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AT-LARGE ADVISORY COMMITTEE

ALAC Statement on the Initial Report on Protection of IGO and INGO Identifiers in All gTLDs

Introduction

The following individuals composed an initial draft of this Statement after discussion of the topic within At-Large and on the Mailing Lists:

- Alan Greenberg, ALAC member from the North American Regional At-Large Organization (NARALO), ALAC Executive Committee member, and ALAC Liaison to the GNSO; and
- Evan Leibovitch, ALAC member from the North American Regional At-Large Organization (NARALO) and ALAC Executive Committee Vice-Chair

On 9 July 2013, this Statement was posted on the [At-Large Initial Report on Protection of IGO and INGO Identifiers in All gTLDs Workspace](#).

On that same day, Olivier Crépin-Leblond, Chair of the ALAC, requested ICANN Policy Staff in support of the ALAC to send a Call for Comments on the draft Statement to all At-Large members via the [ALAC Announce Mailing List](#).

On 18 July 2013, this Statement was discussed in the [ALAC & Regional Leadership Wrap-up Meeting](#). During that meeting, the draft Statement was discussed by all At-Large members present, as well as those participating via Remote Participation.

The Chair of the ALAC then requested that a ratification vote be held on the Statement. Staff then confirmed that the vote resulted in the ALAC endorsing the Statement with 9 votes in favor, 0 votes against, and 0 abstentions.

You may review the result independently under: <https://community.icann.org/x/7FB-Ag>.

The Chair then requested that the Statement be transmitted to the Public Comment process, copying the ICANN Staff member responsible for this Public Comment topic.

Summary

1. The ALAC strongly supports the protection of Red Cross/Red Crescent names.
2. The ALAC does not see the need for protecting the IOC names, but in particular objects to unilaterally protecting strings (such as Olympic), which have wide usage outside of the IOC context.
3. The ALAC strongly supports protecting the names of selected INGOs and supports the type of criteria described in [section 4.5 of the report](#).

The original version of this document is the English text available at <http://www.atlarge.icann.org/correspondence>. Where a difference of interpretation exists or is perceived to exist between a non-English edition of this document and the original text, the original shall prevail.

ALAC Statement on the Initial Report on Protection of IGO and INGO Identifiers in All gTLDs

Introduction

The ALAC is pleased to provide our answers to the questions asked in the report.

We would have far preferred it if the WG had chosen to provide an opportunity for segregating answers based on the type of organization involved, but will nonetheless provide the requested answers identifying exceptions where needed.

To restate positions previously taken:

- The ALAC strongly supports the protection of Red Cross/Red Crescent names.
- The ALAC does not see the need for protecting the IOC names, but in particular objects to unilaterally protecting strings (such as Olympic), which have wide usage outside of the IOC context.
- The ALAC strongly supports protecting the names of selected INGOs and supports the type of criteria described in [section 4.5 of the report](#).

[In response to the specific questions](#), we offer our answers along with a rationale or other comments as applicable.

First Level Protection

| # | Option | Support? | Comments/Rationale |
|---|---|----------|--|
| 1 | Exact match full name ineligible for delegation | No | The ALAC sees no need for any explicit protection at the top level. As fully explained in answers 4, 5 and 6, objection processes are sufficient for the rare times when there may be a conflict. Protecting these names, and then possible allowing exceptions, is adding needless complexity. Should exact matches ultimately be ineligible, the ALAC believe that there MUST be an exception process for cases (such as Olympic) where the string is in wide use unrelated to the protected organization. |
| 2 | Exact match acronym ineligible for delegation | No | Although the ALAC would be supportive of granting certain specific acronyms protection (such as UNICEF), in the general case, there is too much overlap with strings validly used by other organizations. |
| 3 | Exception process if blocked | No | As stated, the ALAC does not see the need to protect strings at the first level. If such protection is ultimately granted, it should apply to the protected organization as well with no exceptions. |

