

**COOPERATIVE ENGAGEMENT AND INDEPENDENT REVIEW PROCESSES
STATUS UPDATE – 12 AUGUST 2020**

ACTIVE COOPERATIVE ENGAGEMENT PROCESS (CEP) PROCEEDINGS¹

| Request Date | Requestor(s) | Subject Matter(s) |
|--------------|---------------|-------------------|
| 17-Feb-2014 | GCCIX, W.L.L. | .GCC |

RECENTLY CLOSED COOPERATIVE ENGAGEMENT PROCESS (CEP) PROCEEDINGS

| Request Date(s) | Requestor(s) | Subject Matter | IRP Filing Deadline |
|-----------------|---------------------------|------------------|---|
| 20-Jan-2015 | Asia Green IT System Ltd. | .PERSIANGULF | 26-Aug-2020 17-Nov-2020 ² |
| 19-Oct-2018 | Asia Green IT System Ltd. | .HALAL .ISLAM | 17-Nov-2020 |

¹ The Cooperative Engagement Process (CEP) is a process voluntarily invoked by a complainant prior to the filing of an Independent Review Process (IRP) for the purpose of resolving or narrowing the issues that are contemplated to be brought to the IRP. (See Bylaws, Art. 4 § 4.3(e).) The requesting party may invoke the CEP by providing written notice to ICANN, noting the invocation of the process, identifying the Board action(s) at issue, identifying the provisions of the ICANN Bylaws or Articles of Incorporation that are alleged to be violated, and designating a single point of contact for the resolution of the issue. Further information regarding the CEP is available at: <https://www.icann.org/en/system/files/files/cep-11apr13-en.pdf>.

² IRP filing deadline in this matter varies depending on the claim(s) potentially raised in the IRP.

**COOPERATIVE ENGAGEMENT AND INDEPENDENT REVIEW PROCESSES
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ACTIVE INDEPENDENT REVIEW PROCESS (IRP) PROCEEDINGS³

| Date ICANN Received Notice of IRP | Date IRP Commenced by ICDR | Requestor | Subject Matter | Status |
|--|-----------------------------------|--|-----------------------|--|
| 14-Nov-2018 | 26-Nov-2018 | Afilias Domains No. 3 Limited https://www.icann.org/resources/pages/irp-afili-as-v-icann-2018-11-30-en | .WEB | <u>Panel Selection:</u> Full Panel confirmed on 20 August 2019. <u>Materials:</u> Written submissions, Declaration(s), and Scheduling Order(s) are posted here . <u>Hearing(s):</u> Merits hearing took place on 3-11 August 2020. |
| 18-Nov-2019 | 16-Dec-2019 | Fegistry, LLC, Minds + Machines Group, Ltd., Radix Domain Solutions Pte. Ltd., and Domain Ventures Partners PCC Limited https://www.icann.org/resources/pages/irp-fegistry-et-al-v-icann-hotel-2019-12-20-en | .HOTEL | <u>Panel Selection:</u> No Panelists have been selected. <u>Materials:</u> Written submissions, Declaration(s), and Scheduling Order(s) are posted here . <u>Hearing(s):</u> No hearings are currently scheduled. |
| 25-Feb-2020 | 26-Feb-2020 | Namecheap, Inc. https://www.icann.org/resources/pages/irp-namecheap-v-icann-2020-03-03-en | .ORG .INFO .BIZ | <u>Panel Selection:</u> Full Panel confirmed on 14 July 2020. <u>Materials:</u> Written submissions, Declaration(s), and Scheduling Order(s) are posted here . <u>Hearing(s):</u> No hearings are currently scheduled. |

³ IRP is intended to hear and resolve Disputes for the following purposes: (i) ensure that ICANN does not exceed the scope of its Mission and otherwise complies with its Articles of Incorporation and Bylaws; (ii) empower the global Internet community and Claimants to enforce compliance with the Articles of Incorporation and Bylaws through meaningful, affordable and accessible expert review of Covered Actions (as defined in § 4.3(b)(i)); (iii) ensure that ICANN is accountable to the global Internet community and Claimants; (iv) address claims that ICANN has failed to enforce its rights under the IANA Naming Function Contract (as defined in Section 16.3(a)); (v) provide a mechanism by which direct customers of the IANA naming functions may seek resolution of PTI (as defined in Section 16.1) service complaints that are not resolved through mediation; (vi) reduce Disputes by creating precedent to guide and inform the Board, Officers (as defined in Section 15.1), Staff members, Supporting Organizations, Advisory Committees, and the global Internet community in connection with policy development and implementation; (vii) secure the accessible, transparent, efficient, consistent, coherent, and just resolution of Disputes; (viii) lead to binding, final resolutions consistent with international arbitration norms that are enforceable in any court with proper jurisdiction; and (ix) provide a mechanism for the resolution of Disputes, as an alternative to legal action in the civil courts of the United States or other jurisdictions. (*See* Bylaws, Art. 4, § 4.3)

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RECENTLY CLOSED INDEPENDENT REVIEW PROCESS (IRP) PROCEEDINGS

| Date ICANN Received Notice of IRP | Date IRP Commenced by ICDR | Requestor | Subject Matter | Date IRP Closed | Date of Board Consideration of IRP Panel’s Final Declaration⁴ |
|--|-----------------------------------|------------------|-----------------------|------------------------|---|
| There are no recently closed IRPs. | | | | | |

⁴ IRP proceedings initiated on or after 1 October 2016 are subject to the Bylaws as of 1 October 2016: IRP proceedings initiated Pursuant to Article 4, § 4.3(x)(iii)(A) of the ICANN Bylaws, “[w]here feasible, the Board shall consider its response to IRP Panel decisions at the Board’s next meeting, and shall affirm or reject compliance with the decision of the public record based on an expressed rationale. The decision by the IRP Panel, or en banc Standing Panel, shall be final regardless of such Board action, to the fullest extent allowed by law. (<https://www.icann.org/resources/pages/governance/bylaws-en/#article4>)