BOARD ACCOUNTABILITY MECHANISMS COMMITTEE (BAMC) RECOMMENDATION ON RECONSIDERATION REQUEST 26-2 24 AUGUST 2026

I. Introduction and Summary

The Requestor, Doytchin Spiridonov, seeks reconsideration ("Request 26-2")[1] of ICANN's approval of Verisign's Registry Services Evaluation Policy ("RSEP") Requests 2026013 and 2026014 ("RSEP 2026013 and RSEP 2026014") (collectively, the "RSEP Requests"), both of which concern the .NAME generic top-level domain ("gTLD").[2]

The Requestor submitted Request 26-2 on 2 June 2026, claiming that reconsideration is warranted because the RSEP Requests were granted by ICANN allegedly without consideration of material information and in reliance on false or inaccurate relevant information.[3] RSEP 2026013 concerns the discontinuation of the third-level .NAME domain name registrations service,[4] and RSEP 2026014 concerns the discontinuation of the .NAME email forwarding service.[5] The Requestor asserts that he is the registrant of three third-level .NAME domain names and associated email forwarding services affected by these proposals.[6] The Requestor asks that ICANN take several steps, including "[r]econsider[ing] and suspend[ing] the approvals of RSEP 2026013 and RSEP 2026014," providing more information on the approval process, opening a public comment process, and ensuring that no existing registrations are

[1] Reconsideration Request 26-2 ("Request 26-2"), available at https://www.icann.org/en/system/files/files/reconsideration-26-2-spiridonov-request-redacted-02jun26-en.pdf.

[2] Request 26-2, at Att. B (RSEP Request Case Number 01581614 [RSEP 2026013]) ("RSEP 2026013"), 15 April 2026, available at https://www.icann.org/en/system/files/files/reconsideration-26-2-spiridonov-attachments-a-d-redacted-02jun26-en.pdf; Request 26-2, at Att. C (RSEP Request Case Number 01581607 [RSEP 2026014]) ("RSEP 2026014"), 15 April 2026, available at https://www.icann.org/en/system/files/files/reconsideration-26-2-spiridonov-attachments-a-d-redacted-02jun26-en.pdf.

[3] Request 26-2; *id*. at § 3.

[4] Request 26-2, at Att. B (RSEP 2026013).

[5] Request 26-2, at Att. C (RSEP 2026014).

[6] Request 26-2, at § 6; Requestor's Additional Information Regarding Request 26-2 ("Additional Information"), 10 June 2026, available at https://www.icann.org/en/system/files/files/reconsideration-26-2-spiridonov-requestor-additional-information-redacted-10jun26-en.pdf (indicating that the Requestor is the registrant of the domain names "DODO.DODO.NAME," "GEORGE.DIMITROV.NAME," and "ASEN.ILIEV.NAME").

terminated during the reconsideration process.[7]

Pursuant to the reconsideration process, the ICANN Ombuds evaluated these claims and concluded that: (1) "ICANN did not violate its Mission in following the RSEP […], nor d[id] ICANN's actions contradict the RSEP"; (2) "ICANN staff considered all material information"; and (3) "ICANN did not rely on false or inaccurate relevant information in making the determination to grant the RSEP Requests."[8]

Based on its review of all relevant materials, the BAMC concludes that the approvals of RSEP 2026013 and RSEP 2026014 were appropriate and do not warrant reconsideration. Specifically, the Requestor has not established that ICANN failed to consider material information or that ICANN relied upon false or inaccurate relevant information when it approved the RSEP Requests. Accordingly, the BAMC recommends that the Board deny Request 26-2.

II. Factual Background

A. The Registry Services Evaluation Policy (RSEP) Process.

The RSEP is a community-developed consensus policy that provides the mechanism through which "[a] gTLD registry operator may submit an RSEP request to ICANN org to add a proposed Registry Service, modify an existing Registry Service, or remove a Registry Service."[9] Registry operators may submit RSEP requests to ICANN using a standard RSEP

[7] Request 26-2, at § 9. Several of the forms of relief that the Requestor seeks, such as "[d]isclos[ing] records […] relating to […] meetings between Verisign and ICANN," "[c]onduct[ing] a full review of the factual basis for the approvals," "[o]pen[ing] a public comment process," "[r]equir[ing] Verisign to provide [a] revised impact assessment" addressing the impact of the RSEP Requests on registrants, and "[r]equir[ing] grandfathering through paid expiration dates or an equivalent refund" for existing domains, *id*., go beyond the scope of the reconsideration request process and/or relate to aspects governed by contractual agreements between registrars and registrants, to which ICANN is not party.

