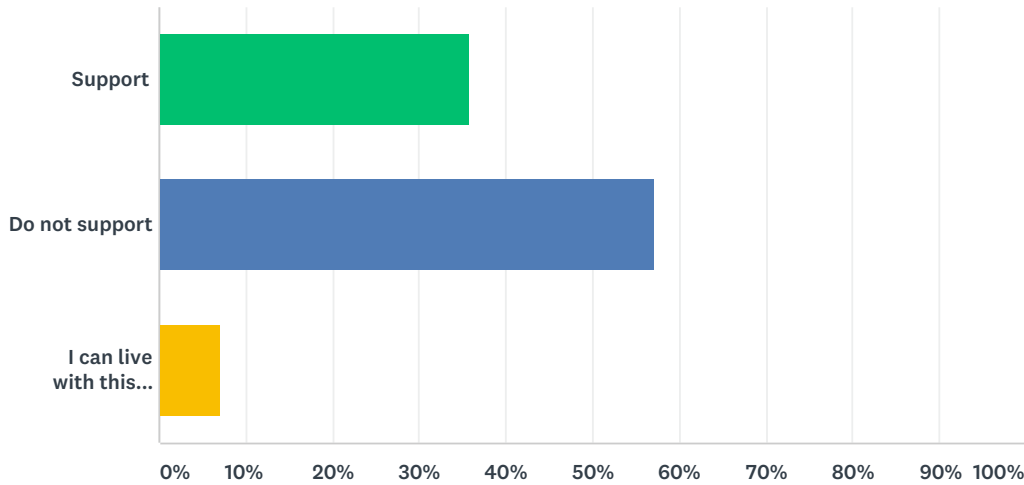


**Q1 Please indicate if you support or do not support Option A, described as follows: "Where a losing registrant challenges the initial UDRP/URS decision by filing suit in a national court of mutual jurisdiction and the IGO that succeeded in its initial UDRP/URS complaint also succeeds in asserting jurisdictional immunity in that court, the decision rendered against the registrant in the predecessor UDRP or URS shall be vitiated (i.e. set aside.)"**

Answered: 14 Skipped: 0



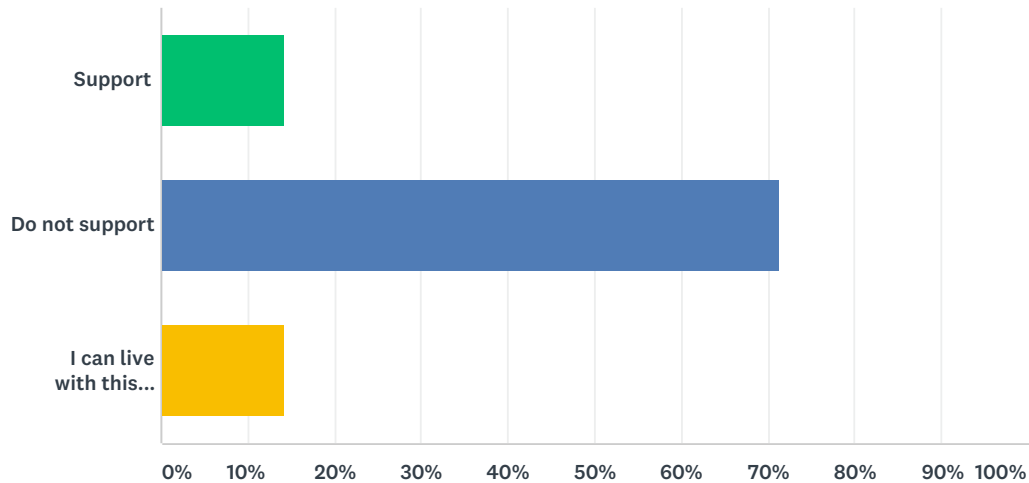
| ANSWER CHOICES              | RESPONSES |
|-----------------------------|-----------|
| Support                     | 35.71% 5  |
| Do not support              | 57.14% 8  |
| I can live with this option | 7.14% 1   |
| TOTAL                       | 14        |

| # | ADDITIONAL COMMENTS:   | DATE                |
|---|--|---------------------|
| 1 | Sadly option A is the best of a very poor set of options.  | 10/23/2017 1:53 PM  |
| 2 | I strongly support this option regardless of political opposition.   | 10/23/2017 11:39 AM |
| 3 | I am still undecided on all three options. The rational and simple solution that's been staring everyone in the face (and apparently hiding in plain sight for some) for almost 3 years is the answer: IGOs must authorize a licensee/agent and have them fight the IGO's battle in court. | 10/23/2017 10:49 AM |

