

Public Comment Summary Report

Proposed Implementation of the IGO-INGO Curative Rights Policy Recommendations

Open for Submissions Date:

Tuesday, 30 June 2026

Closed for Submissions Date:

Monday, 10 August 2026

Summary Report Due Date:

Tuesday, 01 September 2026

Category: Policy

Requester: ICANN org

ICANN organization contact(s):

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Open Proceeding Link:

<https://www.icann.org/en/public-comment/proceeding/proposed-implementation-of-the-igo-ingo-curative-rights-policy-recommendations-30-06-2026>

Outcome:

In total, 17 Public Comments were submitted. The submissions included comments from ICANN community groups, intergovernmental organizations, dispute resolution providers, other organizations, and individuals.

Commenters expressed a range of views on how the proposed materials approach implementing the Board-adopted policy recommendations from the [2018 Policy Development Process \(PDP\)](#) on the IGO-INGO Access to Curative Rights Protection Mechanisms and the [2022 Expedited Policy Development Process](#) on Specific Curative Rights Protections for IGOs. While some were supportive, others requested changes or clarifications to particular provisions, identified what they viewed as concerns or inconsistencies with the adopted policy recommendations, or raised questions concerning the lack of detail on the operation of the proposed arbitral process and its interaction with the Uniform Domain-Name Dispute-Resolution Policy (UDRP) and Uniform Rapid Suspension System (URS).

This report records the input received, which will inform finalization of the proposed implementation materials, including updates to the UDRP and URS. ICANN org will review the submissions in consultation with the IGO-INGO Curative Rights Implementation Review Team (IRT) and determine whether changes to the relevant policies and implementation materials are necessary.

Section 1: What We Received Input On

This Public Comment proceeding sought input on documents drafted to implement two interrelated sets of Board-adopted Generic Names Supporting Organization (GNSO) policy recommendations concerning curative rights protections for Intergovernmental Organizations (IGOs) and International Non-Governmental Organizations (INGOs). A specific objective of the recommendations was to enable eligible IGOs to use the Uniform Domain Name Dispute Resolution Policy (UDRP) and Uniform Rapid Suspension (URS) procedures without waiving privileges and immunities related to court proceedings, while providing registrants with a path to challenge the outcomes of such proceedings through a new arbitral process.

The proceeding sought input on three implementation deliverables developed by ICANN org in consultation with the IRT: updates to the UDRP and UDRP Rules; updates to the URS Procedure and URS Rules; and new Policy Guidance on IGO Usage of the UDRP and URS. Commenters were asked whether the draft materials adequately implemented the Board-adopted PDP and EPDP recommendations or if changes were necessary to ensure alignment.

Section 2: Submissions

Organizations and Groups:

Name	Submitted by	Initials
ICANN Business Constituency	Business Constituency	BC
FORUM	Renee Fossen	F
MFSD	Pierfrancesco Fasano	MFSD
Intellectual Property Constituency	Margaret Milam	IPC
Registries Stakeholder Group	N/A	RySG
Organisation for Economic Co-operation and Development	Beril Ari	OECD
World Intellectual Property Organization	Brian Beckham	WIPO
Asian Domain Name Dispute Resolution Centre	ADNDRC Secretariat	ADNDRC
Leap of Faith Financial Services Inc.	George Kirikos	LOFFS
Group Nomad	N/A	GN

Individuals:

Name	Affiliation (if provided)	Initials
Bernard Lee	N/A	BL
Philip Busca	N/A	PB
Ron Jackson	N/A	RJ
Jason Henry	N/A	JH
Grzegorz Orchel	IETF	GO
Nguyen Ngoc Duy	Duy Tan University (VNNIC Participate)	ND

Section 2a: Late Submissions

At its discretion, ICANN org accepted late submissions, which have been appended to this summary report.

Organizations and Groups:

Name	Submitted by	Initials
Governmental Advisory Committee		GAC

Section 3: Summary of Submissions

Comments are presented alphabetically:

Asian Domain Name Dispute Resolution Centre (ADNDRC)

ADNDRC primarily focused on the proposed arbitral mechanism in its submission. Although supportive of the proposal in principle, it considered that arbitration serving as a substitute for court review should provide a comprehensive review comparable to judicial proceedings, rather than a limited UDRP or URS process. ADNDRC also raised concerns about the formation and enforceability of the arbitration agreement, its scope, and the interaction between the proposed ICANN provisions and institutional arbitration rules. Instead, ADNDRC proposed an alternative approach under which a clear and binding agreement by the IGO complainant to arbitrate would be established, with procedural matters governed by the selected arbitral institution's rules. ADNRC also recommended against adding an arbitral pathway to the URS, based on its anticipated low use, although it stated that its comments would apply equally if ICANN proceeded with the URS amendments.