[8] ICANN Office of Ombuds Substantive Evaluation of Reconsideration Request 26-2 ("Ombuds Report"), 31 July 2026, at 9-10, available at https://www.icann.org/resources/pages/reconsideration-26-2-spiridonov-request-2026-06-04-en.

[9] RSEP Implementation Notes ("RSEP Implementation Notes"), available at https://www.icann.org/en/contracted-parties/consensus-policies/registry-services-evaluation-policy/implementation-notes.

request form that includes "a set of standard questions intended to provide ICANN org with sufficient information to evaluate the request."[10] In addition, ICANN "encourage[s] registry operators to consult with ICANN" prior to submission in order to "help ensure that necessary information is assembled ahead of time" and to "discuss whether the request qualifies under the Policy."[11]

Once an RSEP request is submitted, ICANN performs a completeness check to confirm the inclusion of "sufficient information to enable ICANN org to make an informed preliminary determination."[12] At that point, ICANN and the registry operator agree on a type of authorization document to be issued – either an amendment to the Registry Agreement or a free to deploy letter.[13] Once ICANN determines that a request is complete, ICANN begins a 15-day review process that, per the terms of the RSEP, is limited to potential security and stability issues, and potential competition[14] considerations.[15] Specifically, following the review process, ICANN makes a preliminary determination "on whether the proposed Registry Service raises

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[10] *Id*.

[11] *Id*.

[12] *Id*.

[13] *Id*. A gTLD registry operator may submit an RSEP request to "add a proposed Registry Service, modify an existing Registry Service, or remove a Registry Service." *Id*. Each of these three types of requests may result in a free to deploy letter, which will, accordingly, allow the registry operator to add, modify, or remove the service at issue. *Id*.

[14] The competition portion of this analysis is performed by ICANN's General Counsel's Office, which makes a preliminary determination of whether significant competition issues could be raised based on a review of relevant information. Registry Services Evaluation Process – Preliminary Determination Of Competition Issues ("Preliminary Determination Of Competition Issues"), available at https://www.icann.org/en/contracted-parties/consensus-policies/registry-services-evaluation-policy/preliminary-determination-of-competition-issues. If the General Counsel's Office determines that no significant competition issues could be raised, the competition review is complete; whereas if it is determined that significant competition issues could be raised, ICANN will refer the matter to the appropriate competition authority or authorities with jurisdiction over the matter. *Id*.

[15] RSEP Implementation Notes; RSEP, at §§ 2.5-2.6, 15 August 2006, available at https://www.icann.org/en/contracted-parties/consensus-policies/registry-services-evaluation-policy; *see also* letter from ICANN to Verisign entitled "Discontinuation of Third-Level Domain Name Registrations Service for the .NAME Generic Top-Level Domain" ("Free to deploy letter regarding RSEP 2026013"), 28 July 2026, available at https://itp.cdn.icann.org/en/files/consensus-policies/fessenden-to-kane-2-28-07-2026-en.pdf; *see also* letter from ICANN to Verisign entitled "Discontinuation of the E-mail Forwarding Service and Termination of SLD E-Mail Addresses for the .NAME Generic Top-Level Domain" ("Free to deploy letter regarding RSEP 2026014"), 28 July 2026, available at https://itp.cdn.icann.org/en/files/consensus-policies/fessenden-to-kane-3-28-07-2026-en.pdf.

significant Security, Stability, or competition issues."[16]

ICANN's preliminary determination "will result in one of the following outcomes: (1) [a]pproval of the RSEP request, (2) [r]eferral to the Registry Services Technical Evaluation Panel (RSTEP), (3) [r]eferral to the applicable government competition authority, or (4) [r]eferral to both the RSTEP and the applicable government competition authority."[17] Approval of the RSEP request indicates that there were "[n]o apparent significant Security, Stability, or competition issues," and the request is "considered complete."[18] ICANN then initiates the authorization process, during which ICANN will either issue a free to deploy letter to the registry operator, allowing the registry operator to proceed with the requested change, or initiate the agreed-upon amendment to the Registry Agreement.[19] Information regarding the RSEP is available on ICANN's RSEP Process webpage.[20]

