
BRENDA BREWER: Good morning, good afternoon, good evening. Welcome to the Not-for-Profit Operational Concerns Constituency, NPOC. This is the webinar number four, on the 24th February 2021. Today's webinar is recorded. Kindly have your phones and microphones on mute until questions are taken. And I'm pleased to introduce Raoul Plommer, NPOC Vice Chair. Raoul, please begin.

RAOUL PLOMMER: Yeah, hello everyone and thanks for joining for the fourth webinar in a series of seven. We'll be covering some interesting topics today, like the UDRP and the URS and glad to see still so many with us here. I'll hand the further introductions of the module back to Adam, thanks.

ADAM PEAKE: Thanks, Raoul. You look like you're in an interesting location today. So yes, my name's Adam Peake and I work for ICANN's Global Stakeholder Engagement group. Many of you will have heard on previous webinars, and today, as Raoul mentioned, we're going to be looking at rights protection mechanisms, maintaining and managing domain names.

Brian Gutterman will be the main speaker today. Jonathan Denison will be joining us as well, he's here. Jonathan is a director of the Contractual Compliance group and there's myself and Patrick Jones as well. So, I think with that, welcome everybody and over to you, Brian. Thanks for doing this again—thank you.

Note: *The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

BRIAN GUTTERMAN:

Of course, thank you Adam, thank you Brenda, thank you Raoul. My name is Brian Gutterman, from the global domains and strategy function of ICANN Org. Good morning again, afternoon and evening for everyone. Thank you for joining session number four of the series.

A couple of reminders at the top, again. If you have not been able to join the previous sessions, they are being made available as recordings, archived online, so if you have some time you can go access those. We're attempting to build the content, the education here, from one webinar to the next—build on what we've talked about before—and that's what I'll start with at the top.

You see the agenda here, but I'll go into more of it later. Thank you, Adam for sharing the page with the archive. Next slide please, Brenda. Once again, we wanted to make sure that we reminded everybody about ICANN Learn and we hope that you all, especially some of the newcomers, but, everyone, we hope that you can spread the word about the ICANN Learn online platform here.

This is one course, the registrant basics course, essential for domain name holders, where you will find a lot of the content that we are covering, not only today but in the previous sessions and moving forward, so please go check that out. There are a ton of great courses for all levels of knowledge and ICANN experience on there, so please go check that out. You can also, for many of the courses, set the language to your favorite language, so you don't have to do everything in English. So please go check that out. Next slide, please.

I covered this last time, but, again, we want to emphasize the resources that we have available to you already, that we really encourage you to check out. So, icann.org/registrants, go there and again, this is where we have sourced much of the content that we would be covering today, is available here, online already. Much of this is translated as well, so frequently asked questions—these are ...

We've really thought about these FAQs and these are ... We hope that 95% of the questions that you'll have will be covered there, in terms of coming from the registrant perspective, questions you'll have about your domain names, as well as, sort of, deep dives into the ICANN policies that impact registrants. This is a topic that we will cover today, in webinar number four. So, please go there.

Next slide, please. So, just again about the agenda. This was sort of our preset agenda for the entire series, or three, four, and five. Rights and responsibilities. You'll recall we covered last week, as well as how to register a domain name, things to know before you register domain names, and then we got into maintenance and managing domain names once you have registered a name, or names—what are some things you should be thinking about what are some things to make sure you do?

We talked about renewals a bit and we didn't quite get to transfers, so that's what we'll start with today. I'm also going to just cover a couple of the main take-aways or highlights from last week that we want everyone to remember and hold on to.

And then the bulk of today's session we will be going over some of the policies, the ICANN policies, consensus policies, that impact domain

name holders, registrants. Obviously, these policies have been formed in a bottom-up fashion by the community, including your fellow NPOC members over the years, NCSG members over the years, NCUC, whenever these policies were first formulated and designed.

