**Notice of 22 April 2010 -**
**Special Board Meeting**
**of ICANN's Board of Directors**

**Directors and Liaisons,**
**Attached below please find the notice of date and time for the Special Meeting of the ICANN Board of Directors:**

**22 April 2010 - Special Meeting of the ICANN Board of Directors - - at 11:00 UTC**

**Some other time zones:**
**22 April 2010 4:00AM PDT / Los Angeles**
**22 April 2010 1:00 PM CEST Brussels**
**22 April 2010 11:00 PM Wellington**

http://www.timeanddate.com/worldclock/fixedtime.html?month=4&day=22&year=2010&hour=11&min=0&sec=0&p1=0

**MATERIALS -- Materials will be posted on www.boardvantage.com <http://www.boardvantage.com/ <http://www.boardvantage.com/> > and you will receive a notice when those materials are ready. if you have trouble with access, please let us know.**

**The call information will be forwarded under separate cover. If you require a call out to be brought into the meeting, because you are not in a location with a toll free dial-in, please let us know and we will have the call operators call you 10-15 minutes before the start of the meeting.**

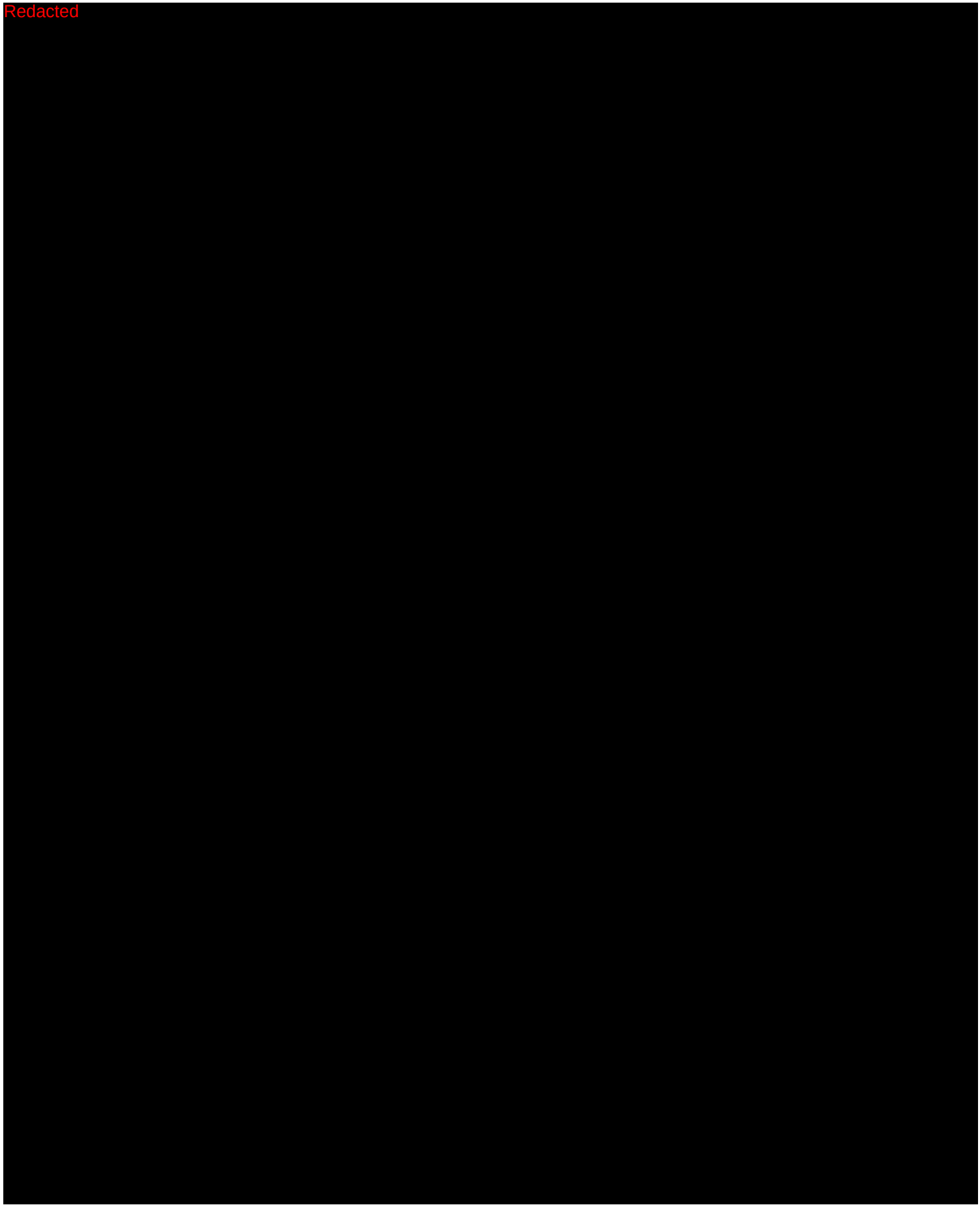
**Also, if you have any questions, or we can be of assistance to you, please let us know.**

***Thanks,***

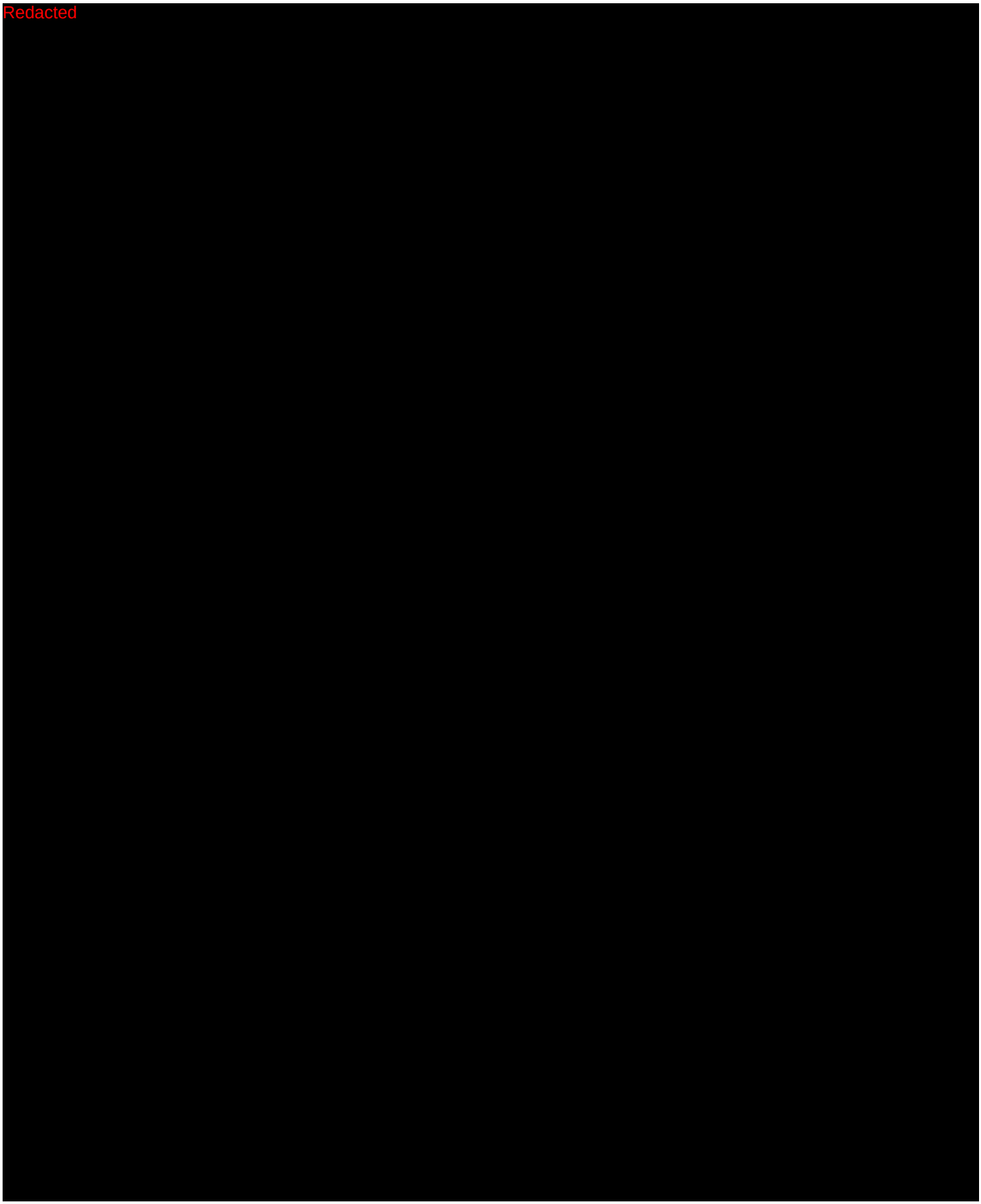
John Jeffrey
General Counsel & Secretary
ICANN

4676 Admiralty Way, Suite 330
Marina del Rey, CA USA 90292
John.Jeffrey@ICANN.org
+1.310.301.5834 -- direct office
+1.310.404.6001 -- mobile

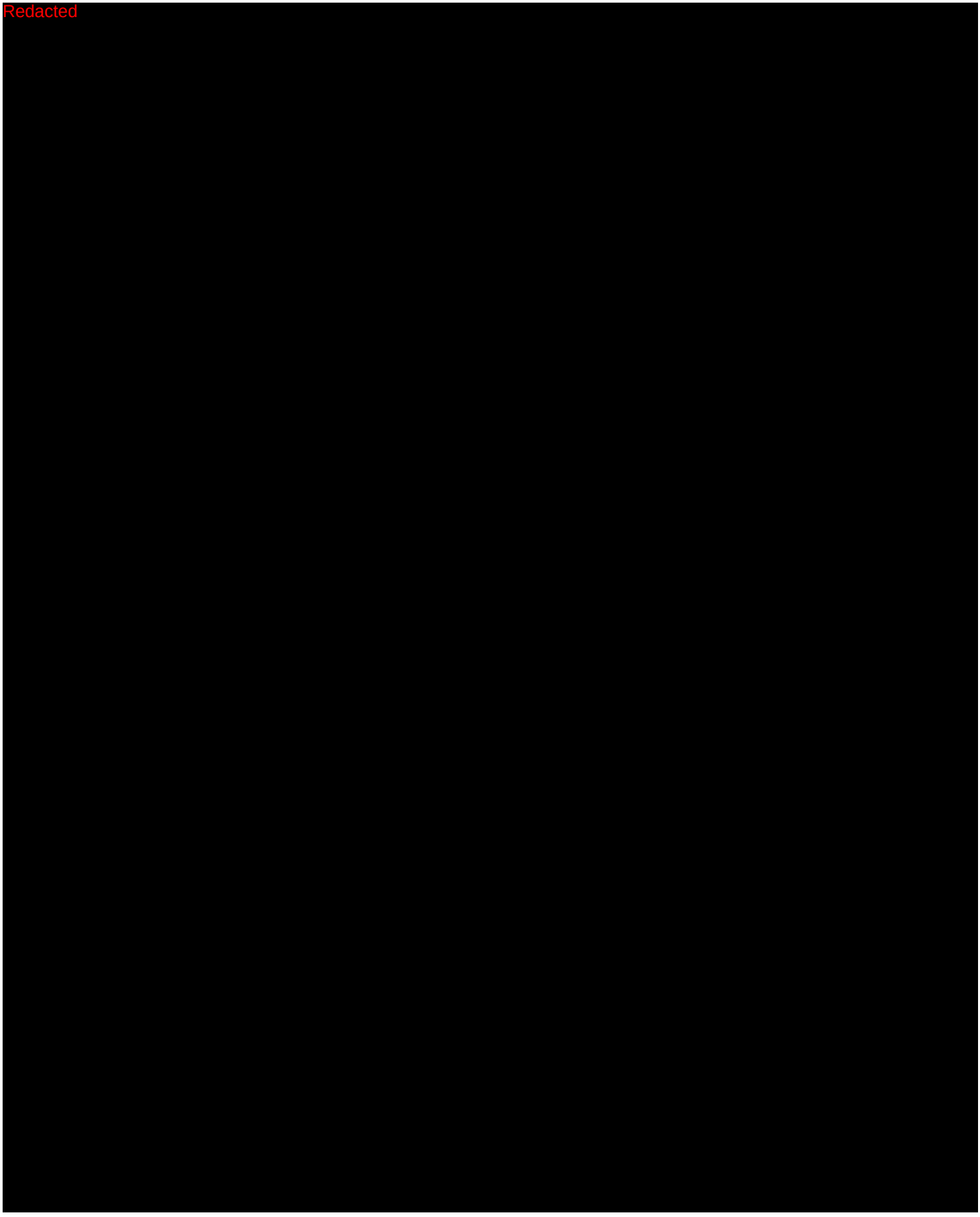
Redacted


Redacted

Redacted



Redacted



# Agenda – 22 April 2010 ICANN Board Meeting

**Agenda – 22 April 2010 ICANN Board Meeting**
**Expected duration; 3 hours**

***Consent Agenda [5 Minutes – no discussion – papers submitted and voted in one resolution unless board member requests discussion]:***

