

Dear Stéphane and Heather,

Re: Board Resolution Regarding Treatment of Red Cross/Olympic Committee Names

I understand that there have been inquiries for additional information related to the Board resolution (2011.06.20.01) concerning the treatment of Red Cross/International Olympic Committee (IOC) requested names. I am writing to provide additional information and suggest options of GAC-GNSO collaboration on this matter for your consideration. The aforementioned resolution authorized ICANN to implement the New gTLD program, subject to certain revisions, including:

“(b) incorporation of text concerning protection for specific requested Red Cross and IOC names for the top level only during the initial application round, until the GNSO and GAC develop policy advice based on the global public interest.”

See <http://www.icann.org/en/minutes/resolutions-20jun11-en.htm>.

As you know, on 12 May 2011, the Governmental Advisory Committee (GAC) expressed “strong support of the GAC for the requests from the International Olympic Committee and the International Red Cross and Red Crescent Movement for the key words most directly associated with their respective Charters to be added to the Reserved Names list.” See <http://www.icann.org/en/correspondence/dryden-to-dengate-thrush-12may11-en.pdf>; see also <http://www.icann.org/en/topics/new-gtlds/gac-communication-new-gtlds-applicant-guidebook-18jun11-en.pdf>.

The Board passed the resolution above as an interim solution to address the GAC’s stated support, while seeking additional policy advice on whether these names should be placed on a reserved names list, either at the top level or the second level.

As Staff continues its implementation activities pertaining to the New gTLD program, it would be ideal if such advice be developed and provided before first-round TLDs are delegated and become operational (i.e., before the end of calendar year 2012). There appear several options for providing the policy advice requested from the Board:

- Through a joint effort between the GAC and the GNSO Council discussion based on the global public interest.
- Through separate communications from the GAC/GNSO, with their respective viewpoints on these implementation details.
- New policy advice developed through a formal PDP at the GNSO Council, taking into account supplemental advice from the GAC.
- Clarifications by the GNSO Council (taking into account supplemental advice from the GAC) of its prior policy advice on reserved names in light of the GAC’s 12 May 2011 letter, similar to that which was done with the Special Trademark Issues in the past.

I think the form of policy advice required is not certain and will depend somewhat on the advice itself, whether the GNSO and GAC are in agreement, and other factors. Consistent with the Board's resolution, we hope that the GAC and the GNSO will collaborate in this effort and jointly propose a long-term solution to the issue of the treatment of the Red Cross/IOC requested names in subsequent rounds of the New gTLD Program. We stand ready to support this effort as needed.

Please do not hesitate to contact me should you need further information related to this request.

Best Personal Regards,

Kurt