

# Report of Public Comments

## Release of Country and Territory Names within the .KOMATSU and .RICOH TLDs

**Publication Date:** 3 August 2015

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### Comment Period:

Comment Open Date: 26 May 2015

Comment Close Date: 8 July 2015

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### Section I: General Overview and Next Steps

#### General Overview

Two (2) [Registry Services Evaluation Policy \(RSEP\)](#) requests were submitted by the registry operators listed below to allow the release of country and territory names for the below TLDs. In total, the requests concern 2 New gTLDs.

Proposal	TLD	Registry Name	Documents
2014084	ricoh	Ricoh Company, Ltd.	<a href="#">Ricoh Company, Ltd. Request 2 April 2015</a>
2014083	komatsu	Komatsu Ltd.	<a href="#">Komatsu Ltd. Request 26 March 2015</a>

As required by the RSEP, ICANN made a preliminary determination on whether these RSEP proposals might raise significant competition, security or stability issues. ICANN's preliminary review (based on the information provided) did not identify any such issues.

Following ICANN's preliminary determination that the proposals do not raise significant competition, security or stability issues, ICANN proposed to implement the registry service by amending the respective Registry Agreements.

From 26 May 2015 – 8 July 2015, ICANN posted the proposed RA amendments for public comment, which resulted in two comments.

#### Next steps

As provided in Section 4 of Specification 5 of the Registry Agreement, a registry operator may propose the release of reserved country and territory names "subject to review by ICANN's

Governmental Advisory Committee and approval by ICANN". In its [Singapore Communiqué](#) (11 February 2015), the GAC advised ICANN Board to "work with the GAC to develop a public database to streamline the process for the release of country and territory names at the second level, as outlined in Specification 5. The database will inform whether individual GAC Members intend to agree to all requests, review them case by case, or not agree to any. The absence of input from a government will not be considered as agreement".

Subsequent to the GAC's Singapore Communiqué (11 February 2015), on 23 April 2015, the GAC Chair sent a [letter](#) to the Chairman of the ICANN Board, confirming its intent to work on a proposal for the development of such database for the process for release of country and territory names. The GAC indicated in its letter that "The GAC has started to work on a proposal for such a database and on related aspects of the process for release of country and territory names. This work has priority status for the GAC and a proposal will soon be shared with ICANN. In the meantime, it is the expectation of the GAC that a realistic timeline will be followed, and that existent RSEP requests will not be approved before an adequate process involving the GAC and individual governments in the release of country and territory names at the second level has been developed." On 14 April 2015, the Brand Registry Group (BRG), the Business Constituency (BC) and the Intellectual Property Constituency (IPC) submitted a [letter](#) to the ICANN Board, offering a joint proposal on the matter of the release of country and territory names and two-letter labels at the second level. The letter requests confirmation that the database project referenced in the GAC's April 23rd letter is underway, and the anticipated timeframe for making this information available.

Also it is stated in the [GAC's Buenos Aires Communiqué](#) (24 June 2015) that "the GAC is continuing to develop a database of country requirements for notification of requests for release of country/territory names at the second level in new gTLDs (reserved according to the application rules for new gTLDs), with options for governments to state that they do not object to release and abstain from notifications for such requests. This should be finalised by the end of July 2015 and published on the GAC website."

## Section II: Contributors

*At the time this report was prepared, two (2) community submission had been posted to the Forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.*

### Organizations and Groups:

Name	Submitted by	Initials
Business Constituency	Steve DelBianco	BC
Intellectual Property Constituency	Gregory S. Shatan	IPC

## Section III: Summary of Comments

*General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full*

*context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).*

### **Regarding the proposed introduction of country and territory names within .KOMATSU, .RICOH TLDs and .BRAND TLDs:**

The two comments submitted supports the release of country and territory domain names within the .KOMATSU and .RICOH TLDs, and also more generally within .BRAND TLDs.

