**Initiation of a Policy Development Process (PDP) on the Review of all Rights Protection Mechanisms (RPMs) in all generic Top-Level Domains (gTLDs)**

Made by:

Seconded by:

WHEREAS:

1. In December 2011 the GNSO Council had requested a new Issue Report on the current state of all rights protection mechanisms implemented for both existing and new gTLDs, including but not limited to, the UDRP and URS, should be delivered to the GNSO Council by no later than eighteen (18) months following the delegation of the first new gTLD;
2. In January 2014 the GNSO Council agreed to extend the timeline for delivery of a report by six (6) months;
3. ICANN staff published the Preliminary Issue Report on a Policy Development Process to Review all RPMs in all gTLDs on 9 October 2015 in a public comment forum that opened on 9 October 2015 and closed on 30 November 2015;
4. ICANN staff have reviewed the public comments received, published a Report of Public Comments on 10 December 2015 and updated the Issue Report accordingly;
5. The Final Issue Report on New gTLD Subsequent Procedures was published on 11 January 2015 at http://gnso.icann.org/en/group-activities/active/rpm; and,
6. The Final Issue Report recommends that the GNSO Council proceed with a two-phased Policy Development Process (PDP) in order to the review Rights Protection Mechanisms in the new gTLDs and, in a subsequent, second phase, review the Uniform Dispute Resolution Policy (UDRP), and the General Counsel of ICANN has indicated the review topics are properly within the scope of the ICANN policy process and within the scope of the GNSO.

RESOLVED:

1. The GNSO Council hereby initiates a two-phased PDP to review all RPMs in all gTLDs to review and determine whether changes or adjustments to the existing Rights Protections Mechanism or the UDRP are needed. The outcome of the PDP may lead to (i) amending or overriding existing policy principles, recommendations, and implementation guidelines; (ii) developing new policy recommendations, and/or (iii) supplementing or developing new implementation guidance;
2. The GNSO Council approves the Draft Charter proposed in the final Issue Report and appoints PLACEHOLDER as the GNSO Council liaison to the Review of all RPMs in all gTLDs PDP WG;
3. The GNSO Council directs ICANN staff to issue a call for volunteers for the PDP Working Group (WG) as soon as possible after the approval of this motion. The call for volunteers should be circulated as widely as possible in order to ensure broad representation and participation in the Working Group and remain open until the WG convenes for the first time;
4. Until such time as the WG selects a chair(s), and that chair(s) is confirmed by the GNSO Council, the GNSO Council liaison to the WG shall serve as the interim chair.
5. The Working Group, when convened, is instructed to reach out to all Stakeholder Groups/Constituencies (SG/C) for additional feedback on any items that they believe should be considered and that may not have been specifically called out in the charter or Issue Report. The WG is also expected to consider input already provided by SG/Cs during the public comment period on the Preliminary Issue Report. Should the WG be of the view that after the review of this feedback changes to the charter are necessary, the WG is expected to come back to the Council with proposed changes to the charter for the Council’s consideration.
6. The GNSO Council directs, consistent with the Charter and the Staff Recommendations in the Issue Report, that a liaison between this PDP and the PDP on New gTLD Subsequent Rounds shall be nominated as soon as both PDP Working Groups are convened in order to assure consistent communication between the two Groups as detailed in the Final Issue Report.