

Update to Module 2: Geographical Names

30 May 2009

This section appears in Module 2, Evaluation Procedures; see the full module at <http://www.icann.org/en/topics/new-gtlds/draft-evaluation-procedures-clean-18feb09-en.pdf>. Section 2.1.1.4 on Geographical Names describes the categories of strings that are considered geographical names, the documentation requirements, and the review procedure employed.

The potential changes highlighted in this section provide greater specificity on the scope of protection at the top level for the names of countries and territories listed in the ISO 3166-1 standard, and greater specificity in the support requirements for continent or region names. These updates are in accordance with the ICANN Board's resolution of 6 March 2009 (<http://www.icann.org/en/minutes/resolutions-06mar09.htm#08>), directing staff to revise the relevant portions of the draft Applicant Guidebook to provide greater clarity in these areas. The updated text also provides additional guidance to applicants for determining the relevant government or public authority for the purpose of obtaining the required documentation.

In accordance with the recent GAC report in response to the ICANN Board resolution requesting clarification of protections for geographical names at the second level (<http://www.icann.org/correspondence/karklins-to-twomey-29may09-en.pdf>), draft language is also available concerning protections for country and territory names at the second level in new TLDs. See the Update to Module 5: Registry Agreement.

ICANN encourages comment on the interim language provided here. This language is for discussion only, and has not yet been incorporated into the Applicant Guidebook. Comments will be considered for version 3 of the full draft Applicant Guidebook, scheduled to be published in September 2009.

2.1.1.4 Geographical Names

Applications for gTLD strings must ensure that appropriate consideration is given to the interests of governments or public authorities in country or territory names, as well as certain other types of place names. The requirements and procedure ICANN will follow are described in the following paragraphs.

2.1.1.4.1 Categories of Strings Considered Geographical Names

The following types of applications are considered geographical names and must be accompanied by documentation of support or non-objection from the relevant governments or public authorities:

1. An application for any string that is a country or territory name. A string shall be considered to be a country or territory name if:
 - a. it is an alpha-3 code listed in the ISO 3166-1 standard.¹
 - b. it is a long-form name listed in the ISO 3166-1 standard, or a translation of the long-form name in any language.
 - c. it is a short-form name listed in the ISO 3166-1 standard, or a translation of the short-form name in any language.
 - d. it is the short- or long-form name association with a code that has been designated² as “exceptionally reserved” by the ISO 3166 Maintenance Agency.³
 - e. it appears in the “Remarks” column next to a code designation in the ISO 3166-1 standard as any of: “often referred to as,” “includes,” “comprises,” “variant,” or “principal islands,” or a translation of the name in any language.
 - f. it is a separable component of a country designated on the “List of Separable Country Names,”⁴ or is a translation of a name appearing on the list, in any language.
 - g. it is a permutation or transposition of any of the names included in items “a” through “f”. Permutations include

¹ http://www.iso.org/iso/country_codes/background_on_iso_3166/what_is_iso_3166.htm.

² Most recently noted in ISO 3166/MA N 563, under the heading of “Code elements reserved for use in particular circumstances in the context of ISO 3166-1: Exceptional reservations.”

³ http://www.iso.org/iso/country_codes/background_on_iso_3166/customizing_iso_3166-1.htm

⁴ This list has been developed by staff specifically to assist with defining country and territory names in the new gTLD process.



removal of spaces, insertion of punctuation, and removal of grammatical articles like "the."

2. An application for any string that is an exact match of a sub-national place name, such as a county, province, or state, listed in the ISO 3166-2 standard.
3. An application for any string that is a representation, in any language, of the capital city name of any country or territory listed in the ISO 3166-1 standard.
4. An application for a city name, where the applicant declares that it intends to use the gTLD for purposes associated with the city name.
5. An application for a string which represents a continent or UN region appearing on the "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list.⁵

In the case of an application for a string which represents a continent or UN region, documentation of support will be required from at least 60% of the relevant governments in the region, and there may be no more than one written objection to the application from relevant governments in the region and/or public authorities associated with the continent or the UN region.

An applied-for gTLD string that falls into any the above categories is considered to represent a geographical name. In the event of any doubt, it is in the applicant's interest to consult with relevant governments and public authorities and enlist their support or non-objection prior to submission of the application, in order to preclude possible objections and help address any ambiguities concerning the string and applicable requirements.

