
ICANN Dispute Resolution Procedure

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ICANN Dispute Resolution Procedure

This Procedure applies to all proceedings administered by each of the dispute resolution service providers (DRSPs). Each of the DRSPs has a specific set of rules that will also apply to such proceedings.

Article 1. ICANN's New gTLD Program: Next Round

- a. The Internet Corporation for Assigned Names and Numbers ("ICANN") has implemented a program for the introduction of new generic Top-Level Domain Names ("gTLDs") in the Internet.
- b. The New gTLD Program: Next Round includes this New gTLD Dispute Resolution Procedure (the "Procedure"), pursuant to which disputes between an entity who applies for a new gTLD, or a primary gTLD and allocatable gTLD variant strings, and a person or entity who objects to that/those gTLD(s), are resolved.
- c. Dispute resolution proceedings shall be administered by a Dispute Resolution Service Provider ("DRSP") in accordance with this Procedure and the applicable DRSP Rules that are identified in Article 4(b).
- d. By applying for a new gTLD, an Applicant accepts the applicability of this Procedure and the applicable DRSP's Rules that are identified in Article 4(b). By filing an Objection to a new gTLD application, an Objector accepts the applicability of this Procedure and the applicable DRSP's Rules that are identified in Article 4(b). The Parties cannot derogate from this Procedure without the express approval of ICANN and from the applicable DRSP Rules without the express approval of the relevant DRSP.

Article 2. Definitions

- a. The "Applicant" or "Respondent" is an entity that has applied to ICANN for a new gTLD, or a primary gTLD and allocatable gTLD variant strings, and that will be the Party responding to the Objection.
- b. The "Objector" is one or more persons or entities who have filed an Objection against a new gTLD, or a primary gTLD and allocatable gTLD variant strings for which an application has been submitted.
- c. The "Parties" are the Applicant/Respondent and the Objector.
- d. The "Panel" is the Panel of Experts, comprising one or three "Experts," that has been constituted by a DRSP in accordance with this Procedure and the applicable DRSP Rules that are identified in Article 4(b).

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- e. The “Expert Determination” is the decision upon the merits of the Objection that is rendered by a Panel in a proceeding conducted under this Procedure and the applicable DRSP Rules that are identified in Article 4(b).
 - f. The grounds upon which an Objection to a new gTLD may be filed, as set out in [Module x] of the Applicant Guidebook, are:
 - i. String Confusion;
 - ii. Legal Rights;
 - iii. Limited Public Interest; and
 - iv. Community.
 - f. “DRSP Rules” are the rules of procedure of a particular DRSP that have been identified as being applicable to Objection proceedings under this Procedure.

Article 3. Dispute Resolution Service Providers

The various categories of disputes shall be administered by the following DRSPs:

- a. String Confusion Objections shall be administered by [...].
- b. Legal Rights Objections shall be administered by the [...].
- c. Limited Public Interest Objections shall be administered by the [...].
- d. Community Objections shall be administered by the [...].

Article 4. Applicable Rules

- a. All proceedings before the Panel shall be governed by this Procedure and by the DRSP Rules that apply to a particular category of Objection. The outcome of the proceedings shall be deemed an Expert Determination, and the members of the Panel shall act as experts.
- b. The applicable DRSP Rules are the following:
 - i. For a String Confusion Objection, the applicable DRSP Rules are the [...].
 - ii. For a Legal Rights Objection, the applicable DRSP Rules are the [...].
 - iii. For a Limited Public Interest Objection, the applicable DRSP Rules are the [...].
 - iv. For a Community Objection, the applicable DRSP Rules are the [...].
- c. In the event of any discrepancy between this Procedure and the applicable DRSP Rules, this Procedure shall prevail.
- d. The place of the proceedings, if relevant, shall be the location of the DRSP that is administering the proceedings.
- e. In all cases, the Panel shall ensure that the Parties are treated with equality, and that each Party is given a reasonable opportunity to present its position.

