

Instructions:

This table was built to assist the Sunrise Data Review Sub Team in its analysis as to whether, and how, the Analysis Group survey results answer each of the final agreed Charter questions.

Clarifying Note: This agreed Charter Question was not directly included in Analysis Group’s development of the surveys. It is nevertheless included in the Sub Team review as the survey results may be relevant to answering the agreed Charter Question.

When providing input, please note the tab title and cell number (if applicable) as reflected in the [survey analysis tool](#).

Sunrise Charter Question 3:

- (a) Should Registry Operators be required to create a mechanism that allows trademark owners to challenge the determination that a second level name is a Premium Name or Reserved Name?**
- (b) Additionally, should Registry Operators be required to create a release mechanism in the event that a Premium Name or Reserved Name is challenged successfully, so that the trademark owner can register that name during the Sunrise Period?**
- (c) What concerns might be raised by either or both of these requirements?**

Sub Team Member Name	Do the survey results help answer Sunrise Charter Question 3?	If yes, which sub question(s) do the survey results assist?	How do the survey results assist (e.g. “Registries responses in tab/cell X demonstrate Y”)?	Tab Title & Cell Number (if applicable)
George Kirikos	No		Strictly speaking, I could find nothing in the survey directly on point for these questions. However, more broadly, one might instead refer back to the survey data collected to answer Sunrise Charter Questions 2 and 4: https://docs.google.com/document/d/1uwNtzemdC65DWMcVkJ2HfWFIHyCvtJzqMgarLn2nsM/edit https://docs.google.com/document/d/1-rpRnMArtFoS8_6Sx99aBY3FAJRWhfyPY-bc6CR6DI/edit	

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			(not repeated here) to help answer this question.	
Griffin Barnett	Yes	(a) – (c)	<p>About 30% of brand owner respondents indicated they attempted to register a domain during Sunrise and could not, with about 63% of those respondents indicating that the reason for the unsuccessful Sunrise registration attempt was that the name was on the registry reserved names list [TM D-F34-35]. Of that 63%, 75% contacted the registry about the matter, but only 16% of that group was able to then successfully obtain the name. [TM D-F 36-37].</p> <p>This data indicates that registry operators are reserving names matching Sunrise-eligible names, and in many cases the relevant brand owner is not successful in registering the name during Sunrise despite communicating the issue to the registry. This supports the idea that there should be a formal challenge mechanism for such cases, and a mechanism for releasing the challenged name to the eligible brand owner if the challenge is successful. This could be achieved through a single uniform Sunrise Dispute Resolution Procedure (SDRP) managed by a neutral third-party rather than internal to each individual registry operator. This process would not necessitate complete publication of a registry’s entire reserved names list [Ry/Rr D-F 17-19].</p> <p>While this might give registries less flexibility in terms of what names they can</p>	<p>TM & Brand Owners D-F 34-35; 36-37</p> <p>TM & Brand Owners D-F 34-35; 36-37</p> <p>Ry/Rr D-F 17-19</p>

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			<p>reserve, this is appropriate given that Sunrise registration are supposed to supersede all other registrations (with the possible exception of those subject to ALP/QLP).</p> <p>---</p> <p>Sub Team Comments:</p> <ul style="list-style-type: none"> ● George Kirikos: The survey data is unrepresentative. ● Maxim Alzoba: Due to low QLP numbers, GEO TLDs had to use Reserved names to be able to deliver street names (e.g., in big cities there are more than 100 streets); and ALP , which was thought to be used for GEO TLDs, was not usable). ● Kristine Dorrain: Registries have varied methods of operating their TLDs. e.g., the target market of .makeup are the people/organization who have links to the makeup community but have not necessarily registered a domain name. There should be discussion about different registry types and ideas, making sure that whatever we come up with for Sunrise allows flexibility of different TLD types (such as geos). Do not prescribe all registries to one business model. 	
Maxim Alzoba	No	a, b,c	I do not see answers in the survey directly answering these questions. In the absence of working ALP Reserved names was the only method available to GEO tlds to deliver strings to the public services such as POLICE, METRO, and also it creates opportunity	

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			<p>to workaround policies of a Registry (for example prohibition of swear words, some of which are registered TMS) or in the worst case, use of technologically dangerous strings, such as WPAD or similar, or to workaround ICANN policies resulted in creation of reserved lists https://www.icann.org/sites/default/files/packages/reserved-names/ReservedNames.xml demanded by ICANN (those are included in the Registry Reserved list too).</p>	

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