



The Internet Corporation for Assigned Names and Numbers

30 May 2017

**VIA EMAIL (pierre.germeau@sportaccord.com)**

Patrick Baumann  
Pierre Germeau  
Sport Accord  
MSI  
Avenue de Rhodanie 54  
CH-1007 Lausanne  
Switzerland

Dear Messrs. Baumann and Germeau:

I write to provide you with an update on the status of the Board's consideration of the Final Declaration in the *dot Sport Limited* (dSL) v. ICANN Independent Review Process (IRP) in response to the issues that you have raised to ICANN including in your correspondence of 1 March 2017 on behalf of Sport Accord.<sup>1</sup>

The Board considered the dSL IRP Final Declaration at its meeting on 16 March 2017, and accepted the following aspects of the Final Declaration: (i) dSL is the prevailing party in the *dot Sport Limited* v. ICANN IRP; (ii) ICANN shall reimburse dSL "its share of fees and expenses of the Panel and ICDR in the sum of US\$79,211.64 upon demonstration by [dSL] that these incurred fees and expenses have been paid"; and (iii) each party "shall be responsible for its own fees and expenses."<sup>2</sup> The Board also directed the President and CEO to take all steps necessary to implement the IRP Panel's recommendation that the "Board reconsider its decisions on the Reconsideration Requests, in the aggregate, weighing the new evidence in its entirety against the standard applicable to neutrals as set out in the IBA Conflict Guidelines' in accordance with the Bylaws in effect when the Board made its previous determinations on dSL's Reconsideration Requests."<sup>3</sup>

As directed by the Board, the Board Governance Committee (BGC) will re-evaluate the two reconsideration requests filed by dSL (Reconsideration Requests 13-16 and

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<sup>1</sup> See letter from P. Baumann to C. Disspain, 1 Mar. 2017, available at <https://www.icann.org/en/system/files/correspondence/baumann-to-disspain-01mar17-en.pdf>.

<sup>2</sup> See <https://www.icann.org/resources/board-material/resolutions-2017-03-16-en#2.c>.

<sup>3</sup> See *id.*



14-10) pursuant to the standard applicable to neutrals as set out in the IBA Conflict Guidelines' and in accordance with the Bylaws in effect when the Board made its previous determinations Requests 13-16 and 14-10. As part of its analysis, the BGC will take into consideration the report issued by the Ombudsman on 25 August 2014. The re-evaluation is scheduled for the BGC's consideration at its meeting on 1 June 2017.<sup>4</sup> The BGC's Recommendation on the re-evaluation of Requests 13-16 and 14-10 will be published on the reconsideration request page at <https://www.icann.org/resources/pages/13-16-2014-02-13-en> and <https://www.icann.org/resources/pages/14-10-2014-04-03-en>, and will be provided to the Board for consideration. Thereafter, the Board will consider the BGC's Recommendation on Requests 13-16 and 14-10 at its next opportunity.

I hope you find this information helpful.

Sincerely,

A handwritten signature in black ink that reads "Chris Disspain". The signature is fluid and cursive, with a long, sweeping underline.

Chris Disspain  
Chair, ICANN Board Governance Committee

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<sup>4</sup> See <https://www.icann.org/resources/board-material/agenda-bgc-2017-06-01-en>.