



ICANN

IGO-INGO Access to Curative Rights Protection Mechanisms PDP Working Group

Philip Corwin & Petter Rindforth, WG co-chairs
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Status Update

- ◉ WG aiming to complete Initial Report before ICANN54 (Oct 2015)
 - ◉ Recommendations will focus only on IGOs (not INGOs)
 - ◉ Key questions in WG Charter – whether existing processes (UDRP, URS) should be modified (and if so in what way) or if a new process narrowly tailored to IGOs should be developed
- ◉ Current work status creates some potential delicate issues
 - ◉ WG preliminary conclusion on *standing to file a complaint* differs somewhat from GAC general recommendation for IGO protections:
 - ◉ WG: IGO must have acted to protect itself pursuant to Paris Convention
 - ◉ GAC: IGO included on 2013 GAC List (using .int criteria)
 - ◉ But more problematic issue likely to be *IGO immunity*:
 - ◉ International law unsettled (no single uniform rule across jurisdictions)
 - ◉ GAC has provided general input; none yet received from IGOs on this topic

Next Steps

- ◉ WG will continue to engage with the GAC (via GNSO Liaison) and IGO representatives to ensure full understanding of public policy and international law issues
- ◉ WG plans to consult international law expert on the accuracy of WG's research and findings so far on IGO immunity
- ◉ WG aims to prepare Initial Report for public comment before the Dublin meeting (ICANN54)

A world map where the continents are defined by a network of interconnected blue dots and thin lines, set against a dark blue background. The text "Thank you and Background" is centered over the map in a white, bold, sans-serif font.

Thank you and Background

Further Information on the IGO-INGO Access to Curative Rights Protection Mechanisms PDP WG

- Chartered in June 2014:
<http://gnso.icann.org/en/drafts/igo-ingo-crp-access-charter-24jun14-en.pdf>
- GNSO webpage for the WG:
<http://gnso.icann.org/en/group-activities/active/igo-ingo-crp-access>
- WG wiki space (includes copies of all historical documents on the issue from WIPO and ICANN, as well as WG preliminary research and briefing papers): <https://community.icann.org/x/37rhAg>