>- <i>Is the community of considerable size?</i> <ul style="list-style-type: none"> <li>o <i>The panelists may use Internet searches to gather independent information related to the applicant's claimed community size.</i></li> <li>o <i>The claims of the size of a community should be consistent with the membership eligibility definition provided by applicant</i></li> </ul> </li> <li>- <i>Does the community demonstrate longevity?</i></li> </ul>
<b>Definitions</b>	
<p>"Extension" relates to the dimensions of the community, regarding its number of members, geographical reach, and foreseeable activity lifetime, as further explained in the following.</p>	
<p>"Size" relates both to the number of members and the geographical reach of the community, and will be scored depending on the context rather than on absolute numbers - a geographic location community may count millions of members in a limited location, a language community may have a million members with some spread over the globe, a community of service providers may have "only" some hundred members although well spread over the globe, just to mention some examples - all these can be regarded as of "considerable size."</p>	<p><i>Consider the following:</i></p> <p><i>Is the designated community large in terms of membership and/or geographic dispersion?</i></p> <ul style="list-style-type: none"> <li>o <i>Is the support expressed for the application consistent with the size of the community claimed by the applicant? If not, is the size claimed legitimate?</i></li> <li>o <i>If geographical reach is substantial or global, does the geographical reach align with the legitimate scope of the applicant's authority?</i></li> </ul>

<p>"Longevity" means that the pursuits of a community are of a <u>lasting, non-transient</u> nature.</p>	<p>Consider the following:</p> <ul style="list-style-type: none"> <li>• <i>Is the community a relatively short-lived congregation (e.g. a group that forms to represent a one-off event)?</i></li> <li>• <i>Is the community forward-looking (i.e. will it continue to exist in the future)?</i></li> <li>• <i>Has the community been "created" or "manufactured" for the purposes of the application or is it of a lasting, non-transient nature?</i></li> </ul>
<p><b>Criteria 1-B Guidelines</b></p>	
<p>With respect to "Delineation" and "Extension," it should be noted that a community can consist of legal entities (for example, an association of suppliers of a particular service), of individuals (for example, a language community) or of a logical alliance of communities (for example, an international federation of national communities of a similar nature). All are viable as such, provided the requisite awareness and recognition of the community is at hand among the members. Otherwise the application would be seen as not relating to a real community and score 0 on both "Delineation" and "Extension."</p> <p>With respect to "Delineation," if an application satisfactorily demonstrates both community size and longevity, it scores a 2.</p>	<p>The AGB stresses on the following aspect –</p> <ul style="list-style-type: none"> <li>• <i>All are viable as such, <u>provided the requisite awareness and recognition of the community is at hand among the members.</u> Otherwise the application would be seen as not relating to a real community and score 0 on both "Delineation" and "Extension.</i></li> </ul> <p>Consider the following with respect to every organization or individual that is defined to be a member in the application:</p> <ul style="list-style-type: none"> <li>• <i>Are those specific organizations or individuals aware of the existence of the community defined in the application?</i></li> <li>• <i>Do those specific organizations or individuals recognize the community defined in the application?</i></li> <li>• <i>Is there clear evidence of such awareness and recognition?</i></li> </ul>

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**Comment [3]:** Such guidance could lead a Panel to award a point to any organization / group that forms to represent more than one event. Consider changing this guideline to something more objective.

## Criterion #2: Nexus between Proposed String and Community

This section evaluates the relevance of the string to the specific community that it claims to represent.

Measured by

2-A Nexus

2-B Uniqueness

A maximum of 4 points is possible on the Nexus criterion, and with the Nexus sub-criterion having a maximum of 3 possible points, and the Uniqueness sub-criterion having a maximum of 1 possible point.

