

2013-06-04-TOC-NGPC Papers .docx

TABLE OF CONTENTS – BOARD PAPERS

BGC Recommendation on Reconsideration Request 13-3.....p. 2-8

Consideration of Non-Safeguard Advice in the GAC’s Beijing Communiqué.....p. 9-14

Notice of Meeting.....p. 15-17

**2013-06-04-01a-NGPC-Overview-BGC Recommendation
Reconsideration Request 13-3.docx**

<p>What is the Issue?</p> <p>In Reconsideration Request 13-3, the GNSO Noncommercial Stakeholder Group (NCSG) asked the Board to reconsider the staff action of 20 March 2013 regarding “Trademark Claims Protections for Previously Abused Names” (which allows for the addition of a limited number of names previously determined to have been abusively registered or used) to an existing, verified record in the Trademark Clearinghouse. The BGC considered the Request at its 16 May 2013 meeting and recommended no further action on the request. The New gTLD Program Committee (NGPC) must now decide whether to adopt the BGC recommendation.</p>	<p>Why Is It Important?</p> <p>The Reconsideration Request process is one of the touchstones of ICANN’s accountability. Pursuant to the Bylaws applicable to Reconsideration Request 13-3, the BGC makes a recommendation to the Board, or in this case the NGPC, for adoption. It is important to complete the reconsideration request process as quickly as possible to bring certainty to all interested parties. Of note, members of the GNSO Council are calling for further discussion regarding the BGC Recommendation, and the NGPC may wish to delay consideration of this item to allow for that further discussion to occur.</p>
<p>Who is the Decision-maker? Who is the Shepherd?</p> <p>The Board Governance Committee members who are also on the NGPC addressed the issue and made a recommendation. The NGPC will decide whether to adopt the BGC’s recommendation. Cherine Chalaby, who chaired the BGC meeting on this issue, is the shepherd.</p>	<p>Next Steps?</p> <p>If approved by the NGPC, the requester will be notified and the NGPC resolution will be linked to the page with the rest of the materials related to Reconsideration Request 13-3.</p>

**2013-06-04-01a-NGPC Paper-BGC Recommendation
Reconsideration Request 13-3.docx**

ICANN NEW gTLD PROGRAM COMMITTEE SUBMISSION NO. 2013-06-04-1a

TO: ICANN New gTLD Program Committee

TITLE: BGC Recommendation on Reconsideration Request 13-3

PROPOSED ACTIONS: For Committee Consideration and Approval

EXECUTIVE SUMMARY:

On 19 April 2013, the GNSO Noncommercial Users Stakeholders Group (the “NCSG”) submitted a reconsideration request (“Request”) asking the Board to reconsider the staff action of 20 March 2013 regarding “Trademark Claims Protections for Previously Abused Names” (which allows for the addition of a limited number of names previously determined to have been abusively registered or used) to an existing, verified record in the Trademark Clearinghouse). The BGC considered the NCSG’s Request at its 16 May 2013 meeting.

Since the BGC’s recommendation was publicly posted, members of the GNSO Council have called for the discussion within the Council regarding the possible impact of the BGC’s recommendation (and New gTLD Program Committee action on that recommendation, if taken). At least one member of the GNSO Council noted on the publicly available Council email list his preference that the Board (or the Committee, in the Board’s stead) not act on the BGC’s recommendation pending Council discussion on this matter. While it presently appears that this item will be discussed during the GNSO Council’s 13 June 2013 meeting, as of the writing of this paper, staff is not aware of a formal request regarding the timing of the Committee’s action on this issue. The Committee is being provided with this paper in the event that it wishes to move forward with consideration of the BGC Recommendation at this time.

BOARD GOVERNANCE COMMITTEE (BGC) RECOMMENDATION:

The BGC considered the Request, as it posed a question of whether or not the staff action complained of is a matter of implementation of existing policy or creation of new policy. The BGC concluded that staff’s action was an implementation of exiting policy, and not creation of new policy. Further, the NCSG did not identify any other policies or procedures that the

staff failed to follow in taking the decision. The BGC recommended that no further consideration of the Request is warranted.

The BGC's full Recommendation is attached to the Reference Materials in support of this paper.

PROPOSED RESOLUTION:

Resolution Not Considered

PROPOSED RATIONALE:

Rationale Not Considered

Rationale Not Considered

Rationale Not Considered

Submitted by: Amy A. Stathos
Position: Deputy General Counsel
Date Noted: 30 May 2013
Email: amy.stathos@icann.org

**2013-06-04-02a-NGPC Paper-Accepting NonSafeguard
Advice.docx**

ICANN NEW gTLD PROGRAM COMMITTEE SUBMISSION NO. 2013-06-04-2a

TITLE: **Consideration of Non-Safeguard Advice in the
GAC's Beijing Communiqué**

PROPOSED ACTION: **For NGPC Consideration**

EXECUTIVE SUMMARY:

At its meeting in Amsterdam on 18 May 2013, the NGPC agreed to a framework that organizes individual advice from the GAC's Beijing Communiqué into discrete groupings to allow the NGPC to prioritize its work. The NGPC is being asked to consider accepting a discrete grouping of the GAC advice as described in the attached "scorecard," which includes eleven (11) items of non-safeguard advice from the Beijing Communiqué as listed in the GAC Register of Advice. These items are those for which the NGPC has a position that is consistent with the GAC's advice. The scorecard does not address all items of the GAC's advice and the Committee would have to consider the other advice at future meetings.

STAFF RECOMMENDATION:

Staff recommends the NGPC accept the GAC advice as presented in the attached scorecard so that the greatest number of new gTLD applications to continue to move forward as soon as possible.

PROPOSED RESOLUTION:

Resolution Text Superseded

Resolution Text Superseded

PROPOSED RATIONALE:

Rationale Text Superseded

Rationale Text Superseded

Rationale Text Superseded

Signature Block:

Submitted by:

Position:

Date Noted:

Email:

2013-06-04-NGPC-Notice.docx

New gTLD Program Committee Members,

Attached below please find the Notice of the following New gTLD committee meeting:

4 June 2013 – NGPC Meeting at 13:00 UTC – This Committee meeting is estimated to last 90 minutes.

<http://www.timeanddate.com/worldclock/fixetime.html?msg=NGPC+Meeting&iso=20130604T13&ah=1&am=30>

Some other time zones:

4 June 2013 - 6:00 AM PDT Los Angeles

4 June 2013 – 3:00 PM CEST Brussels

4 June 013 – 9:00 AM EDT Washington, D.C.

**Agenda: 1) GAC Advice items tentatively marked 1A (resolution)
2) AOB**

MATERIALS -- All Materials will be available on Contact Information Redacted, if you have trouble with access, please let us know and we will work with you to assure that you can use the BoardVantage Portal for this meeting.

If you have any questions, or we can be of assistance to you, please let us know.

If call information is required, it will be distributed separately

If you have any questions, or we can be of assistance to you, please let

us know.

John Jeffrey

General Counsel & Secretary, ICANN

John.Jeffrey@icann.org <John.Jeffrey@icann.org>

<<mailto:John.Jeffrey@icann.org> <<mailto:John.Jeffrey@icann.org>> >

Contact Information
Redacted