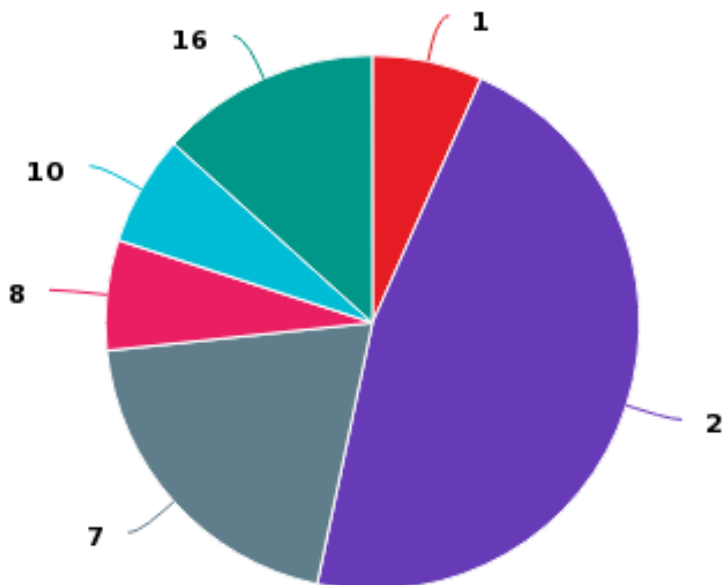


## RPMs Working Group Self-Assessment

This report summarizes responses received to the Working Group Self-Assessment Survey for the Review of All Rights Protection Mechanisms in All gTLDs Policy Development Process Working Group (Phase 1).

### \* Primary Organizational Affiliation



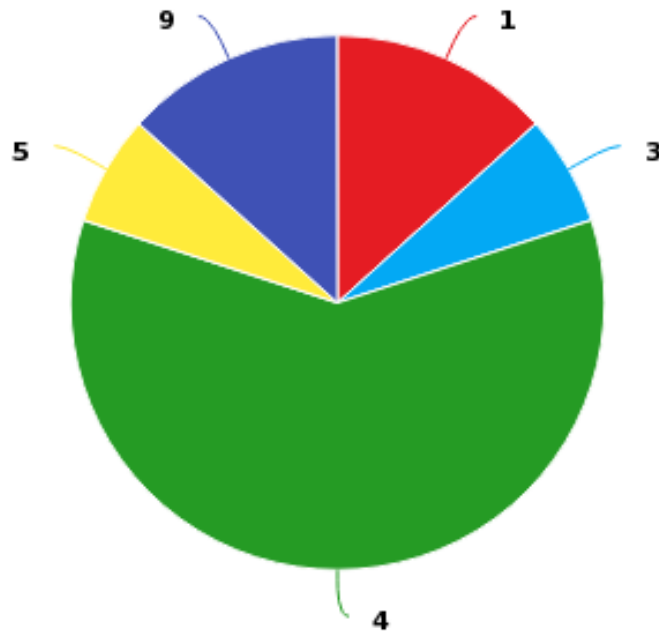
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1 - Business Constituency (GNSO)	6.67% (1)	2 - Intellectual Property Constituency (GNSO)	46.67% (7)
3 - Internet Services Provider Constituency (GNSO)	0% (0)	4 - Non-Commercial Users Constituency (GNSO)	0% (0)
5 - Not-for-Profit Operational Concerns Constituency (NPOC)	0% (0)	6 - Non-Commercial Stakeholder Group (GNSO)	0% (0)
7 - Registry Stakeholder Group (GNSO)	20% (3)	8 - Registrar Stakeholder Group (GNSO)	6.67% (1)
9 - At-Large Advisory Committee (ALAC)	0% (0)	10 - Governmental Advisory Committee (GAC)	6.67% (1)
11 - Root Server System Advisory Committee (RSSAC)	0% (0)	12 - Security and Stability Advisory Committee (SSAC)	0% (0)
13 - Address Supporting Organization (ASO)	0% (0)	14 - Country Code Supporting Organization (ccNSO)	0% (0)
15 - Individual	0% (0)	16 - Other	13.33% (2)

