At-Large Implementing Rights Protection Mechanisms in the Name Collision Mitigation Framework Workspace

Comment Close Date	Statement Name	Status	Assignee (s)	Call for Comments Open	Call for Comments Close	Vote Announcement	Vote Open	Vote Reminder	Vote Close	Date of Submission	Staff Contact and Email
15.09.2014	Implementing Rights Protection Mechanisms in the Name Collision Mitigation Framework	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	Karen Lentz karen. lentz@icann. org

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- Comments Forum

Brief Overview

To determine the requirements on the appropriate Rights Protection Mechanisms for names removed from registry SLD Block Lists.
Comment Period: 25 Aug 2014 - 15 Sep 2014 23:59 UTC
Reply Period: 16 Sep 2014 - 7 Oct 2014 23:59 UTC

Section I: Description, Explanation, and Purpose

Consistent with the Name Collision Occurrence Management Framework [PDF, 926 KB] approved on 30 July 2014, the Board New gTLD Program Committee directed staff to provide each registry operator a Name Collision Occurrence Assessment ("Name Collision Assessment"), issued on 4 August 2014. Per the Name Collision Occurrence Assessment, for names included on the SLD Block List of the registry's Alternate Path to Delegation Report and recorded in the Trademark Clearinghouse that the registry withheld from allocation during its Sunrise Period or Claims Period, the registry must continue to withhold these names from allocation while ICANN consults with the community. This paper [PDF, 114 KB] examines operational and other considerations for several approaches regarding the appropriate Rights Protection Mechanisms for release of SLD Block List names.

Section II: Background

The Name Collision Assessment requires certain measures to be implemented for each top-level domain. In particular, it provides that for gTLDs delegated prior to 18 August 2014 who have activated names, the registry must ensure that second-level domain names desired to be activated from its SLD Block List after the 90-day controlled interruption period have been subject to applicable Rights Protection Mechanisms as required under Specification 7 of theRegistry Agreement.

Based on feedback and discussion to date in the community regarding appropriate Rights Protection Mechanisms for names in the SLD Block list, several possible approaches are described in this paper for the handling of these names. ICANN is requesting community feedback on these alternatives, or proposals for additional measures.

Currently, names released from the SLD Block List after a TLD's Sunrise period has occurred are subject to the Trademark Claims service on release. Various stakeholder groups have provided feedback suggesting alternatives, for example, a required Sunrise period, or a similar period incorporating some elements of the Sunrise process.

Section III: Relevant Resources

Name Collision Occurrence Management Framework:https://www.icann.org/en/system/files/files/name-collision-framework-30jul14-en.pdf [PDF, 926 KB]

gTLD Registry Agreement: http://newgtlds.icann.org/sites/default/files/agreements/agreement-approved-09jan14-en.htm

RPM Requirements: http://newgtlds.icann.org/en/about/trademark-clearinghouse/rpm-requirements-14may14-en.pdf [PDF, 387 KB]

Letter from the Registry Stakeholder Group (RySG), the Business Constituency (BC), and the Intellectual Property Constituency (IPC):https://www.icann.org/en/system/files/correspondence/cooper-et-al-to-chalaby-ngpc-17jul14-en.pdf [PDF, 153 KB]

Letter from the Internet Committee of the International Trademark Association (INTA):https://www.icann.org/en/system/files/correspondence/macpherson-to-chalaby-18jul14-en.pdf[PDF, 560 KB]

Section IV: Additional Information

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FINAL VERSION TO BE SUBMITTED IF RATIFIED

The final version to be submitted, if the draft is ratified, will be placed here by upon completion of the vote.

FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

The final draft version to be voted upon by the ALAC will be placed here before the vote is to begin.

FIRST DRAFT SUBMITTED

The first draft submitted will be placed here before the call for comments begins.