



New gTLD Program
Community Priority Evaluation Report
Report Date: 3 September 2015

Application ID:	1-1744-1971
Applied-for String:	CPA
Applicant Name:	CPA Australia Ltd

Overall Community Priority Evaluation Summary

Community Priority Evaluation Result	Did Not Prevail
<p>Thank you for your participation in the New gTLD Program. After careful consideration and extensive review of the information provided in your application, including documents of support, the Community Priority Evaluation panel determined that the application did not meet the requirements specified in the Applicant Guidebook. Your application did not prevail in Community Priority Evaluation.</p> <p>Your application may still resolve string contention through the other methods as described in Module 4 of the Applicant Guidebook.</p>	

Panel Summary

Overall Scoring	12 Point(s)	
	Earned	Achievable
Criteria		
#1: Community Establishment	4	4
#2: Nexus between Proposed String and Community	0	4
#3: Registration Policies	4	4
#4: Community Endorsement	4	4
Total	12	16
Minimum Required Total Score to Pass <u>14</u>		

Criterion #1: Community Establishment	4/4 Point(s)
1-A Delineation	2/2 Point(s)
<p>The Community Priority Evaluation panel determined that the community as defined by the application met the criterion for Delineation as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook (AGB), as the community defined in the application demonstrates sufficient delineation, organization, and pre-existence. The application received a score of 2 out of 2 points under criterion 1-A: Delineation.</p> <p><u>Delineation</u> Two conditions must be met to fulfill the requirements for delineation: there must be a clear, straightforward membership definition and there must be awareness and recognition of a community (as defined by the application) among its members.</p>	

According to the application, the

CPA Australia community consists of CPA Australia members, incorporating full CPA members, Associate members enrolled in a CPA professional program and students registered in the CPA Australia passport program, as well as reciprocal members who have applied, or are eligible to apply, for membership of CPA Australia...

The last category of “reciprocal members” are accountants associated with accounting bodies

with which CPA Australia has Mutual Recognition Agreements, comprising the following:

- Certified General Accountants and Certified Management Accountants in Canada
- Chartered Institute of Public Finance and Accountancy and Chartered Institute of Management Accountants in Europe
- Institute of Certified Public Accountants in Ireland
- Hong Kong Institute of Certified Public Accountants
- Institute of Chartered Accountants in India
- Malaysian Institute of Accountants
- Institute of Certified Public Accountants in Singapore

Individuals wishing to become reciprocal members of CPA Australia must in their application to CPA Australia verify their membership in one of the above organizations. According to the application, “A CPA is a finance, accounting and business professional with a specific qualification.” Elsewhere in its application, CPA is referred to as a “Certified Practicing Accountant”. Their organization also includes members of reciprocal organizations that define CPA as “Certified Public Accountant”.

According to the AGB, “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.” As required by the AGB, the application shows a clear and straight-forward membership definition, given the clarity of CPA Australia’s own membership structure, used by the applicant for the purposes of defining the proposed community. The membership process for CPA Australia includes an application, verification of completion of educational and practical training requirements, as well as payment of fees for assessment of application and membership dues.¹ Thus, membership in the community as defined by the applicant can be clearly verified by way of organizational membership in CPA Australia.

According to the AGB’s second Delineation criterion, “community” implies “more of cohesion than a mere commonality of interest” and there should be “an awareness and recognition of a community among its members.” The community as defined in the application has awareness and recognition among its members. This is because the community as defined consists entirely of finance, accounting and business professionals who have opted to organize themselves by way of membership in CPA Australia. These members cohere by way of a shared organizational mission, professional status, and participation in the several events and training programs hosted by CPA Australia on a yearly basis in and outside of Australia².

The Panel determined that the community as defined in the application satisfies both of the conditions to fulfill the requirements for delineation.

Organization

Two conditions must be met to fulfill the requirements for organization: there must be at least one entity mainly dedicated to the community and there must be documented evidence of community activities.

According to the AGB, “*organized* implies that there is at least one entity mainly dedicated to the community, with documented evidence of community activities.” The applicant, CPA Australia Ltd, is itself an organization that is expressly dedicated to its membership, i.e., the community as defined in the application.

¹ See fee section of CPA Australia website: <https://www.cpaustralia.com.au/member-services/fees/australia>

² See events section of CPA Australia website: <https://www.cpaustralia.com.au/training-and-events/conferences>

CPA Australia Ltd has not organized itself or its members for the purposes of obtaining a TLD but has served the members of its defined community as a matter of its mission. Additionally, as required by the AGB, CPA Australia Ltd hosts regular activities serving its membership in Australia and elsewhere, both online and offline.³

The Panel determined that the community as defined in the application satisfies both of the conditions to fulfill the requirements for organization.