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| 4 | No protection for exact match full name | Yes | In the opinion of some, the existing legal-rights objection is sufficient to allow the protection of any IGO-INGO name at the top level. If that is not indeed the case, then a specific new form of objection should be developed which does address the need to protect these organizations and as a side-benefit, allow them to apply for the string themselves. The process must allow for a enforceable PIC-like provision to ensure that a third party using an IGO-INGO name at the top level does not masquerade or otherwise usurp the IGO-INGO's identity. |
| 5 | No protection for exact match acronym | Yes | In the opinion of some, the existing legal-rights objection is sufficient to allow the protection of any IGO-INGO name at the top level. If that is not indeed the case, then a specific new form of objection should be developed which does address the need to protect these organizations and as a side-benefit, allow them to apply for the string themselves. The process must allow for a enforceable PIC-like provision to ensure that a third party using an IGO-INGO acronym at the top level does not masquerade or otherwise usurp the IGO-INGO's identity. |
| 6 | IGO-INGOs fee waiver for objections filed at top level | Yes | The ALAC supports such a waiver, to the extent that it applies to objections over the character string applied for with respect to their name/acronym. The ALAC supports having no reservations at the top level to prevent further complexity in the new gTLD rules, not to penalize possibly impacted IGOs and INGOs. |

Second Level Protection

| # | Option | Support? | Comments/Rationale |
|---|---|----------|---|
| 1 | Exact match full name ineligible for registration | No | The ALAC could support this for most IGO-INGO names, but not for strings that are widely and legitimately used for purposes unrelated to the protected organization. "Olympic" is one such example. |
| 2 | Exact match acronym ineligible for registration | No | Although the ALAC would be supportive of granting certain specific acronyms protection (such as UNICEF), in the general case, there is too much overlap with strings validly used by other organizations. |
| 3 | Exact match full name in Clearinghouse-like service | Yes | |

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| 4 | Exact match full name and acronym(s) Clearinghouse-like service | Yes | |
| 5 | Participate in Sunrise | Yes | Although the ALAC sees no reason to bar others from registering these names (as stated above), it does not object to granting IGOs and INGOs the same early registration privileges given to trademark holders. |
| 6 | 90-claims notice | Yes | |
| 7 | Permanent Claims Notice | Yes | The ALAC has previously gone on record as favouring a permanent claims notice in the general case, but with some caution regarding the lack of understanding of the chilling effects on legitimate potential registrants (see ALAC statement report to the STI Report). The ALAC supported the extended period "light" claims notice that was proposed for trademarks as a reasonable compromise. In this case given the relatively small number of names that would be covered, the ALAC would accept a permanent standard claims notice. |
| 8 | Fee waivers/reductions for entry into Clearinghouse-like service | Yes | This is provisional agreement, conditional on how the waivers/reductions are funded. The ALAC does not consider it reasonable to put the cost on either service providers nor on other Clearinghouse users. The ALAC does accept ICANN subsidization subject to ensuring that the total potential cost is reasonable. This is an issue that should have been dealt with long ago, and ICANN bearing the cost is reasonable under current conditions. |
| 9 | Ensure that UDRP/URS can be used by IGO-INGOs | Yes | Anything less would be patently unfair. |
| 10 | Fee waivers/reductions for UDRP/URS | Yes/No | The ALAC is sympathetic to the request, but given that the service to be provided is external to ICANN, the level of ICANN subsidization would be difficult to estimate and it would not be acceptable to have other service users or the providers subsidize such waivers or reductions, the implementation seems problematic and therefore probably not recommended. |
| 11 | Exceptions for IGO-INGOs registering own protected name, or 3 rd parties registering protected name | Yes | Support of this is conditional on the cost and delay being VERY reasonable (compared to near-instant regular registration and typical domain name registration fees) and that the protected organization cannot unilaterally |

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| | | | block such registration by third parties (either by delay or rejection). |
| 12 | No reservation of exact match full names | Yes/No | The ALAC believes that absolute reservations are generally not needed or desirable, but has supported the use of such protections in limited specific cases (such as the Red Cross names). |
| 13 | No reservation of exact match acronyms | Yes/No | The ALAC believes that absolute reservations are generally not needed or desirable, but has supported the use of such protections in limited specific cases (such as the UNICEF). |