

PDP Protection of IGO and INGO Identifiers in All gTLDs

IGO-INGO WG Chair:

Thomas Rickert



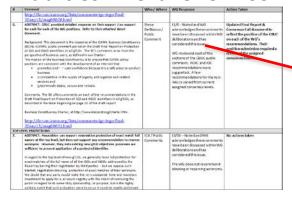
Structure of Final Report

- Working Group Recommendations
 - RCRC, IOC, IGO, INGO, General, Unsupported (top, second level)
 - Exception Procedures
 - Incumbent gTLD Implementation consideration
 - WG Deliberations
 - Background and Community Input
 - Annexes (charter, attendance, input, IR template, GCO research)
 - Supplements:
 - Minority Positions
 - Consensus Call Tool
 - Public Comment Review Tool Final Report
 - RCRC Scope 2 Identifier list

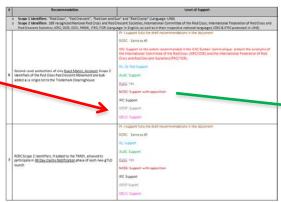


Public Comment Review

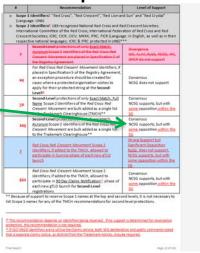
Public Comment Review Tool



Consensus Call Tool



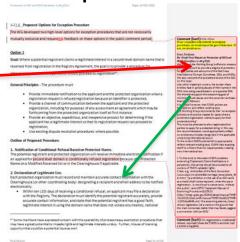
Final Report - Redline



Public Comment Review Tool

	Cannel	Who/Where	WG Response	Action Taken
	http://forum.cann.org/ints/comments-go-topo-final-			
	20sep13/mag00018.html			
Decre	tion Procedures			
Decryi 11.	ARXIVES: Inseption Providers shaded in amended for those presise and selection consistence operations under inservations and inservations. As a place of the consistence operation and inservations are shown in the providers and the providers are president in the second continues of the analysis of providers for the research and the continues of the and Cross, research and the continues of the analysis of providers for the research and the analysis of the anal	ëran Bosham/ Public Comment	13/4 - Nated and WG advisored Spet These comments have been obstanced within WG deliberations and has considered this issue.	The Exception Procedures section of the report visit secti
	The Work In St. Quarter recomments that it is in single consider it was delivery and included provided usual to supply the final consideration of the provided provided to the provided of t			

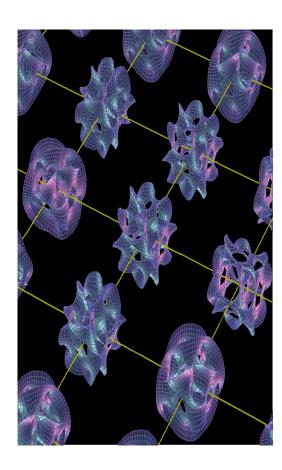
Final Report - Redline





Dimensions of Protection Proposals

- Organization Types [RCRC, IOC, IGO, INGO]
- Domain Tier [top-level vs. second-level]
- Scope of Identifiers [Full Name, Acronym, Exact Match]
- Scope of Language [UN6+, Language specific to Org]
- Protection Options
 - [Reservation;
 - Clearing House: Sunrise, Claims Notification (90d, permanent);
 - Curative Mechanisms: URS, UDRP;
 - Fee Waivers: Objections, TMCH, Curative RPM]





Some Facts

- WG Duration [31-Aug-12 to 10-Nov-13]
 - RCRC/IOC [01-Nov-11 to 20-Dec-12]
- Met weekly [38 meetings @ 2 hours]
- Meetings in Prague, Toronto, Beijing, Durban, Buenos Aires
- Membership [42 members, 22 active >50%]
 - All but one group within GNSO, ALAC, RCRC, IOC, IGOs, INGOs
- Chair's Message:
 - Expedited manner of PDP and MSM
 - External activities regarding this issue
 - WG recommendations & complexity
 - WGG consensus levels tested
 - Implementation complexity
 - Stakeholder representation
 - Additional effort required



Working Group Recommendations



- 29 Recommendations grouped by RCRC, IOC, IGO, Other INGOs & General
- What is supported**:
 - Top-level reservation protection of full name + exception procedure (all)
 - Second-level reservation protection of full name+ exception procedure (RCRC, IOC, IGO)
 - Identifiers (not reserved) bulk added to TMCH
 - 90 days claims notification service (RCRC and IGO acronyms, RCRC additional strings, INGO full names)
 - SSbSO for Sunrise



^{**}These recommendation statements are only for presentation purposes and are not an accurate representation of the WG's actual recommendations.