Pre-existence

To fulfill the requirements for pre-existence, the community must have been active prior to September 2007 (when the new gTLD policy recommendations were completed) and must display an awareness and recognition of a community among its members.

The community as defined in the application, i.e., the CPA Australia membership, has been active prior to September 2007 as required by the AGB, section 4.2.3. The organization was founded in 1886 and has been increasingly active since then.⁴ As discussed above, CPA Australia's membership, in addition to being active prior to 2007, demonstrate the AGB's requirements for awareness and recognition.

The Panel determined that the community as defined in the application fulfills the requirements for pre-existence.

1-B Extension

2/2 Point(s)

The Panel determined that the community as identified in the application met the criterion for Extension specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB, as the application fulfilled the requirements for the size and longevity of the community. The application received a score of 2 out of 2 points under criterion 1-B: Extension.

Size

Two conditions must be met to fulfill the requirements for size: the community must be of considerable size and must display an awareness and recognition of a community among its members.

The community as defined in the application is of considerable size. According to the applicant's website, "CPA Australia is one of the world's largest accounting bodies with a global membership of more than 150,000 members working in 120 countries around the world."⁵ Additionally, as discussed above, the community defined by the application demonstrates the recognition and awareness required by the AGB.

The Panel determined that the community as defined in the application satisfies both of the conditions to fulfil the requirements for size.

Longevity

Two conditions must be met to fulfill the requirements for longevity: the community must demonstrate longevity and must display an awareness and recognition of a community among its members.

The community as defined in the application demonstrates longevity. CPA Australia's membership has continued to grow since its founding and the organization has established itself strongly within the finance, accounting, and business professions. Moreover, demand for individuals with the CPA qualification is likely to continue to be robust. According to the Australian Department of Employment, "Employers generally sought bachelor degree qualified accountants with most also requiring certification as a Chartered Accountant (CA) or Certified Practising Accountant (CPA)"⁶. In addition, the Australian Labour Force

³ See training and events: <https://www.cpaaustralia.com.au/training-and-events>

⁴ See CPA Australia History archive: <https://www.cpaaustralia.com.au/about-us/our-history/archives>

⁵ See <https://www.cpaaustralia.com.au/about-us>; note that below, in Nexus, the Panel cites the application's figures which, at the time of submission, were different than the website currently states.

⁶ See http://docs.employment.gov.au/system/files/doc/other/2211accountantaus_1.pdf

Survey figures show that employment of accountants increased by 9.4% year on year in May 2014 to 181,900⁷. Based on the above, the Panel has determined that the pursuits of the community are of a lasting, non-transient nature. Additionally, as discussed above, the community defined by the application demonstrates the recognition and awareness required by the AGB.

The Panel determined that the community as defined in the application satisfies both of the conditions to fulfill the requirements for longevity.

Criterion #2: Nexus between Proposed String and Community	0/4 Point(s)
2-A Nexus	0/3 Point(s)
<p>The Panel determined that the application did not meet the criterion for Nexus as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB. The string does not identify or match the name of the community as defined in the application, nor is it a well-known short-form or abbreviation of the community. The application received a score of 0 out of 3 points under criterion 2-A: Nexus.</p> <p>To receive the maximum score for Nexus, the applied-for string must match the name of the community or be a well-known short-form or abbreviation of the community name. To receive a partial score for Nexus (of 2 out of 3 points; 1 point is not possible), the applied-for string must identify the community. “Identify means that the applied-for string should closely describe the community or the community members, without over-reaching substantially beyond the community.”</p> <p>According to the application, the applied for string .CPA is</p> <p style="padding-left: 40px;">an exact match to CPA Australia’s globally recognised and respected “CPA” Program and “CPA” designation. The fast-growing CPA Australia community is one of the leading global accounting communities with nearly 140,000 CPA members in 114 countries and an international network of accountants and young professionals. The term “CPA” originates from CPA Australia and CPAs are globally recognised as belonging to the CPA Australia community...</p> <p style="padding-left: 40px;">As such, a CPA working in one of the world’s leading business hubs, such as Sydney, Hong Kong, Shanghai, London and New York, is clearly identified as a member of the CPA Australia community. The new .cpa gTLD is synonymous with the CPA Australia community, the identification of members of CPA Australia community, and CPA Australia’s globally recognised professional accountancy program and designation.</p> <p>According to the AGB, “identify means that the applied for string closely describes the community or the community members, <i>without over-reaching substantially beyond the community</i>” (AGB, 4.2.3, emphasis added), and the applied-for string must at least identify the community for full or partial credit. Despite the applicant’s claim above, “a CPA working in one of the world’s leading business hubs” is not necessarily “identified as a member of the CPA Australia community”. That is because, the term “CPA” in the context of accounting is often used to mean Certified Public Accountant and to identify an individual who has passed a CPA exam, often in reference to the Uniform CPA Examination used in the US and elsewhere. Indeed, there are estimated to be about 650,000 Certified Public Accountants (i.e., individuals who have passed the Uniform CPA Examination) in the United States⁸. The vast majority of these individuals are not included in the applicant’s defined community (which has a size of about 150,000 individuals), but the applied-for string nevertheless refers to them.⁹ The Panel has determined, therefore, that the string is “over-reaching</p>	

⁷ Ibid.

