

INDEPENDENT REVIEW PROCESS
INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION
ICDR Case No. 01-16-0000-2245

In the matter of an Independent Review Process

Between:

COMMERCIAL CONNECT, LLC

Claimant

-and-

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS

Respondent

PROCEDURAL ORDER No. 1

September 6, 2016

IRP Panel:

Geert Glas
Stephen L. Drymer
Christopher S. Gibson (Chair)

1. This Independent Review Process (“IRP”) arises pursuant to Article IV, Section 3 of the Bylaws of the Internet Corporation for Assigned Names and Numbers (“ICANN”; “Bylaws”). In accordance with the Bylaws, the conduct of this IPR is governed by the International Centre for Dispute Resolution’s (“ICDR”) International Dispute Resolution Procedures (“Rules”), amended and effective June 1, 2014, as supplemented by the Supplementary Procedures for Internet Corporation for Assigned Names and Numbers Independent Review Process (“Supplementary Procedures”) dated December 21, 2011.
2. On February 10, 2016, Commercial Connect LLC (“Claimant”) submitted a Request for Independent Review Process (“Request”) in respect of ICANN's treatment of Claimant's applications for the generic top-level domain (“gTLD”) string, “.shop”.
3. On March 11, 2016, the Internet Corporation for Assigned Names and Number (“Respondent”) submitted a Response (“Response”) to the Request.
4. Having been duly constituted, the IRP Panel (“IRP Panel”) convened a preparatory hearing with the parties on September 5, 2016 (by conference call) for the purpose of discussing the matters in dispute and related organizational matters.
5. Having heard the parties and deliberated, the IRP Panel orders as follows and establishes the following timetable:

TIMETABLE

ACTION	DATE
<p>Claimant may file an amended Request for IRP (“Amended Request”). The Amended Request should:</p> <ul style="list-style-type: none">(i) include and make reference to all arguments and evidence on which Claimant relies (there is no need to re-file evidence that was previously submitted in the case);(ii) respond to all points and arguments raised by Respondent in its initial Response, to the extent relevant;(iii) provide an update on facts and circumstances in respect of the .shop gTLD, in so far as they are relevant to this case; and(iv) in light of all of the above, specify the relief requested bearing in mind the scope of the IRP Panel’s authority. <p>The IRP Panel <u>emphasizes</u> that Claimant should present its entire case in this submission. At this stage, the IRP Panel does not anticipate requesting any additional filings from Claimant.</p>	<p>On or before September 21, 2016</p>

<p>Respondent may file an amended Response (“Amended Response”). The Amended Response should:</p> <p>(i) include and make reference to all arguments and evidence on which Claimant relies (there is no need to re-file evidence that was previously submitted in the case);</p> <p>(ii) respond to all points and arguments raised and relief requested by Claimant in its Amended Request, to the extent relevant; and</p> <p>(iii) provide an update on facts and circumstances in respect of the .shop gTLD, in so far as they are relevant to this case.</p> <p>The IRP Panel <u>emphasizes</u> that Respondent should present its entire Response in this submission. At this stage, the IRP Panel does not anticipate requesting any additional filings from Respondent.</p>	<p>On or before October 5, 2016</p>
<p>Telephonic hearing limited to oral argument and answers to any questions from IRP Panel.</p>	<p>Proposed for October 20, 2016 at 11:00am Eastern Time</p>

6. Claimant's Amended Request and Respondent's Amended Response shall each be limited to 25 pages (double-spaced, 12 point font).
7. Oral argument during the telephonic hearing shall be limited to 25 minutes for each party's presentation, subject to the IRP Panel's right to extend time as it deems appropriate, ask questions of the parties, and any right of oral reply or sur-reply as the IRP Panel may request at that time.
8. The terms of this Procedural Order No. 1 may be varied by the IRP Panel on its own motion or upon application by a party.

Signed on behalf of the Panel

DATE: September 6, 2015



Christopher Gibson
IRP Panel, Chair

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