|   |   |                    |
|---|---|--------------------|
| 4 | <p>Dear Colleagues, While responding to the Survey, I found that the question asked in the survey is not very much clear, especially when I read the phrase of Option A. That is why I would like to record my concern and point of view with the Survey: My point of view is this that the contents of the Survey (itself) and its supporting documents should comprise of sufficient information, at least explaining the followings: a). What is the question is being asked in the Survey or Questionnaire? b). What the consequences could be in different situations or possible scenarios? c). If any of the Proposed Option is reducing or downgrading or neglecting the legal rights of the users, or vice versa, then the drawbacks, merits and/or demerits, advantages and disadvantages should be clearly identified and written either within the survey it-self or in its supporting document. We should also know that any of the proposed option (clause of a proposed policy) will not knowingly be used in violation of any applicable laws or regulations. Dear Colleagues, While responding to the Survey, I found that the question asked in the survey is not very much clear, especially when I read the phrase of Option A. That is why I would like to record my concern and point of view with the Survey: My point of view is this that the contents of the Survey (itself) and its supporting documents should comprise of sufficient information, at least explaining the followings: a). What is the question is being asked in the Survey or Questionnaire? b). What the consequences could be in different situations or possible scenarios? c). If any of the Proposed Option is reducing or downgrading or neglecting the legal rights of the users, or vice versa, then the drawbacks, merits and/or demerits, advantages and disadvantages should be clearly identified and written either within the survey it-self or in its supporting document. We should also know that any of the proposed option (clause of a proposed policy) will not knowingly be used in violation of any applicable laws or regulations. In Option A, the decision of the UDRP or URS which was already against the losing registrant, and after challenging the decision against him by the registrant, he again fail to win in a national court of mutual jurisdiction on the basis of jurisdictional immunity asserting by the IGO, and in this case the decision rendered against the him in the predecessor (previous) UDRP or URS shall be vitiated/ set aside/ overruled/ vacated/ null and void. Yes, ICANN may define rules and bylaws for licensing and have dominant powers to exercise for their licensees but it may be a challenging case: In case an IGO has the legal immunity, that may exercise this power of immunity when feels that hearing of the court is going against him (the IGO), which mean that the legal case of the registrant is strong, (a part from the rights of immunity) and there could be greater chances of winning the registrant, then IGO may appears to show the immunity card. In this type of case, yes we need to support the registrant (a common user) by reverting back the decision of the UDRP/URP. I support in favor of justice. But not all the times, this situation could happen in the same way. There are chances, in which IGO/ INGO or Trademark Holders are right, have legal rights to have the domain name / name space transferred to him and also have legal protection through powers of immunity, now in this case reversal of the UDRP/ URS decision is not a correct solution. Although there could be another arbitrary forum, but in this case UDRP/ URS and our policy fails to provide justice. In this case, not only UDRP/ URS Decision (after lengthy process) Fails but also the National Court of Mutual Jurisdiction Fails as well as the current policy fails to give the confidence to its users. I also feel that in this type of situation, we may expect resistance from IGOs in acceptance of such policy. (In this case, I do not support Option A to exercise. So, what should be the right way, it has to be discussed further, elaborating further cases, chances and possibilities.</p> | 10/23/2017 7:59 AM |
| 5 | UDRP decisions are not even set aside if the registrant later were to prevail in court, on the merits.  | 10/20/2017 1:25 PM |
| 6 | The best option, as it ensures full due process for registrants and the supremacy of the courts. It ensures that the initiation of a UDRP doesn't interfere with legal rights of registrants, regardless of who initiates that UDRP (IGO or non-IGO complainant).   | 10/16/2017 5:17 PM |
| 7 | DOA at Council  | 10/16/2017 5:12 PM |

Q2 Please indicate if you support or do not support Option B, described as follows: "In relation to domain names with a CREATION DATE before the (Policy Effective Date), then Option A applies. In relation to domain names with a CREATION DATE on or after the (Policy Effective Date), Option C shall apply. After five (5) years or 10 instances of Option C being utilized, whichever occurs first, ICANN and the various dispute resolution providers (including any who have administered arbitration proceedings under the new Option C) will conduct a review to determine the impact, both positive and negative, as a result of "trying out" Option C."Note: The Working Group has not agreed on whether the decisive date should be the Policy Effective Date or some other date.

