

Report of Public Comments

Title:	Recommendations for Board Consideration on Protection of IGO and INGO Identifiers in All gTLDs		
Publication Date:	24 January 2014		
Prepared By:	Berry Cobb		
Comment Period:		Important Information Links	
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Close Date:	8 January 2014		
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Staff Contact:	Mary Wong	Email:	policy-staff@icann.org
Section I: General Overview and Next Steps			
<p>The Generic Names Supporting Organization (GNSO) unanimously approved at its meeting on 20 November 2013 the consensus recommendations of the IGO-INGO PDP Working Group, which are now pending Board action. The GNSO Council recommends that a series of identifier protections at the top and second level be granted to International Governmental Organizations (IGO), the Red Cross Red Crescent movement (RCRC), the International Olympic Committee (IOC), and other International Non-Governmental Organizations (INGO). The detailed recommendations can be found in the Final Report [PDF, 645 KB], with a summary provided within the GNSO Council motion. In short, the recommendations cover the following dimensions:</p> <ul style="list-style-type: none">• Application to existing gTLDs, the current round of new gTLDs, and future rounds of new gTLDs• A limited set of specified identifiers for each protected organization• Translation of protected identifiers in a certain specified number of languages other than English• Top level reservation of full names denoted as "strings ineligible for delegation" with an exception procedure to be devised• Second level reservation of full names within new and existing Registry Agreements with an exception procedure to be devised• No reservations either at the top or second level for acronyms• Access to the Trademark Clearinghouse (TMCH) for those full names and acronyms not reserved, for a 90-days claims notification process• IGO and INGO access to curative rights protection mechanisms such as the Uniform Dispute Resolution Policy and Uniform Rapid Suspension procedure to be examined through an Issue Report preceding a possible PDP• The formation of an Implementation Review Team to assist with implementation should the Board adopt the GNSO recommendations <p>The ICANN Board will now consider the GNSO Consensus Recommendations, taking into account the GAC advice on this issue submitted in regards to the New gTLD Program.</p>			
Section II: Contributors			

At the time this report was prepared, a total of twenty three (23) community submissions had been posted to the Forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the summary that follows (Section III), such citations will reference the contributor or organization represented.

Organizations and Groups:

Name / Submitted by Title

[ALAC](#) / Chair
[RySG](#) / Alternate Chair
[IEC & ISO](#) / Business Development & IP Rights Manager
[Council of Europe](#) / Legal Advice Department and Treaty Office
[IFC](#) / Legal Counsel
[WTO](#) / Legal Counsel
[MIGA](#) / Legal Counsel
[ICC](#) / Business Management Division
[OAS](#) / General Secretariat
[Internet Commerce Association](#) / Legal Counsel
[NATO](#) / (Public) Legal Advisor
[NATO](#) / (Unclassified) Legal Advisor
[IMF](#) / Legal Counsel
[EMBL](#) / General Legal Services
[The World Bank](#) / Legal Vice Presidency
[ESO](#) / Cabinet of the Director General
[UPU](#) / Legal Affairs Directorate
[UNIDO](#) / Office of Legal Affairs
[ICAO](#) / Legal Affairs and External Relations Bureau
[EBRD](#) / Nour, Andrea
[ADB](#) / Office of the General Counsel
[CEB](#) / General Counsel
[WIPO](#) / Legal Counsel
[EPO](#) / Department General Law and Contract Law
[WMO](#) / Legal Counsel
[BIS](#) / Abboud, Jean
[CERN](#) / Legal Counsel
[Benelux Union](#) / Secretariat-General
[UNESCO](#) / Garcia Marquez, Asoid
[UNAIDS](#) / Office of Legal Affairs
[WHO](#) / Legal Counsel
[ESA](#) / Legal Department
[OECD](#) / Legal Office
[NIB](#) / General Counsel
[FAO](#) / Legal Office
[IOM](#) / Director Office of Legal Affairs
[INTERPOL](#) / General Secretariat
[UNO](#) / Office of Legal Affairs

Individuals:

Name / Affiliation
Alex Lerman Concerned citizen and domain name registrant Leap of Faith Financial Services Inc George Kirikos

Section III: Summary of Comments

General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).

A majority of the comments received were from IGOs reinforcing their position that their organizational acronyms should be protected based on their unique status and that the recommendations proposed by the IGO-INGO WG, and subsequently approved by the GNSO Council, were not sufficient. Specifically, the United Nations Office (UNO) submitted its comment on 12 Dec 2013 stating that the recommendations were inadequate to protect IGOs and that they do not address the inherent risk of private entities impersonating its subsidiary bodies. They also noted that certain legitimate interest may exist and that a mechanism for reconsideration should be possible. The UNO's general view is that IGO protections should be preventative and not curative. Immediately prior to the conclusion of the comment period, twenty-nine other IGOs submitted comments in support of the UNO's statement, with a few of these IGOs submitting more detailed but similar comments in support of protections of acronyms and their respective identifiers. After the close of the comment period, three additional IGOs submitted comments in support of acronym protection as well.

Five additional comments were submitted to the public comment forum. One comment came from the Internet Commerce Association (ICA) and two from individuals within the domain industry. Counter to the position of the IGO comments submitted, these three comments did not support any protections for IGO and INGO acronyms, citing property rights of others and equal access for legitimate use other than the organization requesting protections. The ICA also expressed support of the WG's consensus recommendations with the exception of those recommendations that provided TMCH (Claims) protections for acronyms. From ICANN's constituent bodies, the RySG and ALAC also submitted comments. The RySG stated support for the recommendations and the results of the bottom up process. ALAC resubmitted their Minority Position statement as appended to the WG's Final Report noting certain concerns with possible inconsistencies surrounding the recommendations as whole.

Section IV: Analysis of Comments

General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the

analysis.

The report of public comments will be provided to the ICANN Board for its consideration together with other relevant materials.

No additional recommendations were created based on this analysis.