Again, these policies, from time to time, come up and are revisited, and what we want everybody to think about and to start approaching this kind of thing is that, how would you contribute to making these policies better down the road? What are ... How are ways that you are thinking about these things, managing domain names from a registrant perspective? How can we make registrant's lives easier through this bottom-up process and through the ICANN process?

We're going to go over the WDRP, the transfer policy, the ERRP, some fun acronyms, but these are policies that really directly impact registrants, individual registrants, registrants with many domain names. So, we hope you find that interesting. We are lucky enough to have, again, some real subject-matter expertise—subject matter experts from the org, including, JD, from compliance.

Patrick Jones is here with us, again, today, and Adam. All very knowledgeable, so we encourage you, as has been ... You know, I think, pretty successful so far to use the chat room if you have, spontaneous questions, we can try and cover things as we go, as well, out loud.

But please go ahead and use the chat if you have questions, you can engage there—we're here to help and we want to make this as informative as possible. Next slide, please. Okay, next slide.

So, just to start out, as I said, I'm going to go through some of the best practices we talked about last week and you'll see later on that these sorts of best practices pertain specifically to the policies and, if you want to be able to follow the policies, do these things, you should be okay. So, keep in your contact information associated with your domain and registration up to date at all times.

You'll remember, in order to get the notifications and the messages from your registrar about your registration, whether it needs to be renewed, or something else ... It's important, it may seem obvious, but always keep that contact information associated with your domain name registration up to date to make sure you receive all this important information. Know the terms.

Again, we talked about this last week, but oftentimes ... I'm certainly guilty of this—you sign up for something, you don't always read the fine-print, so options and fees for your renewals, for transfers, the different rules can vary by registrar and the policies are consistent but some of the little things ... The little rules can be very different depending on who you register your domain name with and their terms of service, so carefully understand those and read over those when you're registering your domain names and keep an eye out for changes there.

You don't have the domain name forever when you register it, except you can continually renew the registration so we recommend renewing it well before it is set to expire, especially if it is a valuable asset to you, which we think it is—which is probably is, if you're using it actively. Go

ahead and renew that as soon as you're sure that you're going to want to use it again moving forward.

I see a lot of people are joining the room, which is great. Next slide please, Brenda. A couple more here—yes, keep your information up to date. The notifications maybe come via e-mail so, remember, if you had a colleague ... Let's say you're a non-profit and a couple of you decided to get a registered domain name and build your online presence; it could be your colleague that put their e-mail in and then they leave to go on vacation, and they're not checking their e-mail, and there's an important reminder from your registrar.

So, make sure that that contact information is being checked at all times, that e-mail address, whatever it is, to make sure you get all the information you need. Next slide, please. Okay, so, we wanted to over ... Since last time, we stopped before the section on transfers.

We're not talking about the transfer policy quite yet, we'll do that in a minute here, but just wanted to talk about a few rules you should know if you do decide to transfer your domain name to a different registrar or to a different registrant. Next slide please, Brenda.

Again, going back to our rights and responsibilities as registrants, it is one of your rights to transfer your domain name to another registrar or registrant and to have access to the information from your registrar regarding the process for making a transfer, should you wish to do so. It's okay to transfer if you want to make a switch or to transfer to another registrant for whatever reason.

A couple of rules that are in place that you should know about, that are actually in place to protect registrants from unauthorized transfers: you can't make a new domain name transfer to a new registrar or registrants within 60 days of making a change to the registered name holder or administrative contact information. What this is trying to prevent is folks gaining unauthorized access to your contact information, and using it in malicious ways, and changing the information, and then transferring it without your knowledge.

There's a 60-day gap in place for your protection there. At their discretion, some registrars may provide an option for you to opt out of this but, however, it is in place, again, for your protection as registrants. If your ultimate goal is to transfer the domain name, indeed, you may consider completing the transfer process first, before changing the contact information there. Next slide, please.

They also have the option, your registrar, of denying the transfer request submitted within the first 60 days of the initial registration, or within 60 days from when you last transfer the domain name. Again, read the registrar's terms and conditions carefully. There's a time lapse there. There's a buffer, again, to protect you.

