

TABLES FOR THE RPM SUNRISE & TRADEMARK CLAIMS DATA REQUESTS APPROVED BY THE GNSO COUNCIL
Prepared for RPM Data Sub Team use by ICANN staff – 18 October 2017

TABLE 1: SURVEYS OF VARIOUS TARGET GROUPS

Data Sources and Proposed Methodology	Purpose & Scope	Relevant Charter Question	Sub Team’s Suggested Draft Questions, Notes & Additional Guidance
1. Survey of New gTLD Registry Operators (RO)	Obtain anecdotal evidence to facilitate Working Group review of Sunrise Charter Question #2 (whether Sunrise and/or Premium Pricing affects trademark (TM) holders’ ability to participate in Sunrise)	<ul style="list-style-type: none"> • Does Registry Sunrise or Premium Name pricing practices unfairly limit the ability of trademark owners to participate during Sunrise? • If so, how extensive is this problem? 	
	Obtain anecdotal evidence to facilitate Working Group review of Sunrise Charter Question #4 (whether registry use of Reserved Names lists affects TM holders’ ability to participate in Sunrise)	<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? • 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? • Should Registries be required to provide Trademark Owners in the TMCH notice, and the opportunity to register the domain name should the Registry release it – what Registry concerns would be 	

		raised by this requirement?	
	Obtain anecdotal evidence to facilitate Working Group review of Sunrise Charter Question #5 (whether there should be mandatory/optional Sunrise, and the efficacy of a 30-day mandatory minimum Sunrise period)	<p>(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? • 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 recommendations 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 be allowed to choose between Sunrise and Claims (that is, make ONE mandatory)? 	
	Obtain anecdotal evidence to facilitate Working Group review	<ul style="list-style-type: none"> • Should Sunrise Registrations have priority over other registrations under specialized 	

<p>of Sunrise Charter Question #12 (whether there is a need for priority or special rules for specialized gTLDs)</p>	<p>gTLDs? Should there be a different rule for some registries, such as specialized gTLDs (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>If a RO ran an Approved Launch Program (ALP), Qualified Launch Program (QLP) and/or Limited Registration Period (LRP) – obtain feedback on whether, and if so what aspects of, the programs should be reviewed (Sunrise Charter Question #8)</p>	<ul style="list-style-type: none"> • Are Limited Registration Periods in need of review vis a vis the Sunrise Period? Approved Launch Programs? Qualified Launch programs? • Are the ALP and QLP periods in need of review? • What aspects of the LRP are in need of review? 	
<p>If a RO offered an Internationalized Domain Name (IDN) gTLD – obtain feedback on the efficacy of Sunrise for IDN gTLDs (Sunrise Charter 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)? 	
<p>If a RO operates in a jurisdiction where profane or other words (strings) are prohibited – obtain feedback on its use of Reserved Names lists (Sunrise Charter 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? • Should Registry Operators be required to 	

		<p>publish their reserved names lists -- what Registry concerns would be raised by that publication, and what problem(s) would it solve?</p> <ul style="list-style-type: none"> • Should Registries be required to provide Trademark Owners in the TMCH notice, and the opportunity to register the domain name should the Registry release it – what Registry concerns would be raised by this requirement? 	
	<p>Obtain feedback from ROs who may believe that their business models (e.g. geo, community or other specialized TLDs) possess attributes that warrant a non-uniform policy in relation to Claims (Claims Charter Question #5)</p>	<ul style="list-style-type: none"> • Should the Trademark Claims period continue to be uniform for all types of gTLDs in subsequent rounds? 	
<p>2. Survey of Registrars</p>	<p>Obtain anecdotal evidence to facilitate Working Group review of Sunrise Charter Questions #4 & #5 (i.e. ROs' use of Reserved Names lists; mandatory vs. optional Sunrise; efficacy of mandatory minimum 30-day Sunrise period)</p>	<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? • 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? • Should Registries be required to provide Trademark Owners in the TMCH notice, 	

