

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 28-32
- “Registries & Registrars” tab, row 33-45

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

Sunrise Charter Question 5(a):

Does the current 30-day minimum for a Sunrise Period serve its intended purpose, particularly in view of the fact that many registry operators actually ran a 60-day Sunrise Period?

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Several Sunrise Sub Team members (names to be added)	Yes (to a limited extent)	5(a), 5(a)(iii)	<p>It seems that the current 30-day minimum for Sunrise Period serves its intended purpose, as only 4 TM & brand owner respondents missed the 30-day deadline.</p> <p>However, 23 TM & brand owner respondents indicated it would be preferable to extend from 30 days to 60 days for the start date Sunrise Period, but with no tradeoff/cost attach to the extension.</p> <p>Registry and registrar respondents have different opinion -- 9 out of 14 registry operators (64%) think the ideal Sunrise Period length is 30 days; 4 out of the 14 respondents (29%) are not sure of the ideal Sunrise Period length.</p>	<p>TM & Brand Owners, F28, G28, F31;</p> <p>Registries & Registrars, F41, G41, H41</p>

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Kristine Dorrain	Yes	5(a)(ii) & (iii)	<p>.It seems that there is a mix of opinions within the CPs. Most want to get to selling, but everyone’s business model is different. Allowing the Ry to choose the model that fits for them seems important. Rrs seem mostly to care about notice and marketing time and ease of integration.</p> <p>Brand owners slightly prefer sunrise over claims, and generally preferred as much time as possible to allow corporate decision-makers to act. In lieu of time, they would like notice.</p> <p>Anecdotally, as a RO and from the group discussions, there was confusion about the two types of Sunrise periods, though most ROs ran a start date sunrise. This might be considered an unintended result or a disadvantage, though I contend a model that allows maximum flexibility to RO business models is preferable, since it doesn’t seem to unduly burden the other community participants like Rrs and brandowners. I think in this case the STI/IRT got the balance right. 30 days notice for a 30- day start date sunrise allows people to get things lined up. No notice is needed for an end-date sunrise as there is no rush to apply.</p> <p>---</p> <p>Comments from Sub Team:</p> <ul style="list-style-type: none"> • The two different types of sunrise periods was a compromise. The End Date Sunrise period was largely preferred by the ROs. The idea that people were confused by the options and didn't understand the difference could be one 	Ry/Rr G42, Ry Q16/Rr Q4g, TM F32

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			<p>unintended consequence.</p> <ul style="list-style-type: none"> • Kristine Dorrain: If you don't know the difference between sunrise period types, here is a short answer: https://icannwiki.org/Sunrise_Period 	
George Kirikos	Yes*	5(a)(i),(ii),(iii) & (iv)	<p>* As discussed previously [see: https://mm.icann.org/pipermail/gnso-rpm-trademark/2018-December/000092.html], there were serious statistical problems with the survey, so any "Yes" must include an "asterisk", given the low weight that should be attached to any results.</p> <p>The first row of comments above (above Kristine) from already captured much of my input from last week's call. Although, some of the responses were likely from corporate-oriented registrars (i.e. like MarkMonitor, CSC, etc.), which likely skewed the results relative to a truly random and representative sample of all registrars.</p> <p>Adding to that, the Registry & Registrar - Q15 & Q4f tab indicates that having a sunrise period (vs the hypothetical of not having a sunrise period) is having unintended negative impacts on both registrars and registries (see cells referenced at right).</p> <p>The uniformity concerns (Q5(a)(ii) seem to be hinted at via the responses in cells E8 and F8 of the Registrar-Q4h tab (would increase customer understanding if it was standardized, implying there's less understanding at present with non-uniformity).</p>	<p>Registry & Registrar - Q15 & Q4f tab, cells B10-14, B22-B27</p> <p>Registrar - Q4h, cells B5-7, C5-7, E8, F8</p> <p>Registry & Registrar -Q16 &Q4g, D26-34</p>