Second rule is that you have to be the registered name holder or administrative contact for the domain name in order to initiate transfer request. Again, this is to prevent someone from transferring it who is not the official administrative registered contact for the domain name. Keep that information up to date and it shouldn't be a problem. Next slide.

Okay, that's a little bit about the rules around transfers. So, a couple of things about what to expect once you do initiate the process for a transfer. To initiate the transfer, contact the registrar first that you want to transfer the name to ... The registrar that you're transferring to is then referred to in policy jargon as the gaining registrar.

The gaining registrar will then send you an authorization form. They will usually send you some sort of authorization form just to confirm. There are a lot of safety measures in place, per the policy. Make sure you respond to that ... To that form or that message from the gaining registrar. You can then expect to hear from your current registrar asking you to confirm the transfer, so you'll hear from both the registrar you were going to and the registrar you were leaving.

Again, this is in place to protect you from unauthorized transfers of the name. Once you provide confirmation to both parties, the gaining registrar, indeed, needs to complete the transfer, which should take approximately five days, oftentimes much faster than that. Next slide, please. To transfer your name to another registrant, you can initiate a change of registrant by contacting your current registrar.

Again, there will be some secure confirmation mechanisms, back and forth, and you need to confirm who the new registrant will be, and once that information is received, they will process the transfer and notify you and the new registrant once this is complete. Next slide, please.

Okay, I'm going to pause for one moment. I haven't seen any questions so far in the chat. I have seen some people joining late, but I wanted to take a second to pause before we jumped into reviewing some of the

relevant consensus and other policies that impact registrants directly. I will start with the transfer policy, because this transfer process is fresh on everyone's mind here. Not hearing any questions. That is certainly okay.

Without further ado, I will go on to the transfer policy. Next slide, please. So, transfer policy. Consistent with ICANN's obligation to promote and encourage robust competition in the domain name space, the transfer policy aims to provide a straightforward procedure for domain name holders, such as many of you, to transfer their domains from one ICANN accredited registrar to another, should they wish to do so.

The policy also provides standardized requirements for registrar handling of such transfer requests from domain name holders. So, some of this might seem repetitive from what I just went over but I hope you get a better understanding here of how the policies really dictate what you can do as registrants and what you can and should be doing. All right, next slide, please.

Again, there are some circumstances under which a registrar must deny a transfer request. The policy says that they need to be able to transfer it if done correctly and if done appropriately, but here are some of the circumstances where the registrar had the option to deny a transfer: evidence of fraud; reasonable dispute over the identity of the person authorizing the transfer; the domain name is on hold due to payment owed for previous registration periods—somebody wasn't making their payments—express written objection from the domain name holder

themselves, so, again, these are in place to prevent unauthorized transfers as well.

Within ... Domain name is ... In 60 days of initial registration, we talked about that—or within 60 days of a previous transfer ... Maybe if the domain has been locked by your registrar for one reason or another. The registrar needs to be specific when denying their request, to figure out ...

If you don't believe that one of these things is indeed true and you believe that you should still be able to transfer, again, contact your registrar—this is one of the suggestions that we talked about last week. It's good to try and ensure you have an open line of communication with your registrar to handle these sorts of things, if they do come up. Next slide, please. Thank you, Brenda.

Your registrar must deny your transfer request in the following limited circumstances. Just a couple here. If it's the subject of a UDRP proceeding, so that's really the trademarks and trademark infringements that we'll talk about a bit later. A court order, URS proceeding, if it's subject to a 60-day change of registrant lock. Again, we don't presume or think that this will be you if you are looking to transfer but, again, there are rules in place in the policy. Next slide, please.

I think there's a question in the chat from Svitlana, and I wonder if a colleague can maybe answer that for her and I will continue. Please... That's a trademark dispute resolution proceeding.

