Pre-ICANN65 GNSO Policy Webinar

17 June 2019

Agenda

1 Welcome and Introduction

2 New gTLD Subsequent Procedures PDP

3 Review of All Rights Protection Mechanisms in All gTLDs PDP
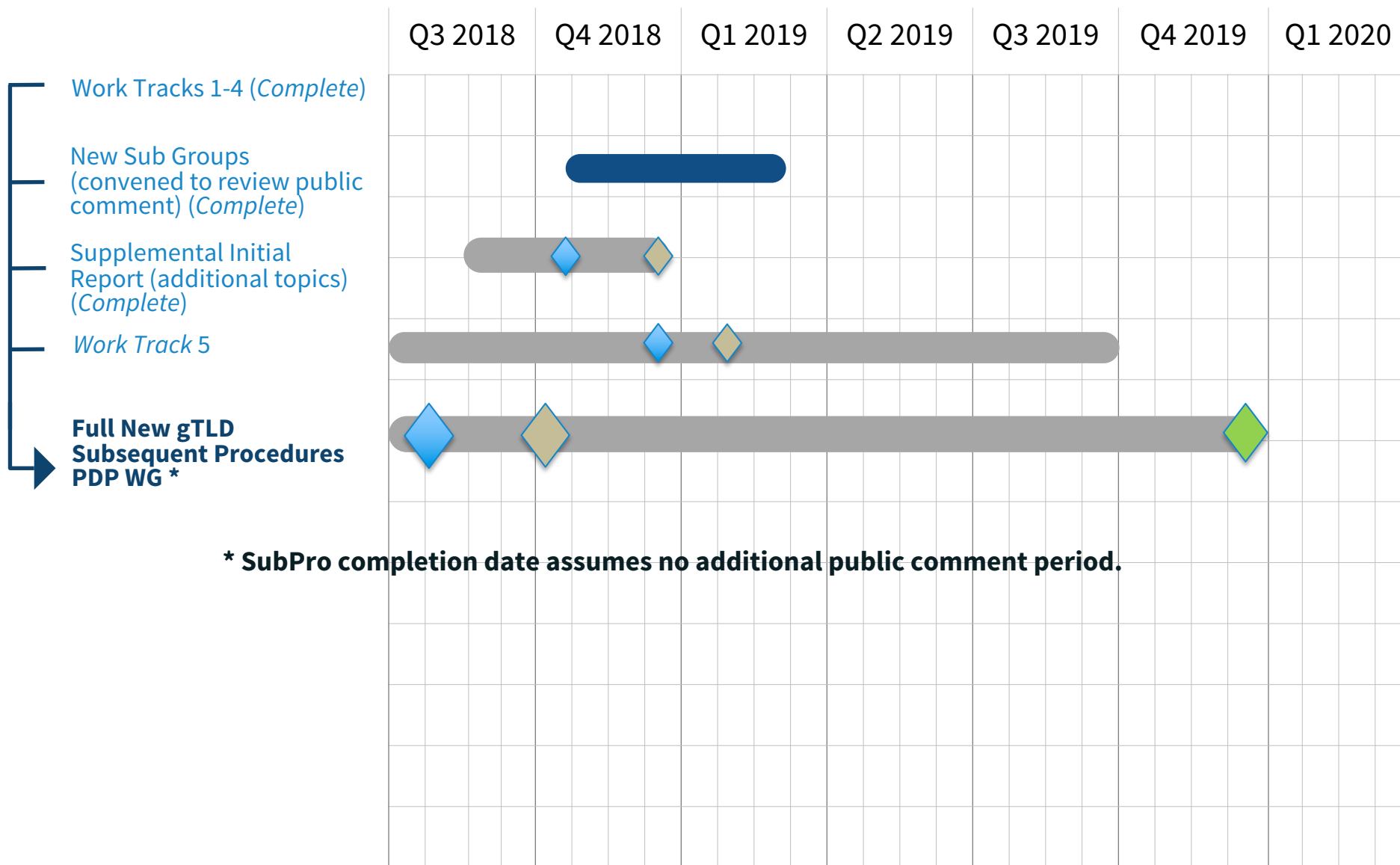
4 EPDP on gTLD Registration Data