### 2-A Nexus

AGB Criteria	Evaluation Guidelines
<b>Scoring</b>	
<p>Nexus:</p> <p>3= The string matches the name of the community or is a well-known short-form or abbreviation of the community</p> <p>2= String identifies the community, but does not qualify for a score of 3</p> <p>0= String nexus does not fulfill the requirements for a score of 2</p>	<p>The following question must be scored when evaluating the application:</p> <ul style="list-style-type: none"><li>• <i>Does the string match the name of the community or is it a well-known short-form or abbreviation of the community name? The name may be, but does not need to be, the name of an organization dedicated to the community.</i></li><li>• <i>Does the applied-for string match the exact name that the members of the community know, refer to and call the community by?</i></li><li>• <i>Is the string a generic word? If so does it fulfill ICANN's guidance provided at <a href="http://www.icann.org/en/topics/new-gtlds/agv1-analysis-public-comments-18feb09-en.pdf">http://www.icann.org/en/topics/new-gtlds/agv1-analysis-public-comments-18feb09-en.pdf</a>, p.103. (copied below )</i><ul style="list-style-type: none"><li>○ <i>"there is merit in considering uniqueness in the nexus between string and community as a main factor for achieving a high score. To be an unambiguous identifier, the "ideal" string would have no other associations than to the community in question. This can arguably be achieved by using the community institution abbreviation as string, but there are other possibilities, for example by putting a prefix or suffix on a generic string to make it distinctly and uniquely associated with the relevant community (for example, prefixing "boy" to "scouts" for the community of boy scout organizations, or suffixing "growers" to "apple" for the associations of apple growers)."</i></li></ul></li></ul>

Definitions	
<p>"Name" of the community means the established name by which the community is commonly known by others. It may be, but does not need to be, the name of an organization dedicated to the community.</p>	<p><i>"Others" refers to individuals and relevant organizations outside of the community itself (i.e. the general public), as well as the most knowledgeable individuals in the wider geographic and language environment of direct relevance. It also refers to recognition from other organizations, such as academic, official, publicly recognized institutions, or other groups.</i></p> <p><i>The panelist may use Internet searches to determine if "others" know the applied for community by the exact string name.</i></p>
<p>"Identify" means that the applied for string closely describes the community or the community members, without over-reaching substantially beyond the community.</p>	<p><i>"Over-reaching substantially" means that the string indicates a wider geographical or thematic remit than the community has. Consider the following:</i></p> <ul style="list-style-type: none"> <li>- <i>Does the string identify a wider or related community of which the applicant is a part, but is not specific to only the applicant's community? For e.g. the applicant only represents a community in a country / region, but the string identifies with a global community</i></li> <li>- <i>An Internet search should be utilized to help understand whether the string identifies the community and is known by others as closely describing the community or community members.</i></li> <li>- <i>Consider whether the application mission statement, community responses, and websites align.</i></li> </ul>

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**Comment [4]:** *The panelists should not rely only on "knowledgeable" others, but determine if the general public holds a similar or different understanding.*

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**Comment [5]:** *If the panel relies on "the most knowledgeable individuals" it must be mandatory to consider the applicant and the community separately. If they assume that the applicant is "the most knowledgeable" or that references from the applicant are "the most knowledgeable", then this is a conflict. If, in the Panel's research, it finds a person / individual / organization who is "most knowledgeable", then their ties to the application and applicant should be scrutinized.*

<b>Criteria 1-B Guidelines</b>	
<p>With respect to “Nexus,” for a score of 3, the essential aspect is that the applied-for string is commonly known by others as the identification / name of the community.</p> <p>With respect to “Nexus,” for a score of 2, the applied-for string should closely describe the community or the community members, without over-reaching substantially beyond the community. As an example, a string could qualify for a score of 2 if it is a noun that the typical community member would naturally be called in the context. If the string appears excessively broad (such as, for example, a globally well-known but local tennis club applying for “.TENNIS”) then it would not qualify for a 2.</p>	<p>Here, “others” should refer to the general public. Is the proposed community known to the at-large public by that “name”?</p> <p>Consider the following:</p> <ul style="list-style-type: none"> <li>• Does the applicant represent a “local” or “regional” community (for e.g. a local tennis club)?</li> <li>• Is the string a broad generic string (for e.g. .TENNIS)?</li> <li>• If the answers to both questions above is “Yes” the applicant does not qualify for a score of 2</li> </ul>