1. **Consent Agenda Resolution:**

    1. **.INFO Contract Amendment re One & Two Character Names** - Board Submission Paper 2010-04-22-01

        *Whereas, Afilias has submitted a request pursuant to ICANN's Registry Services Evaluation Policy to amend the .INFO Registry Agreements to allocate one and two-character domain names via a phased allocation process.*

        *Whereas, the proposed release of single and two-character domain names in .INFO would be consistent with the recommendations of the GNSO Reserved Names Working Group and other approvals to permit the release of one and two-character domain names.*

        *Whereas, ICANN has evaluated the proposed amendment to the .INFO Registry Agreement as new registry services pursuant to the Registry Services Evaluation Policy and has posted amendments for public comment and Board approval (http://www.icann.org/registries/rsep/).*

        *It is hereby **RESOLVED** (2010.04.22.xx) that the .INFO amendment is approved, and the President and General Counsel are authorized to take such actions as appropriate to implement the amendments.*

    2. **Redelegation – Tanzania (.TZ) - Board Submission Paper 2010-04-22-02**

        *Whereas, TZ is the ISO 3166-1 two-letter country-code designated for the United Republic of Tanzania,*

        *Whereas, ICANN has received a request for redelegation of .TZ to Tanzania Network Information Centre Limited;*

        *Whereas, ICANN has reviewed the request, and has determined that the proposed redelegation would be in the interests of the local and global Internet communities.*

        *It is hereby **RESOLVED** (2010.04.22.xx), that the proposed redelegation of the .TZ domain to Tanzania Network Information Centre Limited is approved.*

3. **Approval of Recommendation from Compensation Committee regarding Paul Twomey's At Risk Component of Compensation as Senior President**

*Whereas, on 30 September 2009, the ICANN Board granted to ICANN's President and CEO "the authority vested under the Consultant Services Agreement for setting milestones, evaluating performance against those milestones, and making payment to Argo Pacific for the Senior President, Dr. Paul Twomey's performance bonus, as the President and CEO reasonably determined, in his discretion."*

*Whereas, the President and CEO has developed a proposal for payment to Argo Pacific for Senior President Dr. Paul Twomey's performance bonus for services provided under the Consultant Services Agreement.*

***Resolved**, (2010.04.22.XX), the Board hereby adopts and ratifies the proposal for payment to Argo Pacific for the Senior President Dr. Paul Twomey's performance bonus under the Consultant Services Agreement between ICANN and Argo Pacific.*

4. **Renewal of DotPro Registry Agreement – Board Submission Paper 2010-04-22-03**

*Whereas, the Current Agreement is due to expire on 27 May 2010;*
*Whereas, ICANN staff conducted good-faith negotiations with Registry Services Corporation, operator of the .PRO gTLD, for the renewal of their Registry Agreement;*

*Whereas, on 9 March 2010, ICANN announced that negotiations with Registry Services Corporation had been successfully completed, and posted the Agreement for public comment http://icann.org/en/announcements/announcement-09mar10-en.htm;*
*Whereas, the Board carefully considered the Agreement and finds that its approval would be beneficial for ICANN and the Internet community;*

*It is hereby **RESOLVED** (2010.04.22.xx) that the .PRO Registry Agreement is approved, and the President/CEO is authorized to take such actions as appropriate to implement the Agreement.*

**Main Board Meeting – For Action & Discussion:**

2. **President's Report** – For discussion (10 mins)
3. **Proposed Implementation Plan for Synchronized ccTLD IDNs** – Board Submission Paper 2010-04-22-04 - For decision (10 mins)

*Whereas, the ICANN Board on 12 March 2010 resolved that a set of Principles be used as the basis foundation for an Implementation Process for synchronized IDN ccTLDs;*

*Whereas a Proposed Plan for Synchronized IDN ccTLDs was posted for public comment for the period 22 March-17 April 2010;*

*Whereas, the proposed Implementation Plan, in accordance with the Principles, describes a limited introduction of synchronized IDN ccTLDs, to address a community need and develop experience to inform the ongoing work of developing a process to manage variant TLDs broadly;*

*Whereas, comments were received that: expressed support for the Proposed Implementation Plan; expressed a need for synchronized IDN ccTLDs in particular for the Chinese community; and expressed concerns and needs for clarification about the approach taken, in particular from the technical community;*

*Whereas, a set of detailed questions and answers was published and webinars have been conducted to allow for interested parties to discuss the concerns raised;*

*Whereas, the Board has reviewed such concerns and weighted these concerns against the expressed need in the community for introduction of Synchronized IDN ccTLDs.*

***RESOLVED** [2010.04.22.xx], the Board approves the Proposed Implementation Plan, with the associated questions and answers, and request staff to open the process and start accepting applications for synchronized IDN ccTLDs on 26 April 2010.*

***RESOLVED** [2010.04.22.xx], the Board requests staff to produce a recommendation as to whether the Fast Track process revision should be initiated prior to the scheduled review on 16 November 2010 to inform the issue of variant management.*

4. **Delegation of IDN ccTLDs** – For decision (10 mins)

    1. Delegation of the .рф ("R.F.") domain representing the Russian Federation to Coordination Center for TLD RU - Board Submission Paper 2010-04-22-05.

    *Whereas, the Russian Federation is a country currently listed in the ISO 3166-1 standard;*

    *Whereas, рф ("R.F.") is a string that has been deemed to appropriately represent the Russian Federation through the IDN Fast Track process.*

    *Whereas, ICANN has received a request for delegation of .рф to Coordination Center for TLD RU.*

    *Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global*

*Internet communities.*

*It is hereby **RESOLVED** (2010.04.22.xx), that the proposed delegation of the .рф domain to Coordination Center for TLD RU as a country-code top-level domain is approved.*

2. Delegation of the .السعودية (“Al-Saudia”) domain representing Saudi Arabia in Arabic to the Communications and Information Technology Commission - Board Submission Paper 2010-04-22-06.

   *Whereas, Saudi Arabia is a country currently listed in the ISO 3166-1 standard;*

   *Whereas, السعودية (“al-Saudiah”) is a string that has been deemed to appropriately represent Saudi Arabia through the IDN Fast Track process.*

   *Whereas, ICANN has received a request for delegation of السعودية. to the Communications and Information Technology Commission.*

   *Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.*

   *It is hereby **RESOLVED** (2010.04.22.xx), that the proposed delegation of the السعودية. domain to the Communications and Information Technology Commission is approved.*

3. Delegation of the امارات (“Emarat”) domain representing the United Arab Emirates to the Telecommunications Regulatory Authority -Board Submission Paper 2010-04-22-07

   *Whereas, the United Arab Emirates is a country currently listed in the ISO 3166-1 standard;*

   *Whereas, اتصالات (“Emarat”) is a string that has been deemed to appropriately represent the United Arab Emirates through the IDN Fast Track process.*

   *Whereas, ICANN has received a request for delegation of اتصالات. to the Telecommunications Regulatory Authority.*
   *Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.*

*It is hereby **RESOLVED** (2010.04.22.xx), that the proposed delegation of the .امارات domain to the Telecommunications Regulatory Authority is approved.*

5. **Latin American Meeting Location** – Board Submission Paper 2010-04-22-08 - For decision (5 mins)

   *Whereas, ICANN intends to hold its third Meeting for 2010 in the Latin America region as per its policy;*

   *Whereas .co Internet S.A.S. was one of the entities that submitted a viable proposal to serve as host for the ICANN 2010 Latin America Meeting;*

   *Whereas, staff has completed a thorough review of the .CO Internet S.A.S proposal and finds it acceptable;*
   *Whereas, the Board Finance Committee and the Board of Directors have approved a budget of US$2.126M for the ICANN 2010 Latin America Meeting;*

   *It is hereby **RESOLVED** (2010.04.22.xx) that the Board accepts the .CO Internet S.A.S. proposal and approves that the ICANN 2010 Latin America Meeting shall be held in Cartagena, Columbia from 5-10 December 2010, with a budget not to exceed US$2.126M, and that the Cartagena Meeting designated as the 2010 Annual Meeting.*

6. **Affirmation of Commitments -** Board Submission Paper 2010-04-22-09 (20 mins)

   1. A. Meeting Our Commitments under AOC – Report from Rod on progress

      B. Board oversight of performance of Affirmation of Commitments. For discussion
   2. Supporting & Facilitating Reviews – Board's Role – For discussion
   3. Transparency & Accountability Review Update – For discussion

7. **DNS Cert** – Board Submission Paper 2010-04-22-10 - For discussion (25 mins)
8. **New gTLDs** (15 mins):
   1. Reporting performance against new Project Plan (Board Submission Paper 2010-04-22-11)
   2. Status of Vertical Integration, IP Issues and Communications Plan (Board Submission Paper 2010-04-22-12)

9. **May Retreat** - Draft Agenda; (10 mins)
10. **UDRP Policy** - relationships with service providers ; changes in procedures – Board Submission Paper 2010-04-22-13 - For discussion (15 mins)
11. Any Other Business (10 mins)
12. Executive Session (60 mins)

# Board Submission 2010-04-22-01 .INFO Contract Amendment

**ICANN BOARD SUBMISSION NO. 2010-04-22-01**

**TITLE:** **One and Two-Character Domains in dot-INFO**

**PROPOSED ACTION:** **For Board Consideration**

**EXECUTIVE SUMMARY:**

ICANN has received a request from Afilias through the Registry Services Evaluation Process to allocate one and two-character domain names from the Schedule of Reserved Names in Appendix 6 of the dot-INFO Registry Agreement via a phased allocation process.

For the reasons set forth below, the Afilias proposal and amendments should be approved:

1. ICANN conducted the threshold security, stability and competition review on the proposed service, and did not identify any significant issues. In order to proceed with implementation, Afilias was advised that an amendment to the Schedule of Reserved Names in Appendix 6, and Functional & Performance Specification in Appendix 7 would be necessary.

2. The ICANN Board has previously approved similar allocation of one and two-character domain names by sponsored and unsponsored gTLD registries DotCoop, dotMobi, Neustar, puntCAT & RegistryPro.

3. The amendment does not have a substantial impact on ICANN or the DNS, as registrars currently facilitate the registration of one and two-character names in other gTLDs.

4. The GNSO Reserved Names Working Group indicated openness to new allocation mechanisms for one and two-character domain names in May 2007 (see annex for more detail). This proposal is consistent with the GNSO advice.

5. In the online comment forum, five comments were received. Four were supportive of the amendment for two-character domain names. Three were supportive of the amendment for one-character domain names.

**PROPOSED RESOLUTION:**

Whereas, Afilias has submitted a request pursuant to ICANN's Registry Services Evaluation Policy to amend the .INFO Registry Agreements to allocate one and two-character domain names via a phased allocation process.