It is the applicant's responsibility to:

- identify whether its applied-for gTLD string falls into any of the above categories; and
- determine the relevant governments or public authorities; and
- identify which level of government support is required.

The requirement to include documentation of support for certain applications does not preclude or exempt applications from being the subject of objections on community grounds (refer to subsection 3.1.1 of Module 3), under which applications may be

⁵ <http://unstats.un.org/unsd/methods/m49/m49regin.htm>

rejected based on objections showing substantial opposition from the targeted community.

2.1.1.4.2 Documentation Requirements

The documentation of support or non-objection should include a signed letter of support from the relevant government or public authority. Understanding that this will differ across the respective jurisdictions, the letter could be signed by the minister with the portfolio responsible for domain name administration, ICT, foreign affairs, or the Office of the Prime Minister or President of the relevant jurisdiction; or a senior representative of the agency or department responsible for domain name administration, ICT, foreign affairs, or the Office of the Prime Minister. To assist the applicant in determining who the relevant government or public authority may be for a potential geographic name, the applicant may wish to consult with the relevant GAC representative. See <http://gac.icann.org/index.php?name=Representatives&mode=4>.

The letter must clearly express the government's or public authority's support or non-objection for the applicant's application and demonstrate the government's or public authority's understanding of the string being requested and intended use.

The letter should also demonstrate the government's or public authority's understanding that the string is being sought through the gTLD application process and the applicant is willing to accept the conditions under which the string will be available, i.e., entry into a registry agreement with ICANN requiring compliance with consensus policies and payment of fees.

If there are reasons for doubt about the authenticity of the communication, ICANN will consult with the relevant diplomatic authorities or members of ICANN's Governmental Advisory Committee for the government or public authority concerned on the competent authority and appropriate point of contact within their administration for communications.

List of Separable Country Names

(Note: ICANN will maintain this list as a registry, and update it in concert with any relevant amendments to the ISO 3166-1 standard.)

Part A: Country names comprised of multiple compounded parts. Use of an individual part of the country name in a gTLD application is subject to restrictions described in Section 2.1.1.4.1 of the Applicant Guidebook.

- a. **Bosnia and Herzegovina**
- b. **Heard Island and McDonald Islands**
- c. **Saint Kitts and Nevis**
- d. **Saint Pierre and Miquelon**
- e. **Saint Vincent and the Grenadines**
- f. **Sao Tome and Principe**
- g. **South Georgia and South Sandwich Islands**
- h. **Turks [Islands] and Caicos Islands**
- i. **Wallis [Island] and Futuna Islands**

Part B: Countries commonly known by a smaller constituent part than the short-form name listed in the ISO 3166-1 standard. Use of these names in a gTLD application is subject to restrictions described in Section 2.1.1.4.1 of the Applicant Guidebook.

- j. **Brunei Darussalam**
- k. **Macedonia**, The Former Yugoslav Republic of
- l. **Micronesia**, Federated State of
- m. Netherlands **Antilles**
- n. **Russian Federation**
- o. **Taiwan**, Province of China
- p. United States of **America**
- q. **Virgin Islands** (British); and **Virgin Islands** (US)

2.1.1.4 *Geographical Names* (Redlined to Show Changes from Guidebook v2)

Applications for ICANN will review all applied for gTLD strings must ensure that appropriate consideration is given to the interests of governments or public authorities in country or territory names, as well as certain other types of place names. The requirements and procedure ICANN will follow are described in the following paragraphs.

2.1.1.4.1 *Categories of Strings Considered Geographical Names*

The following types of applications are considered geographical names and must be accompanied by documentation of support or non-objection from the relevant government(s) or public authority(ies):

- 1. An application for any string that is a meaningful representation of a country or territory name. A string shall be considered to be a country or territory name if listed in the ISO 3166-1 standard (see http://www.iso.org/iso/country_codes/iso_3166_databases.htm), as updated from time to time. A meaningful representation includes a representation of the country or territory name in any language.