Article 5. Language

- a. The language of all submissions and proceedings under this Procedure shall be English.
- b. Parties may submit supporting evidence in its original language, provided and subject to the authority of the Panel to determine otherwise, that such evidence is accompanied by a certified or otherwise official English translation of all relevant text.

Article 6. Communications and Time Limits

- a. All communications among the Parties, the DRSP, the Panel, and ICANN where applicable must be submitted electronically. A Party that wishes to make a submission that is not available in electronic form (e.g., evidentiary models) shall request leave from the Panel to do so, and the Panel, in its sole discretion, shall determine whether to accept the non-electronic submission.
- b. The DRSP, Panel, Applicant, and Objector shall provide copies to one another of all correspondence (apart from confidential correspondence between the Panel and the DRSP and among the Panel) regarding the proceedings.
- c. For the purpose of determining the date of commencement of a time limit, a notice or other communication shall be deemed to have been received on the day that it is transmitted in accordance with paragraphs (a) and (b) of this Article.
- d. For the purpose of determining compliance with a time limit, a notice or other communication shall be deemed to have been sent, made or transmitted if it is dispatched in accordance with paragraphs (a) and (b) of this Article prior to or on the day of the expiration of the time limit.
- e. For the purpose of calculating a period of time under this Procedure, such period shall begin to run on the day following the day when a notice or other communication is received.
- f. Unless otherwise stated, all time periods provided in the Procedure are calculated on the basis of calendar days.

Article 7. Filing of the Objection

- a. A person or entity wishing to object to a new gTLD for which an application has been submitted may file an Objection. Any Objection to a proposed new gTLD must be filed before the published closing date for the Objection Filing period.
- b. The Objection must be filed with the appropriate DRSP, using a model form made available by that DRSP, with copies to ICANN and the Applicant.

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- c. The electronic addresses for filing Objections are as follows (the specific addresses shall be made available once they are created by providers):
 - i. A String Confusion Objection must be filed at: [...].
 - ii. A Legal Rights Objection must be filed at: [...].
 - iii. A Limited Public Interest Objection must be filed at: [...].
 - iv. A Community Objection must be filed at: [...].
 - d. Objections must be filed as follows:
 - i. An Objector who wishes to object to an application on more than one ground must file separate Objections with the appropriate DRSP(s).
 - ii. An Objector who wishes to object to more than one gTLD must file separate Objections to each gTLD with the appropriate DRSP(s).
 - iii. Should a Party with standing wish to file a String Confusion Objection against an application for a string for which several Applicants have applied, they must file an Objection against all the applications for that string. In such a case, the string confusion DRSP may introduce a differential fee structure. Each Applicant for that identical string must file a response to the Objection; if they fail to do so, their application shall not proceed. The same Panel will review all documentation associated with the Objection, and each response will be reviewed on its own merits. The Panel will issue a single determination identifying which applications are in contention, where applicable.
 - e. Objections may be filed when ICANN announces the opening of an Objection window during the following time periods:
 - i. For 30 days, for all Objection grounds, when the String Similarity Evaluation results are published.
 - ii. For 30 days following ICANN's acceptance of a .brand application's string change request, for String Confusion Objections only; should no String Confusion Objections against the string be filed, a [30]-day window will be opened for the other Objection grounds;
 - iii. For [30] days as a consequence to the determination that one or more strings that were initially prevented from proceeding following the String Similarity Review can actually proceed, after an Applicant successfully challenged the outcome of the Review.

Article 8. Content of the Objection

- a. The Objection shall contain, inter alia, the following information:
 - i. The names and contact information (address, telephone number, email address, etc.) of the Objector;
 - ii. A statement of the Objector's basis for standing; and

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- iii. A description of the basis for the Objection, including:
 - I. A statement of the ground upon which the Objection is being filed, as stated in Article 2(e) of this Procedure;
 - II. An explanation of the validity of the Objection and why the Objection should be upheld.
 - b. The substantive portion of the Objection shall be limited to 5,000 words, excluding attachments. The Objector shall also describe and provide copies of any supporting or official documents upon which the Objection is based.
 - c. At the same time as the Objection is filed, the Objector shall pay a filing fee in the amount set in accordance with the applicable DRSP Rules and include evidence of such payment in the Objection. In the event that the filing fee is not paid within ten (10) days of the receipt of the Objection by the DRSP, the Objection shall be dismissed without prejudice.