Philip Busca

Philip Busca was supportive of the Leap of Faith Inc. submission, and raised concerns about registrant safeguards, including removal of the Mutual Jurisdiction requirement for IGOs and the absence of finalized information on arbitration costs and providers. The comment considered the 10-business-day period for electing arbitration too short and recommended transparent fees, clear procedural rules, and plain-language and translated notice to registrants about the arbitration option immediately following a complaint.

FORUM

FORUM recognized the policy objective of allowing qualifying IGOs to use the UDRP and URS without compromising applicable privileges and immunities, while preserving meaningful review for registrants. However, its submission raised concerns about the effects of the proposed implementation on the operation of the UDRP and URS, including eligibility determinations, case administration, interaction with court procedures and implementation of decisions.

FORUM also sought clarification regarding the legal framework for the proposed Arbitral Proceeding, including its legal character, juridical seat and applicable arbitration law, and the interaction between de novo review and national-law causes of action, amongst other concerns. FORUM recommended that the final implementation materials clarify these matters, as well as related issues concerning IGO consent and immunities, protections for arbitrators and administering institutions, and the institutional and operational arrangements needed to implement the framework.

Governmental Advisory Committee (GAC)

In its statement, the GAC endorsed WIPO's opinion that the proposed implementation appropriately reflects the Board-approved recommendations. The GAC also supported finalizing implementation in a timely manner.

Group Nomad

Group Nomad focused primarily on the proposed basis for IGO standing under the URS, raising concerns that mission-related use of an identified mark without further definition or evidentiary criteria could result in uncertainty and inconsistent application. It recommended defining the term and establishing objective criteria for standing. It also recommended additional Policy Guidance content on evidentiary standards, examples of qualifying identifiers, legitimate and public-interest uses, and procedural finality following an arbitral proceeding.

Jason Henry

Jason Henry indicated that no changes were needed to the proposed materials and concurred with the proposals. No additional comments were provided.

ICANN Business Constituency (BC)

Though supportive of the implementation as a whole, the BC requested changes to the draft UDRP materials to ensure that implementation does not introduce substantive rights or obligations beyond the adopted recommendations. The BC did not request changes to the draft URS materials or the Policy Guidance. Its submission emphasized due process safeguards around the arbitral process, clear implementation guidance, transparency, cost-effectiveness, and periodic review after implementation, in the interests of preserving a fair balance between the interests of eligible IGOs and domain name registrants.

Intellectual Property Constituency (IPC)

The IPC expressed overall support for the proposed implementation materials, while recommending a number of changes and clarifications. For the Policy Guidance, it proposed allowing an IGO to demonstrate standing through current or recent use of an identifier, defining "recently" as within the preceding 12 months, and made additional suggestions concerning IGO immunity and the operation of the proposed arbitral process.

For the UDRP, the IPC raised whether IGO complainants should have access to the arbitral process on terms comparable to respondents and proposed related changes concerning notification of the arbitral process, IGO standing, and privileges and immunities. For the URS, it proposed amending the current trademark requirements that give standing to a URS complaint to include an IGO's use of an identifier in accordance with its stated mission, together with corresponding changes to the URS and URS Rules.

Ron Jackson

Ron Jackson considered that the court-proceedings stay in EPDP Recommendation 3(iii) had been omitted from draft UDRP paragraph 4(k)(ii) and requested that it be restored. The comment supported the related comments submitted by Leap of Faith Financial Services Inc.

Bernard Lee

Bernard Lee requested changes to the UDRP, URS, and Policy Guidance materials and endorsed the submission of Leap of Faith Financial Services Inc. The comment stated that the proposed changes do not faithfully implement the underlying policy recommendations and adversely affect registrant due process protections.

Leap of Faith Financial Services Inc.

Leap of Faith Financial Services Inc. considered that the proposed implementation materials were not aligned with the Board-adopted recommendations and addressed areas it perceived as differing from the adopted text, gaps in the proposed arbitral framework, and insufficient protections for registrants. In addition, the submission argued that the court-proceedings stay provided for in EPDP Recommendation 3(iii) had been omitted from the proposed UDRP updates and requested its restoration. It also sought changes concerning when arbitration may be initiated and the scope of arbitral review, while raising concerns regarding IGO standing and the Policy Guidance.

Leap of Faith also raised concerns regarding the implementation process and the completeness of the materials presented for Public Comment, including that the arbitral institutions, rules and fees had not yet been identified. It also requested greater transparency regarding ICANN org and IRT decision-making, broader IRT participation and appropriate use of IRT escalation and GNSO Council consultation procedures where implementation issues cannot be resolved.

MFSD

MFSD supported implementation of the adopted policy recommendations while concentrating on impacts to the URS framework. Its submission emphasized preserving the speed, simplicity, predictability, and affordability of the URS, while reducing unnecessary procedural discretion through standardized administrative practices. Accordingly, it suggested targeted changes and clarifications to particular provisions of the proposed URS Procedure with the aim of promoting consistent administration while preserving the existing role and characteristics of the URS.