A string is deemed a meaningful representation of a country or territory name if it is:

- The name of the country or territory; or
 - A part of the name of the country or territory denoting the country or territory; or
- A short form designation for the name of the country or territory that is recognizable and denotes the country or territory.
 - a. it is an alpha-3 code listed in the ISO 3166-1 standard.
 - b. it is a long-form name listed in the ISO-3166-1 standard, or a translation of the long-form name in any language.
 - c. it is a short-form name listed in the ISO 3166-1 standard, or a translation of the short-form name in any language.
 - d. it is the short- or long-form name association with a code that has been designated as "exceptionally reserved" by the ISO 3166 Maintenance Agency.

e. it appears in the "Remarks" column next to a code designation in the ISO 3166-1 standard as any of: "often referred to as," "includes," "comprises," "variant," or "principal islands," or a translation of the name in any language.

f. it is a separable component of a country designated on the "List of Separable Country Names," or is a translation of a name appearing on the list, in any language.

g. it is a permutation or transposition of any of the names included in items "a" through "f". Permutations include removal of spaces, insertion of punctuation, and removal of grammatical articles like "the."

- 2. An application for any string that is an exact match of a *sub-national place name*, such as a county, province, or state, listed in the ISO 3166-2 standard, ~~as updated from time to time.~~

- 3. An application for any string that is a representation, in any language, of the *capital city name* of any country or territory listed in the ISO 3166-1 standard.

- 4. An application for a *city name*, where the applicant declares that it intends to use the gTLD for purposes associated with the city name.

- 5. An application for a string which represents a *continent or UN region* appearing on the "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list, ~~at~~ <http://unstats.un.org/unsd/methods/m49/m49regin.htm>.

In the case of an application for a string which represents a continent or UN region, documentation of support, ~~or non-objection,~~ will be required from at least 60% a substantial number of the relevant governments in the region, and there may be no more than one written objection to the application from relevant governments in the region and/or public authorities associated with the continent or the UN region.

An applied-for gTLD string that falls into any the above categories is considered to represent a geographical name. In the event of any doubt, it is in the applicant's interest to consult with relevant governments and public authorities and enlist their support or non-objection prior to submission of the application, in order to preclude possible objections and pre-address any ambiguities concerning the string and applicable requirements.

It is the applicant's responsibility to:

- identify whether its applied-for gTLD string falls into any of the above categories; and
- determine the relevant government(s) or public authority(ies); and
- identify which level of government support is required.

The requirement to include documentation of support for certain applications does not preclude or exempt applications from being the subject of objections on community grounds (refer to subsection 3.1.1 of Module 3), under which applications may be rejected based on objections showing substantial opposition from the targeted community.

2.1.1.4.2 Documentation Requirements

The documentation of support or non-objection ~~from the relevant government or public authority~~ should include a signed letter of support from the relevant government or public authority. Understanding that this will differ across the respective jurisdictions, the letter could be signed by or non-objection from the minister with the portfolio responsible for domain name administration, ICT, foreign affairs or the Office of the Prime Minister or President of the relevant jurisdiction; or a senior representative of the agency or department responsible for domain name administration, ICT, foreign affairs, or the Office of the Prime Minister. To assist the applicant in determining who the relevant government or public authority may be for a potential geographic name, the applicant may wish to consult with the relevant GAC representative. See <http://gac.icann.org/index.php?name=Representatives&mode=4>. ~~If there are reasons for doubt about the authenticity of the communication, ICANN will consult with the relevant diplomatic authorities or members of ICANN's Governmental Advisory Committee for the government or public authority concerned on the competent authority and appropriate point of contact within their administration for communications.~~

The letter must clearly express the government's or public authority's support or non-objection for the applicant's application and demonstrate the government's or public authority's understanding of the string being requested and intended use.

The letter should also demonstrate the government's or public authority's understanding that the string is being sought through the gTLD application process and the applicant is willing to accept the conditions under which the string will be available, i.e., entry into a registry agreement with ICANN requiring compliance with consensus policies and payment of fees.

[If there are reasons for doubt about the authenticity of the communication, ICANN will consult with the relevant diplomatic authorities or members of ICANN's Governmental Advisory](#)

Committee for the government or public authority concerned on the competent authority and appropriate point of contact within their administration for communications.

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Part B: Countries commonly known by a smaller constituent part than the short-form name listed in the ISO 3166-1 standard. Use of these names in a gTLD application is subject to restrictions described in Section 2.1.1.4.1 of the Applicant Guidebook.

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- k. **Macedonia, The Former Yugoslav Republic of**
- l. **Micronesia, Federated State of**
- m. Netherlands **Antilles**
- n. **Russian Federation**
- o. **Taiwan, Province of China**
- p. United States of **America**
- q. **Virgin Islands (British); and Virgin Islands (US)**