B. Verisign's Submission of RSEP 2026013 and RSEP 2026014.

On 15 April 2026, Verisign, as the .NAME gTLD registry operator, submitted RSEP 2026013 and RSEP 2026014, seeking to discontinue two registry services: (1) "third level domain registrations for the .name TLD";[21] and (2) "Email Forwarding service and […] SLD E-mail Addresses for the .name TLD."[22] In RSEP 2026013, Verisign indicated that, "[u]pon discontinuation [of the third-level domain registrations service], no new third level domain

[16] RSEP Implementation Notes; *see also* Free to deploy letter regarding RSEP 2026013; *see also* Free to deploy letter regarding RSEP 2026014.
[17] RSEP Implementation Notes.
[18] *Id*. The BAMC also notes that while two procedural determination outcomes require a public comment period, approval of the RSEP request does not require a public comment period. *Id*.
[19] *Id.*
[20] *See* RSEP Process webpage ("RSEP Process"), available at https://www.icann.org/en/contracted-parties/registry-operators/services/rsep-process. For a visual representation of the RSEP process, *see* RSEP Process Workflow, available at https://www.icann.org/en/system/files/files/rsep-process-workflow-14jun19-en.pdf.
[21] Request 26-2, at Att. B (RSEP 2026013).
[22] Request 26-2, at Att. C (RSEP 2026014). "SLD" refers to a "second-level domain," or a "label that is found in a zone that is under a top-level domain." ICANN Acronyms and Terms, available at https://www.icann.org/en/icann-acronyms-and-terms?page=1&search=SLD.

names will be registered and existing third level domain names will be terminated," and Verisign explained that it sought to remove the service "due to declining usage [of third-level domains] and limited registrar support of the service."[23] In RSEP 2026014, Verisign indicated that, "[u]pon discontinuation of the Email Forwarding service, no new SLD E-mail Addresses will be registered and existing SLD E-mail Addresses will be terminated."[24] In both RSEP Requests, Verisign noted that discontinuation of these registry services "will increase efficiency for the operation of the .name TLD."[25]

Prior to submitting the RSEP Requests, Verisign met with ICANN on 15 October 2025, 4 November 2025, and 16 December 2025.[26] Such pre-submission consultations are encouraged under ICANN's policies "to help ensure that necessary information is assembled ahead of time for consideration of the RSEP request."[27] These meetings included discussion of various topics related to the RSEP Requests, including that approximately 22,000 third-level domain registrations would be terminated as a result of the discontinuation of these registry services, with Verisign noting that the majority of those third-level domains were not in use.[28] In the RSEP Requests, Verisign also noted that it had "verbally consulted with a select group of registrars comprising a majority of the user base," none of whom identified any security, stability, or competition concerns.[29]

C. ICANN Review and Approval of RSEP 2026013 and RSEP 2026014.

Following submission of RSEP 2026013 and RSEP 2026014 on 15 April 2026, and in

[23] Request 26-2, at Att. B (RSEP 2026013).
[24] Request 26-2, at Att. C (RSEP 2026014).
[25] Request 26-2, at Att. B (RSEP 2026013); Request 26-2, at Att. C (RSEP 2026014).
[26] *Id*.
[27] RSEP Implementation Notes ("This is also an opportunity to discuss whether the request qualifies under the Policy, note and clarify any concerns that might arise in the formal review of the request, and agree to appropriate authorization language as quickly as possible.").
[28] Free to deploy letter regarding RSEP 2026013; *see also* Ombuds Report, at 7.
[29] Request 26-2, at Att. B (RSEP 2026013); Request 26-2, at Att. C (RSEP 2026014); *see also* Free to deploy letter regarding RSEP 2026013; *see also* Free to deploy letter regarding RSEP 2026014.

