

The image is a promotional graphic for the ICANN 60 Annual General meeting. It features a background photograph of a cityscape at dusk or dawn, with several tall, modern skyscrapers on the left and a large, ornate archway on the right. In the foreground, there are colorful flower beds and a paved walkway. A white rectangular box with a thin border is overlaid on the right side of the image, containing the event's title and dates. The text is in a clean, sans-serif font, with 'ICANN' and '60' being the largest elements. The background image has a reddish-orange tint, suggesting a sunset or sunrise sky.

ICANN
ANNUAL GENERAL

60

ABU DHABI

28 October–3 November 2017

Review of All Rights Protection Mechanisms in All gTLDs Policy Development Process (PDP)

• GNSO Working Session @ICANN60

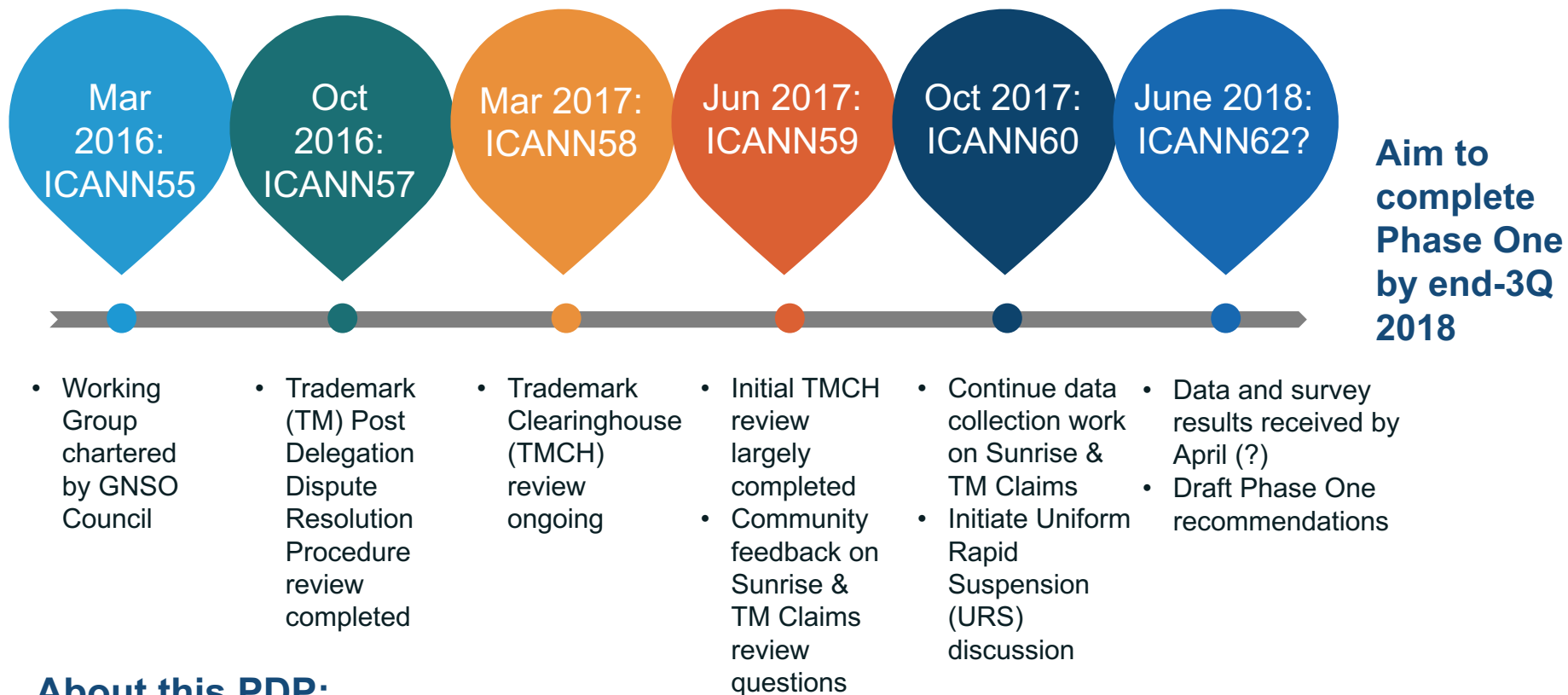
Philip Corwin (presenter)