		<p>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:</p> <p>(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? • 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 recommendations 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 be allowed to choose between Sunrise and Claims (that 	
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		is, make ONE mandatory)?	
	<p>Specific survey questions for Claims Charter Question #1:</p> <p>1. What is the abandonment rate associated with reasons other than only a Claims notice being triggered? What is the difference between abandonment rates between those that trigger Claims Notices, and those that don't?</p>	<p>Is the Trademark Claims service having its intended effect? Consider the following questions specifically in the context both of a Claims Notice as well as a Notice of Registered Name:</p> <p>a) Is the Trademark Claims service having its intended effect of deterring bad-faith registrations and providing notice to domain name applicants?</p> <p>b) Is the Trademark Claims service having any unintended consequences, such as deterring good-faith domain name applications?</p> <p>NOTE: "follow on" question for Claims Charter Question #1, –</p> <ul style="list-style-type: none"> • If the answers to 1.a. is "no" or 1.b. is "yes", or if it could be better: What about the Trademark Claims Notice and/or the Notice of Registered Name should be adjusted, added or eliminated in order for it to have its intended effect, under each of the following questions? 	
	<p>2. Is there anecdotal data explaining why potential registrants did not complete registrations?</p>		
	<p>3. At what point in the registration process is a trademark record downloaded? Does this happen when domain names are placed in carts, or does it happen when payment/attempted registrations are done later in the process?</p>		

	<p>4. Many registrars take orders for domain names before general availability – pre-orders do not normally result in Claims notices being presented until within 48 hours of general availability – does this contribute to the abandonment rate? If so, to what extent are pre-ordered domain name registrations abandoned?</p>	<p>a) Should the Claims period be extended - if so, for how long (up to permanently)? b) Should the Claims period be shortened? c) Should the Claims period be mandatory? d) Should any TLDs be exempt from the Claims RPM and if so, which ones and why? e) Should the proof of use requirements for Sunrise be extended to include the issuance of TMCH notices?</p>	
	<p>5. Would it be feasible for registrars to run surveys of domain name applicants during subsequent rounds of new gTLDs for anecdotal evidence on why registrations are being abandoned? Is this something ICANN should mandate?</p>		
	<p>6. Has the TM Claims Notice been translated into the language of the registration agreement and is it being made available to registrants in that language?</p>		
<p>3. Survey of TM & Brand Owners</p>	<p>Obtain feedback on Sunrise Charter Questions #2, #4 & #5 (whether Premium Pricing and the use of Premium Names and Reserved Names lists affected TM owners’ willingness to</p>	<p>Question 2:</p> <ul style="list-style-type: none"> • Does Registry Sunrise or Premium Name pricing practices unfairly limit the ability of trademark owners to participate during Sunrise? • If so, how extensive is this problem? 	

	<p>participate in Sunrise; whether intended purpose of mandatory 30-day Sunrise fulfilled, and whether Sunrise should be mandatory/optional)</p>	<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? • 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? • Should Registries be required to provide Trademark Owners in the TMCH notice, and the opportunity to register the domain name should the Registry release it – what Registry concerns would be raised by this requirement? <p>Question 5:</p> <p>(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? • Are there any benefits observed when the Sunrise Period is extended beyond 30 	
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		<p>days?</p> <ul style="list-style-type: none"> • 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 recommendations 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 be allowed to choose between Sunrise and Claims (that is, make ONE mandatory)? 	
	<p>Obtain feedback on number of cease-and-desist letters sent (Claims Charter Question #3 – whether Claims serves its intended purpose)</p>	<p>(a) Does the Trademark Claims Notice to domain name applicants meet its intended purpose?</p> <ol style="list-style-type: none"> i. If not, is it intimidating, hard to understand, or otherwise inadequate? <ul style="list-style-type: none"> ○ If inadequate, how can it be improved? ii. Does it inform domain name applicants of the scope and limitations of trademark holders' rights? <ul style="list-style-type: none"> ○ If not, how can it be improved? iii. Are translations of the Trademark Claims Notice effective in informing domain name applicants of the scope and limitation of trademark holders' 	

		rights? (b) Should Claims Notifications only be sent to registrants who complete domain name registrations, as opposed to those who are attempting to register domain names that are matches to entries in the TMCH?	
	Obtain feedback on actual brand owner experiences regarding evidence of harm intended to be addressed by the Claims RPM (Claims Charter Question #4(a))	<ul style="list-style-type: none"> What is the evidence of harm under the existing [exact match] system?¹ 	
4. Survey of Domain Name Registrants	Obtain anecdotal evidence on effect of Claims Notices (Claims Charter Question #1(b))	<ul style="list-style-type: none"> Is the Trademark Claims service having any unintended consequences, such as deterring good-faith domain name applications?² 	
	Obtain “more granular data about the percentage of those who abandoned registration attempts in response to a notice	<ul style="list-style-type: none"> Is the Trademark Claims service having any unintended consequences, such as deterring good-faith domain name applications?³ 	

¹ This Charter question had the following note: “In conducting this analysis, recall that IDNs and Latin-based words with accents and umlauts are currently not serviced or recognized by many registries.”