### 2-B Uniqueness

<b>AGB Criteria</b>	<b>Evaluation Guidelines</b>
<b>Scoring</b>	
<p>Uniqueness:</p> <p>1=String has no other significant meaning beyond identifying the community described in the application.</p> <p>0=String does not fulfill the requirement for a score of 1.</p>	<p><i>The following question must be scored when evaluating the application:</i></p> <p><i>Does the string have any other significant meaning (to the public in general) beyond identifying the community described in the application</i></p>
<b>Definitions</b>	
<p>“Identify” means that the applied for string closely describes the community or the community members, without over-reaching substantially beyond the community.</p>	<p><i>“Over-reaching substantially” means that the string indicates a wider geographical or thematic remit than the community has.</i></p>

<p>“Significant meaning” relates to the public in general, with consideration of the community language context added</p>	<p><i>Consider the following:</i></p> <ul style="list-style-type: none"> <li>• <i>Will the public in general immediately think of the applying community when thinking of the applied-for string?</i></li> <li>• <i>If the string is unfamiliar to the public in general, it may be an indicator of uniqueness.</i></li> <li>• <i>Is the geography or activity implied by the string?</i></li> <li>• <i>Is the size and delineation of the community inconsistent with the string?</i></li> <li>• <i>An internet search should be utilized to find out whether there are repeated and frequent references to legal entities or communities other than the community referenced in the application.</i></li> <li>• <i>If the string is a common noun - Are there any significant dictionary meanings of the string apart from referring to the community specified? Does the string have any other meanings in the “common language”?</i></li> <li>• <i>Are there organizations or individuals that are referenced by the “string” that do not qualify as members as defined by the application?</i></li> </ul>
<p><b>Criteria 2-B Guidelines</b></p>	
<p>"Uniqueness" will be scored both with regard to the community context and from a general point of view. For example, a string for a particular geographic location community may seem unique from a general perspective, but would not score a 1 for uniqueness if it carries another significant meaning in the common language used in the relevant community location. The phrasing "...beyond identifying the community" in the score of 1 for "uniqueness" implies a requirement that the string does identify the community, i.e. scores 2 or 3 for "Nexus," in order to be eligible for a score of 1 for "Uniqueness."</p> <p>It should be noted that "Uniqueness" is only about the meaning of the string - since the evaluation takes place to resolve contention there will obviously be other applications, community-based and/or standard, with identical or confusingly similar strings in the contention set to resolve, so the string will clearly not be "unique" in the sense of "alone."</p>	<p><i>Consider the following</i></p> <ul style="list-style-type: none"> <li>• <i>Does the string carry another significant meaning in the “common language” used in the relevant community location?</i></li> <li>• <i>Did the applicant score at least “2” on Nexus?</i></li> </ul>

### Criterion #3: Registration Policies

This section evaluates the applicant’s registration policies as indicated in the application. Registration policies are the conditions that the future registry will set for prospective registrants, i.e. those desiring to register second-level domain names under the registry.

Measured by

3-A Eligibility

3-B Name Selection

3-C Content and Use

3-D Enforcement

A maximum of 4 points is possible on the Registration Policies criterion and each sub-criterion has a maximum of 1 possible point.

#### 3-A Eligibility

AGB Criteria	Evaluation Guidelines
<b>Scoring</b>	
Eligibility:  1= Eligibility restricted to community members  0= Largely unrestricted approach to eligibility	<i>The following question must be scored when evaluating the application:</i> <ul style="list-style-type: none"><li>• <i>Is eligibility for being allowed as a registrant restricted to the community members defined in the application?</i></li><li>• <i>Is there a clear definition that encompasses all the members of the community as defined in the application?</i></li><li>• <i>Are the members as defined in the application homogenous or are they dispersed? Are there different types of members with a common definition that is applicable to all of them?</i></li></ul>
<b>Definitions</b>	
“Eligibility” means the qualifications that organizations or individuals must have in order to be allowed as registrants by the registry.	

**Criteria 2-B Guidelines**

With respect to “eligibility” the limitation to community “members” can invoke a formal membership but can also be satisfied in other ways, depending on the structure and orientation of the community at hand. For example, for a geographic location community TLD, a limitation to members of the community can be achieved by requiring that the registrant’s physical address be within the boundaries of the location.