Working Group Chairs:

- Philip Corwin
- J Scott Evans
- Kathy Kleiman



PDP Phase One timeline



About this PDP:

PDP to review all the Rights Protection Mechanisms (RPMs) that are currently in operation

- Phase One - RPMs created for the 2012 New gTLD Program
- Phase Two - 1999 Uniform Dispute Resolution Policy (which applies to all gTLDs)

What are some milestone achievements to date?

- ⦿ Completion of initial review of Trademark Post-Delegation Dispute Resolution Procedure
- ⦿ Completion of initial review of significant number of TMCH-related Charter questions
- ⦿ Effective use of Sub Teams to advance and manage multiple work tracks
- ⦿ Good working relationship amongst the co-chairs
- ⦿ Timeline management and forward planning:
 - *Intention to commence initial review of Uniform Rapid Suspension dispute resolution procedure while data gathering for Sunrise and Trademark Claims RPMs is ongoing*
 - *Initial review of Charter questions for Phase Two can commence when Phase One initial report is published for public comment*

What are the current challenges? (1/3)

1. Extensive data collection needs impacting timeline to completion for Phase One:

- ⦿ Phase One timeline may need to be extended (e.g. into Q3, 2018)
 - *Sub Team currently working to refine specific details for data survey approved by GNSO Council in September 2017*
 - *Staff has commenced internal Request for Proposal (RFP process) – after vendor is selected, Sub Team/Working Group will work with vendor to finalize survey questions*
 - *Staff has commenced quantitative data collation and other research requested by Working Group*
 - *Final report from Competition, Consumer Choice & Trust Review Team will need to be considered when that is published*
 - *Working Group is commencing URS review while data collection is ongoing*

What are the current challenges? (2/3)

2. Challenges with Data Collection:

- ⦿ Although there is some data available (e.g. monthly registry & registrar reports to ICANN, data from TMCH & URS providers), there is currently no single comprehensive or unified source of data on RPMs
 - *Staff is starting to collate and compile current data from various sources (e.g. in-house and from existing contractors) but this will need regular updating to be of assistance to future reviews*
 - *GNSO Council may wish to consider requesting ICANN develop and maintain RPM-related data for future reviews*
- ⦿ If and when more data and research is needed, this can place additional strain on budgets and staff resources
 - *Not unique to this PDP – this is something the Council may need to consider in the overall push toward data- and metrics-driven policy making*
- ⦿ Problems with delays and lack of responses may worsen if Contracted Parties, ICANN community groups are increasingly asked to respond to surveys and provide input

What are the current challenges? (3/3)

3. PDP deals with: (i) complex legal issues; (ii) of longstanding community interest; with (iii) divergent views from various interests

- Milestone completion can be affected by:
 - *Time and resources required to complete data collection effort*
 - *Need to ensure “knowledge gap” among newer participants is addressed*
 - *Allowing time for various strongly-held views to be aired and worked out*

4. Managing participation levels and ensuring equal participation by a large number of members

- Some members have dropped out or eased off their participation:
 - *Partly due to periodic, large increases in number and volume of emails*
 - *Working Group co-chairs have had to deal with a number of complaints about harassing or disruptive behavior*

Additional Information & ICANN60 Sessions Information

- Open Working Group community sessions: <https://schedule.icann.org/>
 - Saturday 28 October: 15.15-16.45; 17.00-18.30
 - Monday 30 October: 15.15-16.45
 - Thursday 2 November: 13.30-15.00
- Background information: <https://gnso.icann.org/en/group-activities/active/rpm>
- ICANN60 Background Briefing Paper: <https://gnso.icann.org/en/issues/policy-briefing-rpm-review-12oct17-en.pdf>
- Working Group Charter: <https://community.icann.org/x/2CWAAw>
- Working Group online wiki space (meeting transcripts, call recordings, draft documents and background materials): <https://community.icann.org/x/wCWAAw>