

Locking of a Domain Name Subject to UDRP Proceedings Charter

What is the GNSO Council expected to consider?

The GNSO Council is expected to consider the charter for the Locking of a Domain Name Subject to UDRP Proceedings Policy Development Process (PDP) Working Group for adoption. The [proposed charter](#) was developed by a drafting team following the initiation of a PDP on this topic by the GNSO Council. Adoption of the Charter requires an affirmative vote of more than one-third (1/3) of each House or more than two-thirds (2/3) of one House.

Why is this important?

A discussion on the requirements of locking a domain name subject to UDRP proceedings was initially conducted as part of the Inter-Registrar Transfer Part B PDP. As a result of that process, it was noted that "that locking a domain name registration subject to a UDRP dispute should be a best practice" however, the WG "noted that any changes to making this a requirement should be considered in the context of any potential UDRP review." Subsequently, several community members called out this issue in their comments on the state of the UDRP [Issue Report](#) published in October 2011, and as a result, the GNSO Council initiated a PDP on this specific issue only at its meeting in December 2011. Some of the issues identified in community comments include: "No requirement to lock names in period between filing complaint and commencement of proceedings"; "Need clarification of domain locking"; "Unclear what is meant by 'Status Quo'; "No explanation of 'Legal Lock' mechanisms and when they go into effect or when they should be removed."

The Proposed Charter

In addition of the standard elements of a charter as prescribed by the GNSO Working Group Guidelines, the charter includes the proposed mission and scope of the Working Group. The PDP WG would be tasked to address the issue of locking of a domain name subject to Uniform Dispute Resolution Policy (UDRP) proceedings as outlined in the Inter-Registrar Transfer Policy (IRTP) Part B Final Report as well as the Final Issue Report on the Current State of the UDRP. The PDP Working Group should, as a first step, request public input on this issue in order to have a

clear understanding of the exact nature and scope of issues encountered with the locking of a domain name subject to UDRP Proceedings. Based on this information, and its own views, and any additional information gathering the Working Group deems necessary, the PDP Working Group is expected to make recommendations to the GNSO Council to address the issues identified with the locking of a domain name subject to UDRP Proceedings.

As part of the WG deliberations, it is suggested that the WG considers, amongst other, the following:

1. Whether the creation of an outline of a proposed procedure, which a complainant must follow in order for a registrar to place a domain name on registrar lock, would be desirable.
2. Whether the creation of an outline of the steps of the process that a registrar can reasonably expect to take place during a UDRP dispute would be desirable.
3. Whether the time frame by which a registrar must lock a domain after a UDRP has been filed should be standardized.
- 4a. Whether what constitutes a "locked" domain name should be defined.
- 4b. Whether, once a domain name is 'locked' pursuant to a UDRP proceeding, the registrant information for that domain name may be changed or modified.
5. Whether additional safeguards should be created for the protection of registrants in cases where the domain name is locked subject to a UDRP proceeding.

Background

Following the initiation of a PDP on this topic by the GNSO Council, a drafting team was formed and tasked to develop a charter for the PDP Working Group to address the requirement to lock a domain name subject to UDRP Proceedings.

Where can I find more information?

- [The Proposed Charter for the Locking of a Domain Name Subject to UDRP Proceedings WG Motion on the adoption of the Charter](#)

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