

EPDP Team – Temporary Specification Discussion Summary Index

Temp Spec Section	Appendix D: Uniform Rapid Suspension	Date (last update)	22 August 2018	Category	3
<b>Current text</b>	<p>This Appendix contains supplemental requirements for the 17 October 2013 URS High Level Technical Requirements for Registries and Registrars and URS Rules effective 28 June 2013.</p> <ol style="list-style-type: none"> <li>1. <b>URS High Level Technical Requirements for Registry Operator and Registrar</b> <ol style="list-style-type: none"> <li>1.1. <b>Registry Operator Requirement:</b> The Registry Operator (or appointed BERO) MUST provide the URS provider with the full Registration Data for each of the specified domain names, upon the URS provider notifying the Registry Operator (or appointed BERO) of the existence of a complaint, or participate in another mechanism to provide the full Registration Data to the Provider as specified by ICANN. If the gTLD operates as a "thin" registry, the Registry Operator MUST provide the available Registration Data to the URS Provider.</li> <li>1.2. <b>Registrar Requirement:</b> If the domain name(s) subject to the complaint reside on a "thin" registry, the Registrar MUST provide the full Registration Data to the URS Provider upon notification of a complaint.</li> </ol> </li> <li>2. <b>URS Rules</b> <p>Complainant's complaint will not be deemed defective for failure to provide the name of the Respondent (Registered Name Holder) and all other relevant contact information required by Section 3 o the URS Rules if such contact information of the Respondent is not available in registration data publicly available in RDDS or not otherwise known to Complainant. In such an event, Complainant may file a "Doe" complaint and the Examiner shall provide the relevant contact details of the Registered Name Holder after being presented with a "Doe" complaint.</p> </li> </ol>				
	<b>Support as is</b>	<b>No strong Opinion</b>	<b>Does not support as is</b>		
	77.78%	11.11%	11.11%		
<b>Dependency on other sections of the Temp Spec</b>	5.6				
<b>Related Charter Question(s)</b>	n) URS n1) Should Temporary Specification language be confirmed, or are additional adjustments needed?				
<b>Proposed Response to Charter Question(s)</b>					
<b>DPA / EDPB Guidance</b>	N/A				

<b>Proposed Changes / Rationale for Change</b>	
<b>RySG</b>	Generally the RySG does not currently have any concerns with the wording of Appendix D. NOTE: As Section 1.2 refers to Registrar requirements, we shall defer to the RrSG input on this matter. It should be noted that although the RySG does not have issue with the wording in the Appendix per se, s.2 does create possible incompatibilities with the existing URS procedures, and thus this should be considered during substantive review.
<b>RrSG</b>	No significant issues, however a processing agreement with the dispute providers is still lacking, For example the dispute providers in Asia
<b>IPC</b>	The IPC is supportive of this section, subject to the following clarifications. 1.1 - Clarification is needed on "another mechanism to provide the full Registration Data to the Provider as specified by ICANN". Any other mechanism must make full Registration Data available to Complaint so that Complainant has an opportunity to amend complaint upon obtaining full RDDS data post-filing. "[A]vailable Registration Data should be "full Registration Data". 2 - Complainant must only be required to insert whatever publicly-available RDDS data exists for the domain name(s) at issue, and must be given the opportunity to file an amended complaint upon obtaining the full RDDS data post-filing
<b>BC</b>	
<b>ISPCP</b>	
<b>NCSG</b>	Access to Registered Name Holder contact data in a URS proceeding involves access to this data by: Trademark owners in the event that one URS complaint is filed on behalf of one or multiple related companies against one Registered Name Holder, or one complaint is filed against multiple Registered Name Holders that are somehow shown to be related URS Provider in order to contact the Registered Name Holder(s) using postal address, email and fax. The NCSG does not believe that a rewrite of the URS process should take place on this EPDP Team, as it is currently being done elsewhere (GNSO Review of all RPMs for all gTLDs PDP). Moreover, it is not clear what information constitutes "contact details" in Section 2, or the specific purposes for processing such data. The NCSG believes that all questions of data access, even by Trademark owners and/or URS Providers, should be deferred until the EPDP Team deliberates on an access model/framework for Registered Name Holder data. Additionally, the EPDP Team should remain informed of progress on the review of the URS, in order to align its own future access deliberations to the outcome of the URS review.
<b>ALAC</b>	Clarity on the phrase "participate in another mechanism" would be appreciated. Is this just to attempt to get P/P details revealed or is it something else?
<b>GAC</b>	Despite support in principle, these sections need the following clarifications: Section 1.1: It is not clear what "participate in another mechanism to provide the full Registration Data to the Provider as specified

	by ICANN” mean. Section 2: what are the safeguards built in to ensure that this provision of “Doe” complaint is not be abused to get the contact details of the Registered Name Holder.
<b>SSAC</b>	1.2 (Access to Respondent contact) may be a use case for a future differentiated access system. ICANN staff are advised to keep a list of collection purposes that we identify during this PDP, if they're not already doing so. Additionally, the current lack of access may make it harder to consolidate multiple cases involving the same registrant. As a result, dispute resolution caseload may increase. Consolidation is explicitly permitted under UDRP paragraph 4(f), and implicitly in URS.
<b>High level summary of the deliberations and/or recommendation(s)</b>	

<b>Proposed modification of text (if appropriate)</b>
[Include proposed modifications to the text, if applicable]
<b>Level of Support</b>
[Indicate level of support for proposed modification, per designations in the charter]