accordance with the RSEP, ICANN conducted a review of both RSEP Requests in order to determine whether discontinuation of the registry services "(i) could raise significant Security or Stability issues or (ii) could raise significant competition issues."[30] In conducting its review, ICANN considered all of the relevant materials as well as the pre-submission consultations with Verisign, consulted with the ICANN General Counsel's Office as needed, and carefully considered whether the discontinuation of these registry services in the .NAME gTLD raised any security, stability or competition concerns. Indeed, in evaluating ICANN's review and approval of the RSEP Requests, the Ombuds determined that "ICANN staff considered all material information, including information provided by the Registry Operator both in the RSEP Requests and in the collaboration phase (including that approximately 22,000 third-level domains would be terminated if the RSEP Requests were approved),"[31] and the Ombuds ultimately concluded that ICANN "followed the relevant policies and underlying process thoroughly."[32] After completing its review, ICANN determined that the RSEP Requests did not raise significant security, stability, or competition issues, noted on the RSEP Process webpage on 8 May 2026 that the RSEP Requests were approved, and issued free to deploy letters on 28 July 2026 regarding each of the RSEP Requests.[33] The Requestor claims that he learned of ICANN's approval of the RSEP Requests on 2 June 2026.[34]

D. Request 26-2 and the Ombuds Report.

On 2 June 2026, the Requestor submitted Request 26-2, "seek[ing] reconsideration of ICANN org's approval of Verisign RSEP 2026013 and RSEP 2026014, both relating to the

[30] RSEP, at § 2.4.
[31] Ombuds Report, at 9-10.
[32] *Id*. at 2.
[33] Free to deploy letter regarding RSEP 2026013; Free to deploy letter regarding RSEP 2026014.
[34] Request 26-2, at §§ 4-5; *see also* Request 26-2, at Att. D (screenshot of RSEP Process webpage), available at https://www.icann.org/en/system/files/files/reconsideration-26-2-spiridonov-attachments-a-d-redacted-02jun26-en.pdf.

.NAME top-level domain."[35] Request 26-2 asserts two grounds for reconsideration: that ICANN approved the RSEP Requests "despite materially inaccurate, incomplete, contradictory, or misleading information contained in the RSEP submissions"; and/or that ICANN approved the Requests "despite the apparent absence of consideration of material information relating to existing registrants, prepaid registration terms, affected services, and the elimination of an existing registration class."[36]

In support of both claims, the Requestor alleges that ICANN did not consider information showing "that approximately 22,000 existing registrations and associated email services would ultimately cease to exist" upon implementation of the RSEP Requests.[37] The Requestor bases this allegation on statements that Verisign made in the RSEP Requests, including: (1) "[t]here will not be any effect on the life cycle of domain names"; (2) "[t]here will be no effect on the domain name market"; (3) "there will be no effect on competition"; and (4) there were no entities whose products or services might be affected by the proposed services.[38] The Requestor calls these statements "inconsistent" and "difficult to reconcile" with alleged impacts of the RSEP Requests, such as termination of existing registrations and associated email services, impact on registration holders' abilities to continue holding registrations, need for migration to alternative services, financial loss, operational disruption, and loss of continuity of Internet identity.[39]

The Requestor asked ICANN to: (1) "[r]econsider and suspend the approvals of RSEP 2026013 and RSEP 2026014"; (2) "[i]mmediately suspend further implementation [of the RSEP Requests] pending reconsideration and review"; (3) "[d]isclose the approval authority"

[35] Request 26-2, at § 3.
[36] *Id*.
[37] *Id*. at § 8.
[38] *Id*.; Request 26-2, at Att. B (RSEP 2026013); Request 26-2, at Att. C (RSEP 2026014).
[39] Request 26-2, at §§ 6, 8.

and related information; (4) "[d]isclose records […] relating to […] meetings between Verisign and ICANN"; (5) "[c]onduct a full review of the factual basis for the approvals"; (6) "[o]pen a public comment process"; (7) "[r]equire Verisign to provide [a] revised impact assessment[]" addressing the impact of the RSEP Requests on registrants; (8) "[e]nsure that no existing registration or associated email service is terminated pending completion of reconsideration"; and (9) "[r]equire grandfathering through paid expiration dates or an equivalent refund" for existing domains.[40]

On 10 June 2026, ICANN sent the Requestor an email requesting additional information regarding the third-level .NAME domain names for which he indicated that he was the registrant.[41] On 10 June 2026, the Requestor sent ICANN an email identifying these domains as DODO.DODO.NAME (to expire 17 February 2027), GEORGE.DIMITROV.NAME (to expire 5 November 2029), and ASEN.ILIEV.NAME (to expire 18 November 2026), and also identifying his associated email accounts.[42] The Requestor also included a list of the other approximately 22,000 domains that he claims will be impacted by the approvals of RSEP 2026013 and RSEP 2026014.[43]

