GNSO Issues Report: Dispute Handling for IGO Names and Abbreviations

Olof Nordling

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San Juan, Puerto Rico
What is an IGO?

• "International InterGovernmental Organization", e.g. WTO, UNHCR, WIPO
• IGO names and abbreviations are notified in line with the Paris Convention for protection against use as trade marks
• WIPO holds a repository of notified IGO names and abbreviations in a searchable database
The issues

• Fraudulent use by others of IGO names and abbreviations as domain names. Examples:
  - Phishing email invitations to alleged IGO meetings with "all expenses paid" – but requiring a deposit...
  - Bogus "Tsunami Relief" websites, using IGO names, soliciting contributions....

• IGOs cannot use the UDRP – their names are not trade marked and their immunity calls for a specific appeals procedure
The ICANN background

• The full "WIPO-2" recommendations were addressed in 2003-4 – no consensus solution found
• Continued ICANN dialog with WIPO, UN Legal Advisers and GAC identified an international legal basis for a subset of WIPO-2, notably protection of IGO names and abbreviations
• Topic brought up to the GNSO New gTLD PDP, with a recommendation from the IPC and inclusion of the topic in the GAC Principles regarding New gTLDs
• GNSO Council requested an Issues Report from staff on 24 May, submitted on 16 June
The considerations

• A separate Dispute Resolution Procedure (DRP) is preferred to modifying the existing UDRP
• A DRP for this purpose will be needed in a timely fashion for the New gTLD process, along with other DRPs
• The application of such a DRP to existing gTLDs requires a PDP
• A DRP can be developed as part of the New gTLD implementation phase, or as part of a PDP for existing gTLDs
• Concerns expressed within the GNSO Council about the capacity for taking on a new PDP at this point in time
The recommendation

- To develop a separate DRP as part of the New gTLD implementation phase, based on already existing preparatory work
- To develop this DRP concurrently with other DRPs needed for the New gTLD process
- That the GNSO Council, once the DRP is developed, launches a PDP regarding its application to existing gTLDs
Thank You!
Questions? Comments?