Article 9. Administrative Review of the Objection

- a. The DRSP shall conduct an administrative review of the Objection for the purpose of verifying compliance with Articles 5-8 of this Procedure and the applicable DRSP Rules, and inform ICANN of the result of its review within fourteen (14) days of its receipt of the Objection. The DRSP may extend this time limit for reasons explained in the notification of such extension. The administrative review includes the determination whether the Objection was filed with the correct DRSP.
- b. If the DRSP finds that the Objection complies with Articles 5-8 of this Procedure and the applicable DRSP Rules, the DRSP shall confirm that the Objection shall be registered for processing.
- c. If the DRSP finds that the Objection does not comply with Articles 5-8 of this Procedure and the applicable DRSP Rules, the DRSP shall have the discretion to request that any administrative deficiencies in the Objection be corrected within five (5) days. If the deficiencies in the Objection are cured within the specified period but after the lapse of the time limit for submitting an Objection stipulated by Article 7(a) of this Procedure, the Objection shall be deemed to be within this time limit.
- d. If the DRSP finds that the Objection does not comply with Articles 5-8 of this Procedure and the applicable DRSP Rules, and the deficiencies in the Objection are not corrected within the period specified in Article 9(c), the DRSP shall dismiss the Objection and close the proceedings, without prejudice to the Objector's submission of a new Objection that complies with this Procedure, provided that the Objection is filed within the deadline for filing such Objections. The DRSP's review of the Objection shall not interrupt the running of the time limit for submitting an Objection stipulated by Article 7(a) of this Procedure.

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- e. Immediately upon registering an Objection for processing, pursuant to **Article 9(b)**, the DRSP shall post the following information about the Objection on its website: (i) the proposed string to which the Objection is directed; (ii) the names of the Objector and the Applicant; (iii) the grounds for the Objection; and (iv) the dates of the DRSP's receipt of the Objection.

Article 10. Notification

- a. Within **thirty (30)** days of the deadline for filing Objections in relation to gTLD applications in a given round, ICANN shall publish on its website all of the admissible Objections that have been filed (the "Dispute Announcement"). ICANN shall also directly inform each DRSP of the posting of the Dispute Announcement.
- b. ICANN shall monitor the progress of all proceedings under this Procedure and shall take steps, where appropriate, to coordinate with any DRSP in relation to individual applications for which Objections are pending before more than one DRSP.
- c. Upon publication of the Dispute Announcement, each DRSP shall promptly send a notice to: (i) each Applicant for a new gTLD to which one or more admissible Objections have been filed with that DRSP, i.e. that have passed the Administrative Review; and (ii) the respective Objector(s).

Article 11. Consolidation of Objections

- a. The DRSP is encouraged, whenever possible and practicable, and as may be further stipulated in the applicable DRSP Rules, to consolidate Objections, for example, when more than one Objector has filed an Objection to the same gTLD on the same grounds. The DRSP shall endeavor to decide upon consolidation within seven (7) days of the publication of the Dispute Announcement and shall inform the Parties of the consolidation.
- b. If the DRSP itself has not decided to consolidate two or more Objections, any Applicant or Objector may propose the consolidation of Objections within **fourteen (14)** days of the publication of the Dispute Announcement. If, following such a proposal, the DRSP decides to consolidate certain Objections, which decision must be made within 21 days of the publication of the Dispute Announcement, the deadline for the Applicant's Response in the consolidated proceeding shall be thirty (30) days from the Applicant's receipt of the DRSP's notice of consolidation.
- c. In deciding whether to consolidate Objections, the DRSP shall weigh the benefits (in terms of time, cost, consistency of decisions, etc.) that may result from the consolidation against the possible prejudice or inconvenience that the

consolidation may cause. The DRSP's determination on consolidation shall be final and not subject to appeal.

