

ICANN | GNSO

Generic Names Supporting Organization

PDP Update

The PDP Updates are one-page documents that are prepared by ICANN staff to inform the GAC and other interested parties about potential opportunities to engage in and contribute to on-going GNSO PDP efforts. They are published on a regular basis and translations of these can be found on the [GAC website](#). Please, also refer to our [Policy Briefings](#) for information on these and other GNSO activities.

Follow us on Twitter @ICANN_GNSO

Policy Development Process Update

New gTLD Subsequent Procedures

April 2016

Issue

Review and recommend possible changes or adjustments to the GNSO principles, recommendations, and implementation guidance from the [2007 Final Report on the Introduction of New Generic Top-Level Domains](#).

Upcoming important dates

The PDP WG has already held several meetings, beginning in late February 2016, and is meeting on a weekly basis. The PDP WG plans to request input on a series of overarching questions from Supporting Organizations, Advisory Committees, Stakeholder Groups, and Constituencies prior to ICANN56 in Helsinki.

Summary

In June of 2014, the GNSO Council created the New gTLD Subsequent Procedures Discussion Group, which was focused on reflecting upon the experiences gained from the 2012 New gTLD round and identifying a recommended set of subjects that should be further analyzed in an Issue Report. It is important to note that there is existing policy from the 2007 Final Report on the Introduction of New Generic Top-Level Domains, which states that the original policy recommendations as adopted by the GNSO Council and ICANN Board has “been designed to produce a systemized and ongoing mechanisms for applicants to propose new top-level domains,” meaning that those policy recommendations remain in place for subsequent rounds of the New gTLD Program unless the GNSO Council decides to modify via a policy development process. At the ICANN53 meeting, The GNSO Council approved a motion to request that a Preliminary Issue Report be drafted by ICANN staff, basing the report on the [set of deliverables](#) developed by the Discussion Group, to further analyze issues identified and help determine if changes or adjustments are needed for subsequent new gTLD procedures.

ICANN staff completed the [Preliminary Issue Report on New gTLD Subsequent Procedures](#), which was published for [public comment](#) on 31 August 2015, with the comment period closing on 30 October 2015. ICANN staff reviewed public comments received and adjusted the Issue Report accordingly. The Final Issue Report, along with the summary and analysis of public comment received, were submitted to the GNSO Council for its consideration on 4 December 2015 and a PDP on New gTLD Subsequent Procedures was initiated on 17 December 2015. The

GNSO Council adopted the PDP WG charter during its 21 January 2016 meeting, with a call for volunteers issued on 27 January 2016. The PDP WG held its first meeting on 22 February 2016 and is currently meeting on a weekly basis. While the PDP WG is just beginning its deliberations, it is aware of efforts related to New gTLDs underway within the community, particularly the Competition, Consumer Trust & Consumer Choice Review Team; the PDP WG understands that coordination with other community efforts is needed to promote comprehensive solutions and outcomes.

Engagement Opportunity Status



Though the PDP WG has begun its deliberations, individuals from the GAC are still encouraged to participate in the PDP WG if they so choose. In addition, the GAC will be informed of the opportunities for engagement in the process, which could include providing public comments to WG deliverables, input via communiqués, and periodic requests for input from the PDP WG to the GAC and other community groups. The PDP WG intends to make a formal request for input from the GAC prior to and in support of ICANN56 in Helsinki.

Additional Information

- Archived project page for the completed Discussion Group effort
<http://gnso.icann.org/en/group-activities/inactive/2015/non-pdp-new-gtld>
- GNSO Council Resolution requesting Preliminary Issue Report
<http://gnso.icann.org/en/council/resolutions#201507>
- Preliminary Issue Report on New gTLD Subsequent Procedures
<https://www.icann.org/public-comments/new-gtld-subsequent-prelim-2015-08-31-en>
- Final Issue Report on New gTLD Subsequent Procedures -
<http://gnso.icann.org/en/issues/new-gtlds/subsequent-procedures-final-issue-04dec15-en.pdf>
- GNSO Council Resolution initiating PDP -
<http://gnso.icann.org/en/council/resolutions#201512>
- GNSO Council Resolution adopting PDP -
<http://gnso.icann.org/en/council/resolutions#20160121-2>
- PDP WG Charter - <http://gnso.icann.org/en/issues/new-gtlds/subsequent-procedures-charter-21jan16-en.pdf>
- Active Project Page - <http://gnso.icann.org/en/group-activities/active/new-gtld-subsequent-procedures>

