

Annex 4 – Issue Report Template Request Form

<u>QUESTIONS</u>	<u>ANSWERS</u>
1) Name of Requester:	IGO-INGO WG
2) Enter the name of your Stakeholder Group (SG), Constituency, or Advisory Committee (AC) supporting this request: <i>(Please enter "Not Applicable" if appropriate).</i>	Not Applicable
3) Briefly identify (or name) the Issue:	IGO-INGO Access to Curative Dispute Resolution Mechanisms (i.e. UDRP & URS)
4) Explain how this Issue affects the organization provided in Question #2 above:	Not Applicable
5) Provide rationale for policy development:	The two current domain name dispute resolution mechanisms (UDRP & URS) are premised on the complainant's legally owning trademark rights to the domain name(s) in question. With recommendations that IGOs and INGOs should also be able to utilize these mechanisms, the current UDRP & URS policy needs to be amended to allow these organizations similar access as trademark owners but without creating new or additional trademark or other legal rights.
6) Describe problems raised by the Issue including quantification to the extent known:	<p>Amending UDRP and URS policy to allow IGOs and INGO access to these mechanisms would amount to extending the scope of these dispute resolution processes beyond pure trademark disputes. Care should be taken to not expand their workings beyond what is necessary to ensure IGO and INGO protections tailored specifically to the WG's recommendations.</p> <p>The Council should take note that the scope of any PDP created as a result of this Issue Report will not impact the scope of the RPM (UDRP/URS) Review PDP that is presently on-hold at the GNSO Council. It is likely not to be started until 2015 and that this PDP on access for</p>

	IGO-INGOs should begin as soon as possible.
7) What is the economic impact of the Issue and/or its effect upon competition, consumer trust, privacy, or other rights:	The WG's recommendations are intended to ensure that costs of engaging in the UDRP and URS curative processes for protected IGOs and INGOs are measurable and reasonable, as compared to having to file territorial-based lawsuits in national courts against cyber-squatters.
7-A) Provide supporting evidence for Question #7 to the extent known: (<i>Enter "None" if unavailable</i>)	See documentation and information produced by certain IGOs and INGOs during the WG's deliberations.
8) How does this Issue relate to provisions of the ICANN Bylaws, Affirmation of Commitments, and/or ICANN Articles of Incorporation:	Per Section 1.3 of the ICANN Bylaws, resolving this issue is "reasonably and appropriately related" to ICANN's mandate. As the UDRP and URS are mandatory policies to be implemented by contracted registries and registrars, a PDP to resolve this issue will provide a stable and clear framework for the operation of the domain name system, in line with ICANN's Core Values in Section 2 of the Bylaws.
9) Provide any suggestions you have concerning specific items to be addressed in the Issue Report: (<i>Enter "None" if appropriate</i>)	Existing providers of UDRP and URS providers, as well as registries and registrars who will need to implement the amended policies, will need to be consulted and involved in the PDP. The GNSO Council should also consider to add a request for ICANN staff to produce a draft Charter as part of the Issue Report.
10) Date request is submitted (e.g., 10-Nov-2013):	10-Nov-2013
11) Expected completion date (e.g., 31-Jan-2014):	31-Jan-2014