Mean: 5.73

Response: 15

**\* Working Group Role**



Role	Percentage	Count	Role	Percentage	Count
1 - Chair or Co-Chair	13.33%	(2)	2 - Vice Chair	0%	(0)
3 - Work Track Leader	6.67%	(1)	4 - Member	60%	(9)
5 - Liaison	6.67%	(1)	6 - Observer	0%	(0)
7 - Advisor/Consultant	0%	(0)	8 - ICANN Org Support	0%	(0)
9 - Other	13.33%	(2)			

Mean: 4.27  
Response: 15

**The Charter/Mission of the WG where: 1-Highly Ineffective means confusing, vague, ill-structured, unbounded, unrealistic (e.g., time, constraints), unachievable; and 7-Highly Effective means understandable, clear, well-structured, bounded, realistic (e.g., time, constraints), achievable**

Average	3.13
Highest	6
Lowest	1
Standard deviation	1.73

Response: 15

**The Expertise of WG members where: 1-Highly Ineffective means that, collectively, team members did not possess an appropriate level of knowledge/skill to fulfill the mission; and 7-Highly Effective means that team members, collectively, were appropriately knowledgeable and skilled to accomplish the mission**

Average	5.8
Highest	7
Lowest	3
Standard deviation	0.86

Response: 15

**The Representativeness of WG members where: 1-Highly Ineffective means narrow, skewed, selective, unbalanced; and 7-Highly Effective means broad, diverse, balanced**

Average	4.87
Highest	7
Lowest	1
Standard deviation	1.51

Response: 15

**The external Human Resources (e.g., briefings, experts, consultants, liaisons) provided to the WG where: 1-Highly Ineffective means inappropriate, inadequate, untimely, not helpful/useful; and 7-Highly Effective means appropriate, adequate, timely, helpful/useful**

Average	5
Highest	7
Lowest	1
Standard deviation	1.66

Response: 14

**The Technical Resources (e.g., systems, tools, platforms, templates) provided to and utilized by the WG where: 1-Highly Ineffective means difficult, challenging, clumsy, awkward, tedious, slow, not helpful/useful; and 7-Highly Effective means easy, straightforward, clear, efficient, fast, helpful/useful**

Average	5.13
Highest	7
Lowest	2
Standard deviation	1.55

Response: 15

**The Administrative Resources (e.g., support, guidelines, documentation) provided to and utilized by the WG where: 1-Highly Ineffective means inappropriate, inadequate, untimely, not helpful/useful; and 7-Highly Effective means appropriate, adequate, timely, helpful/useful**

Average	6.2
Highest	7
Lowest	5
Standard deviation	0.77

Response: 15

### Comments about the WG's Inputs

- 1 The Charter was a mess and that cost us some time. Staff was, as usual, fabulous.
- 2 The Charter was not drafted in an objective or efficient manner and mostly represented highly partisan positions taken by different constituencies. The resources provided by ICANN (staff, liaisons, communication platforms, etc.) were quite good and effectively facilitated the WG's efforts.
- 3 A five year process to develop a Phase 1 Final Report demonstrates the ICANN-model is a broken system in need of reform. There is no excuse for ICANN, after 20 years since its formation and with a 100+ million budget, to have a working group process that is unable to effectively review and assess policy that appropriately falls under ICANN's remit.  
  
Because the working group failed to make any meaningful improvements to the RPMs, it is likely the GAC will need to step-in and provide advice to the Board on trademark and consumer protection in gTLDs because ICANN continues to plan to expand the gTLD system.  
  
This reflects that the ICANN multi-stakeholder model, as currently constituted, is not capable of problem-solving and functioning in a manner that promotes the public interest, rather than the interests of any particular set of stakeholders.
- 4 some questions were repetitive (and the WG had to combine some inputs and to spend considerable time doing that)
- 5 Public comment tool presents some challenges. It is difficult to review the full public comment input from individuals when this is presented in a very unfriendly spreadsheet, and the tool did not seem to allow copy/pasting so that one cannot easily quote a particular comment.
- 6 The Charter represents an unfortunate example of how not to start a WG -- aside from an unhelpful degree of repetitiveness, some questions were shapeless and/or misguided (showing lack of familiarity with the subject matter, and/or bias); and for reasons that were never clear the Charter was not adequately reviewed or finalized by Council (showing e.g., several "TBD" entries). Trying to refine these cost us roughly 18 months of valuable volunteer time, not to mention giving air to unnecessary debates. Looking ahead, the Phase 2 Charter should be properly vetted including by subject matter experts.

