



List of Potential Improvements to new gTLD Program – for Discussion on BC Members Call – Jan 10th 2012

- 1) Ensure that ICANN can enforce all registry restrictions and commitments made in the application, via enforceable mechanisms within the contract, and provide sufficient staffing support in Enforcement and Compliance team
- 2) Ensure that gTLD expansion includes TLDs serving multiple languages and scripts – Include incentives to applicants to encourage offering multiple versions of their gTLD in different scripts
- 3) Rights Protection Mechanisms must be improved –
 - a. Extend the Trademark Clearing House [beyond 60 days] [for at least two years] with a required evaluation at that time to determine its perpetuity or change or discontinuance
 - b. Manage the TM Clearing house centrally, to ensure standardized streamlined submission processes for those trademark holders using it
 - c. Extend Sunrise for all relevant gTLDs for a mandatory 60 days [brand/single user TLDs could be excluded].
 - i. Require a standardized Sunrise approach to minimize the confusion and costs to registrants to participate in Sunrise in multiple gTLDs.
 - d. Operate the URS initially as a sole vendor, supervised by ICANN
 - i. Consider other improvements – to be developed further
 - ii. NEW:Commit to monitoring the disposition of URS cases to see of names subject to a URS are rapidly reregistered by others. [Future action: If this is the case, additional measures should be taken, such as placing such names on a permanent block list, ineligible for future registration. Create sanctions for accredited registrars/resellers who violate such lists].
- 4) RAA – Discuss status of present negotiations and whether to say something about RAA requirements for new gTLDs
- 5) Review the criteria for community facing TLDs to avoid sending such applications to auction mechanisms, particularly in the instances of not for profit, charitable names
- 6) Review the conditions under which a trademark name might end up being sent to auction mechanisms, and improve other options
- 7) WHOIS Accuracy – improve the requirement of validation of WHOIS data for new gTLDs. [Thick WHOIS does not equate to accurate WHOIS data]
- 8) Add a “do not register/registry block” service to the Trademark Clearinghouse, allowing any trademark holder to pay a one time fee to permanently prevent

registration by anyone of names that are an identical match, or include the identical match trademark name. Operate this for two [three?] years, with evaluation and assessment about continuing or closing this service. Annualized fee per name should be a one time fee that covers all new gTLDs, and creates a database of 'reserve names' which meet certain criteria. This is different from the TM Clearinghouse proposal which only warns a potential registrant of a potential conflict. [similar to the IFFOR .XXX service]. [this is also different from the ANA proposal, which seems limited to top level, where objection procedures already exists].

- 9) Improve and modify the Comms plan to focus more on information and education about what the mechanisms are for those who do not want to register and operate a gTLD registry.
- 10) Second Round: Board has committed to second Round. Time frame is based on trademark study which would start 1 year after 75 new gTLDs in the root. – estimated time is not clear/although Board documents said Feb 13.