

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 84-85
- “Registries & Registrars” tab, row 78-81

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

Sunrise Charter Question 5(b):

In light of evidence gathered above, should the Sunrise Period continue to be mandatory or become optional?

(i) Should the WG consider returning to the original recommendation from the IRT and STI of Sunrise Period OR Trademark Claims in light of other concerns, including freedom of expression and fair use?

(ii) In considering mandatory vs optional, should Registry Operators be allowed to choose between Sunrise and Claims (that is, make ONE mandatory)?

Sub Team Member Name	Do the survey results help answer Sunrise Charter Question 5(b)?	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 i and ii	<p>[asterisk with my usual disclaimer for “Yes”, given the statistical deficiencies in the survey]</p> <p>As this is a “should” question based on the evidence gathered in Question 5(a), all the appropriate survey data is already in the table for 5(a), and so I won’t repeat that prior supporting data here. One can instead consult the other document:</p> <p>https://docs.google.com/document/d/1cHtWXXy9jh5JsoieFE7VinddaWvGTlaAE58E4ujn_ao/edit</p> <p>(suggestion: the 2 documents might be combined, as the survey data references are</p>	

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			likely to be identical)	
Griffin Barnett	Yes	(5)(b)(i)-(ii)	<p>Sunrise should remain mandatory for all non-Brand TLDs. About 70% of respondents indicated they submitted proof of use in order to take advantage of Sunrise [TM D-F14]. About 21% of respondents didn't know or weren't sure if they had done so, so this number could be as high as about 90% if those respondents all had done so [Id.]. 83% of respondents actually registered at least 1 domain name during Sunrise [TM D-F17]. About 32% of Respondents registered more than 50 Sunrise domain names [Id.]. As noted elsewhere, pricing and similar issues (reservation, premium designation) negatively impacted brand owners' ability to participate in Sunrise to the extent they might otherwise have wanted. In addition, the data indicates that maintaining both Sunrise and Claims as mandatory is the most desirable [TM D-F84-85].</p> <p>Limitations to Sunrise priority for ALP or QLPs already exist, and could be preserved, particularly as relevant for geoTLDs [Ry/Rr D-F30-31]. Unsurprisingly, Ry/Rr preferred both Sunrise and Claims to be optional, but indicated that as between the two, there was a slight preference for Sunrise to be mandatory and Claims optional [Ry/Rr D-F79-80]; either approach, however, would not serve the intended purpose of facilitating protection of legitimate trademark rights and minimizing</p>	<p>TM & Brand Owners D-F14; D-F17; D-F84-85</p> <p>Ry/Rr D-F30-31; D-F79-80</p>

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			cybersquatting/infringement.	
Kathy Kleiman	5(b) i and ii		<p>Data shows that the Sunrise Period is causing trouble for GEOs -- over half of all registries who ran Approved Launch, Qualified Launch, Limited Registration, or Founder's periods had "unanticipated start-up problems."</p> <p>Further, they had more problems: "There are some overly generic strings in the TMDB, like "web", that interfere with the ability to run a proper QLP." [Qualified Launch Program]</p> <p>Third, data shows problems with the Sunrise period protecting trademark owners in jurisdictions outside the GEO ahead of trademark owners inside the jurisdiction of GEOs: " We had to create special limited registration periods after the Sunrise to ensure protection of the local communities: for the trademark/service mark holders, protected under the Legislation of the Russian Federation, trade name holders, registered in Moscow, right holders for the use of product origin appellation in Moscow and/or Moscow Region..."</p> <p><i>Certainly the option above of making Sunrise optional or as a choice between Sunrise and Trademark Claims would be one way of addressing the problems shown above with the GEO launches.</i></p>	F50, 51, 52 - Registry/Registrar Tab
Maxim Alzoba	(5)(b)(i)-(ii)		Notice on ALP (reference to text from Griffin Barnett), the intended process (for GEO	

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			TLDs) was poorly implemented and needs to be done in more transparent and predictable manner in the future(last time it was totally unpredictable in terms of time and outcome, zero transparency in the process, only one TLD managed to use it after losing large amount of time in the process). The combination of QLP, Sunrise, Limited periods and Claims allows GEOs to fulfill their role. Whilst number of allowed domain strings under QLP for GEOs is too low (100 is less than typical number of streets, monuments, municipal and public services), it allows GEOs to cope with it in most cases.	

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