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			<p>As for benefits/disadvantages of a longer sunrise [last 2 parts of the question), obviously it benefits brandowners, to the disadvantage of some of the registrars/registries (as per the negative impacts noted above of having any sunrise at all). While some registrars (see Registry & Registrar - Q16 &q4g tab, cells D26-34) responded that their revenues would increase from a longer sunrise, presumably those were the Corporate-oriented niche registrars who responded (some of whom claimed their risk to their business model would decrease with the longer sunrise, implying that they are sunrise-focused registrars).</p> <p>---</p> <p>Comments from Sub Team:</p> <ul style="list-style-type: none"> • Greg Shatan disagreed with the statement of "serious statistical problems" and "likely skewed the results". We shouldn't go too far afield but note what we can't determine from the data. • Michael Karanicolas commented: I'm not sure if this fully captures the discussion. For my part, and as (I think?) I expressed in the chat, I think it's less about "what we can't determine" from the data, which implies it's a reliable dataset that just doesn't address every issue, and more about viewing the data as a whole through the lens of its sources. "Skewed" may be too strong a word – but I think it's closer to the right track, insofar as it's important to consider the results as reflecting the potential biases of the respondents. 	

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Griffin Barnett	Yes	5(a)(i), (ii), (iii), and (iv)	<p>The 30 day Sunrise seems to generally serve its intended purpose, but at least some trademark owners reported missing out on participation due mainly to insufficient notice before a 30-day Sunrise was opening/closing, or because the period was generally too short. Given that most registries already provided 60-day Sunrise, and that this longer duration would facilitate more brand owner participation, it would be beneficial to set all Sunrise periods to 60 days. The issue of appropriate notice should be addressed.</p> <p>The trademark owner data does not reveal unintended results, other than a modicum of brand owners who were unable to participate due to notice or duration issues around 30 day Sunrise. There was some confusion, however, as between the two types of Sunrise, with most registry operators running a 60-day end-date Sunrise. This might militate in favor of eliminating the start-date Sunrise altogether to avoid future confusion.</p> <p>We support registry operators' ability to expand Sunrise beyond the 60 days, but believe the lack of uniformity is problematic, in terms of providing appropriate notice as to when individual TLD Sunrise periods will open and close. We would suggest having all Sunrise periods run for 60 days minimum (most registry operators in the 2012 round ran a 60-day end-date Sunrise anyway), with the ability of registry operators to extend on a voluntary basis. There should be a single dedicated and reliable online resource where Sunrise periods are clearly stated, and where the timing cannot be changed more than a certain number of days before the intending</p>	<p>TM & Brand Owners F28-F32</p> <p>TM & Brand Owners F28-F32; Ry/Rr G42, Ry Q16/Rr Q4g</p> <p>TM & Brand Owners F28-F32; Ry/Rr G42, Ry Q16/Rr Q4g</p>

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			<p>opening/closing dates. There could be an opt-in mechanism for TMCH-recorded/Sunrise eligible trademark owners to be notified by email when any Sunrise period is about to open and close. It may be useful to require batching of Sunrise periods such that there are distinct phases of Sunrise for new gTLDs moving forward, on a bit more rigorous schedule rather than allowing individual registries to select Sunrise dates at their sole discretion.</p> <p>Fewer brand owners miss the period when Sunrise is extended beyond 30 days.</p> <p>There may be additional cost burdens or delay in revenue streams for registry operators/registrar in extending Sunrise beyond 30 days, although most registry operators have run 60-day end-date Sunrises so the additional burdens are likely not that significant.</p> <p>---</p> <p>Sub Team Comments:</p> <ul style="list-style-type: none"> Note the proposal of "there should be a single dedicated and reliable online resource where Sunrise periods are clearly stated" when we develop recommendations. Maxim Alzoba: Maxim: the source is already available, but might not be well known to the public (potentially due to lack of clear direction from ICANN 	<p>TM & Brand Owners F28-F32</p> <p>Ry/Rr G42, Ry Q16/Rr Q4g</p>

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			<p>website, but it is not an established fact) at: https://newgtlds.icann.org/en/program-status/sunrise-claims-periods</p>	
Maxim Alzoba	yes/no		<p>The lack of clarity among the Registrants about types of Sunrises lead to confusion, Both End-Date and Start-Date sunrises use 60 day periods (in case of End-date it is all 60 days for Sunrise Registration with 'highest bidder wins(auction or similar mechanism), in case of Star-Date it is 30 days notification period and 30 days of first-comes-first-served type of registration). Due to concerns of potential violation of local anti-monopoly regulation ('if domains are equal, why the price is so different') some Registries decided not to employ End-date Sunrise to avoid auction mechanism of resolution of the Registrants selection among two or more potential bidders, so not all Registries would be able to use End-Date Sunrises.</p>	

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