⁸ <http://www.forbes.com/sites/peterjreilly/2013/06/26/enrolled-agents-deserve-more-respect/>, <http://nasba.org/blog/2010/01/07/january-2010-nasba-addresses-aicpa-sec-conference/>

⁹ The Panel acknowledges receipt of a letter from the American Institute of Certified Public Accountants (AICPA) in support of CPA Australia’s application. The letter makes reference to how the two organizations will “jointly operate this extension” and that the AICPA’s membership will be included in the community represented by the string. However, despite the letter, the substance of CPA Australia’s application, in particular its sections on Delineation and

substantially beyond the community” (AGB) and cannot identify the community as required for credit on Nexus.

The Panel determined that the applied-for string does not match or identify the community or the community members as defined in the application. It therefore does not meet the requirements for Nexus.

2-B Uniqueness

0/1 Point(s)

The Panel determined that the application did not meet the criterion for Uniqueness as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB, as the string does not score a 2 or a 3 on Nexus. The application received a score of 0 out of 1 point under criterion 2-B: Uniqueness.

To fulfill the requirements for Uniqueness, the string must have no other significant meaning beyond identifying the community described in the application and it must also score a 2 or a 3 on Nexus. The string as defined in the application does not demonstrate uniqueness as the string does not score a 2 or a 3 on Nexus and is therefore ineligible for a score of 1 for Uniqueness. This is based on the Panel’s determination that the applied-for string “.CPA” does not identify the community defined by the application according to AGB standards. Therefore, since the string does not identify the community, it cannot be said to “have no other significant meaning *beyond identifying the community*” (AGB, emphasis added). The Panel determined that the applied-for string does not satisfy the condition to fulfill the requirements for Uniqueness.

Criterion #3: Registration Policies

4/4 Point(s)

3-A Eligibility

1/1 Point(s)

The Panel determined that the application met the criterion for Eligibility as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB, as eligibility is restricted to community members. The application received a maximum score of 1 point under criterion 3-A: Eligibility.

To fulfill the requirements for Eligibility, the registration policies must restrict the eligibility of prospective registrants to community members. According to the application:

As a restricted gTLD, registration will only be open to members of the defined CPA Australia community who meet the eligibility requirements set out in the registration policy, and no other third parties will be able to register domain names under .cpa domain space.

The application therefore demonstrates adherence to the AGB’s requirement by restricting domain registration to entities who are members of the community defined by the application. The Panel determined that the application satisfies the condition to fulfill the requirements for Eligibility.

3-B Name Selection

1/1 Point(s)

The Panel determined that the application met the criterion for Name Selection as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as name selection rules are consistent with the articulated community-based purpose of the applied-for TLD. The application received a score of 1 out of 1 point under criterion 3-B: Name Selection.

According to the application:

The types of domain names, which must be related to the CPA Australia community, permitted under the .cpa gTLD will include the following:

- Generic words including program.cpa, practice.cpa, congress.cpa, passport.cpa, member.cpa and associate.cpa
- Personalised names, for example, johnsmith.cpa
- Geographic names such as australia.cpa, uk.cpa and hongkong.cpa
- Combination of personalised and geographic names, for example, johnsmith.uk.cpa

Nexus, is unchanged. Moreover, the Panel cannot, per AGB guidelines, credit the letter in any way other than as support for the applicant.

Therefore, the Panel determined that the application did satisfy the conditions to fulfill the requirements for Name Selection rules that are consistent with the applicant's community-based purpose, which is to serve "the interests of CPA Australia's membership of accounting, finance and business advisory professionals across the world, as well as internet users more generally."

3-C Content and Use

1/1 Point(s)

The Panel determined that the application met the criterion for Content and Use as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the content and use rules included are consistent with the articulated community-based purpose of the applied-for TLD. The application therefore received a score of 1 point under criterion 3-C: Content and Use.

To fulfill the requirements for Content and Use, the registration policies for content and use must be consistent with the articulated community-based purpose of the applied-for gTLD. According to the application:

Domain names under the .cpa gTLD must only provide content that is related to CPA profession and business and be used in a professional manner in accordance with CPA Australia's Code of Professional Conduct relevant to community members....

The Registrant must represent and warrant that:

- (i) it meets, and will continue to meet, the eligibility criteria at all times and must notify the Registrar if it ceases to meet such criteria;
- (ii) the Domain Name will only be used to provide content that relates to the CPA profession and business and will at all times be used in a professional manner in compliance with CPA Australia's Code of Professional Conduct and regulations relevant to community members...

