

## NEW gTLD PROGRAM: NEXT ROUND

# Objections and Appeals

## What is an objection?

All applied-for gTLDs (including variant strings) will be subject to the New gTLD Program: Next Round objection processes. Objections can be filed against new gTLD applications by third parties – including other applicants – on four different grounds: string confusion, legal rights, limited public interest, and community. Applicants are therefore encouraged to identify possible regional, cultural, property interests, or other sensitivities regarding gTLD strings and their uses before applying and, where possible, consult with interested parties to mitigate any concerns in advance.

### RESOURCES

[DRAFT AGB Section 5 on Objections](#)

[DRAFT AGB Section on Objection Appeals Procedure](#)

[New gTLD Program: Next Round Resources](#)

Frequently Asked Questions (coming soon)

## When can an objection be filed?

Objections may be filed within the following timeframes:

- For 90 days, for all objection grounds, beginning on String Confirmation Day.
- For 30 days, for string confusion only, following the publication of contention sets.
- For 30 days, for all objection grounds, in case of brand string change, starting on the day the string evaluation reports are published, and only if the string evaluation is successful.

## Who may file an objection?

The [New gTLD Program: Next Round Applicant Guidebook \(AGB\)](#), Sections 5.1.1 and 5.1.2, specifies who is permitted to file each type of objection and what the objector must demonstrate to prevail. The four specific grounds for objections can be summarized as follows:

- **String confusion:** A party with standing that believes the applied-for primary gTLD string, its allocatable variant label, or its blocked variant label, is confusingly similar visually, aurally, or in meaning, to an existing TLD and/or another applied-for primary gTLD string and/or any of its allocatable or blocked variant strings may file a string confusion objection.
- **Legal rights:** A party with standing that believes an applied-for gTLD string and/or one or more applied-for allocatable variant string(s) infringes their existing legal rights may file a legal rights objection. A legal rights objection may not be filed against non-applied-for allocatable variant strings or blocked variant strings.
- **Limited public interest:** A party with standing that believes the applied-for gTLD string and/or one or more applied-for allocatable variant string(s) are contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law may file a limited public interest objection. A limited public interest objection may not be filed against non-applied-for allocatable variant strings or blocked variant strings.

### Who can file an objection continued.

- **Community:** A party with standing that believes there is well-substantiated opposition to an applied-for gTLD string and/or one or more applied-for allocatable variant string(s) from a significant portion of the community the string may be explicitly or implicitly targeting may file a community objection. A community objection may not be filed against non-applied-for allocatable variant strings or blocked variant strings.

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## How are objections evaluated?

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Objections are reviewed by the applicable Dispute Resolution Service Provider (DRSP) and/or an associated appointed panel of experts in the dispute-resolution proceedings to ensure compliance with all procedural rules, determine whether an objector has standing to object, and initiate additional mediation and settlement procedures before making an expert determination. Please refer to the [DRAFT AGB Section 5.2 on Objection Filing and Proceeding](#) for detailed information.

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## What fees are involved?

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The Dispute Resolution Procedure will require different payments to be submitted directly to the appropriate DRSPs at different times. Instructions and fee amounts can be found in the respective DRSP Rules in the AGB. Fees may include but are not limited to:

- **Filing Fees:** Fees are paid by the objector when submitting their objection and the applicant when submitting their response. If an appeal is filed, the appellant will pay a filing fee and the respondent to the appeal will also pay a fee.
- **Advance Payment:** If an objection passes the Quick Look Review, both parties will make an advance payment to the DRSP, which may be an hourly or a fixed fee, depending on the case.
- **Additional Fees:** Only in extraordinary circumstances will the DRSP require the payment of additional fees as part of the dispute resolution process or the appeal process.

In most cases, the prevailing party will be entitled to a refund of the advance payment.

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## Is there an appeal process?

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The non-successful party in an objection will have an opportunity to appeal an Expert Determination and such appeal would be considered under a clearly erroneous standard of review. A party to an objection will have 15 days from the date the Expert Determination is issued to provide notice to the DSRP of its intent to appeal and 15 days to file such appeal. Once received by the DSRP, an evaluation process will be followed to respond with an **Appellate Expert Determination**. Please refer to the [DRAFT AGB Section on Objection Appeals Procedure](#) for detailed information.