5 Questions & Answers

Introduction

New gTLD Subsequent Procedures PDP Working Group

SubPro Timeline

	Q3 2018	Q4 2018	Q1 2019	Q2 2019	Q3 2019	Q4 2019	Q1 2020

Work Tracks 1-4 (*Complete*)

New Sub Groups (convened to review public comment) (*Complete*)

Supplemental Initial Report (additional topics) (*Complete*)

Work Track 5

Full New gTLD Subsequent Procedures PDP WG *

* SubPro completion date assumes no additional public comment period.

What are the current challenges and issues?

- The WG is reviewing the 40+ subjects in detail and each subject has taken up an entire meeting or more. This will lead to challenges with the work plan and likely some readjustment.

- Some WG members are showing up to meetings without an understanding or appreciation of conversations that have already taken place.

- Some WG members are asserting that their strongly held opinion must be upheld, losing sight of how the MSM model works and consensus is reached.

- Some WG members seem to lack the incentive to reach compromise.

- Despite a large number of WG members, participation continues to come from a limited sub-set of participants, who sometimes dominate the conversation. Discussion on mail list is limited as well.

How can the Council and community assist?

- Remain available as a resource for consultation/escalation in respect of the issues identified.

- Support the co-chairs if any remedial actions are necessary from WG member disruption.

- Help navigate some of the interdependent topics (Name Collisions Analysis Project, string similarity, IDN variants).

- Support efforts to coordinate with GDD on interim operational readiness activities for the New gTLD Program.

Sessions at ICANN65 and Further Information

Meetings

Full WG SubPro Working Sessions on Monday, 24 June from 13:30-15:00 and Tuesday, 25 June from 8:30-10:15

WT5 working sessions on Monday, 24 June from 9:00-10:15 and 10:30-12:00

Both the full WG and WT5 will split their areas of focus, 1) temperature taking on initial conclusions from substantive public comment review and 2) continued progress on continuing substantive public comment review to reach initial conclusions.

Resources

- ⊙ GNSO Project Page: https://gnso.icann.org/en/group-activities/active/new-gtld-subsequent-procedures
- ⊙ WG Wiki: https://community.icann.org/x/RgV1Aw
- ⊙ WG Charter: https://gnso.icann.org/en/issues/new-gtlds/subsequent-procedures-charter-21jan16-en.pdf
- ⊙ WG Work Plan: https://community.icann.org/x/NAp1Aw

Review of All Rights Protection Mechanisms (RPMs) PDP Working Group

Timeline

| Dec 2016 TM-PDDRP Review Complete | Oct 2018 URS Review Complete | July 2019 TM Claims & Sunrise Review Complete | Oct 2019 TMCH Review Complete | Jan 2020 Initial Report for Public Comment | Feb-Apr 2020 Review Public Comments | Apr 2020 Final Report to GNSO Council |

- Chartered in March 2016 to conduct a two-phased PDP

- Phase 1 – RPMs applicable to gTLDs launched under the 2012 New gTLD Program:
  - TM-PDDRP
  - TMCH
  - Sunrise and Trademark Claims offered through the TMCH
  - URS dispute resolution procedure.

- Phase 2 – UDRP (an ICANN Consensus Policy since 1999)

- Aiming to complete Phase 1 by mid-to-late April 2020

Timeline (Continued)

Sunrise and Trademark Claims Sub Teams formed in December 2018 to analyze all collected data

Since ICANN64 they have been:

⊙ Developing proposed answers to the agreed charter questions and preliminary recommendations

⊙ Vetting of proposals submitted by individual WG members

⊙ Aiming for completion by June 2019

What are the current challenges and issues?