Whereas, the proposed release of single and two-character domain names in .INFO would be consistent with the recommendations of the GNSO Reserved Names Working Group and other approvals to permit the release of one and two-character domain names.

Whereas, ICANN has evaluated the proposed amendment to the .INFO Registry Agreement as new registry services pursuant to the Registry Services Evaluation Policy and has posted amendments for public comment and Board approval (http://www.icann.org/registries/rsep/).

It is hereby resolved (2010.__) that the .INFO amendment is approved, and the President and General Counsel are authorized to take such actions as appropriate to implement the amendments.

| | |
|---|---|
| Submitted by: | Patrick Jones |
| Position: | Senior Manager, Continuity & Risk |
| Date Noted: | 8 April 2010 |
| Email and Phone Number | Patrick.jones@icann.org; 310-301-3861 |

# Board Submission 2010-04-22-02 Redelegation - Tanzania .TZ

## ICANN BOARD SUBMISSION NO. 2010-04-22-02

| | |
|---|---|
| **TITLE:** | Redelegation of the .TZ domain representing the United Republic of Tanzania to Tanzania Network Information Centre |
| **PROPOSED ACTION:** | For Board Review and Approval on Consent Agenda |
| **IANA REFERENCE:** | 274298 |

### EXECUTIVE SUMMARY

The ICANN Board is asked to consider and vote on the request to redelegate the domain .TZ, comprised of the ISO 3166-1 code representing the United Republic of Tanzania.

Redacted

### PROPOSED RESOLUTION

Whereas, TZ is the ISO 3166-1 two-letter country-code designated for the United Republic of Tanzania,

Whereas, ICANN has received a request for redelegation of .TZ to Tanzania Network Information Centre Limited;

Whereas, ICANN has reviewed the request, and has determined that the proposed redelegation would be in the interests of the local and global Internet communities.

It is hereby resolved (___), that the proposed redelegation of the .TZ domain to Tanzania Network Information Centre Limited is approved.

---

| | |
|---|---|
| Submitted by: | Kim Davies |
| Position: | Manager, Root Zone Services |

| | |
|---|---|
| Date Noted: | 1 April 2010 |
| Email and Phone Number | kim.davies@icann.org; +1 310 430 0455 |

# Consent Agenda Resolution re Compensation Committee's Recommendation on Senior President's Compensation

**Consent Agenda Resolution re Approval of Recommendation from Compensation Committee regarding Paul Twomey's At Risk Component of Compensation as Senior President**

Whereas, on 30 September 2009, the ICANN Board granted to ICANN's President and CEO "the authority vested under the Consultant Services Agreement for setting milestones, evaluating performance against those milestones, and making payment to Argo Pacific for the Senior President, Dr. Paul Twomey's performance bonus, as the President and CEO reasonably determined, in his discretion."

Whereas, the President and CEO has developed a proposal for payment to Argo Pacific for Senior President Dr. Paul Twomey's performance bonus for services provided under the Consultant Services Agreement.

Resolved, (2010.04.22.XX), the Board hereby adopts and ratifies the proposal for payment to Argo Pacific for the Senior President Dr. Paul Twomey's performance bonus under the Consultant Services Agreement between ICANN and Argo Pacific.

# Board Submission 2010-04-22-03 Renewal of DotPro Registry Agreement

# ICANN BOARD SUBMISSION NO. 2010-04-22-03

**TITLE:** **.PRO Renewal Registry Agreement**

**PROPOSED ACTION:** **For Board Consideration on 22 April 2010**

## EXECUTIVE SUMMARY:

ICANN and Registry Services Corporation (dba RegistryPro) reached an agreement in principle for the ongoing operation of the .PRO top-level domain. The current .PRO Registry Agreement (the "Current Agreement") is due to expire on 27 May 2010.

.PRO, a restricted/unsponsored TLD, was approved during the 2000 proof-of-concept round of new gTLDs with TLDs such as .BIZ and .NAME, other restricted/unsponsored TLDs. The proposed .PRO Registry Agreement (the "Agreement") is substantially the same as the recently approved .BIZ and .NAME agreements.

The Current Agreement does not have a restriction on registry/registrar cross-ownership and RegistryPro is permitted to own 100% of a registrar. The cross-ownership restriction was first introduced in the 2004 sTLD Registry Agreements and has been included in all agreements as they are renewed. RegistryPro is currently cross-owned by Hostway Corp. and has two sister registrars – Hostway Services, Inc. and Domain People. A cross-ownership provision in the Agreement (see Part 2 of the annex to this paper), has been crafted to include ownership and control restrictions from the effective date of the new .PRO agreement and also acknowledges (i.e., "grandfathers") the ongoing relationship in the two affiliated registrars. As public commenter Michele Neylon remarked, "The proposed language to address cross-ownership appears to have been dealt with in a reasonably graceful manner and should not be an obstacle to the renewal of the contract."

The Agreement was posted for public comment on 9 March 2010 (see http://www.icann.org/en/announcements/announcement-09mar10-en.htm) and included an explanation about proposed terms that vary from the Current Agreement. A summary of the public comments can be found in Appendix 3 of the annex to this paper. Of the four comments received, one was supportive, one was unsupportive, and two appeared neutral about support.

**STAFF RECOMMENDATION:**

The ICANN Board should approve the .PRO Registry Agreement.

**PROPOSED RESOLUTION**:

Whereas, the Current Agreement is due to expire on 27 May 2010;

Whereas, ICANN staff conducted good-faith negotiations with Registry Services Corporation, operator of the .PRO gTLD, for the renewal of their Registry Agreement;

Whereas, on 9 March 2010, ICANN announced that negotiations with Registry Services Corporation had been successfully completed, and posted the Agreement for public comment http://icann.org/en/announcements/announcement-09mar10-en.htm;

Whereas, the Board carefully considered the Agreement and finds that its approval would be beneficial for ICANN and the Internet community;

It is hereby RESOLVED (2010.xx.xx.) that the .PRO Registry Agreement is approved, and the President/CEO is authorized to take such actions as appropriate to implement the Agreement.

Submitted by: Craig Schwartz

Position: Chief gTLD Registry Liaison

Date Notes: 12 April 2010

Email and Phone Number: craig.schwartz@icann.org; +1 310 301 5832

# 2010-04-22 President's Report

# President's Report – 22 April 2010 ICANN Board Meeting
# Rod Beckstrom

**NEW GTLDS**

The team identified 20 deliverables for the publication and discussion at the Brussels meeting. Some are the natural progression of ongoing work and a few are a result of new issues that were raised in the Nairobi meeting. The deliverables are described in the project plan Board paper and include a fourth draft version of the Guidebook.

As discussed in the Nairobi meeting with the gTLD registries (who were attending "remotely"), an open meeting was held to discuss: the model for resolving post-delegation infringement of right claims; and also the process for amending the registry agreement. There was significant movement towards compromise and a small working group is being established to finish a position for publication.

GNSO Vertical Integration work is described below.

**SYNCHRONISED IDN TLDS & FAST TRACK STATUS**

Redacted

The Proposed Implementation Plan for Synchronized IDN ccTLDs was posted for public comment through 17 April 2010. The plan is based on the principles developed by the Board working group (ES-WG) and is scheduled for Board consideration in the April 22, 2010 meeting. To promote understanding, ICANN publish an FAQ and conducted a set of webinars on the topic. ES-WG continues to help work through the outstanding issues.

Fast Track: A total of eight country/territories completed the String Evaluation step of the Fast Track Process in the period since the Nairobi meeting and are ready to go on to the IANA delegation process. In the Fast Track process since launch:

a) Total number of countries/territories completed String Evaluation where requestors can apply to IANA for delegation: 12 (applying for a total of 15 strings).
b) IDN ccTLD Delegation requests in IANA: 4 (three IANA delegation approvals are presented at this meeting).

**DNS CERT**

In February, we published for public comment a paper entitled Proposed Initiatives for Improved DNS Security, Stability and Resiliency. Those initiatives being: System-wide DNS risk analysis, contingency planning and exercises; and DNS-CERT.

The draft Initiatives paper and DNS-CERT business case were provided to the SSAC in early January and feedback from the SSAC was received on 3 February and incorporated in the

version posted for public comment. The public comment period concluded on 14 April 2010. Important dialogue has been provided on this issue. A board paper on DNS Cert is included in the board materials.

**COMPLIANCE**

Since the date of the last President's Report (12 March 2010), ICANN terminated two registrars based on failure to pay accreditation fees, Whois non-compliance and failure to cure RDE requirements (i.e., DotSpeedy LLC dba dotspeedy.com and Ispreg Ltd.)

During calendar year 2010, ICANN has now terminated/non-renewed five registrars. For detailed information regarding these terminations and non-renewals, please go to: http://www.icann.org/en/compliance/.

**FURTHER CONSIDERATION OF THE ICM APPLICATION FOR THE .XXX sTLD**

Pursuant to ICANN's Bylaws, the Board of Directors considered the Independent Review Panel's Declaration at the Board's workshop and board meeting in March 2010, and directed ICANN's CEO and General Counsel to a) finalize a report of possible process options for further consideration, and b) post that report for no less than 45 days of public comment.

The Process Options Report was posted for public comment on 26 March 2010. The public comment period will end on 10 May 2010 and the comments will be summarized and presented to the Board for review during ICANN's Brussels Meeting.

**POLICY DEVELOPMENT**

**Vertical Integration PDP launches:** As directed by the board in Nairobi, a Vertical Integration PDP working group of approximately 70 participants (VI-WG) is meeting weekly and intends to develop policy recommendations for both new and existing gTLDs. The group is discussing complex issues such as:

i) understanding and creating use cases or TLD categories, such as the single registrant or .brand TLDs, and whether the rules should be relaxed in these instances,
ii) whether use of ICANN accredited registrars should be required, and
iii) identifying how consumers and users benefit from various proposals. The group has also asked the ICANN Board a series of questions to explain the Board resolution on vertical integration. A draft set of proposed responses and a possible way to respond, if the board wishes to do so, are included in the board paper, accompanying this packet.

**WHOIS – progress on WHOIS Studies:** Policy Staff has published two substantial documents:

i) an analysis of costs and feasibility to conduct studies about misuse of public WHOIS data and how registrants identify themselves in WHOIS; and
ii) a compilation of requirements for WHOIS that includes known deficiencies in the current service and any possible requirements that may be needed to support various policy initiatives that have been suggested in the past.

Staff is consulting with all SOs and ACs for input and will finalize the report before Brussels. Staff is also conducting two webinars to discuss this report with the community (20 April and 4 May). The GNSO is considering whether to recommend funding for one or more WHOIS studies in FY 2011 and will likely decide at its 21 April meeting.

**GNSO Improvements Working Group Guidelines Report released for public comment:** This draft report represents significant progress on a key element of GNSO Improvements – adoption of a Working Group model that reflects ICANN's commitment to openness and bottom up policy development. The report provides guidance in proper chartering of Working Groups and recommended procedures to ensure that working groups are inclusive and representative and ultimately more effective and efficient. The Team will now consider all public comments and finalize its recommendations for Council consideration and, following that, Board review.

**GNSO Registration Abuse Policies Working Group published its Initial Report, held public comment period:** This is a comprehensive report with many recommendations in important areas, including recommending new PDPs on cyber-squatting and to investigate the current state of the UDRP. Other recommendations address WHOIS access problems, malicious use of domain names, front-running, fake renewal notices, domain kiting, deceptive and/or offensive domain names, and issues around uniformity of contracts.

Redacted

**Delegation, redelegation and retirement working group**
The ccNSO delegation redelegation and retirement working group published a progress report on its activities prior to the Nairobi meeting and conducted a workshop to share experiences with regard to delegation, re-delegation and retirement of ccTLD. One of the presenters at workshop was the chair of the ICANN Board. The presentations at the workshop are available at http://www.ccnso.icann.org/calendar/.

