ICANN 65 POLICY FORUM

MARRAKECH
24–27 June 2019

The chat rooms are the virtual meetings' for everyone, in-room and remote. When submitting a question that you want read out loud on the mic, please start with a <QUESTION> and end with a "<QUESTION>". Text outside these quotes will be considered as part of "chat" and will not be read out loud on the microphone.

Please note that chat sessions are being archived and follow the ICANN Expected Standards of Behavior:
http://www.icann.org/en/news/infocus/accountability/expected-standards

GNSO Policy
Morning Briefing

24 June 2019

Agenda

1 Welcome & Introduction

2 EPDP on gTLD Registration Data

3 New gTLD Subsequent Procedures PDP

4 Review of All Rights Protection Mechanisms in All gTLDs PDP

5 Other GNSO Projects / Activities

6 Breakout Session / Informal Q&A

Welcome & Introduction

Meet the GNSO Policy Support Team
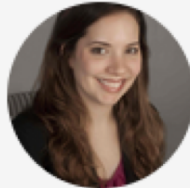

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New gTLD Subsequent Procedures PDP Working Group

What is the PDP about?

- GNSO recommendations from 2007 resulted in the Applicant Guidebook and the 2012 round of the New gTLD Program.

- The New gTLD Subsequent Procedures PDP ("SubPro") is focused on considering the 2012 round policy and **determining what changes might need to be made to the original GNSO recommendations from 2007 and/or implementation**.

- Work Track 5 is dedicated to geographic names at the top-level

Current Status

- The PDP WG is taking into account input received to a set of three reports it published for Public Comment and is determining if changes needed to made to its Preliminary Recommendations and/or 2012 implementation and Applicant Guidebook.

- Aiming to complete its Final Report by the end of 2019.

Why is this PDP important?

- Per the Applicant Guidebook, the New gTLD Program in 2012 was intended to, "open up the top level of the Internet's namespace to foster diversity, encourage competition, and enhance the utility of the DNS."

- The Competition, Consumer Trust & Consumer Choice Review Team, examined how well the New gTLD Program was able to meet those goals.

- This PDP is responsible for, among other things:
  - Furthering the policy of a systemized manner of applying for gTLDs in the long term.
  - Considering recommendations that may enhance competition, trust, and choice at the top-level.
  - Addressing shortcomings and issues encountered in the 2012 round.

What to expect at ICANN65

- The full WG will also receive an update on a set of assumptions for GDD's initial operational readiness planning.

- Full WG SubPro Working Sessions @ Orangeraie
  - Session 1: Monday, 24 June from 13:30-15:00
  - Session 2: Tuesday, 25 June from 8:30-10:15

- WT5 Working Sessions @ Orangeraie
  - Session 1: Monday 24 June from 9:00-10:15
  - Session 2: Monday 24 June from 10:30-12:00

- Both the full WG and WT5 will split their areas of focus, 1) temperature taking on initial conclusions from substantive public comment review and 2) continued progress on continuing substantive public comment review to reach initial conclusions.

- The full WG will also receive an update on a set of assumptions for GDD's initial operational readiness planning.

- All community members are welcome to attend all sessions.

Can you get involved in this PDP?

⊙ The Working Group has operated for a substantial amount of time (since February 2016) and progressed far into its deliberations, but new members or observers are still being accepted.

⊙ However, new members are responsible for educating themselves to understand the scope of the PDP and researching what has already been discussed.

More information

- Project Page: https://gnso.icann.org/en/group-activities/active/new-gtld-subsequent-procedures
- PDP Wiki: https://community.icann.org/x/RgV1Aw
- PDP Mailing List Archive: http://mm.icann.org/pipermail/gnso-newgtld-wg/
- Newsletters: https://gnso.icann.org/en/news/working-group-newsletters

Review of All Rights Protection Mechanisms (RPMs) in All gTLDs

What is this PDP about?