The application therefore demonstrates adherence to the AGB's requirement of content and use rules that are consistent with the application's community-based purpose, which is to serve "the interests of CPA Australia's membership of accounting, finance and business advisory professionals across the world, as well as internet users more generally."

3-D Enforcement

1/1 Point(s)

The Panel determined that the application meets the criterion for Enforcement as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB. The application provides specific enforcement measures and outlines a coherent and appropriate appeals mechanisms. The application received a score of 1 point under criterion 3-D: Enforcement.

Two conditions must be met to fulfill the requirements for Enforcement: the registration policies must include specific enforcement measures constituting a coherent set, and there must be appropriate appeals mechanisms. According to the application:

The Registrant acknowledges that the Registry may suspend, transfer, cancel or revoke a Domain Name immediately at its sole discretion:

- (i) in the event that the Registrant breaches any Registry Rules;
- (ii) in the event that the Registrant breaches the terms and conditions of this registration policy;
- (iii) in the event that the Registrant breaches CPA Australia's Code of Professional Conduct or other applicable regulations;
- (iv) to comply with applicable law, court order, government rule or under any dispute resolution processes...

Upon receipt of a complaint or allegation of a breach by a CPA Australia Community member of the terms and conditions of this registration policy, CPA Australia's Constitution and By-Laws or other applicable rules and regulations in relation to the registration or use of a Domain Name, the Registry will undertake a rigorous and transparent enforcement process consisting of:

- (i) Investigation;
- (ii) Hearing;

- (iii) Evaluation & disciplinary action (where appropriate); and
- (iv) Right to appeal

The applicant outlined policies that include specific enforcement measures constituting a coherent set and an appeals mechanism. The Panel determined that the application satisfies both of the two conditions to fulfill the requirements for Enforcement and therefore scores 1 point.

Criterion #4: Community Endorsement

4/4 Point(s)

Support for or opposition to a CPE gTLD application may come by way of an application comment on ICANN’s website, attachment to the application, or by correspondence with ICANN. The Panel reviews these comments and documents and as applicable attempts to verify them as per the guidelines published on the ICANN CPE website. Further details and procedures regarding the review and verification process may be found at <http://newgtlds.icann.org/en/applicants/cpe>. The table below summarizes the review and verification of all support for and opposition to the CPA Australia Ltd. application for the string “CPA”.

Summary of Review & Verification of Support/Opposition Materials as of 10 July 2015

	Total Received and Reviewed	Total Valid for Verification	Verification Attempted	Successfully Verified
Application Comments	0	0	0	0
Attachments to 20(f)	9	6	6	3
Correspondence	3	1	1	1
Grand Total	12	7	7	4

4-A Support

2/2 Point(s)

The Community Priority Evaluation panel determined that the application fully met the criterion for Support specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the applicant had documented support from the recognized community institution(s)/member organization(s).

The application received a maximum score of 2 points under criterion 4-A: Support. To receive the maximum score for Support, the applicant is, or has documented support from, the recognized community institution(s)/member organization(s), or has otherwise documented authority to represent the community. “Recognized” means those institution(s)/organization(s) that, through membership or otherwise, are clearly recognized by the community members as representative of the community. To receive a partial score for Support, the applicant must have documented support from at least one group with relevance.

Because the applicant, CPA Australia, is applying for a gTLD intended for use by the membership of CPA Australia, the Panel determined that the applicant was itself the recognized community institution/member organization. A recognized community institution or member organization is one which not only (1) represents the entirety of the community as defined by the application, but is also (2) recognized by the same community as its representative. CPA Australia’s role in establishing educational and professional standards for certified public accountants in its membership means that both of these standards are met. The Community Priority Evaluation Panel determined that the applicant therefore satisfies the requirements for full credit for Support.

4-B Opposition

2/2 Point(s)

The Community Priority Evaluation panel has determined that the application met the criterion for Opposition specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application received no relevant opposition. The application received a score of 2 out of 2 points under criterion 4-B: Opposition.

To receive the maximum score for Opposition, the application must not have received any opposition of relevance. To receive a partial score for Opposition, the application must have received opposition from, at most, one relevant group of non-negligible size. The Community Priority Evaluation panel has determined that there is no relevant opposition to the application. Therefore, the Panel has determined that the applicant partially satisfied the requirements for Opposition.

Disclaimer: Please note that these Community Priority Evaluation results do not necessarily determine the final result of the application. In limited cases the results might be subject to change. These results do not constitute a waiver or amendment of any provision of the AGB or the Registry Agreement. For updated application status and complete details on the program, please refer to the AGB and the ICANN New gTLDs microsite at <newgtlds.icann.org>.