*A strict policy is required to score an eligibility point. In a policy advisory, ICANN noted, “Registration policy is a criterion where a balance is needed between what is reasonably the most appropriate registration policy for a community and the risk for gaming of the process by an “open” application declaring itself as “community-based” to get an advantage in a contention situation. The approach taken is conservative in this respect, with the high score reserved for a registration policy only permitting members of the community to register. A widening has been considered, but it appears reasonable to maintain the chosen approach...” (See, <http://www.icann.org/en/topics/new-gtlds/agv1-analysis-public-comments-18feb09-en.pdf>, p.103.)*

### 3-B Name Selection

AGB Criteria	Evaluation Guidelines
<b>Scoring</b>	
<p>Name selection:</p> <p>1= Policies include name selection rules consistent with the articulated community-based purpose of the applied-for TLD</p> <p>0= Policies do not fulfill the requirements for a score of 1</p>	<p><i>The following question must be scored when evaluating the application:</i></p> <p><i>Do the applicant's policies include name selection rules?</i></p> <p><i>Are name selection rules consistent with the articulated community-based purpose of the applied-for gTLD?</i></p> <p><i>Has the applicant clearly explained how name selection criteria show an alignment with the community based-purpose of the TLD?</i></p> <p><i>"To be approved" in future name selection rules do not meet the score of 1 for name selection.</i></p>
<b>Definitions</b>	
<p>"Name selection" means the conditions that must be fulfilled for any second-level domain name to be deemed acceptable by the registry.</p>	<p><i>Consider the following:</i></p> <p><i>Are the name selection rules consistent with the entity's mission statement?</i></p>
<b>Criteria 3-B Guidelines</b>	

With respect to “Name selection,” scoring of applications against these sub-criteria will be done from a holistic perspective, with due regard for the particularities of the community explicitly addressed. For example, an application proposing a TLD for a language community may feature strict rules imposing this language for name selection as well as for content and use, scoring 1 on both B and C above. It could nevertheless include forbearance in the enforcement measures for tutorial sites assisting those wishing to learn the language and still score 1 on D. More restrictions do not automatically result in a higher score. The restrictions and corresponding enforcement mechanisms proposed by the applicant should show an alignment with the community-based purpose of the TLD and demonstrate continuing accountability to the community named in the application.

*Consider the following:*

- *Do the restrictions and corresponding enforcement mechanisms show an alignment with the community-based purpose of the TLD?*
- *Do the restrictions and corresponding enforcement mechanisms demonstrate continuing accountability to the community named in the application?*
- *Are all the restrictions and enforcement mechanisms proposed in the application as opposed to a statement claiming that relevant restrictions or enforcement mechanisms will be put into place in the future?*

3-C Content and Use

AGB Criteria	Evaluation Guidelines
<b>Scoring</b>	
<p>Content and use:</p> <p>1= Policies include rules for content and use consistent with the articulated community-based purpose of the applied-for TLD</p> <p>0= Policies do not fulfill the requirements for a score of 1</p>	<p><i>The following question must be scored when evaluating the application:</i></p> <p><i>Do the applicant's policies include content and use rules?</i></p> <p><i>If yes, are content and use rules consistent with the articulated community-based purpose of the applied-for gTLD?</i></p> <p><i>Has the applicant clearly explained how content and use rules show an alignment with the community based-purpose of the TLD?</i></p> <p><i>Are the content and use rules clear or are they ambiguous or to be approved by a community organization in the future? "To be approved" in future content and use rules do not meet the score of 1 for content and use.</i></p>
<b>Definitions</b>	
<p>"Content and use" means the restrictions stipulated by the registry as to the content provided in and the use of any second-level domain name in the registry.</p>	<p><i>Consider the following:</i></p> <p><i>Are the content and use rules consistent with the entity's mission statement?</i></p>
<b>Criteria 3-C Guidelines</b>	