On 28 July 2026, ICANN issued two free to deploy letters to Verisign pursuant to the RSEP process, indicating that ICANN's review of the RSEP Requests was complete and allowing Verisign to discontinue the third-level domain registration and email forwarding services as requested in the RSEP Requests.[44] These letters are publicly available.[45]

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[40] *Id*. at § 9.
[41] Additional Information.
[42] *Id*.
[43] Additional Information Regarding Request 26-2 Attachment ("Additional Information Attachment"), available at https://www.icann.org/en/system/files/files/reconsideration-26-2-spiridonov-requestor-additional-information-attachment-10jun26-en.pdf.
[44] Free to deploy letter regarding RSEP 2026013; Free to deploy letter regarding RSEP 2026014.
[45] *Id*.

Pursuant to Article 4, Section 4.2(l) of the Bylaws,[46] ICANN transmitted Request 26-2 to the Ombuds for consideration, and the Ombuds accepted consideration of Request 26-2. The Ombuds found that, on each point, "the answers [we]re resoundingly clear."[47] First, "ICANN did not violate its Mission in following the RSEP […], nor d[id] ICANN's actions contradict the RSEP."[48] ICANN's treatment of Request 26-2 "d[id] not appear to differ in any way to the treatment of other registry operators making such request."[49] Second, "ICANN staff considered all material information," because the fact that 22,000 registrations would be terminated if the RSEP Requests were approved "was disclosed to ICANN by the Registry Operator as part of the collaborative process before submitting its RSEP Requests."[50] Third, the Ombuds determined that "ICANN did not rely on false or inaccurate relevant information in making the determination to grant the RSEP Requests."[51] The Ombuds also concluded that Request 26-2, "in some cases, contravenes portions of the RSEP and the RSEP process," such as by using the reconsideration request process to seek "records, notes, minutes" and other documents produced during the "deliberately voluntary and confidential" RSEP review process.[52] Based on her assessment, the Ombuds recommended that Request 26-2 be denied.[53]

III. Standard of Review

Article 4, Sections 4.2(a) and (c) of ICANN's Bylaws provide, in relevant part, that "any person or entity materially affected by an action or inaction of the ICANN Board or Staff […] may submit a request for reconsideration or review of an ICANN action or inaction […] to

[46] ICANN Bylaws, 9 Jan. 2025, Art. 4, § 4.2(l), available at https://www.icann.org/en/governance/bylaws.
[47] Ombuds Report, at 9-10.
[48] *Id*. at 9.
[49] *Id*. at 10.
[50] *Id*. at 9, 10.
[51] *Id*. at 10.
[52] *Id*. at 7, 8.
[53] *Id*. at 10.

the extent the Requestor has been adversely affected by:

(i) One or more Board or Staff actions or inactions that contradict ICANN's Mission, Commitments, Core Values and/or established ICANN policy(ies);

(ii) One or more actions or inactions of the Board or Staff that have been taken or refused to be taken without consideration of material information, except where the Requestor could have submitted, but did not submit, the information for the Board's or Staff's consideration at the time of action or refusal to act; or

(iii) One or more actions or inactions of the Board or Staff that are taken as a result of the Board's or Staff's reliance on false or inaccurate relevant information."[54]

The BAMC reviews each reconsideration request upon its receipt to determine if it is sufficiently stated.[55] Where the BAMC determines a request is sufficiently stated, the BAMC reviews the request on the merits and provides a recommendation to the Board.[56] Denial of a reconsideration request is appropriate if the BAMC recommends and the Board determines that the requestor has not satisfied the reconsideration criteria set forth in the Bylaws.[57]

IV. Analysis and Rationale

The Requestor claims that reconsideration is warranted because, he asserts, ICANN improperly approved RSEP 2026013 and RSEP 2026014 without consideration of material information and in reliance on false or inaccurate relevant information. Based on its review of all relevant materials, the BAMC concludes that the approval of the RSEP Requests was appropriate and that the Requestor has not established that ICANN failed to consider material information or that ICANN relied on false or inaccurate relevant information when it approved

[54] ICANN Bylaws, 9 Jan. 2025, Art. 4, §§ 4.2(a) and (c).
[55] *Id*. § 4.2(k).
[56] *See id*. § 4.2(e).
[57] *Id*.

the RSEP Requests.

