

06 June 2012

Cherine Chalaby – Chair Board gTLD committee

ICANN Board

ICANN staff

Via email

Dear Cherine,

Re: New gTLD Program – Digital Archery and Batching Processes

This letter is a request to the Board and staff of ICANN to delay the launch of the digital archery batching mechanism and review, in Prague, the need to batch and the chosen mechanism.

Batching was included in ICANN's thinking because there were an unknown number of applications for new gTLDs. Batching had two major objectives:

- To manage ICANN resources within the New gTLD Program timeline; and
- To govern the number of TLDs added to the root each year.

We suggest that, given the data that is publically available, these two objectives can be met without batching and without a significant or unreasonable impact on timelines.

It is our view, and we believe the view of many applicants and the ICANN community generally, that batching and the chosen method of doing so will serve to increase the likelihood of confusion, frustration and uncertainty for Applicants. Applicants want a level playing field where they can all progress through the process at an equal rate. Batching is not something desired by Applicants.

We now know that approximately 1,900 applications have been received. Shortly the full list of applications will become public. This will enable an assessment of what are likely to be significant commonalities between many of the applications in terms of Applicant, string and back-end provider. Thus it will be possible to start to identify areas where ICANN staff can reasonably expect operational efficiencies in the Initial Evaluation process.

Given this, we believe that the Applicants and the ICANN community are likely to be supportive of an extension to the duration of Initial Evaluation for a reasonable time (for example 12 months in total rather than the 5-7 months per batch as currently proposed), if that meant all Applicants could complete Initial Evaluation within a single process. We believe that such a change will lead to greater fairness and transparency in the process.

Once Initial Evaluation is complete, Applications will naturally progress to delegation at different rates, slowed by the barriers of:

- Extended evaluation;
- Contention resolution;
- Applicant's strategy and plans; and
- Contract negotiation.

This suggested timeline also enables the GAC to consider objections and the provision of GAC Advice over two face-to-face meetings (Toronto 2012 and Asia 2013).

In the event that ICANN resources become strained at the contract negotiation stage, a much simpler form "batching" could be used at that time to resolve that problem.

It should be noted that the extra time would also allow a longer time for string contention determination to occur as it would no longer be needed prior to the Initial Evaluation and could run concurrently with this process, once again, creating efficiencies.

We ask that ICANN staff delay the launch of the batching process, take the time until the Prague ICANN meeting to consider the options outlined in this letter and take the opportunity of the Prague meeting to discuss batching with the community.

We would be happy to provide more insight into this approach should it be required.



Yours sincerely,

Adrian Kinderis
Chief Executive Officer
ARI Registry Services

cc:

Heather Dryden – Chair GAC
Stephane Van Gelder – Chair GNSO
Olivier Crépin-Leblond – Chair ALAC
Lesley Cowley – Chair ccNSO