

Prohibition on Registrar Cybersquatting

ISSUE: A .5	Prohibition on registrar cybersquatting	
Priority:	RAA Final Report (High Priority Item)	
Issue / Request	<p>RAA-DT:</p> <ol style="list-style-type: none"> 1) Incorporate terms in the RAA that explicitly prohibit cybersquatting 2) Currently, the violation of RAA Section 3.7.2 entitled "applicable laws and government regulations" by registrars is a breach of the RAA. Under section 5.3.4 a registrar has fifteen working days after ICANN gives notice of a breach to cure. A violation of RAA Section 3.7.2 is the type of offense that should result in immediate termination of the RAA. Therefore, insert in RAA Section 5.3.2 the right to immediately terminate the RAA when a registrar violates RAA Section 3.7.2 or the prohibition against cybersquatting. 3) Adopt a Registrar Code of Conduct (RAA 3.7.1) that incorporates provisions to achieve similar results. 4) Amend RAA to require Registrar to provide ICANN with list of pending litigation or claims alleging cybersquatting. 5) Termination of accreditation 	Source: RAA -DT Final Report
Notes	Additional information regarding requests: N/A	Source:
Discussion Points	Description	Date Discussed
	<p>The negotiating teams discussed (i) the definition of cybersquatting; and (ii) possible evidentiary standards to be used in connection with a specific RAA prohibition against cybersquatting.</p> <p>Discussion of number of instances of cybersquatting to trigger termination.</p> <p>ICANN to provide additional information related to the RAA-DT rationale for this request.</p> <p>Discussion on limiting to situations where registrars/affiliates are registrants.</p> <p>Concerns regarding termination triggered by one arbitration decision; Discussion of trigger based on pattern of cybersquatting.</p>	<p>2 Dec 2011</p> <p>20 Dec 2011</p> <p>20 Dec 2011</p> <p>17 Jan 2012</p> <p>17 Feb 2012</p>
Proposed Text	Open	
Status / Outcome	Under Discussion	
Explanation	Open	
COMMENTS:	Comments may be submitted using the "Add Comment" feature below.	

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