Response: 6

**The Participation climate within the WG where: 1-Highly Ineffective means inhospitable, unilateral, frustrating, unproductive; and 7-Highly Effective means inviting, inclusive, accepting, respectful, productive**

Average	4.07
Highest	6
Lowest	1
Standard deviation	1.79

Response: 15

**The Behavior norm of WG members where: 1-Highly Ineffective means disruptive, argumentative, disrespectful, hostile, domineering; and 7-Highly Effective means accommodating, respectful, collaborative, consensus-building**

Average	4.53
Highest	6
Lowest	1
Standard deviation	1.6

Response: 15

**The Decision-Making Methodology (e.g., consensus) where: 1-Highly Ineffective means broken, ignored, not observed, disrespected; and 7-Highly Effective means honored, followed, observed, respected**

Average	4.73
Highest	7
Lowest	1
Standard deviation	1.75

Response: 15

**The Session/Meeting Planning (e.g., agendas) where: 1-Highly Ineffective means disorganized, haphazard, unstructured, untimely notice; and 7-Highly Effective means organized, disciplined, structured, timely notice**

Average	5.27
Highest	7
Lowest	1
Standard deviation	1.44

Response: 15

### Comments about the WG's Processes

- 1 We had that early blip where one member of the WG was removed. Other than that, most people got on pretty well.
- 2 There has to be a better way to get to consensus - to decide even what consensus means. I know this is addressed in the process but in practice it is elusive and hard to nail down. This can be exacerbated where the group is large (say over 100 members) but the actively participating group is much smaller (say 30 to 40).
- 3 The majority of members were collaborative and respectful, with some outliers. Working methods were somewhat effective, but needed much more control to avoid re-litigation of settled issues, raising of new issues belatedly or at inappropriate times, etc.
- 4 While the WG climate and member behavior were mostly professional and cordial, there were many times that this decorum was broken by tit-for-tat squabbling, lecturing, and ego-driven self righteousness. This resulted in, what should have been an open and objective debate, turning into a partisan-driven process that became terribly inefficient and took an inordinate amount of time. At the beginning of the process, over five years ago, the WG calls had a large number of attendees but, I expect the inefficiency and discord of the process led most members to stop participating resulting in a fraction of the original membership on each call at the end, when the actual recommendations were formulated.
- 5 Arbitrary and capricious standards were developed for WG decision-making, such as requiring "wide support" in order to approve/adopt a WG recommendation, which virtually assured the broken status of the RPMs will remain in tact.  
  
This is clearly demonstrated from a review of the Final Report itself, which contains nothing but minor and trivial changes to the RPMs, despite the excessive amount of cybersquatting and DNS abuse in gTLDs.  
  
A mature and representative ICANN, would have been capable of convening stakeholders to improve the RPMs to ensure they are effective for their intended purpose of protecting consumers.  
  
Instead, the ICANN-model produces results that reflect its constituencies are not representative of the broader public. The ICANN's GNSO WG's are broken and ineffectual bodies.
- 6 in the last part of work (after the second term extension), the Leadership managed to get the group back on tracks in terms of timeframes.
- 7 The WG should not have been subjected to time spent managing complaints about appropriate behavior, and it certainly should not have taken an intervention by Council and ICANN's legal team to resolve the matter. Aside from that episode, the WG was at times hampered by certain refusals to accept when consensus on a particular topic was not possible (e.g., proposed limitations to Sunrises or Claims).
- 8 The participation climate and behavior norm ratings are for after ICANN Legal and GNSO Council assisted the co-chairs in enforcement of the Expected Standards of Behavior. They would have been far lower prior to that intervention.

