Instructions:

This table was built to assist the Sunrise Data Review Sub Team in its analysis as to whether, and how, the previously collected Sunrise data (between December 2016 and March 2018) answer each of the final agreed Charter questions.

- In the **Sunrise Tab** of the analysis tool, Staff have included excerpts, as well as the relevant page/slide reference, from the previously collected data that staff believe may assist in answering the final agreed Charter questions. Summaries of the excerpts are included in Column B.
- The excerpts cited by Staff are nonexclusive; Sub Team members are welcome to download and reference the actual documents, linked from the **Source Tab,** to cite relevant information that may help answer the final agreed Charter questions.
- When providing input, please note the source name and page/slide number of the previously collected data.

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 previously collected data help answer this Sunrise Charter Question?	If yes, which sub question(s) do the survey results assist?	How do the data assist (e.g. "Information X in document Y demonstrate Z")?	Source Name & Page/Slide Reference
George Kirikos	Yes		(no for first 4 documents, will adjust this later on as we go through the other 8) According to page 3 of the Analysis Group report, there's a reduced need for trademark holders to utilize sunrise registrations. A 0.3% dispute rate is documented on pages 16 and 18. Registries less convinced sunrise helps trademark owners (p. 65). Lack of interest in sunrise compared to past ones (p. 66). On page 11 (and nearby pages) of the ICANN61 transcript, Jon Nevett talks about	AG report, p 3, 16, 18, 65, 66 ICANN61

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			DPML and DPML+ systems. Indirectly, this suggests that sunrise might not be necessary, as blocking might reduce the demand for it.	transcript, page 11
KKleiman	yes	All of 5b	PIR and Donuts share with us that they had very low levels of Sunrise registrations. For PIR, it was just "35 registrations for each TLD" (.ngo and .ong). This would seem to be a classic example, since PIR is for non-profits, where a sunrise might not be needed or wanted by registry -- and where the time and effort to run it may outweigh the benefits of launching directly.	Compilation of Registry Responses (13 Dec 2016), Ques A, p. 1
Griffin Barnett	No			
David McAuley	Yes	5(b)(i)	AG Independent Review of TMCH Results and Conclusions contain inferences that may be useful	AGIR pages 34-35 and 38
Michael Karanicolas	Yes	5(b)(i)	These statements seem generally suggestive that it may be better to switch to an optimal model, especially if holders are not feeling necessity to utilize the sunrise: "Lastly, we find that although trademark holders expressed valuing the Sunrise period through questionnaire feedback and many trademark holders apply for Sunrise eligibility by submitting proof of use when recording their marks in the TMCH, many trademark holders do not utilize the period. This could be due to the expense of Sunrise registrations or because other protections of the TMCH services, such as the Claims Service, reduce the need for trademark holders to utilize Sunrise	Analysis Group Revised TMCH Report p. 3, and p. 34-35

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			registrations." "These results may also reflect a relationship between the usage of Sunrise registrations and the effectiveness of the Claims Service period or other services that trademark holders may use to protect their brands, such as global blocking programs. If the Claims Service is effective in deterring infringing registrations, then trademark holders may feel less necessity to utilize the Sunrise period." --- Sub Team Comments: ● Susan P: No blocking mechanism for every registry, so it is not really a valid choice for trademark owners. ● Michael K: Some disagreement as to whether data support the conclusions. I think the point speaks to the general value of the sunrise, which in turn speaks to the value of keeping it as mandatory, or potentially determine that "the game isn't worth the candle", as they say.	
Susan Payne	Limited - limitations in the data	5bi	"We note that our data and analyses are descriptive in nature, and we are only able to draw conclusions regarding whether the results of the evaluation are consistent with what one would expect to see if the TMCH services were effective (or not) at helping to deter domain name abuse. Our data also do not quantify the costs and benefits associated with the present state of the TMCH services, nor the potential costs and benefits of expanding or altering the way the services function, making concrete cost-benefit analyses outside the scope of this report."	AG Report p6 IV Data

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Susan Payne	Limited - anecdotal	5b(i)	"trademark holders that do register during the Sunrise period are selective about which Sunrise periods they utilize (ultimately making Sunrise registrations during only 7.2% of Sunrise periods for which they are eligible). This is consistent with feedback that we received in questionnaires, which indicated that the Sunrise period is a valuable opportunity to prevent cybersquatting but is also an expensive option."	AG Report p34
David McAuley	Yes	all	INTA Cost IMpact Survey shows respondents felt Sunrise was more useful than Claims and provided some benefit	Slides 15, 31, 51
David McAuley	Possibly	Lead question	Chart 7 in the staff-compiled summary of Sunrise data shows incidence of sunrise registrations as of Aug. 2017 (approx. 64K registrations across 484 gTLDs) – perhaps useful in determining this question.	Chart 7 on page 6

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