Policy Development Process (PDP) Update

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

April 2016

Upcoming important dates

The Charter for the PDP Working Group (WG) was [approved](#) by the GNSO Council on 9 March and the Working Group's inaugural meeting took place on Thursday 21 April 2016. In due course the WG will develop and agree on a Work Plan and is expected to reach out to ICANN's Supporting Organizations and Advisory Committees as well as GNSO Stakeholder Groups and Constituencies to request early input to help inform its deliberations.

Summary

The 'rights protection mechanisms' (RPMs) in this Preliminary Issue Report are concerned with those policies and processes that are aimed at combatting cyber-squatting and providing workable mechanisms for trademark owners to either prevent or remedy certain illegitimate uses of their trademarks at the second level of generic top level domains (gTLDs). The most used of these is the *Uniform Dispute Resolution Policy* (UDRP) that has been an ICANN Consensus Policy since 1999. A number of additional RPMs were developed subsequently to supplement the UDRP as part of the New gTLD Program: the Trademark Clearinghouse (TMCH), the Sunrise and Trademark Claims service periods, the Uniform Rapid Suspension procedure (URS), and the Post-Delegation Dispute Resolution Procedures (PDDRPs).

Based on community input to the Preliminary Issue Report, the Final Issue Report contains a recommendation for the GNSO to proceed with a two-phased PDP. The first phase would focus on the review of all RPMs that have been developed for the New gTLD Program, and the second phase would address the review of the UDRP. The Working Group Charter describes this two-phased approach in further detail, and also includes a list of all the topics that have been identified by the community to date as meriting review in a PDP of this type. The Working Group will be expected to review the list as part of its work, and decide on whether to adopt, edit or add to the list of topics by consensus. In addition, the Charter notes the need to monitor and coordinate the group's work with other parallel efforts, including the ongoing Competition, Consumer Protection and Consumer Trust Review Team, the recent PDP on New gTLD Subsequent Procedures, and the independent Trademark Clearinghouse review. Amongst other instructions, the Charter specifically calls for a community liaison to be appointed as between this PDP Working Group and that for New gTLD Subsequent Procedures.

Engagement Opportunity Status



Anyone may join the Working Group either as a full member or a mailing list observer. All SO/ACs are encouraged to provide feedback once the WG has sent out its request for Input.

Additional Information

- Final Issue Report: <http://gnso.icann.org/en/issues/new-gtlds/rpm-final-issue-11jan16-en.pdf>
- GNSO Council resolution to initiate the PDP: <http://gnso.icann.org/en/council/resolutions#201602>
- GNSO Council approval of the Working Group Charter: <http://gnso.icann.org/en/council/resolutions#201603>
- The approved Charter: <http://gnso.icann.org/en/drafts/rpm-charter-26feb16-en.pdf>
- The Call for Volunteers for the Working Group (including sign-on instructions): <https://www.icann.org/news/announcement-2016-03-21-en>

Policy Development Process Update

Next Generation Registration Directory Services to Replace WHOIS

April 2016

Upcoming important dates

Finalization of the work plan and outreach to GNSO Stakeholder Groups and Constituencies as well as ICANN Supporting Organizations And Advisory Committees to request early input to help inform the Working Group deliberations.