Response: 8

**The Working Group's primary Mission where: 1-Highly Ineffective means not achieved, fulfilled, and/or accomplished per the Charter; and 7-Highly Effective means completely achieved, fulfilled, and/or accomplished as directed**

Average	5.13
Highest	7
Lowest	1
Standard deviation	1.85

Response: 15

**The Quality of the WG's outputs (a.k.a. deliverables) where: 1-Highly Ineffective means incomplete, inadequate, materially deficient/flawed, unsupported; and 7-Highly Effective means complete, thorough, exhaustive, reasoned, supported**

Average	5.2
Highest	7
Lowest	1
Standard deviation	1.74

Response: 15

**Comments about the WG's Products and Outputs**

- 1 We did pretty well for a WG that didn't really have the data (especially on Claims Notice) that it needed to make any major changes.
- 2 It took years - and years - to come up with fairly modest recommendations. In my opinion that is OK - not so much the amount of time spent but the results - it seems to indicate that, after a reasonably thorough look, the new gTLD RPMs are working rather well and to purpose.
- 3 While some marginal improvements to the RPMs were recommended, there were so many more that could have been achieved but never had a realistic chance of being considered due to the inefficiency and partisan nature of the WG. Given the hundreds of hours spent on just the full WG calls over the five-year process (I estimate about 350 +/- not including sub-group or other team calls) and the rather minimal output, the WG was tragically inefficient and not a process that respected the skill, professional value, and time of the members.
- 4 The WG failed to produce any meaningful policy recommendations to improve the RPMs in order to help protect consumers in gTLDs. This outcome is fully expected since ICANN's GNSO structure is tilted towards its contracted business partners who have 50% of seats reserved on the Council, and the NCSG is a shell of the former NCUC - and not adequately representative of non-commercial users of the Internet. Zero blame should be placed on the individual participants, who were all hard-working and rationale actors. The broken ICANN model is to blame for the 5 years of wasted time and effort by this WG.
- 5 Achieving the Mission is constrained by the very high bar of Consensus required for recommendations.

Response: 5

**My personal Engagement in helping the WG accomplish its mission: 1-Participated Never; and 7-Participated Extensively**

Average	6.47
Highest	7
Lowest	5
Standard deviation	0.74

Response: 15

**My personal Fulfillment considering the time, energy, and work efforts I contributed to this WG: 1-Highly Unrewarding; and 7-Highly Rewarding**

Average	5.13
Highest	7
Lowest	1
Standard deviation	1.92

Response: 15

**Assuming all other conditions are suitable (e.g., subject, interest, need, fit, availability), I assess my personal Willingness-to-Serve on a future ICANN Working Group as: 1-Extremely Unreceptive; and 7-Extremely Receptive**

Average	6.2
Highest	7
Lowest	2
Standard deviation	1.57

Response: 15

**Comments about Personal Dimensions**

- 1 It was important work that will never be truly finished, but that is the ICANN model. I was happy to participate.
- 2 I must note here that my very positive experience is in large part due to excellent staff support. This was a difficult PDP to manage but three of the four co-chairs did a good job and staff support did an exceptional job.
- 3 While I feel that the return on my time invested in Phase I of this WG was an overall loss, I remain hopeful that Phase II can be done in a more efficient and productive manner. The subject of the UDRP is simply too important to leave it to the same partisan squabbling and time-wasting that occurred in Phase I. So I will participate again with an optimistic outlook and a renewed expectation that we can actually make some improvements to the Policy that are worthy of the time and effort spent by WG members.

4 RPM WG = waste of time and energy.

After 20 years, ICANN needs to grow and get its act together. However, this is unlikely to happen because ICANN is essentially captured by contracted party interests and lacks the proper accountability mechanisms.

5 in the process of the PDP I had to repeat the same info few times (so it did not get lost in the iterations), but in the end it all worked well.

6 My personal fulfillment rating would have been a 3 at most prior to the assistance provided to the Co-Chairs by ICANN Legal and GNSO Council in enforcement of the Expected Standards of Behavior.