<p>With respect to “Content and Use,” scoring of applications against these subcriteria will be done from a holistic perspective, with due regard for the particularities of the community explicitly addressed. For example, an application proposing a TLD for a language community may feature strict rules imposing this language for name selection as well as for content and use, scoring 1 on both B and C above. It could nevertheless include forbearance in the enforcement measures for tutorial sites assisting those wishing to learn the language and still score 1 on D. More restrictions do not automatically result in a higher score. The restrictions and corresponding enforcement mechanisms proposed by the applicant should show an alignment with the community-based purpose of the TLD and demonstrate continuing accountability to the community named in the application.</p>	<p><i>The Guidebook defines “Content and use” restrictions stipulated by the registry as to the content provided in and the use of any second-level domain name in the registry.</i></p> <p><i>In other words, the application needs to impose content and use restrictions that are consistent with serving and protecting the “community” in order to score one point for this criterion.</i></p> <p><i>Consider the following:</i></p> <ul style="list-style-type: none"><li><i>• Are there clear “content and use” restrictions and corresponding enforcement mechanisms defined in the application? The “content and use” restrictions must be defined in the application as opposed to a commitment to define them in the future.</i></li><li><i>• Do the restrictions and enforcement mechanisms show an alignment with the community-based purpose of the TLD?</i></li><li><i>• Do the restrictions and corresponding enforcement mechanisms demonstrate continuing accountability to the community named in the application?</i></li><li><i>• Are the restrictions and enforcement mechanisms related to “content and use” legally enforceable upon a registrant?</i></li></ul>
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### 3-D Enforcement

AGB Criteria	Evaluation Guidelines
<b>Scoring</b>	
<p>Enforcement</p> <p>1= Policies include <u>specific</u> enforcement measures (e.g. investigation practices, penalties, takedown procedures) constituting a coherent set with appropriate appeal mechanisms</p> <p>0= Policies do not fulfill the requirements for a score of 1</p>	<p><i>The following question must be scored when evaluating the application:</i></p> <p><i>Do the policies include specific enforcement measures constituting a coherent set with appropriate appeal mechanisms?</i></p> <p><i>Has the applicant clearly explained how enforcement shows an alignment with the community based-purpose of the TLD?</i></p> <p><i>Award of a point on enforcement requires specificity: definition of levels of violation, specific sanctions, investigation practices, penalties, and takedown procedures. Vague enforcement procedures or “to be defined in the future” procedures should not score “1”</i></p>
<b>Definitions</b>	

<p>“Enforcement” means the tools and provisions set out by the registry to prevent and remedy any breaches of the conditions by registrants.</p>	<p><i>“Coherent set” refers to enforcement measures that ensure continued accountability to the named community, and can include investigation practices, penalties, and takedown procedures with appropriate appeal mechanisms. This includes screening procedures for registrants, and provisions to prevent and remedy any breaches of its terms by registrants.</i></p> <p><i>The measures must include <del>Consider</del> the following:</i></p> <p><i>Do the enforcement measures include:</i></p> <ul style="list-style-type: none"><li><i>○ Investigation practices</i></li><li><i>○ Penalties</i></li><li><i>○ Takedown procedures (e.g., removing the string)</i></li><li><i>○ Whether such measures are aligned with the community- based purpose of the TLD</i></li><li><i>○ Whether such measures demonstrate continuing accountability to the community named in the application</i></li><li><i>○ Whether such measures are specific, with nothing left ambiguous or “to be defined in the future”</i></li></ul>
<p><b>Criteria 3-D Guidelines</b></p>	

<p>With respect to “Enforcement,” scoring of applications against these subcriteria will be done from a holistic perspective, with due regard for the particularities of the community explicitly addressed. For example, an application proposing a TLD for a language community may feature strict rules imposing this language for name selection as well as for content and use, scoring 1 on both B and C above. It could nevertheless include forbearance in the enforcement measures for tutorial sites assisting those wishing to learn the language and still score 1 on D. More restrictions do not automatically result in a higher score. The restrictions and corresponding enforcement mechanisms proposed by the applicant should show an alignment with the community-based purpose of the TLD and demonstrate continuing accountability to the community named in the application.</p>	<p><i>Consider the following:</i></p> <ul style="list-style-type: none"><li>• <i>Are there clear and specific enforcement mechanisms defined in the application?</i></li><li>• <i>Do the enforcement mechanisms show an alignment with the community-based purpose of the TLD?</i></li><li>• <i>Do the enforcement mechanisms demonstrate continuing accountability to the community named in the application?</i></li><li>• <i>Enforcement commitments must include indications that staffing, budgeting and other planning is in place. If it is not clear that the applicant has included the appropriate cost of enforcement to perform their described enforcement procedures in the financial answers they cannot score a 1 in enforcement.</i></li></ul>
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## Criterion #4: Community Endorsement

This section evaluates community support and/or opposition to the application. Support and opposition will be scored in relation to the communities explicitly addressed in the application, with due regard for communities implicitly addressed by the string.

