

**New gTLD Program**  
**Community Priority Evaluation Report**  
 Report Date: 8 April 2016

Application ID:	1-1309-46695
Applied-for String:	KIDS
Applicant Name:	DotKids Foundation Limited

**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	6 Point(s)	
<u>Criteria</u>	<u>Earned</u>	<u>Achievable</u>
#1: Community Establishment	0	4
#2: Nexus between Proposed String and Community	0	4
#3: Registration Policies	3	4
#4: Community Endorsement	3	4
Total	6	16
<b>Minimum Required Total Score to Pass <u>14</u></b>		

Criterion #1: Community Establishment	0/4 Point(s)
1-A Delineation	0/2 Point(s)
<p>The Community Priority Evaluation panel determined that the community as defined by the application did not meet 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 does not demonstrate sufficient delineation, organization, or pre-existence. The application received a score of 0 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 applicant) among its members.</p> <p>The community defined in the application is (Section 20A):</p>	

“On top of kids in the community, consistent with Children Rights approach, the kids community does not exist independently and is supported by those who are no longer kids but are intricately involved with the primary beneficiaries:

- 1) Kids: Defined by the UNCRC convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier
- 2) Charities, non-government organizations and government institutions that work on the well-being of children. This also includes the alliances that promotes [sic] causes that promote the well-being of children
- 3) Parents and educators: As a matter of fact, they constitute a large part of and have a huge impact on a child’s growth.
- 4) Educational institutions, organizations and operations that are primarily serving children.”

This community definition does not delineate a clear and straightforward membership, as the AGB requires. The membership of the proposed community includes kids, which are a clearly delineated group of “every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”. Parents of children are similarly well defined. However, the two other membership categories depend on individuals’ and entities’ support for kids and those who are “intricately involved with the primary beneficiaries [i.e. kids]”, but this definition is dispersed and unbound, and not clear and straightforward, as the AGB requires for delineation. Moreover, the application does not clearly define the other two membership categories. For example, “Government institutions that work on the well-being of children” is unclear and unbound. This category could include a ministry of education and/or a state or provincial level health care service aimed at children and young people. Given the lack of clarity around these membership parameters, the Panel has determined that the membership definition provided in the application is unbound and dispersed.

In addition, according to the AGB, “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 does not demonstrate an awareness and recognition among its members. The application materials and further research provide no substantive evidence of what the AGB calls “cohesion” – that is, that the various members of the community as defined by the application are “united or form a whole” (Oxford Dictionaries).

While the Panel acknowledges that many of these individuals and entities would share a “commonality of interest” in kids, according to the AGB this is not sufficient to demonstrate the requisite awareness and recognition of a community among its members. While individuals within some of the member categories may show cohesion within a category or across a subset of the member categories, the number of individuals and entities included in the defined community that do not show such cohesion is considerable enough that the community defined as a whole cannot be said to have the cohesion required by the AGB. For example, a state government institution focused on children’s health does not have a demonstrable awareness and recognition of a community with a charity focused on children’s literacy, although they may have a commonality of interest generally in children’s well-being.

The Panel therefore determined that there is insufficient awareness and recognition of a community among the proposed community members, and that they do not therefore cohere as a community, as required by the AGB. The defined community as a whole, in all its member categories, does not meet the AGB’s requirement for community awareness and recognition. Therefore, the Panel determined that the community as defined in the application satisfies neither of the two conditions to fulfill the requirements for delineation, and therefore does not receive credit 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.

The community as defined in the application is dispersed geographically and across an array of kids-related individuals and entities, including all the categories listed in the previous section. According to the application (Section 20a):

“There are many organisations dedicated to the kids community. Major international ones include UNICEF, Save the Children, Free the Children, Big Brothers Big Sisters, Boys & Girls Club and many more... They all have presence around their globe, and to address their own causes. Major causes that concerns children include adoption and fostering, education, human rights, disability, social care, child protection, health as well as other welfare. The community is very active and the different organizations hold regular activities around the world.”