Working Group Recommendations - cont.



- Issue Report for possible PDP to determine how IGOs-INGOs may access UDRP, URS curative rights protections
- SCI to review WGG consensus levels
- Proposals not supported
 - Acronym reservation protections
 - Fee waivers at top and second levels
 - Permanent TMCH Claims
- Difference from GAC Advice
 - Reservations of acronyms
 - 90 Days Claims notification
 - INGOs



^{**}These recommendation statements are only for presentation purposes and are not an accurate representation of the WG's actual recommendations.

Annex – Background Info



Further Information



Final Report:
 http://gnso.icann.org/en/issues/igo-ingo-final-10nov13-en.pdf

Public Comments:
 http://www.icann.org/en/news/public-comment/igo-ingo-final-20sep13-en.htm

 IGO-INGO Webpage: <u>http://gnso.icann.org/en/group-activities/active/igo-ingo</u>

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RCRC

#	Recommendation	Level of Support
0	Scope 1 Identifiers: "Red Cross", "Red Crescent", "Red Lion and Sun" and "Red Crystal" (Language: UN6)	
0	Scope 2 Identifiers: 189 recognized National Red Cross and Red Crescent Societies; International Committee of the Red Cross; International Federation	
of Red Cross and Red Crescent Societies; ICRC, CICR, CICV, MKKK, IFRC, FICR (Language: in English, as well as in their respective national		glish, as well as in their respective national languages;
	ICRC & IFRC protected in UN6)***	
1	Top-Level protections of <u>Exact Match, Full Name</u> Scope 1 identifiers of the Red Cross Red Crescent Movement are placed in the Applicant Guidebook section 2.2.1.2.3, Strings "Ineligible for Delegation"	Consensus NCSG does not support
2	For Red Cross Red Crescent Movement identifiers, if placed in the Applicant Guidebook as ineligible for delegation at the Top-Level, an exception procedure should be created for cases where a protected organization wishes to apply for their protected string at the Top-Level	Consensus NCSG does not support
3	Second-Level protections of only <u>Exact Match, Full Name</u> Scope 1 identifiers of the Red Cross Red Crescent Movement are placed in Specification 5 of the Registry Agreement	Consensus NCSG does not support
4	For Red Cross Red Crescent Movement identifiers, if placed in Specification 5 of the Registry Agreement, an exception procedure should be created for cases where a protected organization wishes to apply for their protected string at the Second-Level	Consensus NCSG does not support
5	Second-Level protections of only <u>Exact Match</u> , <u>Full Name</u> Scope 2 identifiers of the Red Cross Red Crescent Movement are bulk added as a single list to the Trademark Clearinghouse (TMCH)**	Consensus NCSG supports, but with some opposition within the SG
6	Second-Level protections of only <u>Exact Match, Acronym</u> Scope 2 identifiers of the Red Cross Red Crescent Movement are bulk added as a single list to the Trademark Clearinghouse**	Consensus NCSG supports, but with some opposition within the SG
7	Red Cross Red Crescent Movement Scope 2 identifiers, if added to the TMCH, allowed to participate in <u>Sunrise</u> phase of each new gTLD launch	Strong Support but Significant Opposition RySG, does not support; NCSG supports, but with some opposition within the SG
8	Red Cross Red Crescent Movement Scope 2 identifiers, if added to the TMCH, allowed to participate in 90 Day Claims Notification phase of each new gTLD launch for Second-Level registrations	Consensus NCSG supports, but with some opposition within the SG

^{**} Because of support to reserve Scope 1 names at the top and second levels, it is not necessary to list Scope 1 names for any of the TMCH recommendations for second level protections.

^{***} Scope 2 Identifiers contain both full name and acronyms. The distinction is that Scope 1 identifiers are based on a list provided by GAC advice, while Scope 2 names were additionally requested by the RCRC.



[•] If IGO-INGO identifiers are to utilize the Claims service, both WG deliberation and public comments noted that a separate claims notice, as distinct from the Trademark notices, may be required.



