

# Preliminary Issue Report on Protection of Int'l Organization Names in new gTLDs

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# Red Cross/IOC Names Update Since Costa Rica Meeting

- On 26 March, GNSO Council approved the IOC/RC DT's recommendations to protect the Red Cross/IOC names
- On 10 April, ICANN Board's New GTLD Committee declined to adopt the GNSO recommendations at this time
  - The Board stated that although the substantive “recommendations of the GNSO are well taken,” it had concerns about timing.



# Red Cross/IOC Names Update Since Costa Rica Meeting

- In 11 March letter, ICANN Board requested the GAC/GNSO to provide policy advice on whether to protect IGO names at the top and second levels of new gTLDs
  - The GNSO has deferred any action on the Board request until the GAC first provides its policy advice to the Board
- GNSO Council requested an Issue Report on special protections for international organization names and acronyms at the top and second level for all new gTLDs
  - Includes the Red Cross, IOC and IGOs



# Red Cross/IOC Names - Current Status

- The temporary moratorium for Red Cross and IOC names at the top level for new gTLDs will expire after the initial round
- There are currently no special protections provided for the Red Cross/IOC names at the second level
- Preliminary Issue Report published and public comment forum opened on 4 June
- GNSO Council sent a letter to the GAC on 7 June informing that DT is continuing its work in evaluating the GAC proposal and possible recommendations



# Preliminary Issue Report

- Objective
  - Define the type of organizations that should be evaluated in any related PDP for any such protection at the top and second level
  - Describe how the PDP could be structured to analyze whether ICANN should adopt policies to protect such organizations at the top and second level
- Scope: Includes an evaluation of whether to protect the names of both international government and NGOs at the top and second levels of new gTLDs

# Preliminary Issue Report

- Currently available protections at the top level
  - Review and objection process currently underway for applied-for strings
  - Legal rights objection may be applicable to IGOs
  - Independent Objector
  - PDDRP for holders of a word mark specifically protected by statute or treaty
- Currently available protections at the second level
  - Trademark Clearinghouse, Trademark Claims process and sunrise protections
  - PDDRP
  - Uniform Rapid Suspension System
- Staff recently submitted Board-directed briefing paper on issues related to concerns over need for 2<sup>nd</sup> level defensive registrations in view of current protections



# Preliminary Issue Report - Suggested Issues to Explore in PDP

- Definition of international organizations
- Quantifying the entities to be considered for special protection
- Scope of protections under international treaties/laws for Red Cross and IOC names
- Distinguishing between Red Cross/IOC from other international organizations
- Establishing an objective set of criteria to determine which international organizations would qualify for any special protections



# Preliminary Issue Report: Staff Recommendations

- GNSO Council should consider whether or not to initiate a PDP as an approach to develop any additional policy advice in response to Board requests on additional protections
- If PDP initiated:
  - suggest that scope be limited to: 1) IGOs and 2) international organizations that are not-for-profit and are protected by treaties and national laws in multiple jurisdiction
  - Consider *minimum required timeline* and *work load issues* to complete a PDP, and that *additional resources* may be necessary to develop recommendations relevant to types of protection at top and/or 2<sup>nd</sup> level in a timely fashion



# Next Steps

- Drafting team working session scheduled on 27 June
- Public Comment reply period closes 16 July
- The ICANN community is encouraged to participate, and to comment on whether a PDP should be focused on additional protections for:
  - (i) only international organizations that are not-for-profit AND are afforded unique protections under international treaties or national laws in multiple jurisdictions, and/or (ii) all international governmental organizations
- Once public comment period closes
  - Staff will review and publish public comment summary report
  - Staff to publish and submit Final Issue Report to Council
  - Council will consider whether to initiate a PDP



# Further Information

Preliminary Issue Report -

<http://gnso.icann.org/issues/intl-org-names-prelim-issue-report-04jun12-en.pdf>

Preliminary Issue Report Public

Comment Forum -

<http://www.icann.org/en/news/public-comment/prelim-protection-io-names-04jun12-en.htm>

Defensive Registrations Briefing Paper

<http://gnso.icann.org/mailing-lists/archives/council/docCkHGfCJ5QB.doc>



# Questions

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One Internet



# Thank You