Transfer policy: you'll need something called the auth info codes. This is getting a little bit deeper into the details of the transfer. This is an authorization code, sometimes called an auth info code or a transfer code, to make the transfer. This is a unique code created by a registrar to try to identify the domain name holder and help prevent unauthorized transfers.

If you do go ahead and go through the transfer process, the policy calls for this unique code. Registrars provide the auth info codes in one of two ways. They can allow you to create your own auth info code through their website, or their customer service team, or they provide it, themselves, to you within five calendar days of your request. Transfer dispute resolution policy, thank you, John. Next slide, please. WDRP, WHOIS data reminder policy. So, we're moving on now from the transfer policy to the WDRP.

Another very important, seemingly straightforward, but one of the most important things and messages that, as a registrant program, we talk to registrants about ... And thank you Patrick and J.D. for putting a little bit more information about the TDRP for Svitlana and for all colleagues.

The WDRP requires your registrar to send you an annual reminder of your obligation to update your registration information, which includes your contact information, if there are any changes. So, you'll be getting ... You should get a notification from your registrar, if you're a registrant, annually, with this reminder.

Again, we talked about the importance of keeping your information up to date for a variety of reasons. Here's the policy that requires the

registrar to remind you to do this, okay? In the notice, the registrar must present you with the current registration information that you have, which includes the contact information associated with the registration they have currently on record.

So, if you've moved from one apartment to the other, or you've switched [jobs] and your e-mail has changed that you are checking—things like this, this is your time ... You should do it proactively, you should update this contact information when this happens, but here is another layer of protection to remind you to keep your information up to date. Next slide, please.

More on the WDRP. While ICANN is responsible for making sure the registrars verify and validate registration information, ICANN Org does not and cannot verify or update your contact information. You must contact your registrar to do so and there's lots of information available on icann.org about this.

We have this here because, oftentimes, folks, registrants ... And this is the majority of registrants, they aren't familiar with who ICANN is or what they're all about. They contact us in various ways and ways and say, "Hey can you do this for me? I moved this ... This information about my domain name is not correct—can you help me, ICANN?"

No, unfortunately, we cannot. That's not our role. You need to contact your registrar to do that. Just another reminder, here. They are sent these notices by registrars in order to comply with the WDRP and, again, this is something that's unfortunate but something that we like to mention.

Sometimes there are fraudulent, sort of, deceptive e-mails being sent out from e-mail address that seem to have ICANN in them—trying to say they are from ICANN. They are not. If it's a WDRP notice, they are not. If it says it's from ICANN Org, this is fraudulent, so do not reply to this message.

Just noting, here. We hope it doesn't happen very often but, remember, you're only going to get this message from your registrar, the WDRP notice. Be sure ... This is something that we've covered already but be sure to use e-mail addresses that are active and checked frequently, so you get these WDRPs.

Use strong passwords so people can't access these e-mails to get into your domain name registration account. These are some tips to protect yourselves. And remember, in the upcoming webinars, next week and the following weeks, we'll be taking more about this through a security lens. So, more reason to join in future sessions. Thank you. I see there's some good chat going on. Maybe I'll pause, I don't know if anybody from ICANN staff or anybody wants to ask a question or raise anything aloud. I will pause here.

ADAM PEAKE:

I think... Patrick, it's Adam speaking, Adam Peake speaking. I think Patrick is addressing Olévié's question about re-delegation. Brian, here you're talking about us as registrants, registering a name, probably at the second level. So, the names that we as users would register a domain name.

Whereas, Olévié, I think you're talking about with re-delegation, it would be the top-level domain names, particularly country code top-level domain names, where if there was a situation of some kind where there needs to be a transfer of the manager or so on, or so forth, then that is a process that the IANA, the Internet Assigned Numbers Authority and processes from there; that would get involved with. That would be the process there. I see in the chat ... Okay, I think we've covered that. Is there anything else you can see in the chat?

BRIAN GUTTERMAN: I think everybody is good in the chat.

PATRICK JONES: There was also a question from Svitlana about how to verify the contact to a registrant, to, particularly when perhaps, the registrant might be in a different jurisdiction from the registrar.

