

#### Overall Issue:

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

**(SVG) This is clearly an implementation IMO. At policy level, we can have overall notions like "prior rights should be protected". Then at implementation level, we may be called upon to look at which rights.**

b) 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.*

**(SVG) A moot point IMO, and certainly not one worth spending the entire call on as you point out. The Board has already acknowledged that these marks are to be protected.**

#### 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?

**(SVG) Because the entities asking for this protection claim that they need to have permanent protection, only affording it during the first round would defeat the purpose.**

b) Should terms in this round and beyond receive consideration during string similarity review?

**(SVG) Not if it means that any string, say something like "redcrisscross" would be refused.**

c) Should reservation in this round and beyond extend to additional languages?

**(SVG) Only to those requested by IOC and RC.**

#### 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?

**(SVG) Only the exact terms.**

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.*

**(SVG) Only IOC and RC should be able to register their respective names.**

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.

**(SVG) See above. As the IOC and RC would be the only ones allowed to register, this point becomes moot.**

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?