ICANN Business Constituency (BC) Comment
on
Draft NCAP Study 2 Report and Responses to Questions Regarding Name Collisions
28-Feb-2024

Background

This document is the response of the ICANN Business Constituency (BC), from the perspective of business users and registrants, as defined in our Charter. The mission of the BC is to ensure that ICANN policy positions are consistent with the development of an Internet that:

> 1. Promotes end-user confidence because it is a safe place to conduct business;

> 2. Is competitive in the supply of registry and registrar and related services; and 3. Is technically stable, secure and reliable.

Comment

The BC thanks the NCAP DG for their significant efforts to assess and detail the challenges posed by Name Collision (NC) and possible solutions.

While we agree with most of the suggestions and the assessment, we have some concerns and suggestions regarding the new Risk Assessment Framework.

Placement in the second-round application evaluation process – The NC assessment should be included in the overall new gTLD application assessment flow as early as possible to give the applicant due notice about the feasibility of the string. It will also reduce evaluation expense for an application if it fails the collision test. Given that the collision assessment is independent of other evaluation results, it should be conducted as early as possible after an application has been made for a new TLD.

Dot Brand Applications - The new Risk Assessment Framework, as defined, will have a significant impact, both in terms of time and cost, on applications for the second round of new gTLDs. There should be a clearer and faster process for (dot) Brand applicants to move through the NC technical review, since they will be governed by Spec 13 and thus pose a much lower risk for collision impact.

Possibility of Gaming the system - Using quantitative criteria such as the number of DNS queries received for a particular string can be used to "game" the system by forcing the classification of a non-collision string as a "Collision String" for the purpose of preventing/delaying an application and gaining an unfair competitive advantage. An important benchmark for evaluating the collision risk of a string should be the historical DNS queries that were received for that string even *before* it was applied. Public

availability of such data can also help prospective applicants assess the strength of their application before they apply in the next round.

We agree with the recommendation to not proceed with Study 3, since the study of name collision risk occurring in the exchange between the DNS and various alternate root environments is out of scope for the current NCAP work. Two areas that will need some due consideration in future studies are IDNs (right of the Dot) on the name collision as defined now and decentralized domains (blockchain domains).

We believe education and communication are important to inform private network operators of Name Collision risks and should be a key point in the plans to prevent and manage Name Collisions.

This comment was drafted by Vivek Goyal.

It was approved in accord with the BC charter.