



# Uniform Rapid Suspension

*Update on recent developments*

3 October 2012

# Webinar Information

- Adobe Connect: <http://icann.adobeconnect.com/newgtldwebinar/>
  - Session is being recorded and play back will be available at <http://newgtlds.icann.org/en/announcements-and-media/webinars>
- Comments & feedback are invited after each focus area
- Chat room is open to all attendees
- Audio bridge is available to attendees with no access to webinar streaming via the web, and for questions
  - USA Toll Free Number: 1-877-941-9321
  - USA Toll Number: 1-480-629-9799
  - Full list of #s available here: <http://newgtlds.icann.org/en/announcements-and-media/webinars>
  - Conference ID: 4568045
  - Press \*1 to ask a question

# Purpose of this webinar

- To provide a brief background on the URS
- To provide an update on recent initiatives and suggestions
- To prepare for a workshop in Toronto and further activities
- To identify a path forward for each suggestion
  - What is necessary to effect change to the current model?

# Agenda

- Background
- Recent initiatives
  - RFI and engagement with potential providers
  - Community engagement
- Discussion of community suggestions
  - Limit panel involvement
  - Automate and simplify
  - Provide financing or support
  - Appeal to Ombudsman
- Upcoming events
- Q&A

# URS Background

- Created by the community (IRT, STI-RT) as a complement to UDRP
  - To resolve clear-cut cases of trademark infringement through suspension of the domain name
  - Intended to be fast and inexpensive (500 USD)
  - Compulsory for all new gTLDs
- Unclear if fee and timing objectives can be met with the procedure as currently drafted
  - Suggestions gathered in Prague session June 2012

# Recent initiatives

- Engagement with potential URS providers
  - RFI issued on 24 September 2012
  - Information gathering, may be followed by RFP
- Community engagement
  - GNSO and ALAC leadership contacted for process advice
  - Positive first reactions, awaiting further decisions
- Summary of suggestions from Prague session compiled and posted
  - <http://toronto45.icann.org/node/34325>

# Community suggestions

Four focus areas:

- A. Limit panel involvement
- B. Automate and simplify
- C. Financing or support
- D. Appeal mechanisms

# A. Limit Panel Involvement

1. In clear-cut cases, when there is no response from the registrant, the complainant will be deemed to have prevailed without the need for a panel decision.
2. If a case takes more than a limited time of deliberation for the panel to decide, the panel should reject the case as not being a clear-cut case of abuse.
  - *Reduces timeline and cost.*
  - *May call for added registrant protection.*
  - *Subsequent UDRP always possible.*



## B. Automate and Simplify

1. Use web interfaces and email for as many steps as possible and reduce the number of case handler interventions.
2. Limit the scope of the URS to accept only complaints related to trademarks recorded in the Trademark Clearinghouse.
3. Check only for identity between trademark and domain name, not for confusing similarity.
4. Copy suitable cost-savings approaches from other existing procedures of a similar nature.

- *Reduces timeline and costs.*
- *May impair timely registrant notification.*
- *Tiered fee structure an option?*
- *Could facilitate intentional infringement.*
- *Requires analysis of existing procedures mentioned as examples*

## C. Financing or Support

1. Keep URS as is: find external partial financing of service providers' URS steps to achieve low URS fees and review the URS as foreseen 18 months from launch.
2. Seek volunteer panelists willing to work on URS cases for free until the URS is reviewed.
  - *Reduced fee through subsidies: cost and timeline unchanged.*
  - *Provides time to find cost reductions (but subsidy model limits incentives to reduce costs)*
  - *Costs are unknown*
  - *Subsidy model unsustainable*
  - *Qualified volunteers, if found, would reduce costs*

## D. Appeal Mechanisms

1. Introduce the possibility for registrants to appeal a URS outcome to an ombudsman.
  - *Would not reduce cost or timeline, but provide an alternative to the existing appeals mechanism in the URS, potentially as a complement for additional registrant protection. Financing of such an appeal remains an issue to solve.*

# Upcoming Events

- ICANN Meeting in Toronto
  - Workshop on Thursday 18 October, 11.45 – 13.00
- Objectives:
  - Review specific solutions, identifying preferences
  - Discuss further analysis and development work needed
  - Develop a working approach to achieve consensus on a solution



Thank You

# Questions