

DRAFT PROPOSAL FOR DATA COLLECTION FOR SUNRISE REGISTRATIONS
18 July 2017

PROPOSED DATA REQUIREMENTS FOR SUNRISE REGISTRATIONS CHARTER QUESTIONS:

REFINED CHARTER QUESTIONS	DATA COLLECTION SUGGESTIONS	COMMENTS/PROPOSALS
<p>Question 2:</p> <ul style="list-style-type: none"> • Does Registry Sunrise or premium name pricing unfairly limit the ability of trademark owners to participate during Sunrise? • If so, how extensive is this problem? 	<ul style="list-style-type: none"> • Review INTA survey results • Collect anecdotal evidence from trademark holders and registries • Collect Sunrise pricing information 	<ul style="list-style-type: none"> • INTA survey results available here: https://community.icann.org/x/ugqsAw • Anecdotal evidence from trademark holders and registries – use survey? • Sunrise pricing – use survey (can incorporate into the anecdotal survey above)? Also, should data be collected from most or all registry operators, or just a sampling of various types of registries?
<p>Question 4:</p> <ul style="list-style-type: none"> • Are Registry Operator reserved names practices unfairly limiting participation in Sunrise by trademark holders? • Should Section 1.3.3 of Specification 1 of the Registry Agreement be modified to address these concerns? (Q4) • Should Registry Operators be required to publish their reserved names lists -- what Registry concerns would be raised by that publication, and what problem(s) would it solve? (Q5) • Should Registries be required to provide trademark owners in the TMCH 	<ul style="list-style-type: none"> • Collect anecdotal data from different stakeholders, including registries. • Registries that exist in jurisdictions that prohibit the publication of specific words/strings (example: profane language) should especially be sought for input. 	<ul style="list-style-type: none"> • Use same survey as above? (need to specify which other stakeholders should be contacted) • Need to decide how to find out what those jurisdictions and who the affected registries are

<p>notice, and the opportunity to register the domain name should the Registry release it – what Registry concerns would be raised by this requirement?</p>		
<p>Question 5: (a) Does the current 30-day minimum for a Sunrise Period serve its intended purpose, particularly in view of the fact that many registry operators actually ran a 60-day Sunrise Period?</p> <ul style="list-style-type: none"> • Are there any unintended results? • Does the ability of Registry Operators to expand their Sunrise Periods create uniformity concerns that should be addressed by this WG? (Q7) • Are there any benefits observed when the Sunrise Period is extended beyond 30 days? • Are there any disadvantages? <p>(b) In light of evidence gathered above, should the Sunrise Period continue to be mandatory or become optional?</p> <ul style="list-style-type: none"> • Should the WG consider returning to the original recommendation from the IRT and STI of Sunrise Period OR Trademark Claims in light of other concerns including freedom of expression and fair use? • In considering mandatory vs optional, should Registry Operators 	<ul style="list-style-type: none"> • Reach out to SO/ACs, public interest groups and trade associations, registrars and registries for information (likely anecdotal evidence) • Review of articles, including investigative reporting articles, about the registration of domains in Sunrise Periods that have been noted to have an impact on free expression, fair use, and the ability of registrants to register domain names; possible additional questions for the Reporters on their research and findings. 	<ul style="list-style-type: none"> • Need to identify which public interest groups and trade associations to contact; for registries, should a survey format be used again here? • Need to identify which media sources and journalists to contact

<p>be allowed to choose between Sunrise and Claims (that is, make ONE mandatory)?</p>		
<p>Question 8: <u>LRP , ALP , QLP – Limited Registration Periods, Approved Launch Programs and Qualified Launch Programs:</u></p> <ul style="list-style-type: none"> • <u>Are Limited Registration Periods in need of review vis a vis the Sunrise Period? Approved Launch Programs? Qualified Launch programs?</u> • <u>Are the ALP and QLP periods in need of review?</u> • <u>What aspects of the LRP are in need of review?</u> 	<ul style="list-style-type: none"> • ICANN’s gTLD Startup Information page has data that can be mined • Collect anecdotal data from registries (Note: .MADRID is the only registry known to the Sub Team that has used an ALP) 	<ul style="list-style-type: none"> • All the data from that page can be exported to Excel. The data currently includes type and dates of Sunrise, dates of Claims periods, and whether the registry ran a QLP, LRP etc. (see https://newgtlds.icann.org/en/program-status/sunrise-claims-periods). • Same question as above for registries – use the same or another survey?
<p>Question 11:</p> <ul style="list-style-type: none"> • How effectively can trademark holders who use non-English scripts/languages able to participate in sunrise (including IDN sunrises), and should any of them be further “internationalized” (such as in terms of service providers, languages served)? 	<ul style="list-style-type: none"> • Survey IDN gTLD Registries for the number of Sunrise Registrations that have taken place. 	<ul style="list-style-type: none"> • Need to get a list of these registries
<p>Question 12:</p> <ul style="list-style-type: none"> • Should Sunrise Registrations have priority over other registrations under specialized gTLDs? Should there be a different rule for some registries, such as specialized gTLDs 	<ul style="list-style-type: none"> • Collect anecdotal evidence from registries. • Collect anecdotal evidence from domain name blogs (example: domaining.com), as well as domain name forums 	<ul style="list-style-type: none"> • Same question as above for registries – use the same or another survey? • Besides domaining.com, Name Pros and DN Forum, are there other

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Comment [1]: Co-chairs suggest that a survey may be more helpful than anecdotal data.

<p>(e.g. community or geo TLDs), based on their published registration/eligibility policies? (Examples include POLICE.PARIS and POLICE.NYC for geo-TLDs, and WINDOWS.CONSTRUCTION for specialized gTLDs)</p>	<p>(examples: Name Pros and DN Forum).</p>	<p>sources?</p>
<p>Original Charter Question 21 (No rewording – referred to full WG):</p> <ul style="list-style-type: none"> • In the light of concrete cases (case law) and from the perspective of owners of protected signs and of marks, which are the identified deficits of RPMs? 	<ul style="list-style-type: none"> • Anecdotal examples should be obtained. There may be some in the INTA study (Revised INTA Cost Impact Report posted on WG wiki here: https://community.icann.org/x/ugqsAw). 	<ul style="list-style-type: none"> • Review INTA survey results before preparing a further survey of brand owners or registrants?