The working group expects to conduct substantive discussion to indentify issues regarding the three processes, if any, and present results of this discussion to the ccTLD and broader community at the next ICANN meeting in Brussels.

**IDN ccPDP**
The chair of the IDN ccPDP WG published a draft interim report just prior to the Nairobi for public comment. The purpose of this report is to structure and set potential directions for the overall policy for the introduction of IDN ccTLD. The public comment period has just closed, and staff is preparing a consolidated overview and analysis of the comments. Just after the Nairobi

meeting a call for volunteers was sent to the ccTLD community to establish the second working group under the country code policy development process. This working group will examine the structure and set-up of the ccNSO and propose changes to include IDN ccTLD managers in the ccNSO as full members and on equal footing.

**ORGANIZATIONAL REVIEWS:**
Final reports Board, SSAC, NomCom review Working Groups: delivered, received by the Board, now high-level implementation plans under consideration by the SIC.

RSSAC review: Working Group is working to a draft final report

ccNSO review: data gathering almost concluded, independent reviewers working to analyze findings in view to prepare draft final report

ASO review: draft Terms of reference prepared, now to the consideration of SIC for their consolidation.

**AFFIRMATION REVIEWS:**
Accountability and Transparency Review Team nominated, they started preparatory work. First f2f meeting will be in MdR 5th and 6th May.

**IANA**

i) IPv4 free pool is now down to 7%, with an expected IANA IPv4 free pool run out date of Sep 2011.
ii) RFC inventory project (reviewing all RFCs to ensure all IANA registries have been created) has been completed, business excellence and other projects progressing on schedule.
iii) Fast Track IDN ccTLDs are being processed according to normal IANA procedures.

**DNSSEC**

i. As planned, all but one root server now signed with "Deliberately Unvalidateable Root Zone" (DURZ) now, with the last root server moving to DURZ schedule for early May and transition to the real signed root in July. "Trusted Community Representative" approach for ensuring trust of root Key Signing Key proposed.

ii. Redacted

iii. ICANN.ORG <http://ICANN.ORG> signed.

# CEOMonthlyOnepage April 2010

# CEO Monthly One Page Report to Board

15 April 2010

| Actual Financial Data (As of March 2010) | YTD | Budget Variance |
|---|---|---|
| Operating Revenues | $47.5 Mil | 1.1% |
| Operating Expenses | $41.2 Mil | 1.6% |
| Contribution from Operations | $4.6 Mil | 58.6% |
| Assets | $76.9 Mil | n/a |
| Liabilities | $13.5 Mil | n/a |
| Cash | $14.4 Mil | n/a |
| Reserve Fund | $47.0 Mil | n/a |

| ccTLD commitments | Trimester 2 | Percentage of Total |
|---|---|---|
| New ccTLD Accountability Frameworks | 1 | 30% |

| Deployment IPv4 | IANA /8 Blocks Available | IANA Percentage Available |
|---|---|---|
| IPv4 space remaining | 22 | 9.95% |

| Deployment IPv6 | | Percentage of Total |
|---|---|---|
| IPv6 traffic to ICANN sites*7 | | 1.13% |

| Participation in ICANN Meetings | Nairobi/37th ICANN Meeting | Percentage of Attendees |
|---|---|---|
| Participants | 740 | 100% |
| Staff (w/Contractors and Vendors) | 89 | 12.02% |
| Supported Travelers | 192 | 25.90% |

| Support Services at Meetings | Nairobi/37th ICANN Meeting | Percentage of Sessions |
|---|---|---|
| Sessions Conducted | 127 | 100.0% |
| Live Audio Streaming | 62 | 48.8% |
| Telephone Conferencing | 62 | 48.8% |
| Interpretation | 18 | 14.2% |
| Live Scribing | 12 | 9.4% |
| Audio Transcription | 37 | 29.1% |
| Web Chat Rooms | 75 | 59.1% |

| "L" Root Service | Month | YTD |
|---|---|---|
| Uptime | 100% | 100% |
| Requests Served | 25 Billion | 233 Billion |
| Average Requests per second | | 10,000 |

| Communications | Trimester 2 | YTD Words Translated | Avg Languages per document |
|---|---|---|---|
| Published documents | 53 | | |
| Translation Requests | 138 | 4.35 million | 4 |

| Policy Development *1 | T2 - Initiated | In Progress | Completed |
|---|---|---|---|
| ASO global policy proposals *4 | 0 | 2 | 0 |
| ccNSO work groups *2 | 1 | 8 | 1 |
| GNSO work groups *2 | 0 | 20 | 1 |
| SSAC projects | 1 | 2 | 1 |
| At-Large statements *3 | 9 | 4 | 10 |

| Internet Metrics | T2 - Open | T2 - Closed | YTD Outstanding |
|---|---|---|---|
| IETF Requests | 191 | 181 | 142 |
| Root Zone Requests | 21 | 20 | 14 |
| RIR Requests | 0 | 0 | 0 |

| gTLD Registrations *2 (As of November) | New Registrations YTD | Total Registrations |
|---|---|---|
| gTLD Total | 6,914,655 | 115,946,162 |

| IDN FastTrack Requests *5 | Month | YTD |
|---|---|---|
| Total Requests | 5 | 19 |
| Total Languages represented | 1 | 11 |

| Registrar Data Escrow | Now | % of gTLD Registrations Protected |
|---|---|---|
| No. registrars enrolled | 859 | 99.00% |

| Involuntary Terminated or Non-Renewed Registrars | YTD | Percent of total Registrars |
|---|---|---|
| Terminated | 5 | 0.53% |

| UDRP*3 | | YTD |
|---|---|---|
| WIPO No. of proceedings initiated | | 1,449 |
| Estimated Total UDRP cases *4 | | 1,449 |

*** Footnotes:**

1) Data is Trimester 2 - 1 November 2009 - 31 March 2010
   2) Includes community working groups, work teams, committees, task forces only
   3) Includes At-Large advisories and statements to Board and Sos onlcy
   4) ASO global policy proposals "in progress" are those being tracked by ICANN staff
2) Based on ICANN confidentiality restrictions, there is a 90 lag of data available
3) Data is for WIPO only as of Oct 28th a total of 1,449, ICANN has currently approved providers: WIPO, NAF, CAC and ADNDRC
4) Based upon available figures for 2008, WIPO and NAF receive approximately 90% of all UDRP case filings.
This figure does not account for the Czech Arbitration Court (CAC), which started handling UDRP proceedings as an approved provider in 2009.
CAC is still in the beginning stages of offering its services, and has administered approximately 30-40 UDRP proceedings to date.
A single UDRP filing may reference multiple second-level domain names, therefore the number of proceedings filed does not equal the number of domain names at issue in those filings.
5) Data as of 3/31/10 and identifies the number of IDN Fast Track applications being processed
7) This is the highest proportion since we began measuring and could well be related to the Nairobi meeting having a V6 enabled network.

# Board Submission 2010-04-22-04 Proposed Implementation Plan for Synchronized ccTLD IDNS

**ICANN BOARD SUBMISSION NO. 2010-04-22-05**

**TITLE:** **Implementation Plan for Synchronized IDN ccTLDs**

**PROPOSED ACTION:** **For Resolution**

**EXECUTIVE SUMMARY:**

It is recommended that the Board approve the Synchronized Strings process for launch. The proposed resolution is drafted as such. This cautiously made recommendation occurs in advance of the review of public comments which will close on 17 April, 2010. Staff will provide an update to the Board shortly following the closing of the public comment period.[1]

[redacted]

The options in front of the Board today are to:

- approve the process for implementation and launch (which has objections from members of the technical community); or
- delay the process launch seeking more participation and buy-in from the technical community [redacted]

Taking more time to review and possibly improve the Implementation Plan will most likely not substantially change the dynamics of those who support or oppose the implementation of Synchronized Strings. Ideally, there would be a complete technical solution to this issue that exists now, but it is likely to be years away. In the absence of that solution, the Synchronized Strings approach advocates procedural mechanisms to yield the result that end-users expect for a limited number of new TLDs.

---

[1] Thus far, four comments have been received. These are in support of the proposed plan and express the need of synchronized IDN ccTLDs from the Chinese community.

[2] The launch of the Proposed Implementation Plan for Synchronized IDN ccTLDs is based on the Nairobi Board resolution http://www.icann.org/en/minutes/resolutions-12mar10-en.htm#13 , and posted for public comments from 22 March 2010 – 17 April 2010 http://icann.org/en/public-comment/#synch

There is significant opportunity for positive engagement with the technical community going forward in terms of test plans for possible long-term technical solutions to the variant names questions (e.g., DNAME, BNAME). ICANN staff has early drafts of a test approach under discussion in the Board IANA Committee.

The Synchronized Strings Implementation Plan is built on the principles established by the ES-WG and are copied in the Annex attachment to this Board paper, along with background information including: the rationale for the Proposed Implementation Plan; an overview of the practical implementation; a description of how the synchronized evaluation process will function; and discussion of associated risks

The Implementation Plan and the Board established Principles have been clarified and augmented by a set of Questions and Answers. These Q&A, created with considerable guidance by Thomas Narten and Suzanne Woolf, are intended to provide additional detail and address questions raised from the technical community. In addition, two webinars are being hosted to provide opportunity for a dialogue with interested community members. As one example, the Q&A make it clear that synchronization is not to be enforced using technical mechanisms, but that the controls necessary to maintain synchronization are based in policy and procedures rather than in the DNS protocol.

Redacted

Redacted

Submitted by:

Position:

Date Noted:

Email and Phone Number

# Board Submission 2010-04-22-05 Delegation Russia

## ICANN BOARD SUBMISSION NO. 2010-04-22-05

| | |
|---|---|
| **TITLE:** | Delegation of the .рф (“R.F.”) domain representing the Russian Federation to Coordination Center for TLD RU |
| **PROPOSED ACTION:** | For Board Review and Approval on Main Agenda |
| **IANA REFERENCE:** | 295865 |

### EXECUTIVE SUMMARY

The ICANN Board is asked to consider and vote on the request to delegate the domain .рф, comprised of the IDN ccTLD Fast Track approved string representing the Russian Federation in Cyrillic script.

### PROPOSED RESOLUTION

Whereas, the Russian Federation is a country currently listed in the ISO 3166-1 standard;

Whereas, рф (“R.F.”) is a string that has been deemed to appropriately represent the Russian Federation through the IDN Fast Track process.

Whereas, ICANN has received a request for delegation of .рф to Coordination Center for TLD RU.

Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.

It is hereby resolved (___), that the proposed delegation of the .рф domain to Coordination Center for TLD RU as a country-code top-level domain is approved.

---

Submitted by: Kim Davies

| | |
|---|---|
| Position: | Manager, Root Zone Services |
| Date Noted: | 7 April 2010 |
| Email and Phone Number | kim.davies@icann.org; +1 310 430 0455 |

# Board Submission 2010-04-22-06 Delegation Saudi Arabia

## ICANN BOARD SUBMISSION NO. 2010-04-22-06

**TITLE:** Delegation of the السعودية.[1] ("Al-Saudia") domain representing Saudi Arabia in Arabic to the Communications and Information Technology Commission

**PROPOSED ACTION:** For Board Review and Approval on Main Agenda

**IANA REFERENCE:** 265566

### EXECUTIVE SUMMARY

The ICANN Board is asked to consider and vote on the request to delegate the domain السعودية, comprised of the IDN ccTLD Fast Track approved string representing Saudi Arabia in Arabic script.

Redacted

### PROPOSED RESOLUTION

Whereas, Saudi Arabia is a country currently listed in the ISO 3166-1 standard;

Whereas, السعودية ("al-Saudiah") is a string that has been deemed to appropriately represent Saudi Arabia through the IDN Fast Track process.

Whereas, ICANN has received a request for delegation of السعودية. to the Communications and Information Technology Commission.

Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.

It is hereby resolved (___), that the proposed delegation of the السعودية. domain to the Communications and Information Technology Commission is approved.