Charter Questions: Some agreed charter questions are broad and unclear, difficult to formulate answers and recommendations

Divergence: Members hold strong, divergent opinions, unwilling to reach agreements or accept the lack of wide support

Data Quality: Limited scope of data and the challenge to find the balance between use of data and other inputs/expertise

Working Methods: Challenge to anticipate what might be the appropriate tools to monitor the work and make progress efficiently

Relitigate Issues: Re-open previously discussed topics and proposals lacking wide support from the Sub Teams at the full WG level

Time Management: Spend long time debating about process issues and uncompromising positions, in danger of falling behind in workplan and projected timeline

Notwithstanding these challenges, the WG has proceeded collegially, constructively, and as expeditiously as possible to address its charter questions and produce recommendations.

How can the Council and community assist?

Challenge	Assistance
Charter Questions	Encourage members to clarify broad/confusing charter questions in proposed answers
Divergence	Push members to find mutual ground, accept disagreement, and move forward
Data Quality	Suggest data / information that should be gathered to facilitate future review of RPMs
Working Method	Encourage the GNSO community to participate in the discussion about evolving ICANN's multi-stakeholder model, including how to ensure access to the right tools for collaboration and policy development
Relitigating Issues	Enforce rules against reopening closed topics
Time Management	Closely monitor timeline, urge participants to be accountable and refrain from engaging in debates that are unproductive

What to expect at ICANN65

⊙ Four open meetings at ICANN65:

Tuesday, 25 June 2019 @ Orangeraie

- Session 1: 10:30-12:00

- Session 2: 13:00-15:00

Thursday, 27 June 2019 @ Orangeraie

- Session 3: 08:30-10:15
- Session 4: 10:30-12:00

⊙ Sub Teams plan to use the sessions to:
- Finalize their work

- Present and discuss their work with the full WG

⊙ All community members are welcome to attend

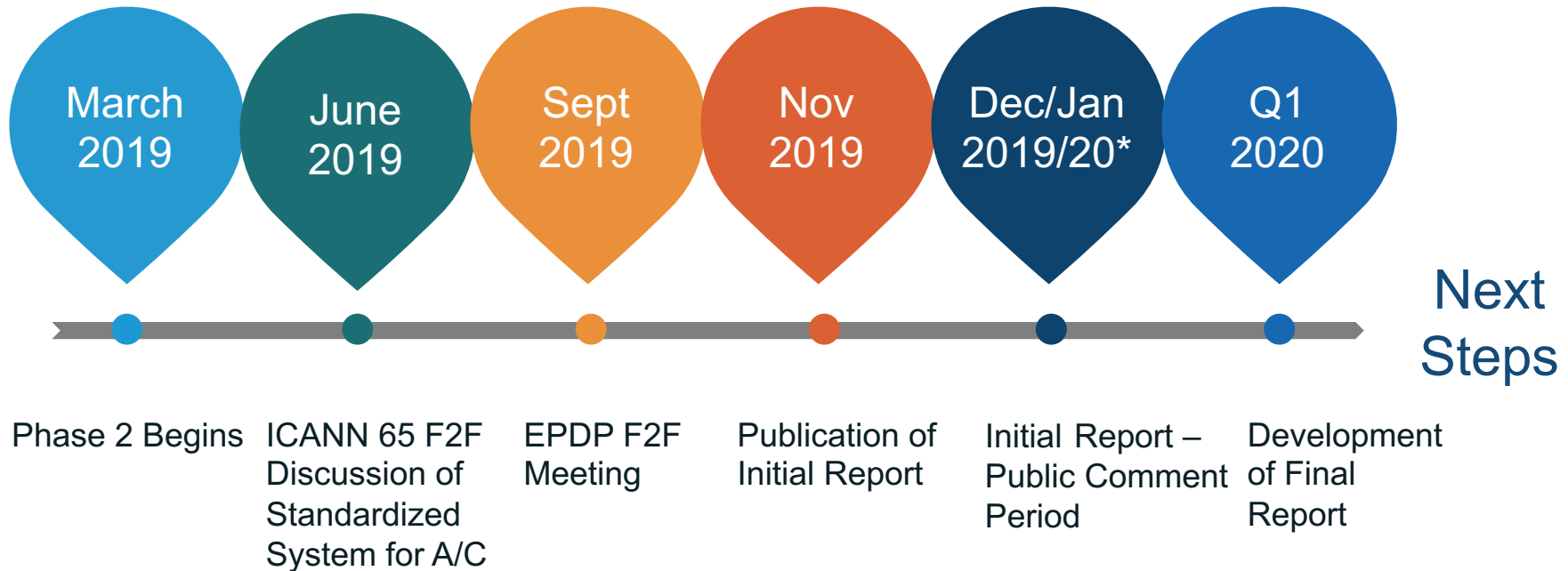# Sessions at ICANN65 and Further Information