Response: 7

**\* How did you learn about the WG (Select any/all that apply)?**

- 1 I was informed or invited by my SG/C or ICANN-affiliated organization
- 2 I was informed or invited by my SG/C or ICANN-affiliated organization
- 3 I was informed or invited by my SG/C or ICANN-affiliated organization
- 4 Other
- 5 I was contacted by an ICANN Staff member
- 6 I was informed or invited by my SG/C or ICANN-affiliated organization|I was contacted by an ICANN Staff member|I was contacted by an individual seeking to recruit volunteers for the WG (e.g., GNSO Councilor, interim Chair)
- 7 I learned about the WG from another organization external to ICANN
- 8 A professional colleague or associate informed me about the WG
- 9 I was informed or invited by my SG/C or ICANN-affiliated organization
- 10 Other
- 11 I was informed or invited by my SG/C or ICANN-affiliated organization
- 12 I learned about the WG through one of ICANN's websites (or Wikis)
- 13 I learned about the WG through one of ICANN's websites (or Wikis)
- 14 Other
- 15 I learned about the WG through one of ICANN's websites (or Wikis)|I was contacted by an individual seeking to recruit volunteers for the WG (e.g., GNSO Councilor, interim Chair)

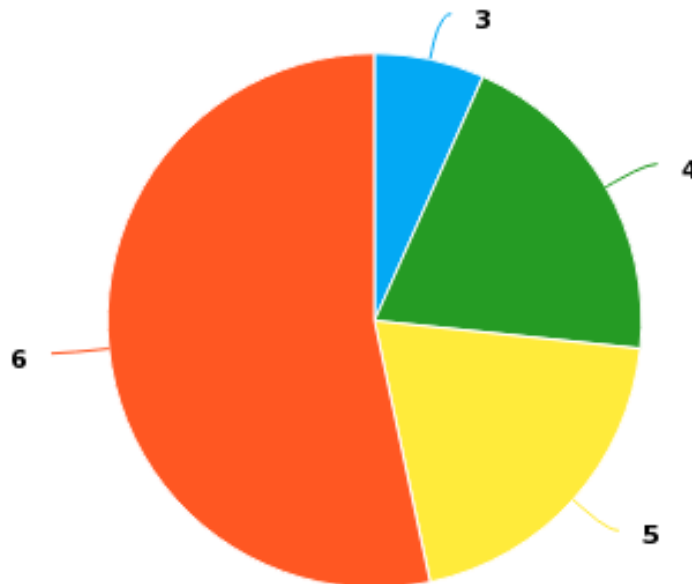
Response: 15

**If you selected "Other" in the question above, please explain:**

- 1 I am very active in ICANN and have been tracking PDPs for many years
- 2 work-related

Response: 2

**\* Approximately how long have you been involved with ICANN?**



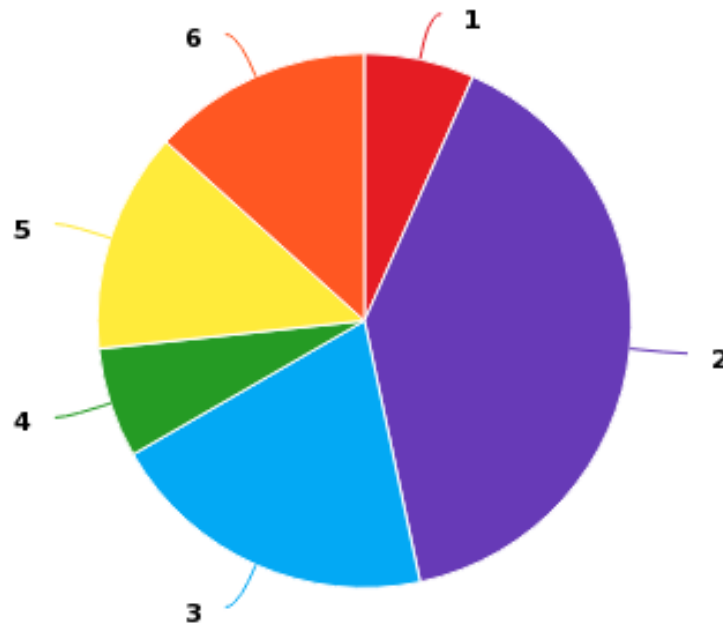
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1 - Less than 1 year	0% (0)	2 - 1 - 2 years	0% (0)
3 - 2 - 4 years	6.67% (1)	4 - 4 - 6 years	20% (3)
5 - 6 - 8 years	20% (3)	6 - More than 8 years	53.33% (8)

Mean: 5.2

Response: 15

**\* Considering the most recent twelve months, approximately how many hours per week do you spend on ICANN-related activities on the average?**