Measured by

4-A Support

4-B Opposition

A maximum of 4 points is possible on the Community Endorsement criterion and each sub-criterion (Support and Opposition) has a maximum of 2 possible points.

### *4-A Support*

<b>AGB Criteria</b>	<b>Evaluation Guidelines</b>
<b>Scoring</b>	

<p>Support:</p> <p>2= Applicant is, or has documented support from, the recognized community institution(s)/member organization(s), or has otherwise documented authority to represent the community</p> <p>1= Documented support from at least one group with relevance, but insufficient support for a score of 2</p> <p>0= Insufficient proof of support for a score of 1</p>	<p><i>The following questions must be scored when evaluating the application:</i></p> <p><i>Does the “community” specified by the applicant actually exist in the minds of the members (refer criterion #1 above)?</i></p> <p><i>Is the community represented by one single institution globally? Is the applicant this institution?</i></p> <p><i>To assess this question please consider the following:</i></p> <p>A. <i>Consider whether the community institution or member organization is the clearly recognized (by the public at large) representative of the clearly delineated community.</i></p> <p>B. <i>Consider whether there is more than one recognized community institution or member organization.</i></p> <p><i>Does the applicant have documented support from all the recognized community institution(s)/member organization(s) to represent the community?</i></p> <p><i>Does the applicant have documented authority to represent the community from a majority of the defined members of the community?</i></p> <p><i>Has the applicant over-reached in size of community definition vs. a clearly smaller level of support? (E.g. an applicant applied for global community with support from only a small subset of the members) If so, an applicant cannot score a 2.</i></p> <p><i>Does the applicant have support from at least one group with relevance?</i></p> <p>– <i>Instructions on letter(s) of support requirements are located below, in <b>Letter(s) of support and their verification</b></i></p>
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<b>Definitions</b>	
<p>“Recognized” means the institution(s)/organization(s) that, through membership or otherwise, are clearly recognized by the community members as representative of that community.</p>	
<p>“Relevance” and “relevant” refer to the communities explicitly and implicitly addressed. This means that opposition from communities not identified in the application but with an association to the applied for string would be considered relevant.</p>	<p><i>The institution(s)/organization(s) could be deemed relevant when not identified in the application but has an association to the applied-for string.</i></p>
<b>Criteria 1-A Guidelines</b>	

With respect to "Support," it follows that documented support from, for example, the only national association relevant to a particular community on a national level would score a 2 if the string is clearly oriented to that national level, but only a 1 if the string implicitly addresses similar communities in other nations.

Also with respect to "Support," the plurals in brackets for a score of 2, relate to cases of multiple institutions/organizations. In such cases there must be documented support from institutions/organizations representing a majority of the overall community addressed in order to score 2.

The applicant will score a 1 for "Support" if it does not have support from the majority of the recognized community institutions/member organizations, or does not provide full documentation that it has authority to represent the community with its application. A 0 will be scored on "Support" if the applicant fails to provide documentation showing support from recognized community institutions/community member organizations, or does not provide documentation showing that it has the authority to represent the community. It should be noted, however, that documented support from groups or communities that may be seen as implicitly addressed but have completely different orientations compared to the applicant community will not be required for a score of 2 regarding support.

To be taken into account as relevant support, such documentation must contain a description of the process and rationale used in arriving at the expression of support. Consideration of support is not based merely on the number of comments or expressions of support received.