Summary

In 2012, in response to the recommendations of the first WHOIS Review Team, the Board adopted a two-prong approach that simultaneously directed ICANN to (1) implement improvements to the current WHOIS system based on the [Action Plan](#) that was based on the recommendations of the WHOIS Review Team, and (2) launch a new effort, achieved through the creation of the Expert Working Group (EWG), to focus on the purpose and provision of gTLD directory services, to serve as the foundation of a Board-initiated GNSO policy development process (PDP).

The Expert Working Group's [Final Report](#) contains a proposed model and detailed principles to serve as the foundation for a PDP to support the creation of the next generation registration directory services to replace WHOIS. This [Final Report](#) contains over 160 pages of complex principles and recommendations to be considered in the GNSO PDP. In order to effectively manage the PDP on such a large scale, an informal group of Board members and GNSO councilors collaborated to develop the [framework](#) that was approved by the ICANN Board on 26 April 2015. As a result, the Board reconfirmed its request for a Board-initiated GNSO policy development process to define the purpose of collecting, maintaining and providing access to gTLD registration data, and consider safeguards for protecting data, using the recommendations in the EWG [Final Report](#) as an input to, and, if appropriate, as the foundation for a new gTLD policy. The [Preliminary Issue Report](#) was posted for public comment on 13 July 2015. The public comment forum closed on 6 September, with 13 submissions received, including input from the GAC. The [Final Issue Report](#) was submitted to the GNSO Council on 7 October 2015 and the [charter](#) for the PDP WG was adopted during the 17 November 2015 Council meeting, followed by the launch of a call for volunteers for WG participants in early January 2016. The Working Group held its first meeting on 26 January 2016 and is continuing meeting on a weekly basis. It has created three sub-teams which are focusing on summarizing and identifying all relevant information in relation to data elements, privacy and purpose to help inform the deliberations and finalization of the work plan.

Engagement Opportunity Status



-

Following the adoption of the charter for the PDP Working Group, a call for volunteers has been distributed to form the PDP Working Group, which is open to anyone interested to participate. The WG is expected to reach out shortly to GNSO Stakeholder Groups and Constituencies as well as ICANN Supporting Organizations And Advisory Committees to request early input to help inform the Working Group deliberations.

Additional Information

- RDS wiki <https://community.icann.org/display/gTLDRDS/Next-Generation+gTLD+Registration+Directory+Services+to+Replace+Whois>
- Charter for PDP WG <http://gnso.icann.org/en/drafts/whois-ng-gtld-rds-charter-07oct15-en.pdf>
- Final Issue Report <http://whois.icann.org/sites/default/files/files/final-issue-report-next-generation-rds-07oct15-en.pdf>
- Preliminary Issue Report <http://whois.icann.org/sites/default/files/files/rds-prelim-issue-13jul15-en.pdf>
- Public Comment Forum <https://www.icann.org/public-comments/rds-prelim-issue-2015-07-13-en>
- Board Resolution <https://www.icann.org/resources/board-material/resolutions-2015-04-26-en#1.f>

Policy Development Process (PDP) Update

IGO & INGO Access to the Curative Rights Protection Mechanisms of the UDRP & URS

April 2016

Upcoming Important Dates

The WG continues to discuss the issue of IGO immunity and welcomes further engagement with the GAC. At the WG's request, ICANN engaged the services of an independent external legal expert to provide an opinion on the current state of international law as regards jurisdictional immunity for IGOs. The expert has just submitted his final memorandum, which is expected to be discussed by the WG at its next meeting in early May. The WG is also expecting an updated proposal from the IGO "small group" to further inform its work. It hopes to complete its Initial Report around the time of, or very shortly following, ICANN56.

Summary

This Policy Development Process (PDP) originated in a consensus recommendation from the GNSO's prior PDP Working Group on the Protection of International Organization Names in All gTLDs (IGO-INGO WG). This was for the GNSO Council to request an Issue Report, as a preceding step to a possible PDP to explore possible amendments to existing curative rights protection mechanisms, i.e. the Uniform Dispute Resolution Policy (UDRP) and the Uniform Rapid Suspension (URS) procedure, to address the specific needs of International Governmental Organizations (IGOs) and International Non-Governmental Organizations (INGOs).