Clicktools

1 - Less than 2 hours	6.67% (1)	2 - 2 - 5 hours	40% (6)
3 - 6 - 10 hours	20% (3)	4 - 11 - 15 hours	6.67% (1)
5 - 16 - 20 hours	13.33% (2)	6 - More than 20 hours	13.33% (2)

Mean: 3.2

Response: 15

**Please feel free to provide any additional feedback about your Working Group experience, this Self-Assessment, or any other matter not covered elsewhere in this questionnaire.**

- 1 I thought the three co-chair model had downsides that outweigh the upsides. I think we really need to identify chairs that are prepared to keep neutral always, not take their "hat" on and off in meetings.
- 2 I think the PDP would have functioned more efficiently had it been broken up into smaller work. I also believe the WG could have met more often in hope of keeping to a timeline that changed many times.
- 3 I wish to offer special commendation to the ICANN Staff who supported the WG's efforts. They showed tremendous restraint, objectivity, patience, and professional dedication to the WG despite the group's very difficult climate.  
I also feel that a more structured approach to WG deliberations, fact-gathering, and decision-making would create greater participation, foster efficiency, and result in a better work product. The process of how Phase II of the WG will be structured and operated most efficiently should be the subject of very careful consideration by ICANN.
- 4 Decision-making standards should be based on the WG model guidelines, unless there is a strong and justifiable reason to diverge to another standard. No such reason was articulated in the RPM WG, yet a decision was made to rely on the "Wide support"-standard; for a topic as contentious as the RPMs, this assured that no meaningful changes would take place. We could have saved everyone 5 years of their time and collectively thousands of hours on something more productive.
- 5 the idea of such self assessments is good
- 6 While in principal having three co-chairs sounds great from a work-sharing perspective, in practice it seems not to have been an ideal setup.
- 7 Prior to delivery of the WG final report, my time commitment to ICANN ran at least 10-15 hours per week -- co-chairing is a substantial time commitment.  
During ICANN meetings, I spend at least 6-10 hours per week, or sometimes more, on ICANN-related activities; the average above is on an annual basis.

Response: 8

**The Council is considering developing a survey that would allow future Working Groups to provide input periodically throughout the WG deliberations stage of the PDP. Such a survey would be intended to provide the Council with information that would facilitate its oversight role and help inform potential actions and/or guidance to the PDP WG. Do you think this would be helpful? If so, what are the types of questions that should be included in such a survey?**

- 1 I don't. I think it bypasses the role of the Council Liaison to keep the Council informed. These surveys could be stack with answers designed to move the policy needle rather than being actually good data for the Council. I think the extra work it would cause Staff and Council would not be worth whatever actually helpful data that it would create. If someone on the WG is being ignored or abused, they can and should go to the Ombudsman and the Liaison, not air their grievances directly to the Council via survey responses.
- 2 I think this could be helpful if exercised with care and infrequently. My main suggestion would be to have a question about the charter - is it scoped well? Is it difficult to have focused purpose because charter is opaque? Are questions in charter too open-ended?
- 3 I don't believe this would be warranted - this would distract WG members from their substantive PDP work and should not be necessary given the function of a Council liaison covering the PDP.
- 4 Questions:
  - Do you feel that your time on this WG is well-spent?
  - Do you feel that the WG has provided professional benefits to you beyond those of working towards the stated goals of the WG?
  - Do you feel that your voice is heard and respected in the WG?
  - What would you like to see changed about how the WG is run?
  - How do you feel the WG could be run more efficiently?
  - Do you feel that the community consensus model is an effective process for efficiently achieving the goals of ICANN?
- 5 same questions as in this survey
- 6 I think such inputs should be collected only if the concerns are raised by the GNSO Liaison or WG members (more than 1).
- 7 Some surveys are helpful, but too many become counterproductive.
- 8 I don't think this survey is actually terribly helpful or informative for Council. There were various known issues with this WG, none of which probably are drawn out by such broad survey questions.
- 9 I would strongly caution the Council to be aware of a reluctance of WG members to publicly raise concerns so that any such survey may present an inaccurate picture.
- 10 Yes -- but only 2-3 times per year.

Response: 11