

Policy Development Process Update

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

November 2015

Upcoming important dates

The Preliminary Issue Report is open for public comment until 30 November 2015.

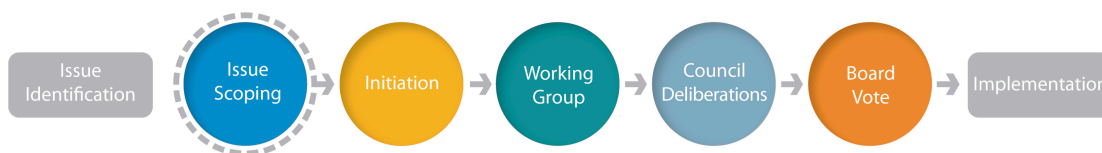
Summary

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 (PDDRs). Due to some ongoing and potentially overlapping work issues (e.g. the GAC-requested TMCH Review and the new Competition, Consumer Trust and Consumer Protection Review mandated by ICANN's Affirmation of Commitments with the US government - see Report for details), the Preliminary Issue Report outlines three possible scenarios on how to proceed for which ICANN staff seeks community input:

1. Launch a PDP to review all RPMs in all gTLDs;
2. Launch a PDP but include a mandatory review requirement to allow the GNSO to adjust its timeline and Work Plan (if needed) as soon as CCT Review results are available; or
3. Conduct a PDP review of all RPMs in two phases, with the first phase being only a review of the new gTLD RPMs and then proceeding with a review of the UDRP taking into account the results of the work in the first phase.

Staff also invites the community to submit alternatives to these three proposals on how to proceed.

Early Engagement Summary



Submission to the Public Comment forum can be made until 30 November 2015.

Additional Information

- Preliminary Issue Report <http://gnso.icann.org/en/issues/new-gtlds/rpm-prelim-issue-09oct15-en.pdf>
- Public Comment Forum <https://www.icann.org/public-comments/rpm-prelim-issue-2015-10-09-en>