BRIAN GUTTERMAN: "Especially for foreign registrants, how and why ..." That's ... Upon registration, again, for the registrants, this process isn't flaw-free but that's why we need to be sure to where you ... When you register the domain that you give verifiable contact information, so they can contact you with these notices/keep them up to date, yes.

ADAM PEAKE: Different registrars will have different specific policies on this. Some of them I know that I've registered domain named with a registrar that,

when the first time I made an account with them, they asked me to send a copy of physical identification and this may be, also, subject to a jurisdiction's privacy and law and how we deal with personal data.

Others will most likely send you a check e-mail or perhaps ask you to do a verification code, a two-factor verification code, via your mobile, which is identifying you as an individual, rather than verifying the information, but it gets very complicated in actually verifying that very specific information you have given. But also, there is also, usually, a transaction, a financial transaction involved at this point, so there is verification taking place in that transactional element between the registrant and the registrar. So, there are multiple ways how this might take place.

BRIAN GUTTERMAN:

Yeah. Thanks for these great questions, also. I [see Raymond] which has been addressed and everybody else. To get out ahead of these sorts of issues, which can certainly happen ... Also, in regards to what of your contact information may, or may not be made publicly available, this will depend on your jurisdiction, where you are sitting.

But to try and avoid these problems, we try and emphasize and educate registrants from the beginning, even when they're thinking about registering a domain name, to be sure that they have a secure and trustworthy channel of communication back and forth with whoever you register your domain name with, and that you understand the terms and conditions.

This is what we've covered before about what you should be able to understand, if any of your contact information's going to be publicly available and what they will use to contact you with, not only this notice, the WDRP, but with any other information that they need to relay to you. And you should be able to contact them as well.

While sometimes we understand it's difficult, depending on the registrar, we always encourage registrants to establish and maintain a free flow of information back-and-forth with their registrars to avoid any of these problems. I hope that's helpful and thanks to colleagues for answering these questions in the chat. Next slide, please.

One more policy to cover here before we get into dispute resolutions stuff. This is the Expired Registration Recovery Policy, the ERRP. What the ERRP does is it sets minimum renewal notification requirements for registrars, before and after domain names expire, as well as certain requirement for renewal and restoration of expired domain names. This is the policy that requires registrars to remind you that you need to renew your registration if you want to continue to use your domain name that you have registered.

Again, this builds on last week's advice that we gave about renewing your domain name well before it expires. This policy, again, is in place to protect registrants from losing their domain names because they forget to renew them. They must send you at least two renewal reminder notices before the domain name expires, your registrar.

One, approximately one month prior to the expiration, the second approximately one week prior to the expiration. If a domain name

expires and is deleted by the registrar, the registrar must also send at least one additional notice within five days after expiration.

Again, these are in place to protect you from losing it in case you forget or you don't have your contact information up to date and somebody else is getting these notices, and they don't tell you. Keep a lookout for these notices. But again, an important policy for registrants to know about. Registrars must make their fees, renewal fees, post-expiration renewal fees.

So, this is a fee that you could be charged if your domain name does expire but you want to get it back in redemption restore fees. They need to make these available to you and other prospective registrants at the time of registration of a domain name. This is more of the fine print when you register domain names, that you should look for to understand what your registrar's policies are, before you register domain names. I think, Joan, I see a raised hand, so I'll let you jump in here, Joan. Good time to pause, thank you.

JOAN KERR:

Great, thank you. Great information, again, of course. I just want to say that for not-for-profits it's really ... Individual is one thing when renewing their websites, but for not-for-profits, sometimes, it has to go through a board process, to make sure that not-for-profits keep on top of this and try to renew the domain names as early as possible to ensure that that information gets transferred if there's another person that's going to be responsible so as not to cause any issues for the not-for-profit.