“The use of country and territory names will allow .BRAND registries to create customized and relevant localized content for consumers in various countries and regions across the world, especially in developing nations with predominantly non-English speaking populations. This geographic segmentation will not only bring greater efficacy to .BRAND TLDs, but it will benefit businesses and consumers alike by fueling economic development in regions which currently have limited choice with respect to linguistically and culturally tailored domain names and content. In addition, we firmly believe that the release of country and territory names for .BRAND TLDs will enhance security and trust in online commerce by permitting businesses to exercise more control over the security and stability of their customized web sites....the use of country and territory names within a .BRAND registry will always avoid confusion with an official government web property.” (BC)

In their comment posted for this public comment announcement, IPC stated that they reiterate their [prior comments](#) they posted for “Release of Country and Territory Names within .EMERCK, .HAMBURG and .BERLIN TLDs”, accordingly;

“The ability to use country and territory names at the second level in .EMERCK, or any .BRAND TLD, serves the purposes and goals of new .BRAND TLDs by providing user-friendly, safe and secure geographically-targeted spaces for consumer-brand online interactions, which aligns more broadly with new gTLD program goals of consumer trust, choice, and competition in the online global marketplace” (IPC)

One of the comments also proposed a process for .BRANDs to release country and territory names:

“It seems unnecessary to rigidly apply current blanket restrictions against all second-level country codes and country names within restricted dot.brand registries....It would be inefficient to force .brands to individually reach agreement with ICANN and each respective government and country-code manager. As an alternative to ICANN recognizing an exemption to Registry Agreement §2.6 and Specification 5, ICANN should define a clear and timely path forward for .brands to release geographic names at the second level.” (IPC)

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

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

The two comments received are in favor of the release of country and territory names within .KOMATSU and .RICOH TLDs, and more generally in favor of such release within .BRAND TLDs.

In sum, both the BC and the IPC expressed that geographic segmentation will bring greater efficacy to .BRAND TLDs and that allowance of such names within .BRAND TLDs will enhance security and trust in online commerce.

It should be noted that Specification 13 has been granted for .KOMATSU on 8 January 2015 and Specification 13 has been granted for .RICOH on 20 November 2014.

In response to these comments regarding the process for releasing reserved country and territory names, ICANN notes that similar comments emerged from the community with respect to the previously published public comments for similar RSEP requests. (See: <https://www.icann.org/public-comments/ctn-release-neustar-2014-09-19-en>, <https://www.icann.org/public-comments/bmw-mini-amendment-2014-12-11-en>, <https://www.icann.org/public-comments/ctn-release-tlds-2015-01-06-en>, <https://www.icann.org/public-comments/emerck-hamburg-berlin-amendment-2015-03-02-en>, <https://www.icann.org/public-comments/ctn-release-tlds-2015-03-31-en> and <https://www.icann.org/public-comments/ctn-release-tlds-2015-05-13-en>).

Also, on 11 February 2015, the GAC, in its [Singapore Communiqué](#), advised ICANN Board to “work with the GAC to develop a public database to streamline the process for the release of country and territory names at the second level, as outlined in Specification 5. The database will inform whether individual GAC Members intend to agree to all requests, review them case by case, or not agree to any. The absence of input from a government will not be considered as agreement”. Subsequent to the GAC’s Singapore Communiqué (11 February 2015), on 23 April 2015, the GAC Chair sent a [letter](#) to the Chairman of the ICANN Board, confirming its intent to work on a proposal for the development of such database for the process for release of country and territory names. The GAC indicated in its letter that “The GAC has started to work on a proposal for such a database and on related aspects of the process for release of country and territory names. This work has priority status for the GAC and a proposal will soon be shared with ICANN. In the meantime, it is the expectation of the GAC that a realistic timeline will be followed, and that existent RSEP requests will not be approved before an adequate process involving the GAC and individual governments in the release of country and territory names at the second level has been developed.”

And also it is stated in the [GAC’s Buenos Aires Communiqué](#) (24 June 2015) that “the GAC is continuing to develop a database of country requirements for notification of requests for release of country/territory names at the second level in new gTLDs (reserved according to the application rules for new gTLDs), with options for governments to state that they do not object to release and abstain from notifications for such requests. This should be finalised by the end of July 2015 and published on the GAC website.”

ICANN will consider these comments along with the advice from the GAC as it considers whether or not to approve the requested amendments.