IOC

#	Recommendation	Level of Support
0	Scope 1 Identifiers: olympic, olympiad (Language: UN6, + German, Greek, and Korean)**	
1	Top-Level protections of <u>Exact Match, Full Name</u> Scope 1 identifiers of the International Olympic Committee are placed in the Applicant Guidebook section 2.2.1.2.3, Strings "Ineligible for Delegation"	Consensus ALAC, NCSG do not support
2	For International Olympic Committee Identifiers, if placed in the Applicant Guidebook as ineligible for delegation at the Top-Level, an exception procedure should be created for cases where a protected organization wishes to apply for their protected string at the Top-Level	Consensus ALAC, NCSG do not support
3	Second-Level protections of only <u>Exact Match, Full Name</u> Scope 1 identifiers of the International Olympic Committee are placed in Specification 5 of the Registry Agreement	Consensus ALAC, NCSG do not support
4	For International Olympic Committee identifiers, if placed in Specification 5 of the Registry Agreement, an exception procedure should be created for cases where a protected organization wishes to apply for their protected string at the Second-Level	Consensus ALAC, NCSG do not support

^{**} Note that the IOC did not request protections for acronyms and therefore no recommendations are included within this set.



This recommendation depends on identifiers being reserved. If no support is determined for reservation protection, this recommendation is not required.



#		Recommendation	Level of Support
	0	Scope 1 Identifiers: GAC List (22 March 2013) - Full Name (Language: Up to two langua Scope 2 Identifiers: GAC List (22 March 2013) - Acronym (Language: Up to two languag	
	1	Top-Level protections of <u>Exact Match, Full Name</u> Scope 1 identifiers of the International Governmental Organizations are placed in the Applicant Guidebook section 2.2.1.2.3, Strings "Ineligible for Delegation"	Consensus NCSG does not support
	2	For International Governmental Organizations Identifiers, if placed in the Applicant Guidebook as ineligible for delegation at the Top-Level, an exception procedure should be created for cases where a protected organization wishes to apply for their protected string at the Top-Level	Consensus ALAC, NCSG do not support
	3	Second-Level protections of only <u>Exact Match</u> , <u>Full Name</u> Scope 1 identifiers of the International Governmental Organizations are placed in Specification 5 of the Registry Agreement	Consensus NCSG does not support
	4	For International Governmental Organizations identifiers, if placed in Specification 5 of the Registry Agreement, an exception procedure should be created for cases where a protected organization wishes to apply for their protected string at the Second-Level	Consensus NCSG does not support
	5	Second-Level protections of only <u>Exact Match, Acronym</u> Scope 2 identifiers of the International Governmental Organizations are bulk added as a single list to the Trademark Clearinghouse	Strong Support but Significant Opposition NCSG does not support; IPC only support where acronym is primary identifier for the entity
	6	International Governmental Organizations Scope 2 identifiers, if added to the TMCH, allowed to participate in <u>Sunrise</u> phase of each new gTLD launch	Strong Support but Significant Opposition RySG, does not support; NCSG supports, but with some opposition within the SG
	7	International Governmental Organizations Scope 2 identifiers, if added to the TMCH, allowed to participate in <u>90 Day Claims Notification</u> phase of each new gTLD launch for Second-Level registrations**	Consensus NCSG, IGOs do not support

[•] List of IGO Identifiers from GAC Advice: http://www.icann.org/en/news/correspondence/dryden-to-crocker-chalaby-annex2-22mar13-en.pdf

If IGO-INGO identifiers are to utilize the Claims service, both WG deliberation and public comments noted that a separate claims notice as distinct from the Trademark notices may be required.



This recommendation depends on identifiers being reserved. If no support is determined for reservation protection, this recommendation is not required.

INGO (other than RCRC, IOC)

#	Recommendation	Level of Support
○ ***Not	Scope 1 Identifiers: ECOSOC List (General Consultative Status) (Language: English only) Scope 2 Identifiers: ECOSOC List (Special Consultative Status) (Language: English only) e, this list of Identifiers are INGOs other than the RCRC and IOC	
See <u>htt</u>	o://csonet.org/content/documents/E2011INF4.pdf	
1	Top-Level protections of Exact Match, Full Name Scope 1 identifiers of the International Non-Governmental Organizations are placed in the Applicant Guidebook section 2.2.1.2.3, Strings "Ineligible for Delegation"	Consensus NCSG, CBUC do not support
2	For International Non-Governmental Organizations Identifiers, if placed in the Applicant Guidebook as ineligible for delegation at the Top-Level, an exception procedure should be created for cases where a protected organization wishes to apply for their protected string at the Top-Level	Consensus NCSG does not support
3	For International Non-Governmental Organizations identifiers, if placed in Specification 5 of the Registry Agreement, an exception procedure should be created for cases where a protected organization wishes to apply for their protected string at the Second-Level	Consensus NCSG does not support
4	Second-Level protections of only <u>Exact Match, Full Name</u> Scope 1 (unless otherwise reserve protected) & Scope 2 identifiers of the International Non-Governmental Organizations are bulk added as a single list to the Trademark Clearinghouse (TMCH)	Consensus NCSG supports, but with some opposition within the SG
5	International Non-Governmental Organizations Scope 2 identifiers, if added to the TMCH, allowed to participate in <u>Sunrise</u> phase of each new gTLD launch	Strong Support but Significant Opposition RySG, does not support; NCSG supports, but with some opposition within the SG
6	International Non-Governmental Organizations Scope 1 (unless otherwise protected) & Scope 2 identifiers, if added to the TMCH, allowed to participate in <u>90 Day Claims</u> Notification phase of each new gTLD launch for Second-Level registrations	Consensus ISPCP support scope 1 only; NCSG support, but with some opposition within the SG