BRIAN GUTTERMAN:

Joan, thank you very much. That's a really good point and an important reminder for me and for all of you ... In fact, if you're representing NGOs and non-profits, I know some of you are, and if you are ever as a membership, as NPOC members, talking to non-profit registrants, in the field, so to speak, an important thing to remember—so thank you for that, Joan—that, sometimes, there are ... Maybe not bureaucratic but processes in place there about your non-profit that many people might need to be notified about or the decision-making might be a group decision.

Good thing to remember when thinking about these things. Oftentimes we can get into lots of acronym and technical jargon here, into the weeds. Again, Joan, thanks for that. Next slide. Thank you, Jonathan, for putting a little bit more complementary information there, into the chat. And I'll let those that asked those questions take a look at that, and if they have follow-ups, we can answer those, right after this next slide.

Just a little bit more on the ERRP. There's something called an auto-renew grace period. If the registrar does not immediately delete the domain name upon expiration, it may offer an auto-renew grace period, which is a one-to-45-day period, during which you may renew an expired domain name.

So, there are some things in place that may allow you to get you to get your domain name back, even if it expires. However, what we want to emphasize is you don't want to get into this place, for a variety of

reasons. We always emphasize and recommend that you renew your domain name, well ahead of expiration.

There is also a redemption grace period of 30 days immediately following the deletion of the domain name registration. Registries are prohibited from transferring the domain name during this 30-day period and must allow the registered name holder of the domain name to restore the domain name registration.

Again, this is some extra, additional policy language in place to try and help registrants out, who forget to renew their domain name registration. However, we advise you to stay away from these periods and to renew your domain name well ahead of these periods.

Next slide, and I will pause finally, last slide on ERP: “Requires registrars to disrupt the domain name’s DNS service for up to eight days before deleting the domain name, and registries to do the same thing during the 30-day redemption grace period.” This disruption will cause any service associated with your domain name, such as a website or e-mail service, to no longer work, but this is a last-ditch effort, intended to be the last way to inform you that your domain name has expired, so that you can take action if you want.

So, one final message. Thank you, Patrick, and J.D., and Adam for answering the questions in the chat. And next slide, please. So, now we’re going to move on to some of the dispute resolution and rights protection mechanisms, to introduce this topic. And I see, Patrick, you are answering questions already in the chat. J.D., feel free to also speak

to this stuff as well. Patrick Jones, if you could take the floor here to introduce the topics that we have here on the screen? Thank You.

PATRICK JONES:

Sure, thank you very much. I will give a very high-level background about domain name dispute resolution mechanisms, the different procedures that have been developed through our consensus process. We are going to take note of the time. We're at 15 minutes remaining. Some of this may carry over to next week's webinar. This could be a whole webinar all on its own, or even a series of webinars.

So, with that, I'm going to go to the next slide and, just as a starting point refer you to the ICANN website. The link is at the bottom of the slide. We have a page with links to a variety of sections about the dispute resolution resources that are available for not-for-profits and for registrants, registrars, and others.

First, it's presented in the way of asking a question of "What's your problem?" Is your problem about a transfer? Is it about an issue of dealing with a question that might be referred to the ICANN ombudsman, or do you have a problem with an accredited registrar or transfer of a domain name that might not be authorized? Or about inaccurate WHOIS data, which Brian Just talked about. Or even if you've received some kind of fishing attempt or spam.

There are links that you can click on to get more details. So, I'll start with that at as at a high level. Now, go to the next slide. We have information. There are a number of different dispute resolution providers that have been approved by ICANN to settle disputes. Maybe

before I talk about this, I should add that one of the earliest consensus policies developed through the GNSO was the Uniform Domain Name Dispute Resolution Process.

This policy was developed in 1999, the very earliest days of ICANN. This is one of the things that got me involved into eventually coming to work at ICANN. Prior to ICANN, I worked for a law firm doing domain name disputes for no-for-profit organizations like the Red Cross and the International Olympic Committee, and many of these organizations have been active in the development of these types of dispute resolution procedures that are available to you and your members today. I want to set that context.

