**FOR EPDP TEAM CONSIDERATION: AMENDMENTS & UPDATES TO PRELIMINARY RECOMMENDATIONS #2**

**Discussion Draft as of 9 November 2021**

**Recommendation #2: Cumulative Effect of Recommendations #3, #4, #5 & #6**

If the GNSO Council approves the recommendations set out below in Recommendations #3, #4, #5 and #6, then the EPDP team recommends that the original Recommendation #5 from the IGO-INGO Access to Curative Rights Protections PDP be rejected.

PROPOSAL:

* Delete Recommendation #2 in its entirety and renumber Recommendations #3, #4, #5 & #6 accordingly.
* Add specific text to the opening portion of the Recommendations section of the Final Report (currently Section 2 of the Initial Report) as follows:

*“The GNSO Council voted not to approve the original Recommendation #5 from the IGO-INGO Access to Curative Rights Protection Mechanisms PDP. The EPDP Team’s collective understanding is that the GNSO Council thereby rejected the original Recommendation #5 and, instead, tasked the RPM Phase 1 PDP Working Group to develop a policy solution for the problem that the original Recommendation #5 was intended to solve and that would be consistent with Recommendations #1 - #4 from that PDP. The EPDP Team believes that its final recommendations (below) address the issues raised by IGOs’ jurisdictional immunity in relation to court proceedings following a UDRP or URS decision. As such, the EPDP Team endorses the GNSO Council’s rejection of the original Recommendation #5 and recommends that the GNSO Council approve the following final [Recommendations #3 - #5] from this EPDP.”*