While acknowledging this definition, the Panel has concluded, based on its research, that there is no entity mainly dedicated to the entire community as defined by the applicant in all its geographic reach and range of categories. Research showed that those organizations that do exist represent members of the defined community only in a limited geographic area or only in certain segments within the community. While there are many organizations dedicated and relevant to children (e.g. Save the Children, UNICEF), the community as defined by the applicant is not organized. This is because the community includes parents, educators and third-sector organizations, which do not come together under a single umbrella organization.

According to the AGB, "organized" implies that there is at least one entity mainly dedicated to the community, with documented evidence of community activities.” An “organized” community, according to the AGB, is one that is represented by at least one entity that encompasses the entire community as defined by the applicant. There should, therefore, be at least one entity that encompasses and organizes individuals and organizations in all four categories included in the application. Based on information provided in the application materials and the Panel’s research, there is no entity that organizes the community defined in the application in all the breadth of categories explicitly defined.

The Panel determined that the community as defined in the application does not satisfy either of the two 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 was not active prior to September 2007. According to section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, the CPE 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 obtain a sought-after generic word as a gTLD string) and “false negatives” (not awarding priority to a qualified community application). The Panel determined that this application refers to a “community” construed to obtain a sought-after generic word as a gTLD string, and that the application is attempting to organize the various groups mentioned in the documentation through a gTLD. The proposed community therefore could not have been active prior to the above date (although its constituent parts were active).

The Panel determined that the community as defined in the application does not fulfill the requirements for pre-existence.

1-B Extension

**0/2 Point(s)**

The Panel determined that the community as identified in the application did not meet the criterion for Extension specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB, as the application did not fulfill the requirements for size, nor demonstrate the longevity of the community. The application received a score of 0 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, both in terms of geographical reach and number of members. According to the applicant (Section, 20A):

“Children and youths represent approximately 25% of the world population, or 2.5 billion... There is no geographical constraints to the community but members enter and leave with consistency and stability. There is an unlimited longevity as babies are still born and teenagers will grow past 18. Besides individuals (kids under 18), youth organisations, especially child-led initiatives are key members of the community. A mere estimation from online charity databases from Hong Kong, United States and United Kingdom add up to at least 4,300 significant charity organisations that serve the best interest of kids.”

However, as previously noted, the community as defined in the application does not show evidence of awareness and recognition among its members, as required by the AGB.<sup>1</sup> Therefore, it fails the second criterion for Size.

The Panel determined that the community as defined in the application therefore only satisfies one of the two conditions to fulfill 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.

According to the application (Section, 20A):

“The kids community is a dynamic one. While there is a clearly defined age of children, the composition of the community and its needs changes with time and may continue to be evolving. As such, this is a sizable community with a considerable longevity and most important of all, the need for dynamically evolving advocacy to address changing needs of the community.”

The Panel acknowledges that as a constituent group, kids have a long history and future and that many parts of the defined community show longevity. However, because the community is construed, the longevity of the defined community as a whole cannot be demonstrated. According to section 4.2.3 (Community Priority Evaluation Criteria) of the AGB, the CPE 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 a sought-after generic word as a gTLD string) and “false negatives” (not awarding priority to a qualified community application).

The Panel determined that this application refers to a proposed community construed to obtain a sought-after generic word as a gTLD. As previously stated, the community as defined in the application does not have awareness and recognition among its members. Failing this kind of “cohesion,” the community defined by the application does not meet the AGB’s standards for a community. Therefore, as a construed community, the proposed community cannot meet the AGB’s requirements for longevity.

The Panel determined that the community as defined in the application does not satisfy either of the two conditions to fulfill the requirements for longevity.

<b>Criterion #2: Nexus between Proposed String and Community</b>	<b>0/4 Point(s)</b>
2-A Nexus	<b>0/3 Point(s)</b>
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	

<sup>1</sup>As stated previously, according to the AGB, “community” implies “more of cohesion than a mere commonality of interest... There should be: (a) an awareness and recognition of a community among its members...” Failing such qualities, the AGB’s requirements for community establishment are not met.

