

Overall Issues:

a) What is our role?

[Jeff] Provide advice to the GNSO Council in their interactions with the GAC on the GAC proposal on the handling of IOC/Red Cross names at the top and second levels in the new gTLD program.

b) Do we believe this issue is one of implementation (as the GAC has interpreted), or is this an issue of policy?

[Jeff] On the last call we decided to proceed with the discussions based on the assumption that these issues were ones of implementation as opposed to a policy. However, we asked ICANN staff to go back to their management to get some more context on the board discussion in Singapore around their motion on this issue.

[Gomes, Chuck] I personally think considering it an implementation issue works but the lines are blurry. If staff suggests that it is not, then we should try to expedite a modification to the new gTLD policy if possible. Of course that is a big 'if'.

c) Are we just talking about IOC and Red Cross Names or are we opening this up to other names (i.e., IGOs)?

[Jeff] At this point looking at any other names is beyond the scope of this group.

[Gomes, Chuck] Those are the only names that the GAC requested.

d) Should these marks be protected at all? Pros vs. Cons? (NOTE: This item's discussion can take up the entire call, but I do not want to dwell on this given the number of subjects. What I would like to do is spend no more than 15 minutes on this subject listing the arguments for and against. Of course we will allow anyone to submit comments via e-mail on this subject after the call for evaluation). I am not trying to suppress any discussion on this, but given that we spent almost all of the Council discussions in Dakar on this question alone and did not have much time to discuss the other questions, I want us to be able to get on to the other questions.

[Jeff] There are differing views on this issue, but that should not prevent us from evaluating the proposals.

[Gomes, Chuck] In the case of the RySG, our concerns early on regarding this issue were primarily about setting unnecessary precedents. The RySG feels that the GAC letter sufficiently dealt with our concerns by providing evidence of the unique status of the two categories of names, thereby avoiding unnecessary precedents. It seems to me, regarding the recent request for IGO names, that IGO names do not have the same status as the RC/IOC names based on the criteria in the GAC letter, thereby illustrating the thoroughness of the GAC letter.

Top Level Protection

At the top level, the request is to protect the Olympic and Red Cross terms like the words "test" and "example" in the Applicant Guidebook (Section 2.2.1.2), extending those terms to multiple languages and receiving consideration during the String Similarity review. Right now, these terms (in not every language) is in the section entitled "Strings Ineligible for Registration" and would not invoke String Similarity Review.

Questions:

a) Should the reservation be permanent or just apply during the first round? i

[Jeff] On this issue the question was asked whether the GAC (or a government) has grounds to file an objection/early warning/etc to someone trying to get "Olympics" if "Olympic" s protected under the current rules today? If so, do they need to have the "string similarity" review?

[Gomes, Chuck] Unlike other objectors, the Guidebook allows the GAC to object on anything.

If the names are reserved, then the string similarity review would kick in as applicable.

[Jeff] Staff was supposed to check into this question.

- b) Should terms in this round and beyond receive consideration during string similarity review?
- c) Should reservation in this round and beyond extend to additional languages?
- d) Would (d) above apply to additional languages? [Gomes, Chuck] This is (d); which item does this refer to?

[Jeff] Staff was supposed to check into this question.

Second Level Protections

With respect to second-level names, the GAC requests that ICANN amend the new gTLD Registry Agreement to add a new schedule of second-level reserved names. The new schedule should reserve those terms set forth in Schedule A attached to their proposal. They recommend the identical terms be protected in the 6 UN languages with an “encouragement” to registries to provide additional languages.

Questions

- a. Should Olympic and/or Red Cross names be reserved at the second level in all new gTLDs?
- b. If so, what type of reserved name would this be?
 - i. A “forbidden name” that can never be registered (not even by those organizations) – NOTE *The GAC in the Q&A said this is not what they want.*
 - ii. Like a 2 letter country code where the Registry Operator may also propose release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes.
 - iii. Like a Country or Territory Names, which are initially reserved, but the reservation of specific country and territory names may be released to the extent that Registry Operator reaches agreement with the applicable government(s), provided, further, that Registry Operator may also propose release of these reservations, subject to review by ICANN’s Governmental Advisory Committee and approval by ICANN.
- c. Assuming it can be one where the reservation is released: What would be the mechanism for removing from the reserved list?