² Note the “follow on” question if the answer to this sub-question is Yes: “What about the Trademark Claims Notice and/or the Notice of Registered Name should be adjusted, added or eliminated in order for it to have its intended effect, under each of the following questions?”

- a) Should the Claims period be extended - if so, for how long (up to permanently)?
- b) Should the Claims period be shortened?
- c) Should the Claims period be mandatory?
- d) Should any TLDs be exempt from the Claims RPM and if so, which ones and why?
- e) Should the proof of use requirements for Sunrise be extended to include the issuance of TMCH notices?

³ Note the “follow on” question, as above.

	<p>based on dictionary terms versus those who abandoned attempts in response to distinctive trademarks” (quote from Sub Team report on Claims Charter Question #1(b))</p>		
	<p>Obtain feedback on number of cease-and-desist letters received (Claims Charter Question #3)</p>	<p>(a) Does the Trademark Claims Notice to domain name applicants meet its intended purpose?</p> <ul style="list-style-type: none"> i. If not, is it intimidating, hard to understand, or otherwise inadequate? <ul style="list-style-type: none"> o If inadequate, how can it be improved? ii. Does it inform domain name applicants of the scope and limitations of trademark holders’ rights? <ul style="list-style-type: none"> o If not, how can it be improved? iii. Are translations of the Trademark Claims Notice effective in informing domain name applicants of the scope and limitation of trademark holders’ rights? <p>(b) Should Claims Notifications only be sent to registrants who complete domain name registrations, as opposed to those who are attempting to register domain names that are matches to entries in the TMCH?</p>	

5. Survey of Potential Registrants	Obtain “more granular data about the percentage of those who abandoned registration attempts in response to a notice based on dictionary terms versus those who abandoned attempts in response to distinctive trademarks” (Claims Charter Question #1(b))	<ul style="list-style-type: none"> Is the Trademark Claims service having any unintended consequences, such as deterring good-faith domain name applications?⁴ 	
	Show copy of Claims Notice to average Internet users who are likely to register a domain - to test understanding of the notice (in multiple languages, using languages into which the TMCH has translated its website) (Claims Charter Questions #1 & #3)	<p>Question 1: Is the Trademark Claims service having its intended effect? Consider the following questions specifically in the context both of a Claims Notice as well as a Notice of Registered Name:</p> <ul style="list-style-type: none"> a) Is the Trademark Claims service having its intended effect of deterring bad-faith registrations and providing notice to domain name applicants? b) Is the Trademark Claims service having any unintended consequences, such as deterring good-faith domain name applications?⁵ <p>Question 3: (a) Does the Trademark Claims Notice to domain name applicants meet its intended purpose?</p>	

⁴ Note the “follow on” question if the answer is Yes, as above.

⁵ Note the “follow on” question, as above.

		<ul style="list-style-type: none"> i. If not, is it intimidating, hard to understand, or otherwise inadequate? <ul style="list-style-type: none"> o If inadequate, how can it be improved? ii. Does it inform domain name applicants of the scope and limitations of trademark holders' rights? <ul style="list-style-type: none"> o If not, how can it be improved? iii. Are translations of the Trademark Claims Notice effective in informing domain name applicants of the scope and limitation of trademark holders' rights? <p>(b) Should Claims Notifications only be sent to registrants who complete domain name registrations, as opposed to those who are attempting to register domain names that are matches to entries in the TMCH?</p>	
6. Survey of public interest groups and trade associations (to be identified by the Working Group)	Obtain feedback on Sunrise Charter Question #5 (mandatory vs. optional Sunrise and efficacy of 30-day mandatory minimum Sunrise period)	<p>(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? • Are there any benefits observed when the Sunrise Period is extended beyond 30 	

