ICANN 76

COMMUNITY FORUM

76

CANCÚN

11-16 March 2023

Welcome & Agenda Overview

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ICANN

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Policy Implementation Background

Agenda Item #2

Background: Policy Implementation

- On **18 February 2016**, the GNSO Council resolved to initiate a two-phased PDP to review all existing Rights Protection Mechanisms (RPMs) in all gTLDs.

- Phase 1 focused on reviewing all the RPMs and associated structures and procedures applicable to gTLDs launched under the 2012 New gTLD Program.

  - The RPMs were created to mitigate potential risks and costs to rights holders that could arise in the expansion of the new gTLD namespace, and to help create efficiencies for registries and registrars among gTLD launches.

  - These RPMs are: the Trademark Post-Delegation Dispute Resolution Procedure (TM-PDDRP); Sunrise and Trademark Claims services offered through the Trademark Clearinghouse (TMCH); and the Uniform Rapid Suspension (URS) dispute resolution procedure.

- On **24 November 2020**, the Working Group finalized its recommendations and submitted its Phase 1 Final Report to the GNSO Council.

- On **21 January 2021**, the GNSO Council unanimously approved all 35 final PDP recommendations as documented in the PDP Working Group's Phase 1 Final Report.

Board Resolution: RPM PDP Final Report

- On **16 January 2022**, the ICANN Board adopted all 35 GNSO-approved final recommendations from the Phase 1 PDP Final Report and directed a tiered approach for the work based on timing, staffing, and resourcing needed for implementation. (*See Resolutions 2022.01.16.05 – 2022.01.16.11*)

- In adopting the recommendations, the Board noted that implementation could be divided into several categories:

  1. **Recommendations that call for updates to existing operational practices or documentation concerning the RPMs** – a total number of sixteen (16) recommendations;

  2. **Recommendations to maintain the status quo (i.e., maintaining the Phase 1 RPMs as implemented for the 2012 New gTLD Program)** – a total number of nine (9) recommendations;

  3. **Recommendations that require substantial time and resources, and involvement of multiple stakeholders to implement** – a total number of six (6) recommendations; and

  4. **Recommendations affecting subsequent round(s) of new gTLDs** – a total number of four (4) recommendations.

Implementation Plan:
Overview & Project Status

Agenda Item #3

Overview: RPM Phase 1 Implementation Plan

- **RPM Phase 1 Implementation Plan includes 22 recommendations** (out of 35) from the RPM PDP Phase 1 Final Report.

- These are the recommendations that are **not part of the implementation of the Subsequent Procedures** PDP recommendations.

- The implementation plan incorporates a **phased approach that allows for straightforward-to-implement recommendations to be implemented first, with those recommendations with more significant complexity and timing considerations to be implemented sequentially according to level of effort**.

- Implementation of the **remaining 13 recommendations will be integrated into the work related to the subsequent round** of new gTLDs for efficiency.

  - **Nine of the 13 recommendations** recommend the status quo and involve documenting and informing the community as to how the status quo will be maintained in the next new gTLD expansion.

  - **Four of the 13 recommendations** call for specific changes to the Applicant Guidebook and/or the Base Registry Agreement for subsequent rounds of new gTLDs.

Overview: RPM Phase 1 Implementation Plan (cont'd)

For implementation purposes, the 22 recommendations to be implemented are divided into five separate groups:

Group 1: **Recommendations requiring updates to existing procedural documents concerning the RPMs** - a total number of fifteen (15) recommendations;

Group 2: **Recommendations to develop educational materials to assist users of the RPMs** - a total number of four (4) recommendations;

Group 3: **Recommendation for stakeholders involved in the URS process to review and update contact data** - a total number of one (1) recommendation;

Group 4: **Recommendation to collect data concerning the RPMs -** a total number of one (1) recommendation;

Group 5: **Recommendation to establish a new compliance mechanism for URS participants** - a total number of one (1) recommendation.

Project Status: RPM Phase 1 Implementation

Current Implementation Status

- On **13 December 2022,** the Implementation Project Team (IPT), comprised of ICANN Staff, and the Implementation Review Team (IRT), which was created through the launch of a [call for volunteers](#) to assist ICANN org in implementing the recommendations, began working on the implementation of the Phase 1 recommendations via a series of conference calls. Between meetings, the IRT provides feedback using collaborative tools.