**Letter(s) of support and their verification:**

*Letter(s) of support must be evaluated to determine both the relevance of the organization and the validity of the documentation and must meet the criteria spelled out below. The letter(s) of support is an input used to determine the relevance of the organization and the validity of the documentation.*

*Consider the following:*

*Are there multiple institutions/organizations supporting the application, with documented support from institutions/organizations representing a majority of the overall community addressed?*

*Is there support from a majority of the defined members from every nation / geographic region that the string is implicitly or explicitly addressing?*

*Does the applicant have support from the majority of the recognized community institution/member organizations?*

*Has the applicant provided full documentation that it has authority to represent the community with its application? Full documentation may include voting records, charter documents of authority to represent the community or similar records.*

*Has each institution / member organization / association that has provided a letter of support, demonstrated that they have the authority to provide such support on behalf of all or majority of their members?*

*A majority of the overall community may be determined by, but not restricted to, considerations such as headcount, the geographic reach of the organizations, or other features such as the degree of power (or lack of power) of the organizations.*

Determining relevance and recognition

*Is the organization relevant and/or recognized as per the definitions above?*

Letter requirements & validity

Does the letter clearly express the organization's support for ~~or non-objection to~~ the applicant's application?

Does the letter demonstrate the organization's understanding of the string being requested?

Is the documentation submitted by the applicant valid (i.e. the organization exists and the letter is authentic)?

*Where associations are claiming to express support on behalf of their entire membership who will be the eligible registrants, the associations need to show documented authorization of their membership to be represented as supportive.*

*To be taken into account as relevant support, such documentation must contain a description of the process and rationale used in arriving at the expression of support. Consideration of support is not based merely on the number of comments or expressions of support received.*

bhavin.t 9/3/13 8:01 AM

**Comment [6]:** Non-objection is not the same as support

shweta.s 9/5/13 6:07 PM

**Comment [7]:** The words "or non-objection to" MUST be removed. Clearly a "no objection" letter cannot count as "Support".

4-B Opposition

AGB Criteria	Evaluation Guidelines
<b>Scoring</b>	
<p>Opposition:</p> <p>2= No opposition of relevance</p> <p>1= Relevant opposition from one group of non-negligible size</p> <p>0= Relevant opposition from two or more groups of non-negligible size</p>	<p><i>The following question must be scored when evaluating the application:</i></p> <p><i>Does the application have any opposition that is deemed relevant?</i></p>
<b>Definitions</b>	
<p>“Relevance” and “relevant” refer to the communities explicitly and implicitly addressed. This means that opposition from communities not identified in the application but with an association to the applied for string would be considered relevant.</p>	<p><i>Consider the following: For “non-negligible” size consider:</i></p> <ul style="list-style-type: none"> <li>- <i>A web search may help determine relevance and size of the objecting organization.</i></li> <li>- <i>If there is opposition by some other reputable organization, such as a quasi-official, publicly recognized organization or a peer organization?</i></li> <li>- <i>If there is opposition from a part of the community explicitly or implicitly addressed?</i></li> </ul>
<b>Criteria 4-B Guidelines</b>	

<p>When scoring "Opposition," previous objections to the application as well as public comments during the same application round will be taken into account and assessed in this context. There will be no presumption that such objections or comments would prevent a score of 2 or lead to any particular score for "Opposition." To be taken into account as relevant opposition, such objections or comments must be of a reasoned nature.</p> <p>Sources of opposition that are clearly spurious, unsubstantiated, made for a purpose incompatible with competition objectives, or filed for the purpose of obstruction will not be considered relevant.</p>	<p><i>If an applicant has over-reached in the definition of their community, it is likely that potential community members or organizations that are claimed in the scope of the application are unaware of the applicants' claim to authoritatively represent all members of the applied for community. In such cases of over-reach the applicant cannot score 2 points in Opposition due to an inability of the panel to fairly judge Opposition due to the over-reach of the applicant.</i></p>
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## Verification of letter(s) of support

Additional information on the verification of letter(s) of support:

- Changes in governments may result in new leadership at government agencies. As such, the signatory need only have held the position as of the date the letter was signed or sealed.
- A contact name should be provided in the letter(s) of support or non-objection.
- The contact must send an email acknowledging that the letter is authentic, as a verbal acknowledgement is not sufficient.
- In cases where the letter was signed or sealed by an individual who is not currently holding that office or a position of authority, the letter is valid only if the individual was the appropriate authority at the time that the letter was signed or sealed.