



The Internet Corporation for Assigned Names and Numbers

June 16, 2014

Dear Jonathan,

On behalf of the ICANN Board New gTLD Program Committee (NGPC), I write to provide you with an update on the ongoing work in response to the GNSO policy recommendations regarding Protection of IGO-INGO Identifiers in All gTLDs and the advice from the GAC in its Buenos Aires Communiqué addressing the same topic.

As you know, on [30 April 2014](#), the ICANN Board adopted the GNSO Council's policy recommendations on IGO-INGO protections that were not inconsistent with the GAC's advice, and requested additional time to consider the remaining policy recommendations that are inconsistent with the GAC's advice on the same topic. The Board committed to facilitate discussions among the relevant parties to reconcile any remaining differences between the policy recommendations and the GAC advice on the topic, and previously tasked the NGPC to help with this process.

Protections for IGO Acronyms

In its 17 October 2012 Toronto Communiqué, the GAC [advised that the names and acronyms of IGOs must be protected and that "such protection](#) at the second level must be accomplished prior to the delegation of any new gTLDs, and in future rounds of gTLDs at the second and top level." The NGPC noted some concerns with implementing the GAC's advice on protections for IGO acronyms and has been working with the GAC and representatives of some IGOs to find an acceptable approach/framework to implement the advice.

At this time, the proposal being discussed with the GAC and IGOs would permit eligible IGOs to submit up to two acronyms representing their names in up to two different languages into the trademark clearinghouse (TMCH). If a registrant registers an IGO's protected acronym, the IGO would receive a notification of the registration from the TMCH for the life of the TMCH. The proposal also calls for modifying certain aspects of the URS to enable its use by IGOs, and the development of rules and procedures for an arbitration process to resolve claims of abuse of IGO names and acronyms.

The GNSO policy recommendations on protections for IGO acronyms differ from the GAC advice *and* the current proposal being discussed with IGOs. The GNSO policy recommendations presented to the Board for adoption would permit eligible IGO acronyms to be added to the

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TMCH for 90-day claims notification. Additionally, the GNSO recently approved the initiation of a PDP on curative rights protections for IGOs and INGOs. The PDP will evaluate among other things whether the UDRP and/or URS should be amended to enable their access and use by IGOs and INGOs or whether a separate narrowly-tailored procedure modeled on these curative rights protection measures should be developed exclusively for IGOs and INGOs. The NGPC will not take any action with respect to the GAC advice on curative rights protections for IGOs and INGOs prior to the conclusion of the GNSO's PDP.

Protections for National Red Cross and Red Crescent Societies

Additionally, in its 27 March 2014 Singapore Communiqué, the GAC [advised](#) that the 189 National Red Cross and Red Crescent Societies (in English and the official languages of their respective states of origin), and the full names of the International Committee of the Red Cross and International Federation of the Red Cross and Red Crescent Societies in the six UN languages should be permanently protected from unauthorized use. The GNSO policy recommendations, on the other hand, do not call for permanent protections. Instead, the GNSO policy recommends that these names be protected by entering them into the TMCH for 90-days claims notification.

Next Steps

In summary, the two key points at issue are the appropriate amount of time and mechanism to be used to protect IGO acronyms, and protections for the society names of the National Red Cross and Red Crescent. The NGPC is considering available options to reconcile the differences at issue, including recommending that the ICANN Board reject the conflicting GNSO policy advice (pursuant to the procedure established in the Bylaws). However, before the NGPC recommends any course of action, the NGPC wanted to provide an update to the GNSO to highlight the concerns, and to give the GNSO an opportunity to consider modifying the elements of the approved policy recommendations in accordance with the procedure established in the GNSO Operating Procedures. Specifically, Section 16 of the GNSO Operating Procedures permits the GNSO to modify or amend an approved policy prior to adoption by the ICANN Board as follows:

- 1. The PDP Team is reconvened or, if disbanded, reformed, and should be consulted with regards to the proposed amendments or modifications;*
- 2. The proposed amendments or modifications are posted for public comment for not less than thirty (30) days;*
- 3. The GNSO Council approves of such amendments or modifications with a Supermajority Vote of both Houses in favour.*



We appreciate the GNSO's hard work in developing policy recommendations and look forward to our continued discussions as we work together on this matter. In the meantime, we note that the temporary protections afforded to IGO acronyms remain in place while we continue our discussions.

Sincerely,

A handwritten signature in black ink, which reads "Cherine Chalaby". The signature is written in a cursive style and is positioned above a thin horizontal line.

Cherine Chalaby, Chair
Board New gTLD Program Committee