- d. Objections based upon different grounds, as summarized in Article 2(f), shall not be consolidated.

Article 12. Appointment of The Panel

- a. The DRSP shall select and appoint the Panel of Expert(s) within thirty (30) days after the publication of the Dispute Announcement or, where applicable, the notice of consolidation, and issue a Panel appointment notice to the Parties.
- b. The default will be a one-expert Panel, unless the Parties to the proceeding mutually agree upon a three-expert Panel, bearing the costs accordingly. The Parties will have to notify the DRSP via a joint letter within (10) days of the publication of the Dispute Announcement should they wish to have a three-expert Panel.
- c. Specific qualifications of Expert(s):
 - i. In proceedings involving a String Confusion Objection, the Panelist(s) should have experience in Legal Rights disputes; at least one of the Panelists should have knowledge of the relevant script(s).
 - ii. In proceedings involving a Legal Rights Objection, the Panelist(s) should have experience in intellectual property rights disputes.
 - iii. In proceedings involving a Limited Public Interest Objection, the Panelist(s) should be recognized as eminent jurists of international reputation, with expertise in relevant fields as appropriate.
 - iv. In proceedings involving a community Objection, at least one of the Panelist(s) should have experience in the relevant academic field of study.
- d. All Experts acting under this Procedure shall be impartial and independent of the Parties. The applicable DRSP Rules stipulate the manner by which each Expert shall confirm and maintain their impartiality and independence.
- e. Unless required by a court of law or authorized in writing by the Parties, an Expert shall not act in any capacity whatsoever, in any pending or future proceedings, whether judicial, arbitral or otherwise, relating to the matter referred to Expert Determination under this Procedure.
- f. In cases where there may be indirect contention that results from a String Confusion Objection, the same Panel will preside over decisions relating to each relevant Objection. For example, if Party X files an Objection against "String A" claiming that it is confusingly similar to their applied-for "String B", and Party Y files an Objection against "String B" claiming that it is confusingly similar to their applied-for "String C", the same Panel will have to precede over both determination, as a potential result is that "String A"

and “String C” are in direct contention with “String B” and indirect contention with each other (String A → String B ← String C).

- g. Upon notification of the appointment of the Panel by the DRSP, the Parties will be given the chance to express any conflicts of interest concerns on its member(s) within **[x]** days of the appointment of the Panel. Should the DRSP assess that there is indeed a conflict of interest, a new Panel will be appointed within 30 days.

Article 13. Quick Look Review

- a. Each Panel shall conduct the Quick Look Review of the Objection for the purpose of identifying and eliminating Objections that are manifestly unfounded and/or an abuse of the right to object.
- b. The criteria the Panel will use to determine whether the Objection is manifestly unfounded and/or an abuse of the right to object are the following:
- i. The Objection is not filed on one of the accepted Objection grounds; and/or
 - ii. The Party filing the Objection does not have standing; and/or
 - iii. Insufficient or no evidence is provided to support the Objection; and/or
 - iv. The Objection is far-fetched, clearly invented, manifestly contrary to common sense, or so ambiguous that it is objectively impossible for the DRSP to make sense of it; and/or
 - v. The Objection spreads, incites, promotes, or justifies hatred based on intolerance towards a certain group; and/or
 - vi. Multiple Objections on the same ground are filed by the same or affiliated Parties against the same Applicant in a manner that constitutes harassment of the Applicant; and/or
 - vii. The Objection criticizes the Applicant solely on grounds beyond the evaluation criteria, rather than the relevant string(s); and/or
 - viii. Other facts that may clearly show that the Objection is manifestly unfounded and/or an abuse to the right to object.
- c. The dismissal of an Objection that is manifestly unfounded and/or an abuse of the right to object would be an Expert Determination, rendered in accordance with **[Article 21]** of the New gTLD Dispute Resolution Procedure.
- d. The DRSPs will publish the results of the Quick Look Review on their respective websites and notify the respective Applicants and Objectors of said results.