Answered: 14 Skipped: 0



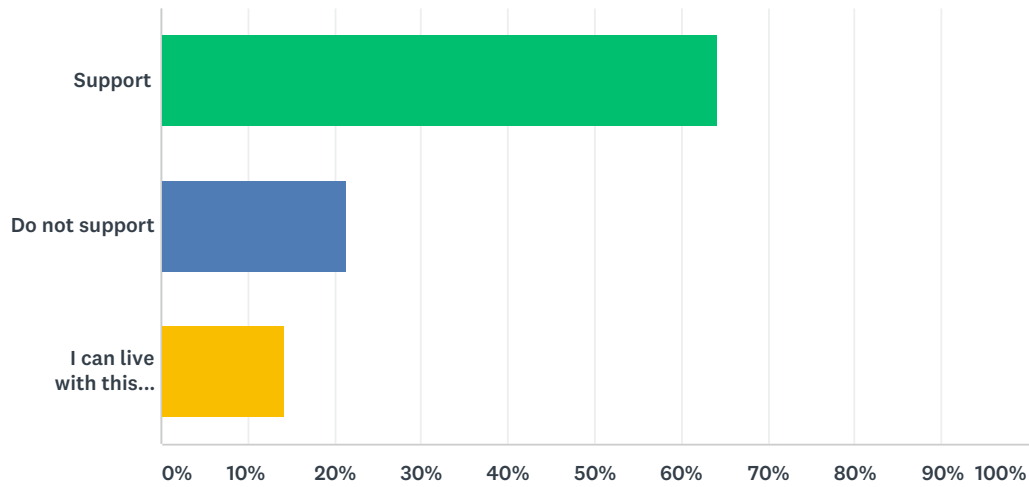
| ANSWER CHOICES              | RESPONSES |
|-----------------------------|-----------|
| Support                     | 14.29% 2  |
| Do not support              | 71.43% 10 |
| I can live with this option | 14.29% 2  |
| TOTAL                       | 14        |

| # | ADDITIONAL COMMENTS   | DATE                |
|---|---|---------------------|
| 1 | Option B is a theoretical construct that simply builds more complexity on top of option C   | 10/23/2017 1:53 PM  |
| 2 | This option is too complicated.   | 10/23/2017 11:39 AM |
| 3 | same comment as comment to Option A   | 10/23/2017 10:49 AM |
| 4 | In this option, again my initial comments are same as quoted against Option - A. However, Why after 5 years, I suggest earlier review, immediate after 3 instances or 1 year, ICANN should automatically review the decisions arbitration proceedings made under the new Option C, and/or in-case of receipt of complaints from public, users or IGOs or INGO. I also suggest that UDRP or URS should be revised, and these polices and other concerns should be discussed and resolved within UDRP/ URS Policy / Procedures. | 10/23/2017 7:59 AM  |

|   |   |                    |
|---|---|--------------------|
| 5 | Too complicated; rights should not depend upon date of the policy.  | 10/20/2017 1:25 PM |
| 6 | 2nd best option (compared with Option A, which is the best). Uses Option C only for newly created domains, given IGOs pushed for changes in the UDRP only in response to fears from the new gTLD program (although Option C also applies to newly created domains in legacy gTLDs). | 10/16/2017 5:17 PM |
| 7 | DOA at Council and too complex  | 10/16/2017 5:12 PM |

Q3 Please indicate if you support or do not support Option C, described as follows: "Where a complainant IGO succeeds in a UDRP/URS proceeding, the losing registrant proceeds to file suit in a court of mutual jurisdiction, and the IGO subsequently succeeds in asserting jurisdictional immunity, the registrant shall have the option to transfer the dispute to an arbitration forum meeting certain pre-established criteria for determination under the national law that the original appeal was based upon, with such action limited to deciding the ownership of the domain name. The respondent shall be given 10 days (or a longer period of time if able to cite a national statute or procedure that grants a period longer than 10 days) to either: (1) inform the UDRP/URS provider [and the registrar] that it intends to seek arbitration under this limited mechanism; or (2) request that the UDRP/URS decision continue to be stayed, as the respondent has filed, or intends to file, a judicial appeal against the IGO's successful assertion of immunity. An IGO which files a complaint under the UDRP/URS shall be required to agree to this limited arbitration mechanism when filing the complaint. If, subsequently, it refuses to participate in the arbitration, the enforcement of the underlying UDRP/URS decision will be permanently stayed. The parties shall have the option to mutually agree to limit the original judicial proceedings to solely determining the ownership of the domain name. Subject to agreement by the registrant concerned, the parties shall also be free to utilize the limited arbitration mechanism described above at any time prior to the registrant filing suit in a court of mutual jurisdiction. In agreeing to utilize the limited arbitration mechanism, both the complainant and respondent are required to inform ICANN."Note: You can review all the specific elements that are being proposed for arbitration in the latest Options Proposal.