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.

To receive a partial score for Nexus, the applied-for string must identify the community. According to the AGB, “Identify” means that the applied-for string closely describes the community or the community members, without over-reaching substantially beyond the community.” In addition to meeting the criterion for “identify”, in order 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.

Because the community defined in the application is a collection of categories of individuals and organizations, and because there is no single entity that serves all of these categories in all their geographic breadth, there is no “established name” for the applied-for string to match, as required by the AGB for a full score on Nexus.

While the string identifies the name of the core community members (i.e. kids), it does not match or identify the other categories of members: (2) charities, non-government organizations and government institutions that work on the well-being of children; (3) parents and educators; (4) educational institutions, organizations and operations that are primarily serving children. For example, parents of children are not commonly known by others as “kids”, nor does the word “kids” closely describe parents. Given the range of individuals and entities potentially included in these categories, it is of considerable size.

The Panel determined that the applied-for string does not match or identify the name of the community as defined in the application, nor is it a well-known short-form or abbreviation of the community. 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 cannot demonstrate uniqueness because it does not score a 2 or a 3 on Nexus. It is therefore ineligible for a score of 1 for Uniqueness. This is based on the Panel’s determination that the applied-for string “.Kids” does not identify the whole breadth of the community as defined in the application. Therefore, since the string does not identify the community, it cannot be said to “have no other significant meaning *beyond identifying the community*” (emphasis added, AGB). The Panel determined that the applied-for string does not satisfy the condition to fulfill the requirements for Uniqueness.

**Criterion #3: Registration Policies**

**3/4 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 applicant, this requirement is met by verifying registrants’ participation in one of the defined community member categories:

“Parents” and “children” themselves, while are part of the community, their community membership for eligibility in .kids domain name registration, are based NOT as individuals but as community organizations or members of such organizations within the community as Children Rights and Children Welfare organization (charities, NGOs, etc.), Children-Led groups. Furthermore, kids themselves in most cases will not be able to register a domain name as a

registrant, the Children Right, Children Welfare and Children-Led groups are envisioned to register domain names potentially on their member's behalf.”

The Panel determined that the application satisfies the condition to fulfill the requirements for Eligibility.

**3-B Name Selection**

**1/1 Point(s)**

The Community Priority Evaluation 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 maximum score of 1 point under criterion 3-B: Name Selection.

To fulfill the requirements for Name Selection, the registration policies for name selection for registrants must be consistent with the articulated, community-based purpose of the applied-for gTLD. The applicant has included in its application several name selection rules that are consistent with its community-based purpose, which is to “create a kids friendly Internet space”:

“In the earlier community Sunrise phase, name selection is restricted to names corresponding to the children centric organizations, NGOs and initiatives, and at the standard Sunrise /TMCH phase names corresponding to registered trademarks and legitimate marks and prior rights holders.

“In the Landrush and Go Live phases, registrants can self-select their .kids name of choice. Yet since the domain name is the first manifesting point of kids to the Internet to ensure the kids-friendliness in all aspects, the domain string itself will also be considered as part of the content and subject to the adherence of the Guiding Principles above. In other words, domain name that contains any inappropriate content (i.e. words or phrases) as regarded in the Guiding Principles will be considered in violation of the Guiding Principles.”

The Community Priority Evaluation panel determined that the application satisfied the condition to fulfill the requirements for Name Selection.