		<p>days?</p> <ul style="list-style-type: none">• 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 recommendations 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 be allowed to choose between Sunrise and Claims (that is, make ONE mandatory)?	
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TABLE 2: RESEARCH BEING CONDUCTED ICANN STAFF OR OTHER THIRD PARTIES

TASK	SCOPE/DESCRIPTION	RELEVANT CHARTER QUESTION	STAFF UPDATE/COMMENTS
<p>7. Research (can be done by law students or graduate researchers and/or staff)</p>	<p>A two-step process to obtain specific data showing: (1) what domains registered in new gTLDs were disputed; and (2) whether they were registered during the applicable claims period for that gTLD (purpose is to evaluate efficacy of Claims Notice if one had been issued (Claims Charter Questions #1, #2, #3)):</p> <ul style="list-style-type: none"> • Collect, compile and organize all UDRP complaints filed in gTLDs launched under the 2012 New gTLD Program (equivalent URS data is already being compiled by ICANN staff) • Pull down WHOIS records for all domains subject to 	<p>Question 1: Is the Trademark Claims service having its intended effect? Consider the following questions specifically in the context both of a Claims Notice as well as a Notice of Registered Name:</p> <ul style="list-style-type: none"> a) Is the Trademark Claims service having its intended effect of deterring bad-faith registrations and providing notice to domain name applicants? b) Is the Trademark Claims service having any unintended consequences, such as deterring good-faith domain name applications? <p>Question 2: If the answers to 1.a. is “no” or 1.b. is “yes”, or if it could be better: What about the Trademark Claims Notice and/or the Notice of Registered Name should be adjusted, added or eliminated in order for it to have its intended effect, under each of the following questions?</p> <ul style="list-style-type: none"> a) Should the Claims period be extended - if so, for how long (up to permanently)? b) Should the Claims period be shortened? c) Should the Claims period be mandatory? d) Should any TLDs be exempt from the Claims RPM and if so, which ones and why? e) Should the proof of use requirements for Sunrise be extended to include the issuance 	<p>URS/UDRP: Staff is currently compiling the following data on the URS, to match URS cases filed to domains registered during the relevant Claims period:</p> <ul style="list-style-type: none"> • Number of URS cases filed • The second level domains filed against and the respective gTLDs • WHOIS records (at the time the URS complaint was filed) – to check if domain was registered during the applicable Claims period <p>In compiling the above data, staff has reviewed and used, as much as possible, the findings from the Analysis Group.</p> <p>Staff can only compile limited UDRP data at this time:</p> <ul style="list-style-type: none"> • Even though some Working Group members had suggested it will be relatively simple to pull just the UDRP cases filed against domains registered in new gTLDs, that is not the case. • Detailed UDRP data at the level needed for this exercise is not currently available in a uniform

	<p>URS and UDRP complaints under the 2012 New gTLD Program – check for registration date to see if it matches with the relevant gTLD RO’s Claims Period and identify whether the URS complaint involves a trademark accepted into the TMCH in order to evaluate efficacy of Claims Notice if one had been issued</p>	<p>of TMCH notices?</p> <p>Question 3:</p> <p>(a) Does the Trademark Claims Notice to domain name applicants meet its intended purpose?</p> <ol style="list-style-type: none"> i. If not, is it intimidating, hard to understand, or otherwise inadequate? ii. If inadequate, how can it be improved? iii. Does it inform domain name applicants of the scope and limitations of trademark holders’ rights? iv. If not, how can it be improved? v. Are translations of the Trademark Claims Notice effective in informing domain name applicants of the scope and limitation of trademark holders’ rights? <p>(b) Should Claims Notifications only be sent to registrants who complete domain name registrations, as opposed to those who are attempting to register domain names that are matches to entries in the TMCH?</p>	<p>manner, and comprises well over 40,000 disputes.</p> <ul style="list-style-type: none"> • Consequently, compiling meaningful data on UDRP cases will require very extensive manual work (even to normalize the data applicable to UDRP complaints filed against domains registered in new gTLDs). <p>If the Sub Team believes that it is necessary to obtain UDRP data for complaints filed concerning domains registered in new gTLDs, staff recommends that, as part of this Sunrise and Claims data gathering exercise, the Sub Team consider a request to all UDRP providers for more specific data than is currently available publicly, in a format that can be normalized and compiled by ICANN staff.</p> <p>To the extent that specific legal review of UDRP cases is desired at this stage (rather than, e.g. Phase Two), the cost and timing of getting external researchers to do that work should be factored in, and consideration be given to whether the budget for the current request can accommodate this task at this time.</p>
	<p>Find articles and other research “discussing the</p>	<p>Is the exact match requirement for Trademark Claims serving the intended purposes of the</p>	<p>Staff has been asked to conduct a LexisNexis search to find such articles –</p>