Engagement Opportunity Status



On 2 June 2014 the GNSO Council [resolved](#) to initiate the PDP following its review of the [Final Issue Report](#), and on 25 June the GNSO Council [adopted](#) the charter for the PDP Working Group to be formed. The WG has made significant progress in its deliberations over the topics outlined in its charter, which tasks it to also consider the possibility of developing a separate, narrowly tailored dispute resolution procedure based on the UDRP and/or URS, to apply specifically to those IGOs and INGOs whose identifiers had previously been recommended for protection by the original IGO-INGO WG.

The WG has preliminarily determined: (1) to exclude INGOs from further consideration in the PDP, thus focusing only on IGOs; and (2) that standing to file a complaint may appropriately be based on an IGO's having affirmatively sought protection under Article 6ter of the Paris Convention for the Protection of Industrial Property. It is currently considering the issue of an IGO's jurisdictional immunity, and how this might affect the Mutual Jurisdiction requirement currently in the UDRP and URS. To ensure a full understanding of the state of international law on the issue, the WG requested ICANN to engage an external legal expert as it continues to await a concrete proposal from the IGO small group. The expert has just completed his work and the WG will now discuss the implications of his legal opinion on the PDP issues at hand.

In this regard, the WG welcomes further input from the GAC, especially on topics which may have public international law and policy implications.

Additional Information:

- Final Issue Report on IGO-INGO Access to UDRP & URS processes:
<http://gnso.icann.org/en/drafts/igo-ingo-crp-final-25may14-en.pdf>
- Charter for new PDP Working Group (as adopted by the GNSO Council on 25 June 2014):
<http://gnso.icann.org/en/drafts/igo-ingo-crp-access-charter-24jun14-en.pdf>
- Amended Charter provisions: <http://gnso.icann.org/en/council/resolutions#20150416-3>
- WG wiki space including background documents and latest research:
<https://community.icann.org/x/37rhAg>

Policy Development Process (PDP) Update

Protection of Certain International Organization Names in all gTLDs

April 2016

Upcoming Important Dates:

The Implementation Review Team continues to work with ICANN staff on implementing those Board-adopted PDP recommendations that are not inconsistent with GAC advice. The GNSO Council is awaiting the final proposal from the IGO “small group” prior to considering possible amendments to the remaining PDP recommendations that are inconsistent with GAC advice. In this regard, the Council received a briefing from representatives of the Red Cross movement in mid-April, concerning the movement’s request for permanent protection for its National Society names and the names and acronyms for the ICRC and IFRC.

Summary:

In November 2013, the GNSO Council unanimously adopted all the consensus recommendations from its PDP Working Group regarding protections at the top and second level in all gTLDs for the names and acronyms of certain International Government Organizations (IGOs) and International Non-Government Organizations (INGOs), including the Red Cross international movement and its national societies (RCRC) and the International Olympic Committee (IOC). Notably, on IGO acronyms, the GNSO did not recommend reservation either at the top or second levels; instead it recommended protection by way of claims notices via the Trademark Clearinghouse.

On 30 April 2014 the Board [adopted](#) those of the GNSO’s recommendations that are not inconsistent with GAC advice received on the topic and requested additional time to consider the remaining recommendations (which include those relating to IGO acronym protections). It also resolved to facilitate dialogue between the GAC, GNSO and other affected parties to resolve the remaining differences. An Implementation Review Team to implement the Board-adopted recommendations under the direction of the Global Domains Division has been formed and has begun to discuss a draft Implementation Plan.