ICANN65 Schedule: https://65.schedule.icann.org/

Resources

- GNSO Project Page: https://gnso.icann.org/en/group-activities/active/rpm
- WG Wiki: https://community.icann.org/x/wCWAAw
- WG Charter: https://gnso.icann.org/en/drafts/rpm-charter-15mar16-en.pdf
- WG Work Plan: https://community.icann.org/display/RARPMRIAGPWG/Work+Plan
- Sunrise Sub Team Documents Page: https://community.icann.org/x/_oIWBg
- Trademark Claims Sub Team Documents Page: https://community.icann.org/x/9YIWBg

EPDP on the Temporary Specification for gTLD Registration Data

Chair-proposed Timeline

March 2019	June 2019	Sept 2019	Nov 2019	Dec/Jan 2019/20*	Q1 2020	Next Steps
Phase 2 Begins	ICANN 65 F2F Discussion of Standardized System for A/C	EPDP F2F Meeting	Publication of Initial Report	Initial Report – Public Comment Period	Development of Final Report	

What This Project is About

During Phase 2 of its work, the EPDP Team will deliberate on a system for standardized access/disclosure to nonpublic registration data. The Team will also deliberate on items that were either included in the EPDP Team charter or deferred from the EPDP Phase 1 Final Report.

*Priority 2 items may be included in the first Initial Report but due to dependencies could also have a separate Initial/Final Report

Priority of EPDP Work

Priority 1

- System for Standardized Access/Disclosure to non-public registration data

Priority 2

VS

- Display of information of affiliated vs. accredited privacy / proxy providers
- Legal vs. Natural
- Redaction of City Field
- Data Retention
- Potential OCTO Purpose
- Anonymized Email Address
- Accuracy and WHOIS ARS

What are the current challenges and issues?

- Although there is a shared sense of urgency, some groups have noted the Phase 2 work should continue at a similar pace to Phase 1, while other groups believe that is untenable

- While many groups believe the work should continue at a rapid pace, keeping up with the deadlines that are associated with this pace may prove challenging.

- The necessity of parallel work efforts to include items deferred from Phase 1.

- The group has significant work ahead to solidify recommendations for an Initial Report by the target date of November 2019, which will require compromise and mutual understanding.

How can the Council and community assist?

- Ensure that the necessary resources are available to complete this work

- Provide guidance if/when needed in relation to scope of work and expectations with regards to timing

What to expect at ICANN65

- The EPDP Team's draft agenda for its meetings at ICANN65 include continued discussion on:

  - Standardized System for Access/Disclosure topics, including:

    - Define user groups, criteria and purposes / lawful basis per user group

    - Authentication / accreditation of user groups

    - Content of requests and responses

    - Query policy

  - Engagement with ICANN org to discuss next steps in relation to outreach with Data Protection Authorities

  - Review of draft project plan and timeline

Sessions at ICANN65 and Further Information

Meetings

The Expedited Policy Development Process (EPDP) Team currently has two sessions scheduled at ICANN65. The currently scheduled sessions are (local time):

- ◉ **Tuesday, 25 June** from 08:30-15:00 (Meeting room: Tichka)

- ◉ **Thursday, 27 June** from 08:30 – 15:00 (Meeting room: Tichka)

Resources

- ◉ EPDP Initial Report: https://go.icann.org/2E6DEbh
- ◉ EPDP Final Report: https://go.icann.org/2TNA63g
- ◉ EPDP Webpage: https://go.icann.org/2O8UTP6
- ◉ EPDP Workspace: https://go.icann.org/2LKujuF
- ◉ EPDP Charter: https://go.icann.org/2MsBAAx

Questions

Engage with ICANN

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