---

[1] Due to software compatibility issues with right-to-left scripts, this representation of the script is known to be inaccurate. The string will be faithfully presented on the final report posted on the website.

| | |
|---|---|
| Submitted by: | Kim Davies |
| Position: | Manager, Root Zone Services |
| Date Noted: | 7 April 2010 |
| Email and Phone Number | kim.davies@icann.org; +1 310 430 0455 |

# Board Submission 2010-04-22-07 Delegation Emirates

**ICANN BOARD SUBMISSION NO. 2010-04-22-07**

**TITLE:** Delegation of the امارات.[1] ("Emarat") domain representing the United Arab Emirates to the Telecommunications Regulatory Authority

**PROPOSED ACTION:** For Board Review and Approval on Main Agenda

**IANA REFERENCE:** 294998

## EXECUTIVE SUMMARY

The ICANN Board is asked to consider and vote on the request to delegate the domain امارات, comprised of the IDN ccTLD Fast Track approved string representing the United Arab Emirates in Arabic script.

Redacted

## PROPOSED RESOLUTION

Whereas, the United Arab Emirates is a country currently listed in the ISO 3166-1 standard;

Whereas, امارات ("Emarat") is a string that has been deemed to appropriately represent the United Arab Emirates through the IDN Fast Track process.

Whereas, ICANN has received a request for delegation of امارات. to the Telecommunications Regulatory Authority.

Whereas, ICANN has reviewed the request, and has determined that the proposed delegation would be in the interests of the local and global Internet communities.

It is hereby resolved (___), that the proposed delegation of the امارات. domain to the Telecommunications Regulatory Authority is approved.

[1] Due to software compatibility issues with right-to-left scripts, this representation of the script is known to be inaccurate. The string will be faithfully presented on the final reported posted on the website.

| | |
|---|---|
| Submitted by: | Kim Davies |
| Position: | Manager, Root Zone Services |
| Date Noted: | 7 April 2010 |
| Email and Phone Number | kim.davies@icann.org; +1 310 430 0455 |

# Board Submission 2010-04-22-08 2010 Latin America Meeting Location

**ICANN BOARD SUBMISSION No. 2010-04-22-08**

**TITLE:** **Location of December 2010 ICANN Meeting**

**PROPOSED ACTION:** **For Board Approval**

**EXECUTIVE SUMMARY:**
At the 12 March ICANN Board meeting in Nairobi, the Board resolved, "the CEO is authorized to negotiate with those that submitted proposals to host the ICANN 2010 Latin America International Meeting, and make a recommendation to the Board for approval at an upcoming ICANN Board meeting." This paper will summarize the steps taken to select the location for the Latin America 2010 Meeting.

**STAFF RECOMMENDATION:**
Staff recommends accepting the proposal of .CO Internet S.A.S. to host the December 2010 Meeting in Cartagena, Columbia.

**BOARD FINANCE COMMITTEE RECOMMENDATION:**
The Board Finance Committee and the Board of Directors have approved a budget of US$2.126M for Latin America 2010.

**PROPOSED RESOLUTION:**
Whereas, ICANN intends to hold its third Meeting for 2010 in the Latin America region as per its policy;

Whereas .co Internet S.A.S. was one of the entities that submitted a viable proposal to serve as host for the ICANN 2010 Latin America Meeting;

Whereas, staff has completed a thorough review of the .CO Internet S.A.S proposal and finds it acceptable;

Whereas, the Board Finance Committee and the Board of Directors have approved a budget of US$2.126M for the ICANN 2010 Latin America Meeting;

It is hereby resolved (2010.04.22.___) that the Board accepts the .CO Internet S.A.S. proposal and approves that the ICANN 2010 Latin America Meeting shall be held in Cartagena, Columbia from 5-10 December 2010, with a budget not to exceed US$2.126M, and that the Cartagena Meeting designated as the 2010 Annual Meeting.


| | |
|---|---|
| Submitted by: | Doug Brent |
| Position: | Chief Operating Officer |
| Date Noted: | 31 March 2010 |
| Email and Phone Number | Doug.Brent@ICANN.org +1-310-301-3871 |

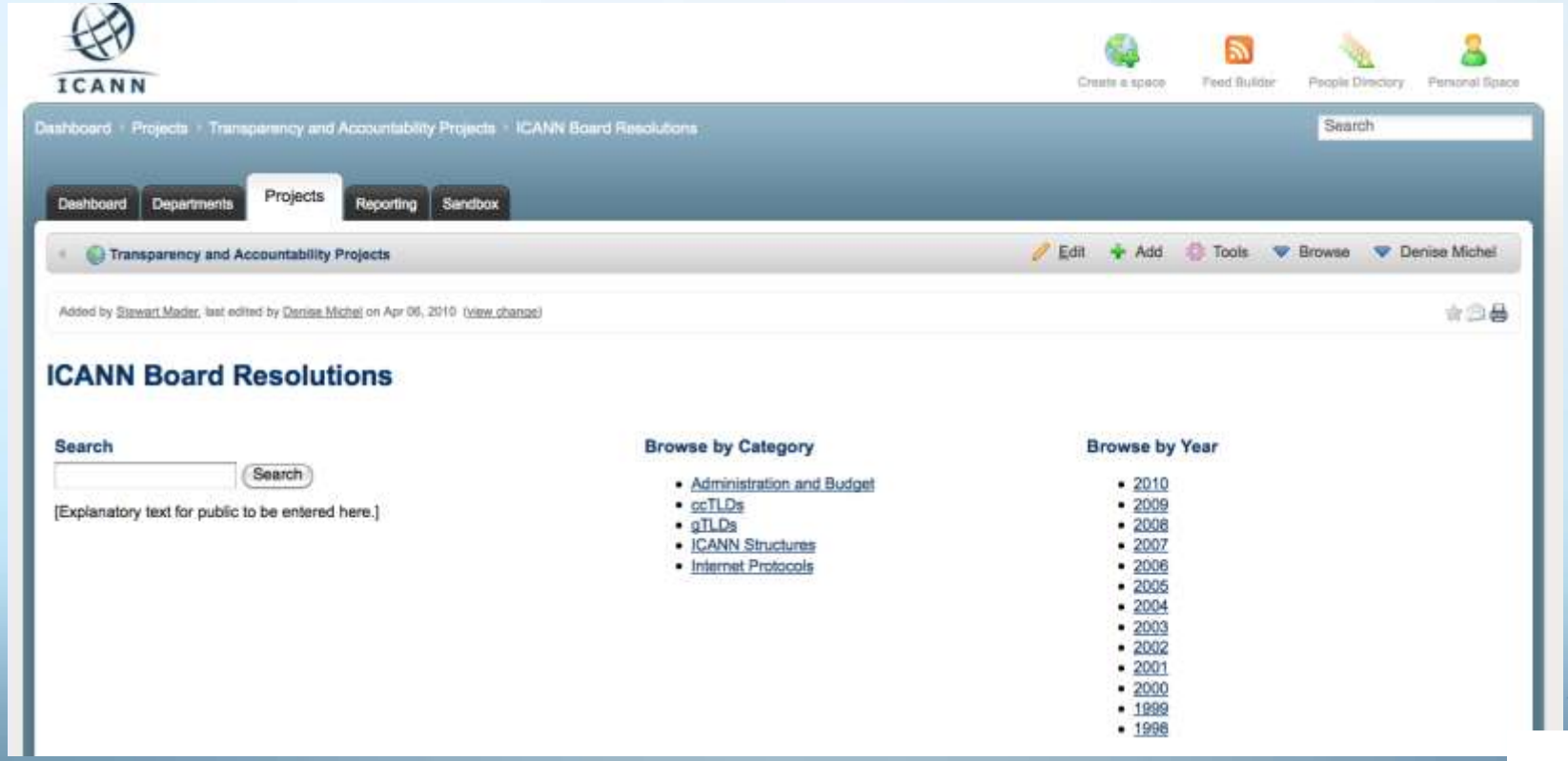
# Board Submission 2010-04-22-09.1 Affirmation of Commitments - Meeting our Commitments

# Transparency & Accountability

- Has been a foundational principle and an ongoing and evolving effort since ICANN's inception.
- Advanced in last few years by agreements with US DOC, independent reviews, Bylaws amendments, structural and operational changes, former President's Strategy Committee (PSC) suggestions.
- Last PSC report and staff draft implementation plan for Improving Institutional Confidence: some were incorporated in operations; some under Board consideration; some informed Affirmation of Commitments.
- Affirmation of Commitments: transparency & accountability an underlying goal, and a driver of required community reviews.

# Transparency & Accountability

- Currently assessing all pending recommendations and commitments and developing proposed Transparency & Accountability Initiative.
- Assessment includes Wiki project to publicly document and track implementation of: All Board resolutions (back to 1998); PSC reports; Affirmation of Commitments.



# Transparency & Accountability

- Proposed Initiative will include measurable transparency & accountability objectives based on assessment and community and Board input.
- Proposed Initiative will include specific projects to be implemented and tracked, and will be tied to ICANN's strategic objectives, operating plan and budget.
- Goal:  Make ICANN an international standard bearer for transparency & accountability.

# BoardSubmission 2010-04-22-09.3 Affirmation reviews update

**ICANN BOARD SUBMISSION NO. 2010-04-22-09.3**

| | |
|---|---|
| **TITLE:** | **Affirmation of Commitments Reviews – Status Report** |
| **PROPOSED ACTION:** | **For Board Information** |

**EXECUTIVE SUMMARY:**

The present paper offers an update of the Status Report which was provided for the Board meeting in Nairobi.

The overall number of candidatures received for the first review (Accountability and Transparency) by candidates wishing to represent a Supporting Organization or an Advisory Committee was 25. Out of them, 12 applied to represent GNSO, 8 applied to represent ALAC, 3 for GAC, 1 for ASO and 1 for ccNSO. All candidatures and supporting documents were published.

At the Board public meeting in Nairobi, the two Affirmation-designated Selectors - Peter Dengate-Thrush and Janis Karklins - announced the composition of the Review Team as follows:

- 1 volunteer member representing ASO;
- 1 volunteer member representing ALAC;
- 2 volunteer members representing ccNSO;
- 4 volunteer members representing Governments, including 2 ex-officio members;
- 4 volunteer members representing GNSO;
- The Chair of the ICANN Board
- 1 or 2 independent experts.

Following the announcement of the composition of the Review Team, SO/ACs announced the names of the candidates who received SO/ACs endorsement. On March 29th 2010, the two Selectors appointed the members of the Review Team, selecting them only among those who had obtained SO/AC endorsement.

The composition of the Review Team was announced as follows, and motivation for selection was published:

- Ex-officio members:
  - Mr. Peter Dengate Thrush;
  - Mrs. Manal Ismail designated nominee of Mr. Janis Karklins;
  - Mr. Lawrence E. Strickling (US DoC).

- SO/AC representatives (in alphabetic order):
  - Mr. Adelman Warren (GNSO)
  - Mrs. Burr Beckwith (Becky) J. (ccNSO)
  - Mr. Colasanti Fabio (GAC)
  - Mr. Currie William (GNSO)
  - Mr. Cute Brian (GNSO)
  - Mrs. Langdon-Orr Cheryl (ALAC)
  - Mr. Lee Louie (ASO)
  - Mr. Muron Olivier (GNSO)
  - Mr. Zhang Xinsheng (GAC)

ccNSO was offered the possibility to candidate a further volunteer member in order to fill the second position allotted to ccNSO.

The Review Team will meet for a first conference call on April 12th and a first face-to-face meeting is tentatively scheduled towards the end of April / beginning of May in Marina del Rey.

The first meetings of the review Team should enable members to define their working methodology, to identify the nature of the external and administrative support needed, to define their terms of Reference, to select the appropriate Indicators of Performance and to define the Conflict of Interest policy.