[•] The IRT will need to determine how this list is managed as new organizations enter the list. How will ICANN be notified of changes? How is the protection implemented when an organization's string exceeds 63 characters?

[•] f IGO-INGO identifiers are to utilize the Claims service, both WG deliberation and public comments noted that a separate claims notice as distinct from the Trademark notices may be required.



This recommendation depends on identifiers being reserved. If no support is determined for reservation protection, this recommendation is not required.

The concept of bulk addition into the TMCH was to minimize cost associated with entry and validation. However, the Scope 2 names exceed 2000+ organizations. The IRT will need to determine
how contact information required for TMCH forms be acquired and validated for bulk entry. Note that voluntary submission requests into TMCH will require backend validation of eligibility.

General

	Recommendation	Level of Support
1	Top-Level protections of Exact Match, Acronym identifiers are placed in Applicant Guidebook section 2.2.1.2.3, of the Applicant Guidebook, Strings "Ineligible for Delegation"	Consensus Against (refer to rec#4) IGO supports; BC Supports for RCRC
2	Second-Level protections of Exact Match, Acronym identifiers are placed in Specification 5 of Registry Agreement	Consensus Against (refer to rec#4) IGO supports
3	The WG recommends that the respective policies are amended so that curative rights of the UDRP and URS can be used by those organizations that are granted protections based on their identified designations.	Consensus NCSG supports, but with some opposition within the SG
4	The WG recommends that the GNSO Council task the Standing Committee on Improvements (SCI) to review the Consensus levels as defined in the Working Group Guidelines.	Full Consensus

- It was decided that this level of designation be used for recommendations 1 & 2 because a specific action will be required to remove acronyms of RCRC and IGO identifiers from the current Specification of 5 of the new gTLD Registry Agreement.
- The WG participants that supported this proposal represent a number of additional IGOs that favor this position; for further reference, see the IGO's Minority Statement in the Minority Positions supplement
- This WG experienced a possible limitation in the currently defined Consensus Levels when assigning "Divergence" to recommendations regarding acronym protections (see recs. #1 and #2 of the General Recommendations now assigned with "Consensus Against"). The use of "Divergence" did not adequately represent the lack of support for the proposed recommendation when said recommendation was stated in the affirmative, for example "Do you support..?". The Chair was equally concerned about not adhering to current Working Group Guidelines could introduce risk to the process, because "Consensus Against" is not formally defined. Note this recommendation for an SCI review was not part of the formal consensus call within the WG, but full support was determined via WG conference calls.

RCRC - Unsupported

#	Proposal		Level of Support
0	Scope 1 Identifiers: "Red Cross", "Red Crescent", "Red Lion and Sun" and "Red Crystal" (Language: UN6)		
0	Scope 2 Identifiers: 189 recognized National Red Cross and Red Crescent Societies; International Committee of the Red Cross; International		
	Federation of Red Cross and Red Crescent Societies; ICRC, CICR, CICV, MKKK, IFRC, FICR (Language: in English, as well as in their respective national		
	languages; ICRC & IFRC protected in UN6)***		
		Divergence	
1	Top-Level protections of Exact Match, Full Name Scope 2 identifiers of the Red Cross Red Crescent Movement are placed in the Applicant Guidebook section 2.2.1.2.3, Strings "Ineligible for Delegation"	advice and th	established the eligibility criteria as based on the GAC us defined the the Scope 2 names which were not hin GAC advice
	Top-Level protections of <u>Exact Match, Acronym</u> Scope 2 identifiers of the Red Cross Red Crescent Movement are placed in the Applicant Guidebook section 2.2.1.2.3, Strings "Ineligible for Delegation"	Divergence ISO, ALAC, Ry	rSG, NCSG, IPC, ISPCP do not support
2			a 3.5 General Recommendations #1&2 with "Consensus eservation protections of acronyms at top and second
		Divergence	
3	Second-Level protections of only <u>Exact Match, Full Name</u> Scope 2 identifiers of the Red Cross Red Crescent Movement are placed in Specification 5 of the Registry Agreement	advice and th	established the eligibility criteria as based on the GAC ous defined the the Scope 2 names which were not nin GAC advice
	Second-Level protections of only <u>Exact Match</u> , <u>Acronym</u> Scope 2 identifiers of the Red Cross Red Crescent Movement are placed in Specification 5 of the Registry Agreement	Divergence ISO, ALAC, Ry	rSG, NCSG, IPC, ISPCP do not support
4			a 3.5 General Recommendations #1&2 with "Consensus eservation protections of acronyms at top and second

This specific recommendation was not a part of the formal consensus call because consensus was gauged from a general recommendation on acronyms and scope 2 identifiers.





