

ICANN | GAC

Governmental Advisory Committee

17 April 2019

Mr. Keith Drazek, Chair
GNSO Council

Re: Upcoming GNSO Council Vote on the IGO-INGO Access to Curative Rights Protection Mechanisms PDP WG Final Report

Dear Keith,

Thank you for your recent email on this matter. The GAC Leadership had noted your [submission](#) for GNSO Council vote on 18 April 2019 of a [Motion](#) “in Relation to the Final Report From the GNSO PDP Working Group on the IGO-INGO Access to Curative Rights Protection Mechanisms.”

The proposed GNSO Council Resolution comes as somewhat of a surprise to the GAC given what we thought were productive and constructive engagements between the GAC and GNSO Council, prior to and [during](#) the ICANN64 meeting. In particular, it was our understanding that GAC and GNSO Council representatives had made progress towards considering the convening of a new form of Expedited PDP, under new terms, using as a foundation the substantial contributions of IGOs, to allow for an appropriate resolution of the matter.

We regret that the Motion put forward for an upcoming vote does not reflect this understanding.

The GNSO’s adoption of recommendations 1 to 4 of the IGO-INGO Access to Curative Rights Protection Mechanisms PDP WG [Final Report](#) and asking the RPM WG to address the IGO curative issue would be inconsistent with longstanding prior GAC Consensus Advice. Moreover, it would deviate from GAC Consensus views articulated in the [IGO Small Group Proposal](#), specifically the Advice not to amend the UDRP for such IGO purpose but rather to create a narrowly tailored mechanism modeled on but distinct from the UDRP as described in a 2007 ICANN Staff Report (we also understand that a range of concerns are being raised by UDRP providers and RPM WG members regarding recommendation 5). Further information on GAC views regarding the PDP and the issue of IGO Acronyms Protections more generally were provided to the GNSO Council in our [letter](#) dated 9 August 2018.

As you are aware, the GAC favours an open and constructive dialogue with the GNSO in order to resolve the long standing issue regarding the protection of IGO Acronyms in gTLDs, in line with past [recommendations](#) of the GAC-GNSO Consultation Group (see our [letter](#) dated 21 October 2018).

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The GAC is looking forward to continued efforts with the GNSO for reaching an acceptable resolution of this long-standing issue of public policy importance.

Sincerely,

A handwritten signature in black ink that reads "Manal Ismail". The signature is written in a cursive style with a distinct flourish at the end.

Manal Ismail
Chair, Governmental Advisory Committee