**STAFF RECOMMENDATION:**

This submission is provided for information; no Board action is required.


| | |
|---|---|
| Submitted by: | Marco Lorenzoni |
| Position: | Director, Organizational Reviews |
| Date Noted: | March 9th 2010 |
| Email and Phone Number | marco.lorenzoni@icann.org; +32.475.72 47 47 |

# Board Submission 2010-04-22-10 DNS CERT

**ICANN BOARD SUBMISSION NO. 2010-04-22-10**

**TITLE:** DNS-CERT Way Forward

**PROPOSED ACTION:** For Board Consideration

**EXECUTIVE SUMMARY**

Establish a DNS-CERT was one of four strategic projects identified under DNS Stability and Security in the 2010-2013 ICANN Strategic Plan, which was developed through community consultation. This project was included in the draft plan based on experience during collaborative response activities that involved ICANN staff and the DNS community over the past year and discussions on this topic that occurred at the Seoul meeting. The other three projects were: DNSSEC implementation; contingency planning and exercises; and IPv4 and IPv6 absorption. The Strategic Plan states "ICANN will work in partnership with other organizations to develop an approach to the establishment of a DNS-CERT in order to address one of the broader issues of Internet security. The system would enable a more coordinated and effective response to incidents and attacks on the DNS". The DNS-CERT project received substantial positive comment during the consultation process on the Strategic Plan. On 12 February 2010, ICANN published for public comment a paper entitled *Proposed Initiatives for Improved DNS Security, Stability and Resiliency.* Those initiatives being: System-wide DNS risk analysis, contingency planning and exercises; and DNS-CERT. The draft Initiatives paper and DNS-CERT business case were provided to the SSAC in early January and feedback from the SSAC was received on 3 February and incorporated in the version posted for public comment. The public comment period concluded on 14 April 2010. This briefing will focus on the DNS-CERT element of the paper.

The proposed mission and key considerations for the establishment of a DNS-CERT, as well as a Global DNS-CERT Business Case, were outlined in the *Proposed Initiatives* paper. A first year budget was proposed for launching these initiatives but did not propose specifics regarding who would operate the DNS-CERT or governance or funding models. The proposed concept of a DNS-CERT was discussed in multiple forums at the ICANN

Nairobi meeting and a number of written comments have been received through the public comment period.

The public comments have revealed three main themes:

- Is the establishment and operation of a DNS-CERT within ICANN's mandate? A related theme suggests the need for a bottom-up policy consultation to seek community consensus on the requirement for, and mission of, a DNS-CERT.

- The DNS-CERT proposal needs to be fleshed out with additional detail regarding its proposed mission and operational focus. In particular, concerns have been raised that the proposed organization may overlap significantly with the mission of existing CERTs and other efforts such as the DNS-Operational Analysis and Research Center (DNS-OARC) calling the operational value added and associated costs into question.

- ICANN has received praise for initiating a dialogue within the DNS and cyber security communities about the need for robust response capabilities. Comment has recognized the need for a hub of DNS security expertise to bridge the DNS operators with those involved in cyber security response to include facilitating improved national and other CERT operations.

Additionally, the Chairs of the ccNSO, GNSO and ALAC have written to the ICANN Board requesting that the Board direct the formation of a community working group on the purpose of, and potential approaches for, establishing a DNS-CERT with the Brussels meeting as the time and venue for launching such a working group. Public comment on the DNS-CERT will be summarized by ICANN staff and published for public review by end of April 2010.

ICANN staff organized an operational requirements experts' workshop on 6-7 April in Washington DC to focus on the current gaps in the community response to DNS security and resiliency threats. The workshop involved DNS operators from root operators, representatives of the DNS-OARC, the Registry Infrastructure Safety Group as well as those involved in the cyber security response community and with a range of national and

corporate CERT experiences. Based on the analysis of key scenarios at the workshop, the expert working group plans to publish its findings by the end of April 2010 as a deeper examination of the issues surrounding a DNS-CERT. This examination, in part, will address concerns about mission overlap with existing organizations and the value added of such an organization.

ICANN staff believes that the following approach should be taken in moving forward in considering the establishment of a DNS-CERT:

1. Based on public comment and the output of the DNS-CERT operational requirements expert group, ICANN staff developed a proposed Concept of Operations (CONOPS) for a DNS-CERT for community consultation which articulates the mission and operations. The CONOPS will also address approaches to collaboration with existing organizations and activities contributing to DNS security and resiliency response such as CERTs, DNS-OARC and RISG. The CONOPS will also include an updated resourcing analysis for the proposed mission and operations. This step is meant to address concerns about depth of analysis and mission overlap associated with the DNS-CERT proposal.

2. CEO and staff to develop an options briefing and recommendations for discussion at the May Board workshop addressing the following issues:

- The role and mandate of ICANN in formation of a DNS-CERT. Specifically, the Board must address whether the establishment of a DNS-CERT is an implementation of ICANN security, stability and resiliency responsibilities and whether ICANN should consider a role for staff in the operation of a DNS-CERT.

- The form, mandate, timelines and deliverables of possible mechanisms for community consultation on the DNS-CERT initiative. Specifically, consider the formation of a community working group or alternatives such as a President's Strategy Committee and associated mandates.

- Potential models for organization, governance and funding the establishment of a DNS-CERT

The focus of proposed Board discussion at the workshop should be considering the nature of an appropriate Board resolution on the DNS-CERT specifying mechanisms for community consultation and directing staff activities at the Brussels meeting.

3. Ensure opportunities for continued public comment and consultation at the Brussels meeting.

**PROPOSED RESOLUTION: None proposed**

| | |
|---|---|
| Submitted by: | Greg Rattray |
| Position: | Chief Internet Security Advisor |
| Date Noted: | 12 April 2010 |
| Email and Phone Number | Greg.Rattray@icann.org; 210-649-0646 |

# Board-submission 2010-04-22-11 gTLD Project Plan

## ICANN BOARD SUBMISSION NO. 2010-04-22-11

**TITLE:** **New gTLD Program – Project Plan Update**

**PROPOSED ACTION:** **For Information**

As noted in the New gTLD project plan provided last December, there are a specified number of areas remaining on the critical path to launch of the program. The objectives of closing on these areas have continued to drive project activities since the Nairobi meeting. The team continues to execute against the project plan, with some adjustments made due to decisions during the Nairobi meeting and follow-up discussions within the community.

This paper provides an update on the status of the following milestones necessary for successful conclusion of implementation activities and launch of the New gTLD Program:

1. Publishing draft version 4 of the Applicant Guidebook.
2. Completing the contracted economic studies.
3. Completing root-scaling studies.
4. Completing preparations for operational readiness.
5. Executing the communications strategy.
6. Developing an approach to providing support resources for new gTLD applicants.
7. Publishing the New gTLD Program Budget.

The schedule shown in the accompanying PowerPoint depicts activities leading to publication of draft version 4 of the Applicant Guidebook in June and the final Guidebook. Some items have been added based upon Nairobi results.

Having assessed the volume and tone of comment received on version 3 and on the updated versions of specified sections excerpted for discussion in Nairobi, it is expected that the upcoming version 4 will be the last full guidebook draft.

After public feedback is received on draft version 4, a decision will be made on how to proceed. If version 4 is the last draft, then a final version of the Applicant Guidebook will be produced for Board approval prior to publication. If considerable change to the guidebook is required based on comment to version 4, there could be another draft or interim publication.

