

Policy Development Process (PDP) Update

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

March 2016

Upcoming important dates

On 18 February 2016, the GNSO Council [voted](#) to initiate a Policy Development Process (PDP) to review all the Rights Protection Mechanisms (RPMs) that have been developed for all gTLDs; namely, those developed for the New gTLD Program (the Trademark Clearinghouse and associated Sunrise and Claims Notice processes, the Uniform Rapid Suspension procedure and the Post-Delegation Dispute Resolution Procedures) and the longstanding Uniform Dispute Resolution Policy. The Charter for the PDP Working Group was [approved](#) by the GNSO Council on 9 March. On 21 March, a call for volunteers for the new Working Group was published and sent out to all SO/ACs.

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).

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



The call for volunteers for this new PDP Working Group has just been issued, and the first meeting is expected to be held in mid-April 2016. Anyone may join the Working Group either as a full member or a mailing list observer.

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>