Pre-ICANN65 GNSO Policy Webinar

17 June 2019
Agenda

1. Welcome and Introduction
2. New gTLD Subsequent Procedures PDP
3. Review of All Rights Protection Mechanisms in All gTLDs PDP
4. EPDP on gTLD Registration Data
5. Questions & Answers
Introduction
New gTLD Subsequent Procedures PDP Working Group
SubPro Timeline

- **Work Tracks 1-4 (Complete)**
- **New Sub Groups (convened to review public comment) (Complete)**
- **Supplemental Initial Report (additional topics) (Complete)**
- **Work Track 5**

**Full New gTLD Subsequent Procedures PDP WG***

*SubPro completion date assumes no additional public comment period.*

**KEY**

- Publish Initial Report
- Close of Public Comments
- Final Report Delivered to Council
What are the current challenges and issues?

- The WG is reviewing the 40+ subjects in detail and each subject has taken up an entire meeting or more. This will lead to challenges with the work plan and likely some readjustment.

- Some WG members are showing up to meetings without an understanding or appreciation of conversations that have already taken place.

- Some WG members are asserting that their strongly held opinion must be upheld, losing sight of how the MSM model works and consensus is reached.

- Some WG members seem to lack the incentive to reach compromise.

- Despite a large number of WG members, participation continues to come from a limited sub-set of participants, who sometimes dominate the conversation. Discussion on mail list is limited as well.
How can the Council and community assist?

- Remain available as a resource for consultation/escalation in respect of the issues identified.

- Support the co-chairs if any remedial actions are necessary from WG member disruption.

- Help navigate some of the interdependent topics (Name Collisions Analysis Project, string similarity, IDN variants).

- Support efforts to coordinate with GDD on interim operational readiness activities for the New gTLD Program.
Sessions at ICANN65 and Further Information

Meetings

Full WG SubPro Working Sessions on Monday, 24 June from 13:30-15:00 and Tuesday, 25 June from 8:30-10:15

WT5 working sessions on Monday, 24 June from 9:00-10:15 and 10:30-12:00

Both the full WG and WT5 will split their areas of focus, 1) temperature taking on initial conclusions from substantive public comment review and 2) continued progress on continuing substantive public comment review to reach initial conclusions.

Resources

- WG Wiki: https://community.icann.org/x/RgV1Aw
- WG Work Plan: https://community.icann.org/x/NAp1Aw
Review of All Rights Protection Mechanisms (RPMs) PDP Working Group
Chartered in March 2016 to conduct a two-phased PDP

Phase 1 – RPMs applicable to gTLDs launched under the 2012 New gTLD Program:
- TM-PDDRP
- TMCH
- Sunrise and Trademark Claims offered through the TMCH
- URS dispute resolution procedure.

Phase 2 – UDRP (an ICANN Consensus Policy since 1999)

Aiming to complete Phase 1 by mid-to-late April 2020
Sunrise and Trademark Claims Sub Teams formed in December 2018 to analyze all collected data

Since ICANN64 they have been:

- Developing proposed answers to the agreed charter questions and preliminary recommendations
- Vetting of proposals submitted by individual WG members
- Aiming for completion by June 2019
What are the current challenges and issues?

**Charter Questions:** Some agreed charter questions are broad and unclear, difficult to formulate answers and recommendations

**Divergence:** Members hold strong, divergent opinions, unwilling to reach agreements or accept the lack of wide support

**Data Quality:** Limited scope of data and the challenge to find the balance between use of data and other inputs/expertise

**Working Methods:** Challenge to anticipate what might be the appropriate tools to monitor the work and make progress efficiently

**Relitigate Issues:** Re-open previously discussed topics and proposals lacking wide support from the Sub Teams at the full WG level

**Time Management:** Spend long time debating about process issues and uncompromising positions, in danger of falling behind in workplan and projected timeline

*Notwithstanding these challenges, the WG has proceeded collegially, constructively, and as expeditiously as possible to address its charter questions and produce recommendations.*
<table>
<thead>
<tr>
<th>Challenge</th>
<th>Assistance</th>
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</thead>
<tbody>
<tr>
<td>Charter Questions</td>
<td>Encourage members to clarify broad/confusing charter questions in proposed answers</td>
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<tr>
<td>Divergence</td>
<td>Push members to find mutual ground, accept disagreement, and move forward</td>
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<tr>
<td>Data Quality</td>
<td>Suggest data / information that should be gathered to facilitate future review of RPMs</td>
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<td>Working Method</td>
<td>Encourage the GNSO community to participate in the discussion about evolving ICANN’s multi-stakeholder model, including how to ensure access to the right tools for collaboration and policy development</td>
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<td>Relitigating Issues</td>
<td>Enforce rules against reopening closed topics</td>
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<tr>
<td>Time Management</td>
<td>Closely monitor timeline, urge participants to be accountable and refrain from engaging in debates that are unproductive</td>
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What to expect at ICANN65