Two-phased PDP launched in February 2016

◉ Phase 1 – RPMs applicable to gTLDs launched under the 2012 New gTLD Program
- Trademark Post-Delegation Dispute Resolution Procedure (TM-PDDRP)
- Trademark Clearinghouse (TMCH)
- Sunrise and Trademark Claims services offered through the TMCH
- Uniform Rapid Suspension (URS) dispute resolution procedure

◉ Phase 2 – Uniform Dispute Resolution Policy (UDRP)

◉ Aiming to complete Phase 1 by mid-to-late April 2020

Current Status

◉ Completed preliminary review of: 1) TM-PDDRP, 2) structure and operations of the TMCH; 3) URS dispute resolution procedure

◉ Two Sub Teams tasked with review of Sunrise and Trademark Claims services:
- Reviewed & analyzed all collected data
- Discussed if/how the collected data help answer agreed charter questions
- Developed preliminary recommendations & questions for community input
- Reviewed individual proposals

◉ Aiming for completion during ICANN65 in June 2019

Why is this PDP important?

- RPMs strike a balance between potentially competing interests:

  - Trademark owners: Use RPMs to protect their brands and registered marks in the domain space from potential abuses, such as cybersquatting

  - Non-trademark owners: Should also have access to register domain names for legitimate purposes, e.g., name of non-commercial organizations, promoting the freedom of expression

  - Registries & registrars: Cost, technical, and operational impact due to the RPM implementations

- This PDP is the first time all the RPMs are subject to a policy review, including UDRP which has been an ICANN consensus policy since 1999

- By the conclusion of both phases of this PDP, the Working Group is expected to have considered whether all the RPMs collectively fulfill the purposes for which they were created, or whether additional policy recommendations are needed

- This PDP is also intended to create a coherent and uniform mechanism for future reviews of all RPMs

What to expect at ICANN65

- Four open meetings at ICANN65:

  Tuesday, 25 June 2019 @ Orangeraie

  - Session 1: 10:30-12:00 – Trademark Claims Sub Team Working Session
  - Session 2: 13:00-15:00 – Sunrise Sub Team Working Session

  Thursday, 27 June 2019 @ Orangeraie

  - Session 3: 08:30-10:15 – Sunrise Sub Team Working Session
  - Session 4: 10:30-12:00 – Full WG Meeting

- Sub Teams plan to use the sessions to:
  - Finalize their review of Sunrise and Trademark Claims services
  - Present and discuss their work with the full WG

- All community members are welcome to attend all sessions
  - *Session 4 may be more suitable for newcomers to learn the background and current status*

Can you get involved in this PDP?

⊙ Phase 1:

- As the Working Group has operated for a substantial amount of time (since March 2016) and progressed far into its deliberations, new members or observers are not being accepted at this time

- Newcomers can still follow the Phase 1 work by accessing the Working Group's workspace, listening to recordings, and dropping by F2F sessions

- All community members are welcome to provide input to the Initial Report when it is published for public comment (projected to be in January 2020)

⊙ Phase 2

- After the Phase 1 completion, the Working Group will be reconstituted to start its Phase 2 work in 2020, focusing on the review of UDRP

- Anyone interested in contributing to this work should volunteer to become an active member or an observer and help shape the future of the RPMs