A. The Requestor Has Not Demonstrated that ICANN Failed to Consider Material Information When It Approved the RSEP Requests.

First, the Requestor claims that ICANN did not consider material information when it approved the RSEP Requests. Specifically, the Requestor claims that ICANN did not consider information showing "that approximately 22,000 existing registrations and associated email services would ultimately cease to exist" upon implementation of the RSEP Requests.[58] The Requestor is incorrect.

Prior to submitting the RSEP Requests, Verisign and ICANN engaged in multiple pre-submission consultations,[59] which, pursuant to ICANN's policies, are encouraged "to help ensure that necessary information is assembled ahead of time for consideration of the RSEP request."[60] During those consultations, Verisign disclosed that discontinuation of the third-level registrations service would result in approximately 22,000 existing registrations being terminated.[61] The RSEP Requests also made clear that third-level domain registrations in the .NAME gTLD and email forwarding services/SLD email addresses in .NAME would terminate, because the RSEP Requests indicate that the intended outcomes of the RSEP Requests are to discontinue third-level domain registrations, email forwarding services, and SLD email addresses.[62] Therefore, in evaluating the RSEP Requests, ICANN considered the very information that the Requestor claims that ICANN did not have – namely, the fact that 22,000 third-level registrations and email addresses would be terminated. The Requestor's claim that

[58] Request 26-2, at § 8.
[59] Verisign met with ICANN on 15 October 2025, 4 November 2025, and 16 December 2025. Request 26-2, at Att. B (RSEP 2026013); Request 26-2, at Att. C (RSEP 2026014).
[60] RSEP Implementation Notes.
[61] Free to deploy letter regarding RSEP 2026013; Free to deploy letter regarding RSEP 2026014; *see also* Ombuds Report, at 7.
[62] Request 26-2, at Att. B (RSEP 2026013); Request 26-2, at Att. C (RSEP 2026014).

ICANN failed to consider this information when approving the RSEP Requests is therefore unsubstantiated and does not warrant reconsideration.

The Requestor also claims that ICANN failed to consider other potential impacts that the approvals of RSEP 2026013 and RSEP 2026014 could have on holders of the third-level domain registrations as a result of the approvals.[63] The Requestor claims that termination could require migration to alternative services or cause operational disruption and loss of continuity of Internet identity.[64] He further claims that the approvals could have financial impacts and that ICANN did not consider "whether affected registrants w[ould] receive refunds, credits, grandfathering, compensation, or any other remedy if existing registrations [we]re terminated before their paid expiration dates."[65]

While such considerations are understandably important to the Requestor and other registrants, the scope of ICANN's review of RSEP requests is narrow and is limited to ICANN's consideration of security, stability, and competition issues.[66] This is also consistent with the Ombuds determination on the scope of ICANN's role: "ICANN's role is *not* to evaluate whether the proposed change raises issues in any other area, for example, customer services. Nor is its role under the RSEP to determine whether the proposed change *actually* raises significant issues—though the RSEP services team does, as part of the collaborative process, raise and often discuss for clarity specifics about an RSEP request with registry operators. ICANN's role, after an RSEP request has been made by the registry operator, is to determine if the requested change raises potential significant issues, either with regard to Security/Stability (in which case the RSEP request is referred to the [RSTEP]), or in the case of

[63] Request 26-2, at § 6.
[64] *Id.*
[65] *Id*. at § 8.
[66] RSEP, at §§ 2.5-2.6; Free to deploy letter regarding RSEP 2026013; Free to deploy letter regarding RSEP 2026014.

potential competition issues (in which case the RSEP request is referred to the relevant competition authority)" (emphasis in original).[67]

In making its determination regarding the RSEP Requests, ICANN was aware of the underlying facts regarding termination of third-level registrations and of the noted email services/addresses, as well as the potential impact on registrants; however, those potential impacts do not rise to the level of significant security, stability or competition issues under the RSEP and therefore fall outside the scope of ICANN's RSEP review. Further, the potential remedies the Requestor has identified – such as refunds, credits, grandfathering, and compensation – are governed by contractual agreements between registrars and registrants, to which ICANN is not a party. For that reason, too, the Requestor's claims regarding potential impacts on registration holders and remedies as against third parties fall outside the scope of ICANN's review process under the RSEP. Accordingly, the Requestor has not established that ICANN failed to consider material information when approving the RSEP Requests, and reconsideration is not warranted on this basis.