Four open meetings at ICANN65:

Tuesday, 25 June 2019 @ Orangeraie

- Session 1: 10:30-12:00
- Session 2: 13:00-15:00

Thursday, 27 June 2019 @ Orangeraie

- Session 3: 08:30-10:15
- Session 4: 10:30-12:00

Sub Teams plan to use the sessions to:
- Finalize their work
- Present and discuss their work with the full WG

All community members are welcome to attend
Sessions at ICANN65 and Further Information

ICANN65 Schedule: [https://65.schedule.icann.org/](https://65.schedule.icann.org/)

Resources

- GNSO Project Page: [https://gnso.icann.org/en/group-activities/active/rpm](https://gnso.icann.org/en/group-activities/active/rpm)
- WG Wiki: [https://community.icann.org/x/wCWAAAw](https://community.icann.org/x/wCWAAAw)
- WG Work Plan: [https://community.icann.org/display/RARPMRIAGPWG/Work+Plan](https://community.icann.org/display/RARPMRIAGPWG/Work+Plan)
- Sunrise Sub Team Documents Page: [https://community.icann.org/x/_oIWBg](https://community.icann.org/x/_oIWBg)
- Trademark Claims Sub Team Documents Page: [https://community.icann.org/x/9YIWBg](https://community.icann.org/x/9YIWBg)
EPDP on the Temporary Specification for gTLD Registration Data
What This Project is About

During Phase 2 of its work, the EPDP Team will deliberate on a system for standardized access/disclosure to nonpublic registration data. The Team will also deliberate on items that were either included in the EPDP Team charter or deferred from the EPDP Phase 1 Final Report.

*Priority 2 items may be included in the first Initial Report but due to dependencies could also have a separate Initial/Final Report.
Priority of EPDP Work

Priority 1

• System for Standardized Access/Disclosure to non-public registration data

Priority 2

• Display of information of affiliated vs. accredited privacy / proxy providers
• Legal vs. Natural
• Redaction of City Field
• Data Retention
• Potential OCTO Purpose
• Anonymized Email Address
• Accuracy and WHOIS ARS
What are the current challenges and issues?

- Although there is a shared sense of urgency, some groups have noted the Phase 2 work should continue at a similar pace to Phase 1, while other groups believe that is untenable.

- While many groups believe the work should continue at a rapid pace, keeping up with the deadlines that are associated with this pace may prove challenging.

- The necessity of parallel work efforts to include items deferred from Phase 1.

- The group has significant work ahead to solidify recommendations for an Initial Report by the target date of November 2019, which will require compromise and mutual understanding.
How can the Council and community assist?

• Ensure that the necessary resources are available to complete this work

• Provide guidance if/when needed in relation to scope of work and expectations with regards to timing
What to expect at ICANN65

- The EPDP Team’s draft agenda for its meetings at ICANN65 include continued discussion on:
  
  - Standardized System for Access/Disclosure topics, including:
    
    - Define user groups, criteria and purposes / lawful basis per user group
    
    - Authentication / accreditation of user groups
    
    - Content of requests and responses
    
    - Query policy
  
  - Engagement with ICANN org to discuss next steps in relation to outreach with Data Protection Authorities
  
  - Review of draft project plan and timeline
Sessions at ICANN65 and Further Information

Meetings

The Expedited Policy Development Process (EPDP) Team currently has two sessions scheduled at ICANN65. The currently scheduled sessions are (local time):

- **Tuesday, 25 June** from 08:30-15:00 (Meeting room: Tichka)
- **Thursday, 27 June** from 08:30 – 15:00 (Meeting room: Tichka)

Resources

- EPDP Initial Report: [https://go.icann.org/2E6DEbh](https://go.icann.org/2E6DEbh)
- EPDP Final Report: [https://go.icann.org/2TNA63g](https://go.icann.org/2TNA63g)
- EPDP Webpage: [https://go.icann.org/2O8UTP6](https://go.icann.org/2O8UTP6)
- EPDP Workspace: [https://go.icann.org/2LKujuF](https://go.icann.org/2LKujuF)
- EPDP Charter: [https://go.icann.org/2MsBAAx](https://go.icann.org/2MsBAAx)
Questions
Engage with ICANN

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