Answered: 14 Skipped: 0



| ANSWER CHOICES              | RESPONSES |
|-----------------------------|-----------|
| Support                     | 64.29% 9  |
| Do not support              | 21.43% 3  |
| I can live with this option | 14.29% 2  |
| TOTAL                       | 14        |

| # | ADDITIONAL COMMENTS  | DATE                |
|---|--|---------------------|
| 1 | Option C is not policy making in the strictest sense as it will provide no public benefit. The working group needs to make a definitive statement on its position on immunity once this is done we can begin the proper art of policy making. It will then be very easy to implement a solution (Option D if you like) thereby avoiding all the theoretical non-choices we have at the moment. (We had a very similar problem with the initial report where those driving the discussion were sure 6ter listings granted rights, it doesn't it evidences the underlying rights and the initial report had to be amended)   | 10/23/2017 1:53 PM  |
| 2 | This option imposes a further burden upon the registrant following an action by the IGO (who has sought dismissal of the litigation) that is inconsistent with the "Mutual Jurisdiction" certification. In my opinion, to avoid Option A, the IGO must unconditionally agree to arbitration at an approved arbitration service using pre-published rules. If this is not the case the respondent is faced with yet another argument with the IGO about the arbitration and whether it will occur and under what rules. During the tendency of these arguments the domain of course remains locked and the DNS fixed to its historical setting. As an alternative, I re-iterate my following original suggestion: 1. Any timely Post-UDRP litigation filed results in stay of UDRP (per the norm). 2. IGO may move for dismissal, UNLESS respondent has waived rights to collect damages (e.g. agrees to limit remedies to recovery of the domain). 3. If IGO persists in seeking dismissal and dismissal is granted, UDRP is vitiated. | 10/23/2017 11:39 AM |
| 3 | same comment as comment to Option A  | 10/23/2017 10:49 AM |
| 4 | Although this Option-C is elaborated in detail, and state the condition in which "The both parties shall have the option to mutually agree" "TO LIMIT the original judicial proceedings" to solely determining the ownership of the domain name, I am not in favor statement that state "TO LIMIT the original judicial proceedings", I suggest some alternate words such as "The parties shall have the option to mutually agree to" "settle down the case outside the court proceedings ..... through any arbitrary forum.....   | 10/23/2017 7:59 AM  |
| 5 | Still seems like a lot of work and ballyhoo to address a situation that has never happened, and seems unlikely to ever happen.   | 10/20/2017 1:25 PM  |
| 6 | Can't live with this option at this point yet, as it doesn't fully incorporate previously discussed Option #6 (i.e. instructing registrar that they must freeze the status of the domain name if the registrant brought an "in rem" lawsuit; right now, they only must freeze it if the registrant brought the case "in personam" to review an adverse UDRP decision).   | 10/16/2017 5:17 PM  |

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7

Fair and balanced

10/16/2017 5:12 PM

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## Q4 Please provide your name before you exit this survey. Thank you!

Answered: 14 Skipped: 0

| #  | RESPONSES         | DATE                |
|----|-------------------|---------------------|
| 1  | Poncelet Ileleji  | 10/23/2017 5:09 PM  |
| 2  | Paul Tattersfield | 10/23/2017 1:53 PM  |
| 3  | Jim Bikoff        | 10/23/2017 11:52 AM |
| 4  | Paul Keating      | 10/23/2017 11:39 AM |
| 5  | Jay Chapman       | 10/23/2017 10:49 AM |
| 6  | Imran Ahmed Shah  | 10/23/2017 7:59 AM  |
| 7  | Mike Rodenbaugh   | 10/20/2017 1:25 PM  |
| 8  | Nat Cohen         | 10/19/2017 12:52 PM |
| 9  | Oswaldo Novoa     | 10/18/2017 9:00 AM  |
| 10 | David Maher       | 10/16/2017 5:31 PM  |
| 11 | George Kirikos    | 10/16/2017 5:17 PM  |
| 12 | Philip Corwin     | 10/16/2017 5:12 PM  |
| 13 | Mason Cole        | 10/16/2017 4:51 PM  |
| 14 | Petter Rindforth  | 10/16/2017 4:42 PM  |