#	Proposal	Level of Support	
0			
1	Top-Level protections of <u>Exact Match, Acronym</u> Scope 2 identifiers of the International Governmental Organizations are placed in the Applicant Guidebook section 2.2.1.2.3, Strings "Ineligible for Delegation"	Divergence ISO, ALAC, RySG, NCSG, IPC, ISPCP, CBUC do not support The WG determined that reservation of acronyms would grant a right superior to that of nongovernmental organizations or individuals.	
2	Second-Level protections of only <u>Exact Match, Acronym</u> Scope 2 identifiers of the International Governmental Organizations are placed in Specification 5 of the Registry Agreement	Divergence ISO, ALAC, RySG, NCSG, IPC, ISPCP, CBUC do not support The WG determined that reservation of acronyms would grant a right superior to that of nongovernmental organizations or individuals.	



INGO (other than RCRC, IOC) - Unsupported

#	Proposal	Level of Support		
o Scope	Scope 1 Identifiers: ECOSOC List (General Consultative Status) (Language: English only)			
1	Top-Level protections of <u>Exact Match, Full Name</u> Scope 2 identifiers of the International Non-Governmental Organizations are placed in the Applicant Guidebook section 2.2.1.2.3, Strings "Ineligible for Delegation"	Divergence*		
2	Second-Level protections of only <u>Exact Match, Full Name</u> Scope 1 identifiers of the International Non-Governmental Organizations are placed in Specification 5 of the Registry Agreement	Divergence RySG, NCSG, IPC do not support		
3	Second-Level protections of only <u>Exact Match, Full Name</u> Scope 2 identifiers of the International Non-Governmental Organizations are placed in Specification 5 of the Registry Agreement	Divergence*		
4	Second-Level protections of only <u>Exact Match, Acronym</u> Scope 1 (unless otherwise protected) & Scope 2 identifiers of the International Non-Governmental Organizations are bulk added as a single list to the Trademark Clearinghouse	Divergence RySG, IPC, ISPCP do not support; NCSG supports, but with some opposition within SG The WG had established the eligibility criteria as based on the GAC advice and thus defined the Scope 2 names which were not included within GAC advice		

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^{*}This specific recommendation was not a part of the formal consensus call because consensus was gauged from a general recommendation on acronyms and scope 2 identifiers.

General - Unsupported

#	Proposal	Level of Support
1	IGO-INGO organizations be granted a fee waiver (or funding) for objections filed against applied-for gTLDs at the Top-Level	Divergence RySG, IPC, ISPCP, BC do not support; NCSG supports, but with some opposition with the SG In general, opposition to this proposal recognized that the GAC will be able to file objections on behalf of IGOs, RCRC and IOC. It was also determined that if fee waivers were granted, other stakeholders will still subsidize the cost.
2	Fee waivers or reduced pricing (or limited subsidies) for registering into the Trademark Clearinghouse the identifiers of IGO-INGO organizations	Divergence IGO, ALAC, RySG, IPC, ISPCP do not support; NCSG Support, but with opposition The support for the recommendation(s) to bulk-add protected organizations into the TMCH reduced the need for this recommendation. Further, subsidy of pricing extended an additional right over other TMCH participants.
3	IGO-INGOs allowed to participate in <u>permanent Claims</u> <u>Notification</u> of each gTLD launch	Divergence IGO, ALAC, RySG, NCSG, IPC, ISPCP do not support Many members of the WG felt that extending permanent claims protections to IGO-INGOs granted additional rights.
4	Fee waivers or reduced pricing for IGO-INGOs filing a URS or UDRP action	Divergence ALAC, RySG, IPC, ISPCP do not support; NCSG supports, but with some opposition within SG Subsidy of pricing extended an additional right over other TMCH participants.

Present TMCH implementation of the Claims Notification service is defined to last for at least a 90 day period. WG deliberations considered, but eventually reject the notion of a permanent notification service to compensate where a reserved name protection may not be granted. Permanent notification is defined as a notification services that exists indefinitely.