Submitted by: Karen Lentz, Kurt Pritz

Date Noted: 12 April 2010

Email and Phone Number kurt.pritz@icann.org / +1 310 301 5809

# Updated New gTLD Project Plan

~~9 December 2009~~

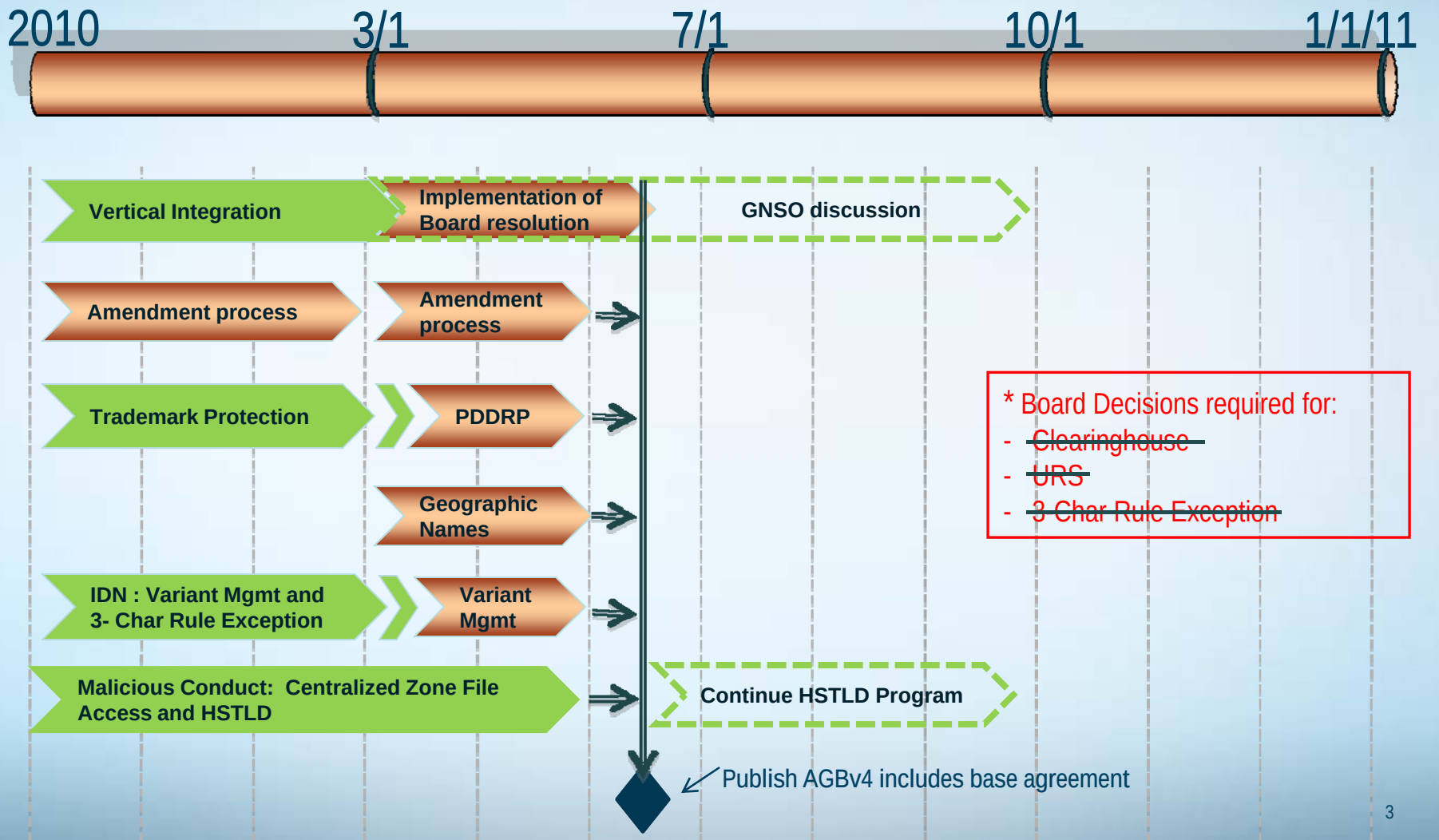
~~7 March 2010~~

22 April 2010

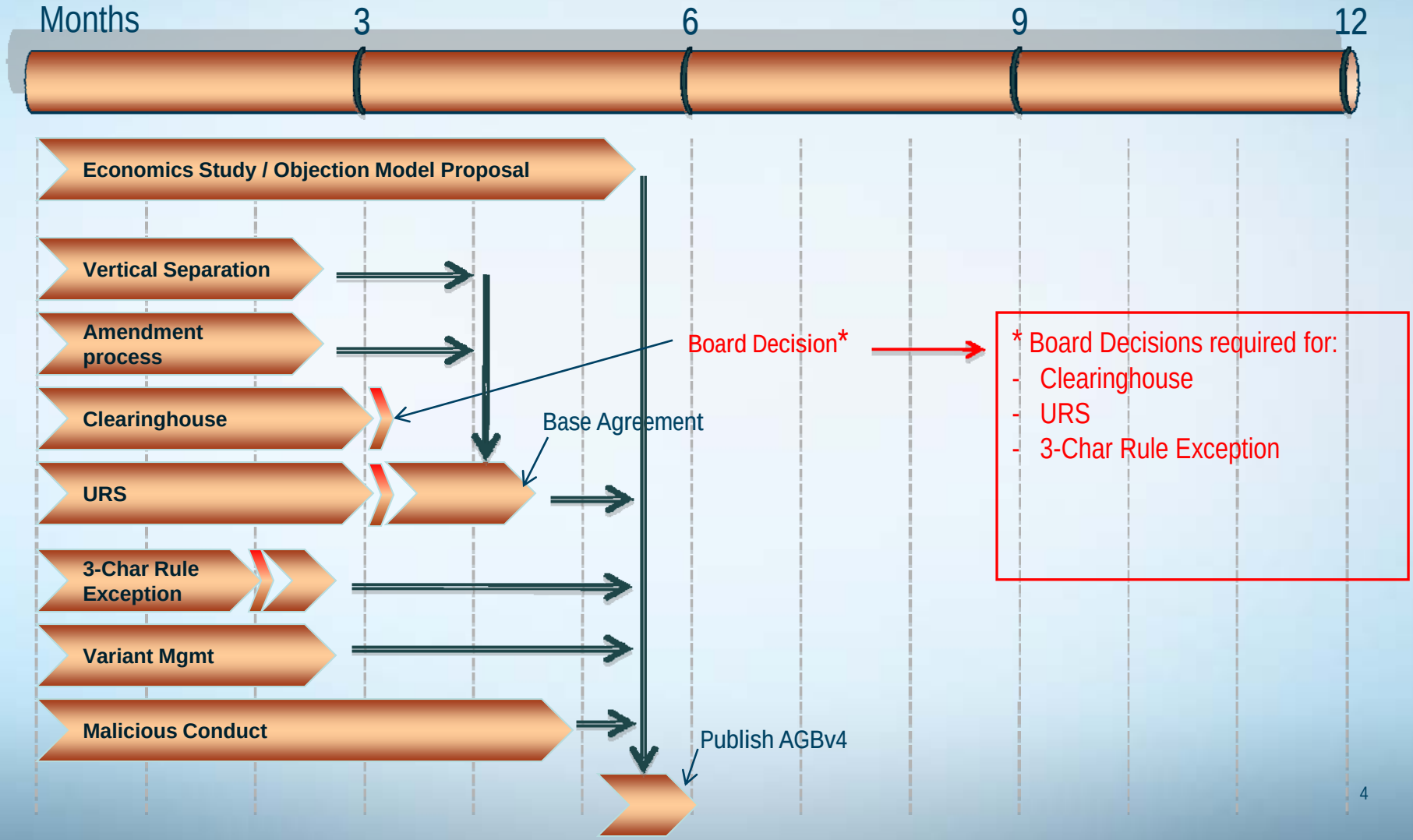
# Project Plan Contents

- Applicant Guidebook version 4
  - Schedule
  - [Nairobi version of schedule for comparison]
  - Dependencies
- New gTLD Program - Major Activities
- Final Applicant Guidebook Dependencies
- Operational Readiness Plan
- Communication Strategy

# Applicant Guidebook v4 – (no schedule contingency)



# Applicant Guidebook v4
# (ref: Timeline presented in Nairobi for comparison)



# Guidebook version 4 dependencies

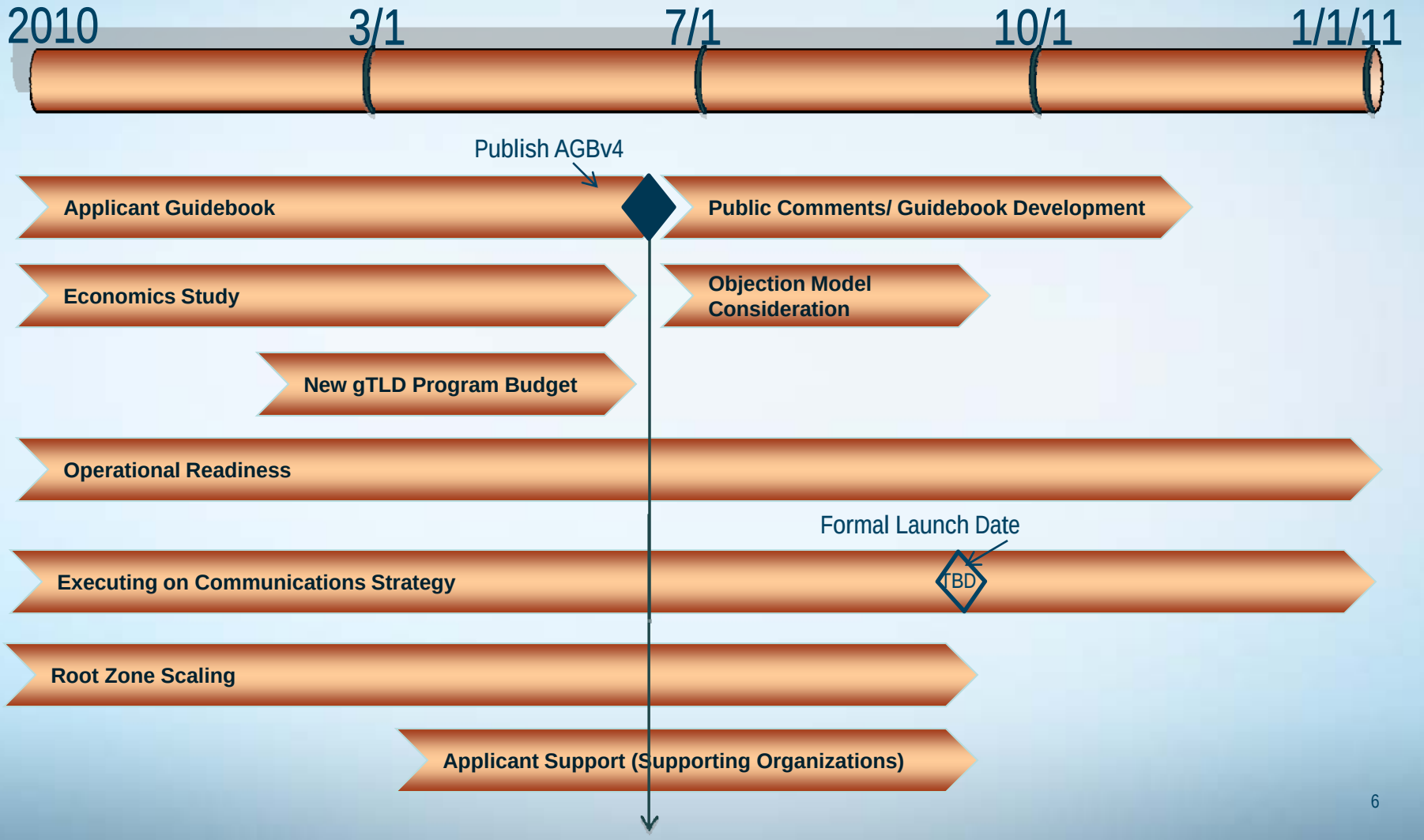
Board:

- Approve Vertical Separation Model: 12 March 2010
- Approve 3-Char Rule Exception: 4 Feb 2010
- Approve Clearinghouse: 12 March 2010
- Approve URS: 12 March 2010
- Other Board approvals as determined by Board

Community:

- GNSO vote on Clearinghouse and URS: 17 Dec 2009
- Conclude public comments period on GNSO Report: 4 Feb 2010
- Develop Vertical Integration recommendations

# New gTLD Program - Major Activities



# Final Applicant Guidebook Dependencies

Key Activities:

- Develop and Post Applicant Guidebook v4
- Applicant Guidebook v4 public comments analysis
- Root Zone Scaling
- Economic Study/Objection Model Final
- Operational Readiness Plan
- Executing on Communication Strategy

Board:

- Approve Final Objection Model
- Approve SSAC/RSSAC Study
- Approve Final Applicant Guidebook and launch date

Community:

- Feedback on economist study: 24 Nov 2010
- Vertical integration model development

# Operational Readiness

# Process

Documentation has been completed for a number of sub-processes – as highlighted below.

| Process | Sub-Process | Detailed Documents (Process Maps & Procedures) |
|---|---|---|
| **Administration** | Applicant Registration | **Complete** |
| | Applicant Submission | **Complete** |
| | Completeness Check | **Complete** |
| | Publication of Results | **Complete** |
| **Initial Evaluation** | DNS Stability | **Complete** |
| | String Similarity | **Complete** |
| | Geographic Names | **Complete** |
| | Financial | **Complete** |
| | Technical | **Complete** |
| | Registry Services | **Complete** |
| | Due Diligence | **Complete** |
| | Publication of Results | **Complete** |
| | Termination Procedure | **Complete** |
| **Customer Support** | Customer Support | **In progress- Scheduled to be completed during T3** |
| **Inquiry Management** | Inquiry Management | **In progress- Scheduled to be completed during T3** |
| **Program Management** | Program Management | **In progress- Scheduled to be completed during T3** |

# Evaluation Services

There are 4 key phases to Panel procurement:
1. Request for Proposal (RFP) – Complete
2. Identify Top Candidates – Complete
3. Oral Presentations – Complete
4. Contract Execution – Dependent on finalization of Applicant Guidebook

## Request for Proposal (RFP)

- **Feb 2009:** Published RFP for 5 areas of assessment.
- **July 2009:** Re-opened deadline to respond to RFP.
- **Aug 2009:** Conducted Q&A conference call with respondents.
- **Sep 2009:** Closed RFP.

## Identify Top Candidates

- **Oct 2009:** Developed a general criterion grid to score each candidate's response.
- **Nov 2009:** Reviewed and scored each candidate's response. Based on the scoring, identified top candidates to be invited to oral presentations.

## Oral Presentations

- **Dec 2009:** Prepared technical and process questions for candidates. Developed scoring grid for oral presentations.
- **Jan 2010:** Hosted oral presentations for Technical and Financial assessment area.
- **Feb 2010:** Hosted oral presentations for Community Priority, Geographic Names, and String Similarity assessment area.

## Contract Execution

- Notify Board of primary and back-up panelists for each assessment area.
- Execute contracts with panelists.
- On-board and integrate panels.

