

Policy Development Process (PDP) Update

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

January 2016

Upcoming important dates

Staff has submitted the Final Issue Report to the GNSO Council who will consider it at its next meeting on 18 February 2016. Based on the Final Issue Report, and taking into account staff recommendations, the GNSO Council will decide on whether or not to initiate a Policy Development Process (PDP). If a PDP is launched, a call for volunteers will be sent out to all SO/ACs to form a PDP Working Group.

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).

The Preliminary Issue Report outlines three possible scenarios on how to proceed. As a result of Community input through the public comment forum, staff recommends 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 space. The second phase would then address the review of the UDRP. In its recommendation Staff is following the majority view of the community as expressed in the public comment forum.

PDP Status



Additional Information

- Final Issue Report: <http://gns0.icann.org/en/issues/new-gtlds/rpm-final-issue-11jan16-en.pdf>
- Public Comment Forum: <https://www.icann.org/public-comments/rpm-prelim-issue-2015-10-09-en>
- Report on public comments: <https://www.icann.org/en/system/files/files/report-comments-rpm-prelim-issue-02dec15-en.pdf>