Also, please note that since the UDRP was enacted almost 22 years ago this year, that's created a whole new field of the law. The World Intellectual Property Organization, which as you can see is only one of the many dispute resolution providers that have been approved by ICANN, hit a milestone last year or so. They've handled over 50,000 cases for UDRP and that is not just in the generic space, but a number of country code registries have also signed up to the UDRP, to resolve their domain name disputes in country code top-level domains. That's a massive amount of decisions that have been rendered across all of these providers around the world.

If you go to the next slide? A little bit of trivia here; this is a screenshot from the very first UDRP decision that was issued in January of 2000 and the domain name involved: worldwrestlingfederation.com. So that's a little bit of trivia that the very first UDRP case, and since then we've had many, many tens of thousands of domain name decisions issued.

Go to the next slide, please. All right. So we also have, in addition to the uniform domain name dispute resolution policy and the process, another process called Uniform Rapid Suspension. Both of these dispute resolution procedures are available to deal with disputes involving issues around trademark claims.

In last week's webinar we talked about cyber-squatting and what that term meant. Both of these are procedures that are available to not-for-profit organizations and registrants to make use of, to bring an arbitration claim through one of the dispute resolution providers that I mentioned on the last slide, and this results in ability for your organization, or you as a registrant, to go and file a proceeding without going to court.

And it's intended to be much faster, more efficient for both the organizations, but also for the individual who may be receiving a complaint as a registrant, through one of these procedures and it's intended to be much faster and more efficient than a court proceeding. In any case, I'm going to keep that at a high level and we'll move to the next slide. Maybe, Brian, I should turn it back to you of things that registrants should know about the UDRP and the Uniform Rapid Suspension Process?

BRIAN GUTTERMAN:

Sure, thanks Patrick. I don't know if you can hear me. I just had a bit of technical difficulties on my end. I don't know ... Now I'm on my phone. Would you mind maybe reading through this next slide and give me one minute to get back up on my laptop?

PATRICK JONES: That's fine.

BRIAN GUTTERMAN: Thank you.

PATRICK JONES: So, I already talked about this, that these are administrative proceedings that are intended to provide a way for a trademark owner to use one of these processes that our registrants are obligated by their contracts with ICANN to follow, if a dispute is brought. A number of country code registries have adopted variations of these processes and procedures to handle disputes at their own country code registries.

You'll need to check if your issue is with a domain name that is registered in a country code domain. You need to check with that registry to see what their dispute resolution procedures might be, if there's an issue with someone who is trying to take advantage of your not-for-profit or your organization through one of these spaces.

Go to the next slide, please. It's important to remember that there is a burden of proof on the organization or individual that's bringing the complaint. There are three different criteria that the complainant must establish in order to be successful in one of these cases. You have to establish that you have trademark rights, that you're an owner of a distinctive mark, and that you've made use of that mark, and then you need to show that the domain name is subject to either the UDRP or the

URS, and that's identical or confusingly similar to a trademark that you have rights to.

And you need to show that the domain name has been used in bad faith and that the registrant, or whoever has registered the domain name, does not have any rights or legitimate interests in the domain name.

And so, each of the dispute resolution providers has tools for you. You can use their websites and see how to submit a complaint. The dispute resolution providers do charge a fee for this and those fees go to the providers themselves. They don't come to ICANN. If you submit a complaint through one of these providers, you'll be in contact with that provider. ICANN won't be involved in the management of these proceedings.

So, you will be notified of the commencement of the case once it has been submitted and you need to maintain current contact information with your registrar during these cases. There are often deadlines to respond and the timing can be quite tight, so you may have 20 days to answer in a UDRP case.

The timing is much shorter for a uniform rapid suspension case. It can be 14 days but the providers can grant extensions in certain circumstances. These are done as an electronic proceeding. There is no in-person hearing unless it's exceptionally granted, and I'm not familiar enough to know if there have ever been, or if there have been recently, any in-person hearings. Maybe go to the next slide? I'm going to try to wrap things up. Maybe we'll pause here and, if we need to continue

talking about dispute resolution procedures, we can definitely carry this over to the next week.