**3-C Content and Use**

**1/1 Point(s)**

The Community Priority Evaluation 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 rules for content and use are consistent with the articulated community-based purpose of the applied-for TLD. The application received a maximum 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. The application includes several content and use requirements, all of which are consistent with its community-based purpose to “create a kids friendly Internet space”:

“1) Strictly adhere to the UNCRC principles in the provision of content and services under the .kids domain;

2) Content, including the domain name itself, and services provided through the .kids domain must be appropriate for children under the age of 18 and must not include any materials related to:

- Gambling
- Illegal drugs
- Pornography & Obscenity
- Violence
- Alcohol
- Tobacco
- Criminal Activities;

3) Illegal content is strictly prohibited (including but not limited to trafficking, substance of abuse, phishing, copyright infringement, and other illegal content as defined by the laws of the country for which the registrant and/or the sponsoring registrar resides); and,

4) Registrants pledge to use best efforts basis to offer kids friendly content and services (i.e. content that are more easily comprehensible for kids) on the .kids domain...

The DotKids Foundation, along with children information experts, will further develop guidelines for registrants in the creation of kids-friendly content. For example, the use of kids-friendly language, graphics and presentation formats.

Under the guidelines developed by The DotKids Foundation, children are entitled to the freedom to express opinions and to have a say in matters affecting their social, economic, religious, cultural and political life.”

The Community Priority Evaluation panel determined that the application satisfied the condition to fulfill the requirements for Content and Use.

**3-D Enforcement**

**0/1 Point(s)**

The Panel determined that the application does not meet the criterion for Enforcement as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB. The application does not provide specific enforcement measures and coherent and appropriate appeals mechanisms. The application received a score of 0 out 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. The applicant outlined policies that include specific enforcement measures for enforcing its policies, including a complaint-response system. However, the application does not reference a dispute resolution process. The Panel determined that the application satisfies one of the two requirements for Enforcement and therefore scores 0 points.

**Criterion #4: Community Endorsement**

**3/4 Point(s)**

Support for or opposition to a CPE gTLD application may come in any of three ways: through 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 support and opposition documents for the DotKids Foundation Limited application for the string “.KIDS”.

**Summary of Review & Verification of Support/Opposition Materials as of 13 February 2016**

	Total Received and Reviewed	Total Valid for Verification	Verification Attempted	Successfully Verified
Application Comments	43	0	0	0
Attachments to 20(f) <sup>2</sup>	22	21	21	9
Correspondence <sup>3</sup>	3	2	2	1
<b>Grand Total</b>	<b>68</b>	<b>23</b>	<b>23</b>	<b>10</b>

<sup>2</sup> The panel reviewed 2 attachments that contained 22 individual letters.

<sup>3</sup> The Panel reviewed 3 pieces of correspondence that contained 2 individual letters of support.

<p>4-A Support</p> <p>The Community Priority Evaluation panel has determined that the application partially met the criterion for Support specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as there was documented support from at least one group with relevance. The application received a score of 1 out of 2 points under criterion 4-A: Support.</p> <p>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. In this context, “recognized” refers to the 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. “Relevance” refers to the communities explicitly and implicitly addressed by the application’s defined community.</p> <p>The Community Priority Evaluation panel has determined that the applicant was not the recognized community institution(s)/member organization(s), nor did it have documented authority to represent the community, or documented support from the recognized community institution(s)/member organization(s). The panel has not found evidence of a single such organization recognized by all of the defined community’s members as representative of the defined community in its entirety. However, the applicant possesses documented support from groups with relevance; their verified documentation of support contained a description of the process and rationale used in arriving at the expression of support, showing their understanding of the implications of supporting the application. The Community Priority Evaluation Panel has determined that the applicant partially satisfies the requirements for Support.</p>	<p><b><i>1/2 Point(s)</i></b></p>
<p>4-B Opposition</p> <p>The Community Priority Evaluation panel 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 did not receive any relevant, verified opposition. The application received the maximum score of 2 points under criterion 4-B: Opposition.</p> <p>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 group of non-negligible size.</p> <p>The application did not receive any letters of relevant and verified opposition. The Community Priority Evaluation Panel determined that the applicant satisfied the requirements for Opposition.</p>	<p><b><i>2/2 Point(s)</i></b></p>

**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](http://newgtlds.icann.org)>.