B. Requestor Has Not Demonstrated that ICANN Relied on False or Inaccurate Relevant Information When It Approved the RSEP Requests.

Second, the Requestor claims that certain statements made by Verisign in the RSEP Requests were "inconsistent" and "difficult to reconcile" with the "existence of approximately 22,000 affected registrations and associated services," and then concludes that ICANN therefore must have relied upon false or inaccurate relevant information when evaluating the RSEP Requests, thus supporting reconsideration.[68]

[67] Ombuds Report, at 6.
[68] Request 26-2, at § 8.

To start, the Requestor alleges that ICANN relied upon false or inaccurate relevant information provided by Verisign regarding the life cycle of the potentially impacted domains.[69] Specifically, in response to the standard question on the RSEP form asking "What effect, if any, will the proposed service have on the life cycle of domain names?", Verisign wrote "None. There will not be any effect on the life cycle of domain names."[70] While the Requestor may disagree with Verisign's response, the Requestor has not shown that ICANN relied upon false or inaccurate material information. The life cycle of a domain name begins when the domain is registered, then moves through various stages before ultimately coming to a close. Early termination of a domain registration does not impact the life cycle of the domain, as the domain can still go through the various stages of a standard life cycle. Moreover, as stated above, ICANN was aware that discontinuation of these registry services in the .NAME gTLD would result in the termination of approximately 22,000 third-level domain registrations and of email services/addresses.

Next, the Requestor claims that ICANN relied upon false or inaccurate relevant information provided by Verisign regarding whether the RSEP Requests, if implemented, would impact competition.[71] In particular, the Requestor takes issue with two statements Verisign made on the RSEP standard form:

1. Question: "Do you believe the proposed service would have any positive or negative effects on competition? If so, please explain." Verisign's answer: "No, there will be no effect on competition."[72]

2. Question: "How would you define the markets in which the proposed service would

[69] *Id*.
[70] *Id.*; Request 26-2, at Att. B (RSEP 2026013); Request 26-2, at Att. C (RSEP 2026014).
[71] Request 26-2, at § 8.
[72] Request 26-2, at Att. B (RSEP 2026013); Request 26-2, at Att. C (RSEP 2026014); *see also* Request 26-2, at § 8.

compete?" Verisign's answer: "Not applicable. There will be no effect on the domain name market."[73]

While it is clear that the Requestor disagrees with Verisign's subjective opinions concerning potential competitive effects related to the RSEP Requests, the Requestor has not established that ICANN relied upon false or inaccurate material information in making its determination. Pursuant to the RSEP, and as explained in ICANN's guidance on Preliminary Determination of Competition Issues, the General Counsel's Office independently assesses whether there is "the possibility that an RSEP request could raise significant competition issues" and does not rely on what is stated in the RSEP request on this point.[74] The analysis by the General Counsel's Office involves review for various potential competition issues.[75] Based on this assessment, the General Counsel's Office determined that the discontinuation of the existing registry services implicated by the RSEP Requests did not raise significant competition issues. Where the "preliminary determination is that no significant competition issues could be raised, the competition review is complete."[76] It is the determination by the General Counsel's Office on competition issues that was relevant to ICANN's decision to approve the RSEP Requests – not the opinions shared by Verisign – and by considering the determination of the General Counsel's Office, ICANN did not rely on any false or inaccurate information. While the Requestor may disagree with the conclusion, that disagreement is not grounds for reconsideration.

[73] *Id*.
[74] Preliminary Determination Of Competition Issues; *see also* RSEP, at § 2.5.
[75] Preliminary Determination Of Competition Issues.
[76] *Id*.

V. Conclusion and Recommendation

The BAMC has considered the merits of Request 26-2, as well as all relevant information provided and the Ombuds Report, and, based on the foregoing, concludes that ICANN's approval of RSEP 2026013 and RSEP 2026014 was appropriate and does not warrant reconsideration. Accordingly, the BAMC recommends that the Board deny Request 26-2.