In June 2014 the NGPC [requested](#) that the GNSO Council consider amending its remaining policy recommendations with respect to the nature and duration of protection for IGO acronyms, the full names of the entities making up the international Red Cross movement and the names of 189 national Red Cross societies. The GNSO Council [responded](#) to the NGPC’s request in October seeking further clarification and in January 2015 received the NGPC’s [reply](#) advising that discussions remain ongoing. In the meantime, at the ICANN meeting in Los Angeles in October 2014, the NGPC [resolved](#) to protect the names of the international Red Cross and the 189 national societies on an interim basis. Staff is currently working with the Red Cross on implementation of this resolution. The GNSO Council will proceed with considering possible amendments to its adopted recommendations, pursuant to the GNSO Operating Procedures, upon receipt of further information from the Board and delivery of the IGO “small group” final proposal.

Engagement Opportunity Status:



The GAC's [Los Angeles Communique](#) reaffirmed its previous advice on the protection of IGO names and acronyms and also acknowledges the NGPC's latest resolution to temporarily protect the Red Cross' national society identifiers until the differences between the GNSO's consensus recommendations and GAC advice are reconciled. In its [Singapore Communique](#) the GAC expressed its intention to continue to work with interested parties to reach agreement on appropriate permanent protections for IGO names and acronyms, including working with the GNSO PDP Working Group on IGO-INGO Access to Curative Rights Protection Mechanisms. The [Buenos Aires Communique](#) expressed the GAC's hope for a concrete solution by ICANN54 while welcoming the preventative protections that remain in place until the implementation of permanent mechanisms. In its [Dublin Communique, the GAC](#) requested the ICANN Board to facilitate the timely completion of the work of the IGO small group in order to resolve the issue of IGO protections. Most recently, the [Marrakech Communique](#) noted the GAC's hope that current discussions will resolve the remaining differences between the GNSO and the GAC as to permanent protections for the Red Cross identifiers at issue.

Additional Information:

- PDP Working Group Final Report:
- <http://gns0.icann.org/en/issues/igo-ingo-final-10nov13-en.pdf>
- GNSO Council Recommendation Report to ICANN Board:
<http://gns0.icann.org/en/issues/council-board-igo-ingo-23jan14-en.pdf>
- ICANN Board Resolution of 30 April 2014: <https://features.icann.org/gns0-policy-recommendations-igo-ingo-protections>
- NGPC Letter of 16 June 2014: <http://gns0.icann.org/en/correspondence/chalaby-to-robinson-16jun14-en.pdf>
- GNSO Council Response of 7 October 2014 to NGPC Letter:
<http://gns0.icann.org/en/correspondence/robinson-to-chalaby-disspain-07oct14-en.pdf>
- NGPC Resolution of 12 October 2014 on interim protections for the international Red Cross and national Red Cross entities: <https://www.icann.org/resources/board-material/resolutions-new-gtld-2014-10-12-en#2.d>
- NGPC Letter Response to GNSO Council of 15 January 2015:
<http://gns0.icann.org/en/correspondence/chalaby-to-robinson-15jan15-en.pdf>

Policy Development Process (PDP) Update

Translation and Transliteration of Contact Information

April 2016

Upcoming important dates

Following the adoption of the recommendations by the ICANN Board on 28 September 2015, ICANN Staff is currently preparing an Implementation Plan. Once completed, they will send out a call to form an Implementation Review Team (IRT) to assist with the adequate implementation of all recommendations. Currently, this is expected to take place in early 2016. For efficiency reasons, it has been suggested that the IRT merges with the IRT for Thick WHOIS due to subject overlap (GNSO Council expected to consider this during its meeting on 12 May 2016).

Summary

The Policy Development Process (PDP) on the translation and transliteration had its inaugural meeting on 19 December 2013. It focused its work the following issues:

1. Whether it is desirable to translate contact information to a single common language or transliterate contact information to a single common script.
2. Who should decide which party(s) should bear the burden of translating contact information to a single common language or transliterating contact information to a single common script.

The Working Group completed its [Final Report](#), which was [approved](#) by the GNSO Council on 24 June. In its Final Report, the Working Group does not recommend to mandate the translation/transliteration of contact information data. Instead the Group recommends that registrants are able to submit contact data in any language/script supported by their registrar; ideally the registrant's native one. The Group expressed in its Final Report that data submitted in a script native to the registrant is most likely to be accurate and that the costs of translating and/or transliterating all Contact Information data would be disproportionate to any potential benefits. On 28 September, the ICANN Board [adopted the recommendations](#).