MFSD also recommended a clearly defined operational framework for the interaction between URS Providers, arbitral institutions, registries, and registrars. It proposed additional implementation measures addressing operational coordination and consistency, as well as monitoring of the new framework through data collection and periodic review.

Nguyen Ngoc Duy

Nguyen Ngoc Duy supported the proposed implementation while recommending additional safeguards to improve procedural clarity, accessibility and consistency. The comment recommended publishing the details of the arbitral process before implementation, including designated institutions and fees. It also emphasized the importance of providing clear, plain-language notices to registrants, clarifying domain status during arbitration, as well as adding

additional guidance for IGOs on how to evidence standing. The comment also recommended harmonizing terminology and procedures across the UDRP and URS, clarifying domain status during arbitration, publishing aggregate implementation data, and conducting a post-implementation review to identify whether the new arbitration path is accessible, predictable, and consistent.

Organisation for Economic Co-operation and Development (OECD)

The OECD welcomed implementation of the EPDP recommendations, particularly the mechanism allowing IGOs to use the UDRP and URS without being required to waive their privileges and immunities. It nevertheless considered that certain provisions appeared to extend beyond implementation of the EPDP recommendations, including the provision allowing a respondent, with the IGO complainant's consent, to initiate arbitration before a UDRP or URS decision has been issued. The OECD considered this provision unnecessary and potentially confusing given the parties' existing ability to agree to arbitration, as well as other dispute resolution mechanisms.

The OECD also identified differences in the placement and drafting of the provisions governing arbitral proceedings under the UDRP and URS. It recommended that these provisions be consolidated and harmonized within the respective rules.

Grzegorz Orchel

Grzegorz Orchel expressed general support for the proposed implementation and did not request changes to the proposed UDRP or URS materials. The comment indicated overall acceptance and approval of the proposal.

Registries Stakeholder Group (RySG)

The RySG supported the proposed documents and did not request changes to the UDRP, URS, or Policy Guidance materials. It emphasized the importance of the UDRP and URS to registries in addressing cybersquatting and urged ICANN to complete implementation, including finalizing arrangements with arbitration providers, as soon as possible.

World Intellectual Property Organization (WIPO)

WIPO supported the proposed implementation and did not request changes to the materials. It stated that, taking account of compromises made during the policy process, the proposed documentation adequately implements the policy recommendations and supported moving forward with implementation on that basis.

Section 4: Analysis of Submissions

The submissions raised a number of issues that ICANN org will consider in consultation with the IGO-INGO Curative Rights IRT. These include:

- Whether the proposed implementation materials accurately reflect the Board-adopted policy recommendations;
- The scope, operation, and legal framework of the proposed arbitral process, including its interaction with court proceedings and existing UDRP and URS procedures;

- Whether additional information is required on the subject of how to evidence eligibility and standing to file as an IGO Complainant;
- Whether additional clarification or operational guidance is needed for stakeholders, including dispute resolution providers, arbitral institutions, registrars, registries, IGOs, and registrants; and
- Broader considerations concerning the practical operation and consistent implementation of the proposed framework.

ICANN org values the opportunity to receive comments from the ICANN Community and thanks those who participated in this proceeding. ICANN org will consider the input received and update the draft UDRP and UDRP Rules, URS Procedure and URS Rules, or Policy Guidance documentation as needed in consultation with the IGO-INGO Curative Rights IRT.

Section 5: Next Steps

ICANN org will continue to review and analyze the input received and will work with the IRT to consider whether changes to the draft UDRP and UDRP Rules, URS Procedure and URS Rules, or Policy Guidance are necessary. Following completion of this work, a record of how the comments were taken into account will be made available on the IGO-INGO Curative Rights IRT [Community Wiki](#).

Distribution	Public
Date (target)	19 August 2026

Governmental Advisory Committee Comment on the Proposed Implementation of the IGO-INGO Curative Rights Policy Recommendations

The Governmental Advisory Committee (GAC) appreciates the opportunity to provide input on the Proposed Implementation of the IGO-INGO Curative Rights Policy Recommendations¹.

Consistent with its longstanding positions on IGO protections, the GAC supports the position expressed by the World Intellectual Property Organization (WIPO) in its submission² to this Public Comment proceeding and considers that the proposed implementation appropriately implements the Board-approved policy recommendations.

The GAC supports moving forward with the proposed implementation and looks forward to its timely finalization and implementation.

¹ Public Comment Proceeding on Proposed Implementation of the IGO-INGO Curative Rights Policy Recommendations:
<https://www.icann.org/en/public-comment/proceeding/proposed-implementation-of-the-igo-ingo-curative-rights-policy-recommendations-30-06-2026>

² WIPO public comment submission - 10 August 2026:
<https://www.icann.org/en/public-comment/proceeding/proposed-implementation-of-the-igo-ingo-curative-rights-policy-recommendations-30-06-2026/submissions/wipo-10-08-2026>