

**Instructions:**

This table was built to assist the Sunrise Data Review Sub Team in its analysis as to whether, and how, the Analysis Group survey results answer each of the final agreed Charter questions. Specifically, the Analysis Group survey gathered data to help answer the questions highlighted in yellow. Relevant survey data can be found in the following tabs/rows in the [survey analysis tool](#), including, but not limited to:

- “TM & Brand Owners” tab, row 14-26
- “Registries & Registrars” tab, row 12-15

When providing input, please note the tab title and cell number (if applicable) as reflected in the survey analysis tool.

**Sunrise Charter Question 2:**

(Threshold question: Is Registry pricing within the scope of the RPM WG or ICANN's review?)

**2a. Does Registry Sunrise or Premium Name pricing practices unfairly limit the ability of trademark owners to participate during Sunrise?**

**2b. If so, how extensive is this problem?**

Sub Team Member Name	Do the survey results help answer Sunrise Charter Question 2?	If yes, which sub question(s) do the survey results assist?	How do the survey results assist (e.g. “Registries responses in tab/cell X demonstrate Y”)?	Tab Title & Cell Number (if applicable)
George Kirikos	Yes*	Both a and b.	<p>[asterisk with my usual disclaimer for “Yes”, given the statistical deficiencies in the survey]</p> <p>Cells F19-20 of the TM and Brand Owners tab show that price was a factor the majority of the time, prices were generally higher than expected, and generally reduced the likelihood of the use of sunrise. For some, pricing had no effect on demand (cell F22).</p> <p>Cell F21 of the TM and Brand Owners tab shows that some demand was shifted instead to the GA period.</p> <p>Cell F24 of the TM &amp; Brand Owners tab documents specific prices paid by some brand owners during sunrise, although the .teva response might be a mistake (as it appears to be a dot-brand). Whether those “unfairly limit” is a judgment call, as the numbers</p>	<p>TM &amp; Brand Owners tab, cells F19-20, F21, F22, F24, F25-26, F23</p> <p>Registries &amp; Registrars tab, cells F12, F14, F15</p> <p>Registry - Q7 tab</p>

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			<p>might be reasonable to some, but high to others.</p> <p>Cell F25 of the TM &amp; Brand Owners tab lists specific TLDs where prices deterred registration in the sunrise period by respondents, with reasons, while cell F26 of the same tab shows the most the brand owner would have paid.</p> <p>Cell F23 of the TM &amp; Brand Owners tab lists specific TLDs where sunrise was sought, which could be compared against the ones where there were pricing concerns, to judge how "extensive" the problem is....however, I think this is a limitation of the survey, as the small sample doesn't might not capture the full extent of the problem.</p> <p>Cell F12 of the Registries &amp; Registrars tab shows 11 of 19 registries attempted to avoid premium pricing for brand names in sunrise. Some reasoning in cell F15 from a couple of respondents suggests all domains were priced the same, or GA didn't occur yet (very limited number of respondents!).</p> <p>Registry - Q7 tab documents standard and premium sunrise prices, relative to general availability prices for registry operators that responded to survey.</p> <p>Cell F14 of the Registries &amp; Registrars tab suggests more than half of registries that responded took steps to avoid pricing brands as premium names (this is outside the sunrise period).</p> <p>Cell A41 of the TM Owner - Q27 tab asserts that "sunrise period is just a way of exacting more \$ for brand owners"</p>	<p>TM Owner - Q27 tab, cell A41</p>

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Griffin Barnett	Yes	2(a)-(b)	<p>Pricing was a clear factor that limited the ability of trademark owners to participate during Sunrise.</p> <p>About 75% of brand owners indicated pricing was sometimes, very often, or always a factor in a decision re making Sunrise registrations. About 17% said it was rarely or never a factor, and the remaining respondents didn't know or weren't sure. This suggests the problem is "extensive".</p> <p>For the 17% indicating it wasn't a factor, these respondents generally indicated that pricing wasn't an issue because of the company's large size/resources.</p>	<p>TM &amp; Brand Owners D-G19-20; D-F25</p> <p>TM &amp; Brand Owners D-F21-22</p>
Maxim Alzoba			According to new GTLD RA, RAA 2013, pricing can not be adjusted via policy mechanism (so called 'picket fence')	

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