Engagement Opportunity Status



Staff will send out a call to the Community to join the implementation Review Team (IRT) in due course; although aimed primarily at those Community members who took part in the PDP, the IRT will be open to all and may be merged with the IRT for Thick WHOIS (GNSO Council to consider during its meeting on 12 May 2016).

Additional Information

- Final Report
<http://gns0.icann.org/en/issues/gtlds/translation-transliteration-contact-final-12jun15-en.pdf>
- ICANN Board resolution
<https://www.icann.org/resources/board-material/resolutions-2015-09-28-en>
- Report on Public Comments prior to Board Consideration
<https://www.icann.org/en/system/files/files/report-comments-transliteration-contact-recommendations-13aug15-en.pdf>
- GNSO Council Resolution
<http://gns0.icann.org/en/council/resolutions#20150624-3>
- Initial Report
<http://gns0.icann.org/en/issues/gtlds/transliteration-contact-initial-15dec14-en.pdf>
- Webinar Recording on Initial Report
<https://icann.adobeconnect.com/p2lzjk3zy0f/>
- Report of Public Comment on Initial Report
<https://www.icann.org/en/system/files/files/report-comments-transliteration-contact-initial-19feb15-en.pdf>
- Wiki Space
<https://community.icann.org/x/FTR-Ag>

Policy Development Process (PDP) Update

'Thick' WHOIS Policy Development Process

April 2015

Upcoming dates

Implementation Review Team (IRT) meetings occur regularly for ICANN Staff to consult with experts from affected parties and discuss implementation proposals (see <https://community.icann.org/x/3b7hAg> for further details).

The IRT is expected to meet and discuss the outcome of ongoing Public Comment periods on the [Proposed Implementation of Consensus Policy Requiring Consistent Labeling and Display of RDDS \(Whois\) Output for All gTLDs](#) and the [Registration Data Access Protocol \(RDAP\) Operational Profile for gTLD Registries and Registrars](#). Additionally, the IRT will continue its exploration of an implementation path for the transition from thin to thick of .COM, .NET and .JOBS.

Summary

ICANN specifies WHOIS service requirements through its agreements with gTLD Registries and Registrars. Registries have historically satisfied their WHOIS obligations under two different models, characterized as "thin" and "thick" WHOIS registries. In a thin registration model the Registry only collects and publishes the minimal information associated with the domain name from the Registrar (such as DNS technical information). All of the registrant's contact information is maintained by the Registrar, which publishes it via their own WHOIS services. In a thick registration model the Registry collects both sets of data (domain name and registrant) from the Registrar and in turn publishes that data via WHOIS. The Council initiated a Policy Development Process (PDP) to consider a possible requirement of "thick" WHOIS for all gTLDs. This issue is one that also affects access to WHOIS data, which is a law-enforcement-related issue. The GAC has indicated its interest in both WHOIS and law enforcement-related issues in previous GAC Communiqués. The Thick WHOIS WG finalized its report and submitted it to the GNSO Council on 21 October 2013. The GNSO Council unanimously adopted the recommendation to require Thick WHOIS for all gTLD registries at its meeting on 31 October 2013. Following the public comment forum and the notification of the GAC, the ICANN Board considered the recommendations and [adopted](#) these at its meeting on 7 February 2014.

GAC Engagement Opportunity Status



Following the adoption of the recommendations by the ICANN Board, an Implementation Review Team has been formed to work with ICANN staff on the development of the implementation plan. The proposed implementation and policy language will eventually be published for public comment.

Additional Information

Final Report: <http://gnso.icann.org/en/issues/whois/thick-final-21oct13-en.pdf>

<http://gnso.icann.org/en/group-activities/thick-whois.htm>

Implementation Review Team work space: <https://community.icann.org/display/TWCPI>