BRIAN GUTTERMAN:

Yeah. Thank you, Patrick. I had technical difficulties on my end so I appreciate you jumping in, there. What we wanted to emphasize here, when it comes to dispute resolution and trademark disputes, I think it's important for NPOC members to understand both sides from both perspectives when it comes to this because you may be disputing ... As an NGO or a non-profit, you may believe that somebody is using your trademark, your non-profit's name, in bad faith.

But you might be on the other side of that, too. You might be accused and be a respondent of using a domain name in bad faith, registering something in bad faith, when, indeed, you have not. So, this is why we're trying to give you both perspectives from an NPOC membership view.

There is a ton of information online available to read more about this but what's important to know is there are these processes, procedures, policies in place, UDRP, and URS, and other mechanisms, to protect both trademark holders and respondent, just regular registrants, in these cases. So, that's important to remember. I wonder if Raoul or Ioana have anything to say here at the end to transition us into next week? I think, Adam, maybe, if you could say a few words to wrap up, as well?

IOANA STUPARIU:

Hi, Brian. Thank you very much for the session today. I'm glad to see, again, conversations on what's being discussed on the group. I think, unless Raoul wants to add something, we are fine for today. We have, if I'm not mistaken, the fifth session next week, same time, same hour. If anyone wants to see the recordings from the last three meetings, as well as the attendance or the written notes, you can find them, as usual, on the Wiki page.

If someone, Adam probably, could add it again? Adam is always the one that's adding the link to the page, so I'm counting on you again. Just as a reminder, we are going to have a fifth session next week, then we will take a break during the ICANN70 prep week and conference, then we are going to be back with the last two sessions. Another reminder: you will get a certificate of completion if you will attend all seven, so stay strong. We still have three more sessions to go, quite interesting discussions. Do prepare questions. See you next week. Adam, onto you.

ADAM PEAKE:

Thank you very much. Yeah, I've just put the archive again into the chat window. I think this is a really helpful session we've had today. Current information, but also we're looking at things that were about ICANN and some of the reasons it was created in the first place. I mentioned the first real example of where a journalist registered the domain name mcdonalds.com, and he did so to write a story for Wired magazine, about the issue where U.S.—well, mainly, at the time—corporations were seeing these famous names being registered by others, and that led onto a discussion about what we now describe as “cyber-squatting” and also about how you use and protect your domain name.

This was one of the first policies that was developed by the ICANN community, 1999-2000, so that you were able to understand and have rights about what you did if you started to forget to register your name. And this is a very good message, I think.

A domain name itself may not be a very costly thing. Perhaps you will spend \$20 U.S. dollars, or \$15 U.S. dollars, or, your local currency, it may be a little bit more of a little bit less. So, this is not a big expenditure for any organization. It's not significant, always, but it's not a big expenditure.

But the value you're investing in that website and in the services that you run off it, your e-mail addresses for your colleagues in even the smallest NGO. This is a very valuable resource. So, when you're thinking about your budget and you have to renew this thing—it might be one year ahead, two years ahead, five years ahead, depending on the contract you have—you really want to put that as a high-priority item up there with the high-expenditure items that you might have on an annual basis, like your office rental or whatever it may be.

So, just because it's low-cost in terms of the actual outlay, the value is extremely high. So the advice, really, to any organization, any NGO, is make sure that this is a priority item in your annual budgetary expenditure. \$15/\$20 but the value is much, much more than that, so it must be treated in that way in the way that you manage your resources.

So, thank you very much. We'll be back next week, continuing with these subjects, and then, as Ioana mentioned, we'll take a break while ICANN prep week happens, and then the ICANN70 meeting. So, thank

you very much, and I look forward to seeing you next week. Thanks. Oh, and we'll keep the chat and answer any questions that we see there that haven't been covered. Thank you. Thank you, bye.

[END OF TRANSCRIPT]