	<p>harm of typosquatting and other forms of non-exact-match cybersquatting, including all forms of consumer harm, not just traffic redirection” (quote from Sub Team report on Claims Charter Question #4) and “gaming” of the Sunrise Period.</p>	<p>Trademark Claims RPM? In conducting this analysis, recall that IDNs and Latin-based words with accents and umlauts are currently not serviced or recognized by many registries.</p> <ol style="list-style-type: none"> a) What is the evidence of harm under the existing system? b) Should the matching criteria for Notices be expanded? <ol style="list-style-type: none"> i. Should the marks in the TMCH be the basis for an expansion of matches for the purpose of providing a broader range of claims notices? ii. What results (including unintended consequences) might each suggested form of expansion of matching criteria have? iii. What balance should be adhered to in striving to deter bad-faith registrations but not good-faith domain name applications? iv. What is the resulting list of non-exact match criteria recommended by the WG, if any? c) What is the feasibility of implementation for each form of expanded matches? d) If an expansion of matches solution were to be implemented: <ol style="list-style-type: none"> i. Should the existing TM Claims Notice be amended? If so, how? ii. Should the Claim period differ for exact matches versus non-exact matches? 	<p>as this does not appear to be an imminent need and will take up a substantial amount of staff time. We have not yet started on this task.</p> <p>NOTE: The purpose of this research is to find articles that may assist the Working Group with its pending review of the “Graham-Shatan-Winterfeldt” proposal for non-exact matches (consolidated proposal dated 8 June 2017 available at https://community.icann.org/x/qlDwAw).</p>
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<p>8. Contractors</p>	<p>Hire contractor to generate “semantics of programming that can be used to test the historical data to see how many Claims Notices may be generated” (quote from Sub Team report on Claims Charter Question #4)</p>	<p>Is the exact match requirement for Trademark Claims serving the intended purposes of the Trademark Claims RPM? In conducting this analysis, recall that IDNs and Latin-based words with accents and umlauts are currently not serviced or recognized by many registries.</p> <ol style="list-style-type: none"> a) What is the evidence of harm under the existing system? b) Should the matching criteria for Notices be expanded? <ol style="list-style-type: none"> i. Should the marks in the TMCH be the basis for an expansion of matches for the purpose of providing a broader range of claims notices? ii. What results (including unintended consequences) might each suggested form of expansion of matching criteria have? iii. What balance should be adhered to in striving to deter bad-faith registrations but not good-faith domain name applications? iv. What is the resulting list of non-exact match criteria recommended by the WG, if any? c) What is the feasibility of implementation for each form of expanded matches? d) If an expansion of matches solution were to be implemented: <ol style="list-style-type: none"> iii. Should the existing TM Claims Notice be amended? If so, how? iv. Should the Claim period differ for exact matches versus non-exact 	<p>This may require a substantial expenditure of money for a task that does not seem imminent. Staff recommends that:</p> <ul style="list-style-type: none"> • The Sub Team consider the relevance and priority of this task. If it is deemed necessary, the Sub Team should provide more specific guidance on scope (e.g. what keywords and variants to include). • Nevertheless, in view of the likely expense, staff recommends that this request be paused until staff has obtained and analyzed input from IBM to see if that data can assist with answering this question.
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		matches?	
	Following completion of above task, ICANN staff to work with contractor (can be Deloitte and/or IBM) to determine feasibility of developing a possible Claims system to handle non-exact matches (Claims Charter Question #4)		The Working Group had agreed previously that doing this now will be premature – staff therefore recommends that this task be paused until the results of analysis of IBM input (see above) are available.
	ICANN staff to work with Deloitte and/or IBM to obtain aggregated, anonymized statistics demonstrating both percentages of disputed and undisputed domains that were accepted into the TMCH and that generated a Claims Notice		Staff has not yet commenced this task, although we are consulting with our Global Domains Division (GDD) colleagues who work with Deloitte and IBM as to the ability of these contractors to provide this information at no extra cost.
	ICANN staff to work with contractor to obtain Sunrise and General Availability for a sampling of different types of domains (e.g. geo, community, open) - purpose is to determine if Sunrise and/or Premium Pricing affected ability of	<ul style="list-style-type: none"> • Does Registry Sunrise or Premium Name pricing practices unfairly limit the ability of trademark owners to participate during Sunrise? • If so, how extensive is this problem? 	Staff has already presented our initial findings on Sunrise registration data to the Working Group, based on a breakdown of gTLDs into “generic”, “geographic” and “brands/Spec 13” categories. We can (but have not yet proceeded to) pull General Availability registration data for a sample of each type of gTLD – this can be done as part of #7 (above).

