GNSO Council Approval of Data Collection Request from RPM Review PDP Working Group

WHEREAS:

1. In October 2015, the GNSO Council adopted all the consensus recommendations from the Data & Metrics for Policy Making (DMPM) Working Group and instructed ICANN staff to commence implementation of the recommendations (https://gnso.icann.org/en/council/resolutions#20151021-1);

2. The Metrics Request Decision Tree and Working Group Metrics Request Form developed by the DMPM Working Group were consequently incorporated into the GNSO's Working Group Guidelines (https://gnso.icann.org/en/council/annex-1-gnso-wg-guidelines-01sep16-en.pdf);

3. The Working Group chartered by the GNSO Council to conduct the Policy Development Process (PDP) to review all Rights Protection Mechanisms (RPMs) in All gTLDs has, after extensive deliberations, developed a list of data collection tasks that it believes are critical in order for it to fulfill its Charter (https://gnso.icann.org/en/drafts/rpm-charter-15mar16-en.pdf);

4. As part of its chartered tasks, the PDP Working Group was urged to bear in mind that a fundamental underlying objective of its work is to "create a framework for consistent and uniform reviews of these [RPMs] in the future";

5. The Competition, Consumer Protection and Consumer Trust (CCT) Review Team convened under the ICANN Bylaws has noted the lack of, and need for, data in order to evaluate the effectiveness of the various RPMs that were created for ICANN's 2012 New gTLD Program round (https://www.icann.org/en/system/files/files/cct-rt-draft-report-07mar17-en.pdf), and
6. The PDP Working Group has developed and submitted a DMPM data request form, as required by the GNSO's Working Group Guidelines, to the GNSO Council for its approval on 16 September 2017 (https://gnso.icann.org/en/drafts/rpm-sunrise-trademark-claims-07sep17-en.pdf)

RESOLVED:

1. The GNSO Council approves the DMPM request as submitted by the Review of All RPMs in All gTLDs PDP Working Group.

2. The GNSO Council instructs the leadership of the RPM PDP to work with ICANN staff and any outside experts to structure the data request in such a way that the value and relevance of the data is maximised.

3. The GNSO Council directs ICANN policy staff to forward the DMPM request to the appropriate department of ICANN Organization for the requisite budget and resource approvals, with a further request that the matter be considered and approved in as timely a fashion as practicable.

4. The GNSO Council requests a follow up report from the Review of All RPMs in All gTLDs PDP Working Group on the progress and outcomes of its DMPM request in time for the GNSO Council's meeting scheduled for 21 December 2017, and a regular written report thereafter, at intervals of not less frequently than monthly, followed by a detailed status report on the Working Group's view of the utility of the data collection exercise on the progress and timeline of Phase One of the PDP by ICANN61.