



19 October 2016

Subject: SAC085: SSAC Response to the GNSO Policy Development Process (PDP) Working Group on the Review of all Rights Protection Mechanisms in all Generic Top Level Domains (gTLDs)

To: Philip Corwin, J. Scott Evans and Kathy Kleiman (Working Group Co-Chairs)

The Policy Development Process (PDP) Working Group on the Review of all Rights Protection Mechanisms in all Generic Top Level Domains (gTLD) recently requested input from the Supporting Organizations, Advisory Committees, Stakeholder Groups, and Constituencies as part of its efforts to obtain broad input from the ICANN Community at an early stage of its deliberations.

The SSAC thanks the Working Group for this opportunity to provide input. Per its Charter,¹ the Security and Stability Advisory Committee (SSAC) focuses on matters relating to the security and integrity of the Internet's naming and address allocation systems. This includes operational matters (e.g., pertaining to the correct and reliable operation of the root zone publication system), administrative matters (e.g., pertaining to address allocation and Internet number assignment), and registration matters (e.g., pertaining to registry and registrar services). The SSAC engages in threat assessment and risk analysis of the Internet naming and address allocation services to assess where the principal threats to stability and security lie, and advises the ICANN community accordingly. The SSAC has no authority to regulate, enforce, or adjudicate.

Several SSAC reports and advisories consider topics or issues related to TLDs. The SSAC invites the Working Group to review the list of our publications as an indexed list and also by category.² The SSAC is looking forward to reviewing Working Group documents as the work progresses and also is prepared to answer specific questions as needed for the Working Group's deliberations.

Patrik Fältström
SSAC Chair

¹ See <https://www.icann.org/groups/ssac/charter>.

² See <https://www.icann.org/groups/ssac/documents> and <https://www.icann.org/groups/ssac/documents-by-category>.

Attachment

GNSO PDP Working Group

'Review of all Rights Protection Mechanisms (RPMs) in all gTLDs'

<http://gns0.icann.org/en/group-activities/active/rpm>

Patrik Fältström

Chair, Security and Stability Advisory Committee

Wednesday 25 May 2016

Re: Request for Input

Dear Patrik,

We write as the Co-Chairs of the GNSO's Review of all Rights Protection Mechanisms (RPMs) in all gTLDs PDP Working Group (WG).

As you may be aware, the GNSO Council recently initiated a [Policy Development Process](#) (PDP) on the [Review of all Rights Protection Mechanisms](#) (RPMs) in all generic top-level domains (gTLDs). The relevant [Issue Report can be found here](#). As you know, RPMs are concerned with those policies and processes, developed in consultation with the ICANN community, which are aimed at combatting cyber-squatting and providing workable mechanisms for trademark owners to either prevent or remedy certain illegitimate uses of their trademarks in the DNS while giving domain owners a fair opportunity to defend their accused domains.

This has led to the formation of this Working Group which, by its [Charter](#), has been tasked with assessing the effectiveness of the relevant RPMs and to study whether or not all the RPMs collectively fulfill the purposes for which they were created. A more detailed background is available online on the WG's [Wiki](#).

This work will be conducted in two phases. In Phase One (expected to run through January of 2018), the WG will study only:

- the Post-Delegation Dispute Resolution Procedures (PDDRs);
- the Trademark Clearinghouse (TMCH) and the associated availability through the TMCH of Sunrise periods and the Trademark Claims notification service; and
- the Uniform Rapid Suspension System (URS)
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After completion of Phase One, the WG will move on to Phase Two in which it will study the Uniform Dispute Resolution Policy (UDRP).

To successfully complete our task we need as much input as possible from all interested persons and organizations. Please note that many specific questions have already been set out at page 5 of the Charter in list entitled "List Of Potential Issues For Consideration In This PDP" but there

Attachment

may be additional items which are specific to your work and which have not yet been listed. Please respond even if your concerns are included in the “List of Potential Issues”. It is important that we all know not only the questions but the number of those who find them important. As part of its efforts to obtain broad input from the ICANN Community at an early stage of its deliberations, the Working Group would very much appreciate receiving your views and input. We invite you to respond particularly to the following questions:

Question 1:

What are your general views, concerns, and questions on the RPMs listed in Phase One?

Question 2:

What issues, concerning the Phase One RPMs are most relevant to your work and what do you feel it is essential that our WG be aware of or focus on as it proceeds in its tasks?

Finally, the WG is planning a data gathering effort aimed at the TMCH (relating to such issues as sunrise and trademark claims) and then at the URS.

Question 3:

What questions and specific data points would you advise the WG to pursue in this data gathering effort?

Any provision of input or information you or members of your respective communities may have (either on the charter questions or any other issue that may help inform our WG’s deliberations) would be very welcome. Please send these to the GNSO Secretariat (gnso-secs@icann.org) who will forward these to the WG.

If possible, please forward your comments to us **prior to ICANN56** but no later than 5 July 2016. Ideally we would like to consider community feedback during our face-to-face session in Helsinki. Please note, if the SSAC cannot submit by 5 July deadline, but you would like to contribute, please let us know when we can expect to receive your contribution so we can plan accordingly.

Your input will be very much appreciated.

With best regards,

Philip Corwin, J. Scott Evans & Kathy Kleiman (WG Co-Chairs)