	trademark holders to participate in Sunrise (Sunrise Charter Question #2)		
	Hire contractor to assist Working Group in sorting and analyzing all data and feedback collected		Staff recommends that this proposal be paused as it is not clear that a third-party expert in data analytics is needed at this time.
9. List of gTLDs that had Approved Launch Programs, Qualified Launch Programs and/or Limited Registration Periods	ICANN staff to compile the list for Working Group analysis of the efficacy of these mechanisms (Sunrise Charter Question #8)	<ul style="list-style-type: none"> • Are Limited Registration Periods in need of review vis a vis the Sunrise Period? Approved Launch Programs? Qualified Launch programs? • Are the ALP and QLP periods in need of review? • What aspects of the LRP are in need of review? 	Staff has already begun to compile this data; however, additional information may be needed from the relevant registry operators to answer the Charter questions.
10. List of IDN gTLDs that had a Sunrise Period	ICANN staff to compile the list for Working Group analysis of the efficacy of Sunrise for TMs in non-Latin scripts (Sunrise Charter Question #11)	<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)? 	Staff is likely to be able to provide this data based on our initial Sunrise registration findings.
11. Compilation of investigative	Staff to collect articles from Working Group-approved list of blogs, to assist with Working Group analysis of	<p>Question 5:</p> <p>(a) Does the current 30-day minimum for a Sunrise Period serve its intended purpose, particularly in view of the fact that many registry</p>	Staff has begun on this task, but it is an extensive task that will require a substantial amount of staff time to complete (especially in combination with

<p>journalists' and other media reports as well as coverage from industry blogs and publications</p>	<p>Sunrise Charter Questions #5 (mandatory vs. optional Sunrise and efficacy of 30-day mandatory minimum Sunrise period); and #12 (whether there is a need for priority or special rules for specialized gTLDs)</p>	<p>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? • 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 recommendations 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 be allowed to choose between Sunrise and Claims (that is, make ONE mandatory)? <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 (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 	<p>the research request to search LexisNexis for articles on cyber-squatting, consumer harm and “gaming”, above).</p> <p>The list of blogs that have been suggested for this task includes over 30 blogs to date: https://community.icann.org/x/ShMhB</p>
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		gTLDs.	
12. Compilation of all URS cases (including domains in dispute and outcomes)	Staff to compile the list, to compare against WHOIS data (to be obtained as part of the two-step research process noted in #7 above) for domains in dispute and discover which domains were registered during the relevant Claims Period for that gTLD		See staff note under Item #7, above.
13. Compilation of data and conclusions from the Analysis Group's report on the Trademark Clearinghouse	Staff to extract relevant data and conclusions as a starting point for the Working Group's analysis of the efficacy of the Sunrise and Claims RPMs, and avoid duplication of effort where the Analysis Group has already provided the data required		See staff note under Item #7, above – in our initial findings of Sunrise registration data, staff has been able to confirm the Analysis Group's data.
14. Compilation of INTA Cost Impact Study results	Staff to compile results relevant to Sunrise and Claims, to supplement anecdotal evidence obtained via the surveys proposed above, to determine if Sunrise and/or Premium Pricing affected ability of trademark holders	<ul style="list-style-type: none"> • Does Registry Sunrise or Premium Name pricing practices unfairly limit the ability of trademark owners to participate during Sunrise? • If so, how extensive is this problem? 	The Working Group has already received a presentation on the INTA survey results: https://community.icann.org/x/GhghB . Staff suggests revisiting this data (if necessary) following discussions with the CCT Review Team, which has also reviewed the survey results.

	to participate in Sunrise (Sunrise Charter Question #2)		
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