More information

- PDP Webpage: http://gnso.icann.org/en/group-activities/active/rpm

- WG Workspace: https://community.icann.org/x/wCWAAw

- WG Charter: https://gnso.icann.org/en/drafts/rpm-charter-15mar16-en.pdf

- Final Issue Report: https://go.icann.org/2BvPivt

EPDP on the Temporary Specification for gTLD Registration Data

What is this PDP about?
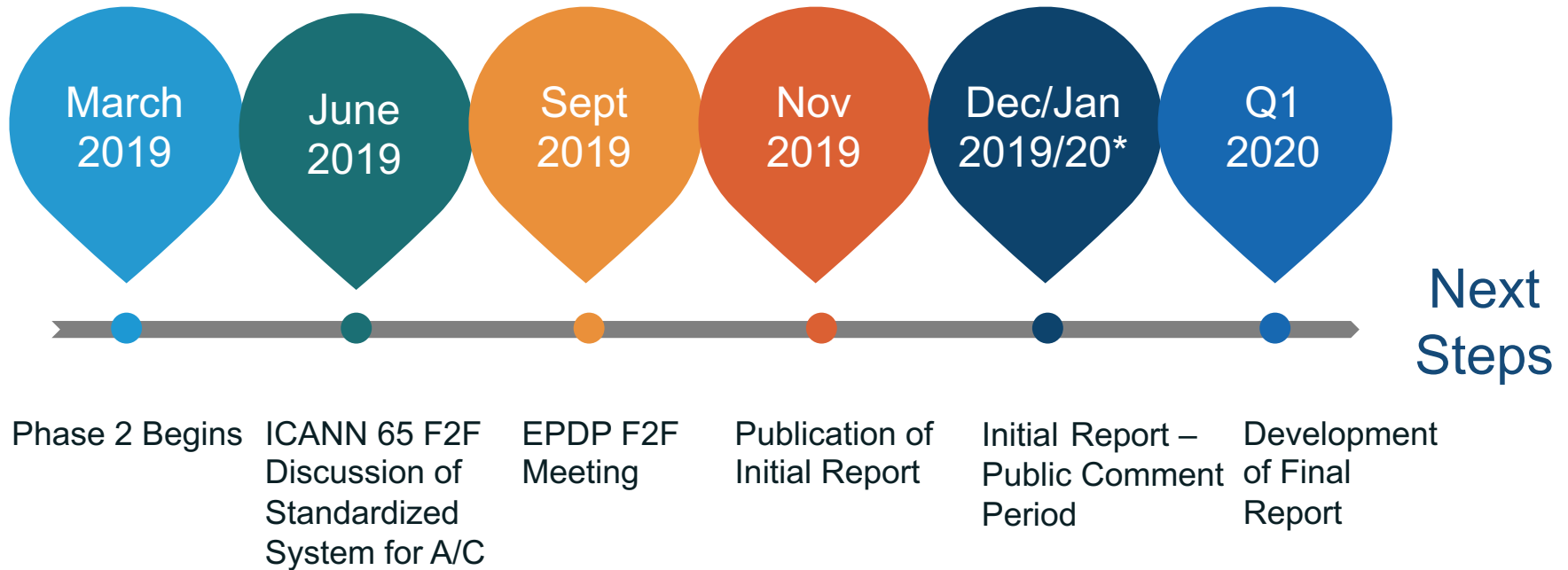
Two-phased EPDP launched in August 2018

⊙ Phase 1

- The EPDP Team was tasked with confirming (or not) the Temporary Specification on gTLD Registration Data, as adopted by the ICANN Board.
- The EPDP Team reviewed the Temporary Specification and included 29 policy recommendations for its Final Report.
- Phase 1 completed in March 2019.
- The Phase 1 recommendations are now being implemented by an Implementation Review Team, comprised of ICANN org and ICANN community members. For more information, please see: https://community.icann.org/x/hpaGBg

⊙ Phase 2

- Phase 2 officially began in May 2019.
- The EPDP Team is now tasked with answering charter questions and drafting policy recommendations based on a system for standardized access/disclosure.
- The EPDP Team will also review issues from the Annex to the Temporary Specification and items from Phase 1 that are specifically noted in the Final Report.

What is this PDP about? (cont.)

March 2019

June 2019

Sept 2019

Nov 2019

Dec/Jan 2019/20*

Q1 2020

Next Steps

Phase 2 Begins

ICANN 65 F2F Discussion of Standardized System for A/C

EPDP F2F Meeting

Publication of Initial Report

Initial Report – Public Comment Period

Development of Final Report

Why is this PDP important?

⊙ The EPDP on gTLD Registration Data is the first Expedited PDP chartered by the Generic Names Supporting Organization.