# Evaluation Panel Procurement Status

| Assessment Area | RFP | Top Candidates | Orals | Selection | Contract | On-board |
|---|---|---|---|---|---|---|
| Technical | Complete | Complete | Complete | Tentative | Not Started | Not Started |
| Financial | Complete | Complete | Complete | Tentative | Not Started | Not Started |
| String Similarity | Complete | Complete | Complete | Tentative | Not Started | Not Started |
| Geographic Names | Complete | Complete | Complete | Tentative | Not Started | Not Started |
| Community Priority | Complete | Complete | Complete | Tentative | Not Started | Not Started |
| DNS Stability | N/A | Complete | Complete | Tentative | Not Started | Not Started |
| Registry Services | N/A | Complete | Complete | Tentative | Not Started | Not Started |

# Service & Dispute Resolution Providers

| Objection / Service Grounds | RFI | Top Candidates | Interviews | Selection | Exchange of Letters | On-board* |
|---|---|---|---|---|---|---|
| String Confusion | Complete | Complete | Complete | ICDR | Complete | Not Started |
| Legal Rights | Complete | Complete | Complete | WIPO | Complete | Not Started |
| Morality and Public Order | Complete | Complete | Complete | ICC | Complete | Not Started |
| Community Objection | Complete | Complete | Complete | ICC | Complete | Not Started |
| URS | Written | Not Started | Not Started | | Not Started | Not Started |
| Clearinghouse | Written | Not Started | Not Started | | Not Started | Not Started |
| Post-delegation DRP | In-process | Not Started | Not Started | | Not Started | Not Started |
| Independent Objector | Written | Not Started | Not Started | | Not Started | Not Started |

# Executing Communication Strategy

- Revise and publish *Draft Communications Strategy*
- Continue to engage local and global media
- Produce multilingual webinars and podcasts
- *New gTLD Global Voices Program*
- Revise and publish informational materials
- Publish version 4 of the Guidebook, explanatory memoranda and other papers in multiple languages
- Participate in existing calendared events

# Board Submission 2010-04-22-12 New-gTLD-Status

**ICANN BOARD SUBMISSION NO. 2010-04-22-12**

**TITLE:** **New gTLD Status – Trademark Protection Issues**
**Vertical Integration**
**Communications**

**PROPOSED ACTION: For Board Information**

## Trademark Protection

In Nairobi the Board voted to include three trademark protection mechanisms in version four of the Draft Applicant Guidebook – the Trademark Clearinghouse, the Uniform Rapid Suspension System (URS) and the Trademark Post-Delegation Dispute Resolution Procedure (PDDRP) (this last one was included in version 3 as well). In voting on inclusion of all of these mechanisms into the next version of the Draft Applicant Guidebook, the Board recognized that the public comment period was still open and any revised proposals for version 4 should pay appropriate consideration to comments received.

**Trademark Clearinghouse & Uniform Rapid Suspension (URS)**

Combining the Nairobi resolutions on these issues: "ICANN staff shall analyze public comments on the Clearinghouse and URS proposal and develop a final version to be included in version 4 of the Draft Applicant Guidebook." As the public comment period just recently closed, the process of summarizing and analyzing comments received to determine what revisions may be needed to the Clearinghouse & URS proposals are underway. Initial review indicates that public comment will result in clarification but not substantial change. If the Board chooses, staff will provide a verbal update on the nature of the comments at the Board meeting scheduled for 22 April 2010.

One key revision that the Board suggested to the Clearinghouse in Nairobi relates to the trademarks that registries must recognize in sunrise or trademark claims services. The Board recommended that all nationally registered marks be given protection during trademark claims services and, for sunrise services, only those marks that are validated for use must be given protection. See below for a draft redline of the relevant provision, to reflect the Board's suggestion:

| Original Proposal | Modified Proposal |
|---|---|
| In those services, registries must recognize either (i) or (ii):<br><br>(i) all nationally or multi-nationally registered trademarks in the Trademark Clearinghouse Database; or<br><br>(ii) all nationally or multi-nationally registered AND validated trademarks in the Trademark Clearinghouse database. (Such validation could be satisfied either at time of trademark registration, as in some countries, or by subsequent validation by the Trademark Clearinghouse or its agents to determine whether the trademark holder has used the registered trademarks in connection with the goods and services applicable to the registration.) | (a) For trademark claims services, registries must recognize all text trademarks that are in the Clearinghouse database, which include: (i) nationally or multi-nationally registered "text mark" trademarks from all jurisdictions (including countries where there is no substantive review); and (ii) any text trademark that has been validated through a court of law or other judicial proceeding..<br><br>(b) For sunrise services, registries must recognize all nationally or multi-nationally registered AND validated text trademarks that are in the Trademark Clearinghouse database. (Such validation could be satisfied either at time of trademark registration, as in some countries, by court of law or other judicial proceeding, or by subsequent validation by the Trademark Clearinghouse or its agents to determine whether the trademark holder has used the registered trademarks in connection with the goods and services applicable to the registration.) |

The Board's suggestion makes what some Board members and community members suggested would be a reasonable compromise.

**Trademark Post-Delegation Dispute Resolution Procedure (PDDRP)**

In Nairobi, the Board resolved: "ICANN should take the remaining public comment from the community and synthesize those comments, as appropriate, into a final draft PDDRP, ensuring that the varying interests of the community are considered, and include the final draft in version 4 of the Draft Applicant Guidebook." ICANN offered to meet with the registry stakeholder group to listen to its suggestions for the Trademark PDDRP, which holds the registry liable under limited circumstances for infringing names in the registry.

A public meeting was held on 13 April 2010 in Marina del Rey and via remote participation to discuss two topics of particular interest to the registry stakeholder group. The meeting was cooperative and informative – progress was made toward a final position on the key issues. The parties agreed to establish an open drafting working group to discuss revisions to the

PDDRP and, in particular, to address registry concerns that the process might be abused at the expense of legitimate registry operators. If the Board chooses, at the 22 April 2010 Board meeting, staff will be prepared to provide a verbal briefing about this 13 April 2010 meeting.

## Vertical Integration

### GNSO PDP on Vertical Integration

Since Nairobi, a policy development Vertical Integrations working group (VI-WG) has been meeting weekly.

Under its Charter[1], the VI-WG is attempting to develop policy recommendations for both new gTLDs and existing gTLDs. Because it intends to complete its work by the end of June 2010, the VI-WG is first focusing on the issues related to new gTLDs, with the hopes of influencing the next version of the Applicant Guidebook. Notwithstanding this ambitious schedule, it is unlikely that the VI group will achieve consensus in such a timeframe, given the size of the group (over 70 participants) and the complex nature of the issues presented[2]. In Staff's view, the VI-WG is more likely complete to its work at a later time.

Since the group's inception, they have been debating what the Board "intended" in the Nairobi Board Resolution and, in the absence of a recommendation emerging from this working group in time, what to expect in the next version of the Applicant Guidebook to be published by Staff prior to the Brussels meeting. To that end, on 25 March 2010 the Co-Chairs of the VI-WG asked the ICANN Board in writing to explain the "default position" for the Final Applicant Guidebook, and to clarify a number of other questions (see Annex A for full list). The VI-WG is seeking a written response from the Board. In response to this Board request, a set of proposed responses has been composed (see annex to this paper). The Board can:

- Forward these responses to the GNSO Vertical Integration Working Group.

[1] The VI-WG Charter is posted at https://owa.icann.org/owa/redir.aspx?C=edc6397549bc4f65a4f0a54713729492&URL=http%3a%2f%2fgnso.icann.org%2fissues%2fvertical-integration%2fvi-chartered-objectives-01apr10-en.pdf

[2] For example, the VI-WG is currently focused on evaluating complex issues such as (i) understanding and creating use cases, such as the single registrant or .brand TLDs, and whether the rules should be relaxed in these instances, (ii) whether use of ICANN accredited registrars should be required, and (iii) identifying how consumers and users benefit from various proposals.

- Either through the BGC or the establishment of a Board working team, review and amend (or rewrite) the responses.

or

- Least recommended, the Board might choose to not respond to questions such as this. If the Board elect not to respond, it should indicate that such questions might not be in concert with the bottom-up intent of the PDP process.

The GNSO Working Group is also discussing / developing working definitions of vertical separation, co-ownership and other terms of art.

In parallel, ICANN is developing an implementation model that incorporates the direction set by the Board resolution.

**Communication Strategy**

As noted in the Board's resolution in Nairobi, one of the main goals of the communications plan is to inform potential applicants around the world about the opportunities afforded by new gTLDs. The communications strategy is now focused on planning and preparing for the formal opening of the application process, and providing access to the most current knowledge to as wide an audience as possible.ICANN continues to undertake significant effort to increase and deepen worldwide awareness of the New gTLD Program.

Communications activities commenced with the policy approval by the Board in June 2008 and included, for example: publication of a draft communications plan, regional media outreach, local consultation and outreach events produced in coordination with local partners (New York, London, Hong Kong, Abu Dhabi, Buenos Aires, Sao Paulo and sessions during ICANN Meetings), speaking engagements at local calendared events (over 50 during 2009), re-design of the program webpage, and creation of outreach materials in six languages.

The main goals during this trimester are to:

- Continue activities to increase the awareness about the program at regional/country levels. To maximize resources, staff plans to work more closely in cooperation with the ICANN SOs and ACs to explore and establish the most effective ways to educate target audiences about the program. To this end, a *New gTLD Global Voices Program* is being investigated to help structure this cooperative work. This could involve interested local contacts assisting in promoting ICANN webinars and materials, holding outreach sessions,

or participating in local events, as appropriate. ICANN would commit to providing the required training and support.

- Publish a revised *Draft Communications Strategy* for public comments at the end of April. This will incorporate feedback received on the previous draft version, as well as updates in keeping with the latest developments within the program.

- Continue to engage local and global media to highlight key milestones and educate on specific issues and campaigns. Follow up with key media correspondents to address issues or misperceptions in local and regional markets.

- Produce multilingual webinars and podcasts – intro to the program and topic-specific, as needed.

- Revise and publish informational materials such as program Fact Sheet and program Basics power point, with translations in various languages.

- Publish version 4 of the Draft Applicant Guidebook in multiple languages and, as needed, include explanatory memoranda and other papers to explain the complex aspects of the program.

- Participate in existing calendared events to promote global awareness about the program and keep global audiences apprised of recent developments.

All key program informational materials are intended to be available in all six United Nations Languages (Arabic, Chinese, English, French, Russian and Spanish) at a minimum.

The specific content and planned activities for communications will evolve based upon developments and associated communication needs, particularly in different regions around the world.

Key messaging objectives continue to include:

- Explaining the benefits and opportunity accruing from the introduction of new gTLDs, conveying ICANN's role and innovation on the Internet as a way forward.

- Describing ICANN's bottom-up process where the Internet community identified a need for new gTLDs and created policy.

- Attaining ICANN's goal of close and ongoing collaboration with all of the Internet's global stakeholders to keep the Internet secure, stable and open.

- Reinforcing the idea that the Internet is evolving and ICANN's collaborative mission is the most effective way to effect and manage change for the benefit of the global Internet community.

- Educating potential applicants and the broader Internet community about the Program development, key issues, and specific launch plans, deadlines and activities.

| | |
|---|---|
| Submitted by: | Kurt Pritz, |
| Position: | Senior Vice President, Services |
| Date Noted: | 12 April 2010 |
| Email and Phone Number | pritz@icann.org; +1-310-301-5809 |

# Board Submission 2010-04-22-13 UDRP

**ICANN BOARD SUBMISSION NO. 2010-04-22-13**

**TITLE:** **UDRP Status Briefing**

**PROPOSED ACTION:** **For Board Information**

**EXECUTIVE SUMMARY:**

The UDRP has resulted in the resolution of over 30,000 domain name disputes and countless more that have been settled without UDRP filings. The policy adopted in 1999 has run primarily without changes since its inception. The Annex to this submission provides history and more detailed background information regarding the UDRP and ICANN's relationship with UDRP providers. There have been calls in the community to update or alter the UDRP, but those issues have not been raised to a level of initiation of policy development work in the GNSO. The Annex also provides a brief discussion of policy development work required to modify the UDRP.

Issues have been raised regarding the uniformity of UDRP administration and the means to enforce provider compliance are coming to the forefront of dialogue on the UDRP. ICANN staff is working proactively to address these issues, including developing a review process for revisions to provider supplemental rules as a means to assure continued uniformity. Also underway is a discussion of compliance or enforcement mechanisms to use with the ICANN approved providers, such as contracts, to allow for continued certainty in ICANN's oversight of the UDRP.

**STAFF RECOMMENDATION:**

Redacted

Staff recommends that the creation of enforcement or compliance tools for use with approved UDRP dispute resolution providers does not require the initiation of a policy

development process, and staff could appropriately start to form proposals for the creation of these tools.

As a result, staff does not propose that the Board take any action at this time on UDRP-related matters, and staff will calendar an update of these issues in six months to provide a status report to the Board on these topics.

| | |
|---|---|
| Submitted by: | John O. Jeffrey |
| Position: | General Counsel and Secretary |
| Date Noted: | 15 April 2010 |
| Email and Phone Number | john.jeffrey@icann.org, +1-310-301-5834 |