- **The Implementation Team (IPT & IRT) is in the process of implementing the 15 recommendations in group 1**. Implementation is estimated to take six months.
  - *Note: Recommendations in group 1 are being implemented first as they have been identified as straightforward to implement for they involve updating existing procedural documents (e.g., URS Rules/Procedure, TM-PDDRP Rules, RPM Requirements) and sharing a redlined version of the documents with the IRT for review and input.*

- Implementation of the recommendations in groups 2-5 is estimated to take a minimum of one year to complete due to their complexity and the need to involve multiple stakeholders. As such, **implementation of the remaining recommendations will proceed when the recommendations in group 1 have been implemented.**

URS, TM-PDDRP & RPM Requirements:
Review of Proposed Changes

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Next Steps

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Next Steps

- IRT to review and provide input on the TM-PDDRP Rules & RPM Requirements by **24 March 2023**.
  - *Note: The revised procedural documents (i.e., URS Rules/Procedure and Technical Requirements, TM-PDDRP Rules, RPM Requirements) will be published for public comment. Following the conclusion of the public comment period, ICANN org will work with the IRT to review and consider further updates to the impacted procedural documents, as needed.*

- IPT to work with URS/TM-PDDRP Providers to complete implementation of remaining items in group 1.

- IPT to close any other outstanding implementation items in group 1.

- IRT/IPT to do a final review of all impacted procedural documents prior to publishing them for public comment.

- IPT to prepare and publish revised procedural documents for public comment.

- IPT will consider the input received and will collaborate with the IRT to update relevant information to the impacted procedural documents.

Community Questions & AOB

Agenda Item #6

Engage with ICANN

Thank You!

Visit us at **icann.org**
Email: email

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flickr.com/icann

linkedin/company/icann

soundcloud/icann

instagram.com/icannorg

Annex

Policy Implementation Wiki Workspace

- Community wiki space for RPM implementation.
  - GNSO - Implementation Review Team:
    https://community.icann.org/x/OYAFDQ

- Implementation Plan is on the wiki and working documents will be shared on the wiki space as they are completed.
  - RPM Implementation Plan:
    https://community.icann.org/display/RPMIRT/Implementation+Documents

- IRT members list with their affiliation Statement of Interest (SOI): https://community.icann.org/x/g4gFDQ

- IRT Meeting Agenda and Minutes:
  https://community.icann.org/x/iYEFDQ

Implementation Project Team (IPT)

- Andy Newton, GDS Technical Services Principal Engineer, andy.newton@icann.org
- Antonietta Mangiacotti, Policy Research Manager, antonietta.mangiacotti@icann.org
- Ariel Liang, Policy Development Support Senior Specialist (GNSO), ariel.lang@icann.org
- Elisa Busetto, Policy Research Coordinator, elisa.busetto@icann.org
- Gustavo Lozano Ibarra, Director, Technical Services Projects, gustavo.lozano@icann.org
- Lars Hoffmann, Sr. Director Policy Research & Stakeholder Programs, lars.hoffmann@icann.org
- Leon Grundmann, Policy Research Specialist, leon.grundmann@icann.org
- Julie Hedlund, Policy Development Support Director (GNSO), julie.hedlund@icann.org
- Valerie Heng, GDD Accounts Senior Manager, valerie.heng@icann.org

N.B. ICANN org will consult with relevant staff as needed regarding the implementation of the recommendations.

Implementation Review Team (IRT)

- Anita Onyemgba, Individual
- Annett Bonuke, Individual
- Bart Lieben, Individual
- Berta López Oromi, Individual
- Bertha Shifeta, Individual
- Emílio Frederico Haenzel Pacheco de Freitas, Individual
- Elif Güldüz Gürel, ccNSO
- Essie Musailova, Individual
- Fatima Rezaie, Individual
- Griffin Barnett, GNSO | CSG-IPC
- Jannett Ibañez Flores, Individual
- Jason Schaeffer, GNSO | RySG
- Jean F. Queralt, GNSO | NCSG-NPOC
- Jeff Neuman, Individual
- Jody Kolker, GNSO | RrSG
- **John McElwaine (GNSO Council Liaison), GNSO | CSG-IPC**
- Michael Wabugo, Individual
- Muhammed Emin Celik, Individual
- Paul Tattersfield, Individual
- Renee Fossen, GNSO
- Roger Carney, GNSO
- Rómulo Chacín González, ALAC
- Saima Nisar, Individual
- Sangai Plaghai Moliwulo, Individual
- Scott Austin, Individual
- Shreedeep Rayamajhi, Individual
- Susan Payne, GNSO | CSG-IPC
- Vika Mpisane, Individual
- Willie Meck, Individual