⊙ The EPDP Phase 1 Team had to work under a strict deadline to complete its work, as the Temporary Specification expired on 25 May 2019. If the EPDP Team Phase 1 Team did not deliver before the deadline, the Temp Spec would have expired, resulting in no ICANN gTLD registration policy and increased uncertainty within the ICANN Community.

⊙ By the conclusion of Phase 1, the Team was able to come to consensus on many issues around gTLD registration data.

⊙ In Phase 2, the EPDP Team will continue to address tough issues related to gTLD registration data that the ICANN Community has been discussing and trying to resolve for over 10 years.

⊙ The EPDP is also unique due to its composition of appointed members only, unlike other working groups that are open.

Why is this PDP important? (cont.)

Chair

1 Chair

GNSO

RySG
3 Members

3 Alternates

RrSG
3 Members

3 Alternates

CSG
6 Members

3 Alternates

2 members + 1 alternate per constituency

NCSG
6 Members

3 Alternates

ALAC
2 Members

2 Alternates

SSAC
2 Members

2 Alternates

GAC
3 Members

3 Alternates

Liaisons

2 ICANN Staff Liaisons
(Legal & GDD)

2 ICANN Board Liaisons

1 GNSO Council Liaison

What to expect at ICANN65

- The EPDP Team currently has two sessions scheduled at ICANN65 (local time):

  - **Tuesday, 25 June** from 08:30 - 15:00 @ Tichka
  - **Thursday, 27 June** from 08:30 - 15:00 @ Tichka

- The EPDP Team will be discussing requirements around a system for standardized access/disclosure of registration data.

- All community members are welcome to attend and observe the sessions, but only EPDP Team Members will be invited to speak.

Can you get involved in this PDP?

- ◎ EPDP membership is restricted to appointed members only.

- ◎ However, anyone can become an observer of the EPDP Team mailing list on a read-only basis. Sign up here: https://goo.gl/forms/iZg5JWHOnERsoEMI2.

- ◎ Please note: the names of mailing list observers will also be published on the EPDP Workspace.

- ◎ While participation on EPDP Team conference calls is restricted to appointed members and liaisons only, non-members are able to listen in real-time via an audio cast. All community members are welcome to provide input to the Phase 2 Initial Report when it is published for public comment.

More Information
- EPDP Phase 1 Initial Report: https://go.icann.org/2E6DEbh
- EPDP Phase 1 Final Report: https://go.icann.org/2TNA63g
- EPDP Webpage: https://go.icann.org/2O8UTP6
- EPDP Workspace: https://go.icann.org/2LKujuF
- EPDP Charter: https://go.icann.org/2MsBAAx

Other GNSO Projects & Activities

Other GNSO Projects & Activities

1

IGO-INGO Curative Rights

GNSO Council approved recommendations 1-4 but not 5. A small team of GNSO Councilors will meet with a team of GAC members on Tuesday, 25 to have a dialogue about potential next steps

2

Managing IDN Variant TLDs

In coordination with the ccNSO and ICANN org, the GNSO Council started considering the policy implications of an IDN variants management framework and the IDN Implementation Guidelines 4.0

3

Inter-Registrar Transfer Policy

ICANN org prepared a draft framework on the approach for post-implementation reviews of GNSO adopted policy recommendations. The Council agreed to have ICANN org conduct a review of the Inter-Registrar Transfer Policy

4

PDP 3.0

The GNSO Council initiated this project to focus on identifying and evaluating potential incremental changes to enhance the efficiency and effectiveness of the GNSO policy development processes

5

Guideline & Templates

A GNSO Drafting Team has been developing guidelines and templates pertaining to GNSO's roles and obligations as a Decisional Participant in the Empowered Community

6

ICANN Community Activities

The GNSO Council has been closely following and contributing to activities that impact the ICANN community, e.g., Independent Review Process, Evolution of the Multistakeholder Model of Governance, CCT-RT Recommendations, etc.

Breakout Session / Informal Q&A

Engage with GNSO

Thank You & Feedback

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