The PDP Working Group (called WG hereinafter) is dealing with a multitude of questions and issues that have an impact on both the question whether protections should be granted, what qualification criteria need to be in place that need to be fulfilled for eligibility and how such protections could be operationalized. Below, two examples can be found that shall illustrate the complexity of the matter:

I.

Several organizations requesting special protection have asked for certain designations to be added to a reserved names list. At the same time they have asked to be able to use such designations in case they should wish to use them.

At present, there is no such mechanism to both prevent third party registrations of certain designations from taking place and at the same time allowing for easy access upon request. Hence, new types of protection mechanisms are being considered as part of the deliberations oft he WG.

II.

The Red Cross/Red Crescent Movement, the IOC and the IGOs have each stated

that their organization's names are protected by international treaties,

specifically: The Treaties of the Geneva Conventions, The Nairobi Treaty and

Article 6ter of the Paris Convention respectively. The PDP WG members have

noted as the Final Issue Report (see pp.35-42

<http://gnso.icann.org/en/issues/protection-igo-names-final-issue-report-01oc>

t12-en.pdf) points out however, that there are both disagreements in

construing the scope of protection provided to each of these organization's

names as well as limitations to the protections within these treaties.  For

example:

1) The Nairobi Treaty specifically extends protection to the Olympic emblem

but not to the Olympic name.  While the GAC has acknowledged that this

treaty protection for the Olympic emblem extends to the Olympic name, some

members of the PDP WG have provided submissions disagreeing with this

interpretation.

2) Although the protection of the Red Cross name has been widely accepted

under the Treaties of the Geneva Conventions, the "Red Crescent," "Red

Crystal" and "Red Lion and Sun" names are not universally protected under

the Geneva Conventions.

3) With regard to the scope of protection which Article 6ter of the Paris

Convention provides for IGO names and acronyms, not all countries agree that

Article 6ter provides automatic protection of IGO names at least in respect

to protecting such names from third party domain name registration.  The PDP

WG has noted that the GAC's advice to protect IGO names at the second level

of the first round of new gTLDs would include IGOs that qualify under the

.int domain name registration criteria, rather than under Article 6ter

protection.  In addition, Article 6ter has limitations on such protection.

For example,under Article 6ter 1(c) protection of IGO names is not required

"when the use or registration...is not of such a nature as to suggest to the

public that a connection exists between the organization concerned and the

armorial bearings, flags, emblems, abbreviations, and names, or if such use

or registration is probably not of such a nature as to mislead the public as

to the existence of a connection between the user and the organization."