

New gTLD Update Webinar – 26 March 2013 Additional Questions & Answers

We receive a host of questions during webinars that go unanswered due to time restraints. Because all participant questions are important, we've provided responses to these additional questions below.

Contracting / Registry Agreement

Q: What is the difference between Contract Acceptance and Contract Signing?

A: Contract "acceptance" refers to an applicant indicating whether or not it will accept the base Registry Agreement. Contract "signing" refers to the actual signing (via electronic signature or paper/ink signature depending on the circumstances) of the agreement by the applicant and ICANN.

Q: When will the ICANN Board vote to approve the final base New gTLD Registry Agreement?

A: The Final New gTLD Registry Agreement must undergo a Public Comment Period before the ICANN Board will consider taking any action. The Public Comment period for the Agreement closes 11 June 2013. It is anticipated that the Board will take action relating to the approval of the Registry Agreement during the latter half of June 2013.

Initial Evaluation Results

Q: If a string is in a contention set or has an objection filed against it, will the applicant receive Initial Evaluation results as scheduled?

A: Applicants will receive IE results as they become available, regardless of whether an applied-for string is in a contention set or has any objections filed against it.

Q: Will applicants receive their Initial Evaluation results before the general public?

A: Applicants will be notified of IE Results at least 15 minutes prior to public release.

Q: At what point will ICANN release IE results at a rate of 100 per week vs. the current 30 per week?

A: We expect to release IE results in batches of 100 starting 24 May 2013.

Objection & Dispute Resolution

Q: Will objections be processed according to priority number?

A: ICANN has not mandated that objections be processed according to priority number. Currently, processing order is determined by Dispute Resolution Service Providers.

Q: What is the Dispute Announcement?

A: The Dispute Announcement refers to Article 10 of the Dispute Resolution Procedure whereby ICANN will publish a list of all admissible objections. Shortly after, DRSPs will notify Objectors and Applicants to begin the formal response window.

Q: Will information about objections be publicly available prior to the Dispute Announcement?

A: DRSPs are publishing Objections to their respective websites, as they pass Administrative check, to comply with the procedure and based on their respective admin process.

Q: If an applicant loses an objection, but its Initial Evaluation results have been released *prior* to the Dispute Resolution Service Provider delivering the decision, what percent of the application fee will be refunded?

A: If IE results have been released prior to the DRSP decision, the applicant is eligible for a 35% refund. If IE results have *not* been published when the DRSP decision is published, the applicant can receive a 70% refund by submitting a refund request before IE results for the string in question are published.

Pre-Delegation Testing

Q: Will Pre-Delegation Testing include registry interaction with the Trademark Clearinghouse?

A: No. Interfacing with the Trademark Clearinghouse was not specified as part of the Pre-Delegation Testing requirements in the Applicant Guidebook.

Trademark Clearinghouse

Q: What are the "non-technical requirements" referred to in Spec 7 of the Registry Agreement?

A: Specification 7 to the Registry Agreement provides that Registry Operators shall implement, in accordance with requirements established by ICANN, each of the mandatory RPMs set forth in the Trademark Clearinghouse (posted at <http://newgtlds.icann.org/en/about/trademark-clearinghouse>). These include both technical (e.g., compliance with functional specifications) and non-technical requirements (e.g., required time periods for Sunrise and Claims).

Q: Regarding the Strawman Model: can you confirm that the fee for the trademark application covers only the first 10 strings?

A: The implementation of this aspect of the Strawman model is currently under development. The relevant fees for associating additional labels with a record will be developed and published as part of the implementation.

Q: What documentation will ICANN require of trademark owners seeking to register up to 50 names in the Trademark Clearinghouse that they claim were recovered in UDRP or court actions?

A: The implementation of this aspect of the Strawman model is currently under development. It is expected that required information would include the venue where the relevant determination was made, and identifying information necessary to confirm that the proceeding included the domain labels and trademarks specified. Additional detail on these requirements will be developed and published as part of the implementation.