Article 14. Costs

- a. Each DRSP shall determine the costs for the proceedings that it administers under this Procedure in accordance with the applicable DRSP Rules. Such costs shall cover the

fees and expenses of the members of the Panel, as well as the administrative fees of the DRSP (the “Costs”).

- b. Within ten (10) days of completing the Quick Look Review, the DRSP shall estimate the total Costs and request the Objector and the Applicant/Respondent each to pay in advance the full amount of the Costs to the DRSP. It should be noted that if the Parties agree on a three-expert Panel, the costs of the dispute will increase accordingly.
- c. Each Party shall make its advance payment of Costs within ten (10) days of receiving the DRSP’s request for payment and submit to the DRSP evidence of such payment. The respective filing fees paid by the Parties shall be credited against the amounts due for this advance payment of Costs. Should one of the Parties fail to pay within the set timeline, the other Party will automatically prevail and their advance payment will be refunded. Should neither Party pay within the set timeline, the Objection will be dismissed.
- d. The DRSP may revise its estimate of the total Costs and request additional payments from the Parties during the proceedings.
- e. Failure to make an advance payment of costs:
 - i. If the Objector fails to make the advance payment of costs, its Objection shall be dismissed and no fees that it has paid shall be refunded.
 - ii. If the Applicant fails to make the advance payment of costs, the Objection will be deemed to have been sustained and no fees that the Applicant has paid shall be refunded.
- f. Upon the termination of the proceedings, after the Panel has rendered its Expert Determination, the DRSP shall refund to the prevailing Party, as determined by the Panel, its advance payment(s) of Costs.

Article 15. Response to the Objection

- a. The Applicant shall file a Response to each Objection (the “Response”). The Response shall be filed within thirty (30) days of the Applicant being informed of the results of the Quick Look Review pursuant to Article 11(a).
- b. The Response must be filed with the appropriate DRSP, using a model form made available by that DRSP, with copies to ICANN and the Objector.
- c. The Response shall contain, inter alia, the following information:
 - i. The names and contact information (address, telephone number, email address, etc.) of the Applicant; and
 - ii. A point-by-point Response to the statements made in the Objection.
- d. The substantive portion of the Response shall be limited to 5,000 words, excluding attachments. The Applicant shall also describe and provide copies of any supporting or official documents to the DRSP upon which the Response is based.

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- e. At the same time as the Response is filed, the Applicant shall pay a filing fee in the amount set and published by the relevant DRSP (which shall be the same as the filing fee paid by the Objector) and include evidence of such payment in the Response. In the event that the filing fee is not paid within **ten (10)** days of the receipt of the Response by the DRSP, the Applicant shall be deemed to be in default, any Response disregarded and the Objection shall be deemed successful.
 - f. If the DRSP finds that the Response does not comply with Articles **15(c)** and **(d)(1)** of this Procedure and the applicable DRSP Rules, the DRSP shall have the discretion to request that any administrative deficiencies in the Response be corrected within **five (5)** days. If the administrative deficiencies in the Response are cured within the specified period but after the lapse of the time limit for submitting a Response pursuant to this Procedure, the Response shall be deemed to be within this time limit.
 - g. If the Applicant fails to file a Response to the Objection within the **30**-day time limit, the Applicant shall be deemed to be in default and the Objection shall be deemed successful. No fees paid by the Applicant will be refunded in case of default.

Article 16. Representation and Assistance

- a. The Parties may be represented or assisted by persons of their choice.
- b. Each Party or Party Representative shall communicate the name, contact information and function of such persons to the DRSP and the other Party (or Parties in case of consolidation).

Article 17. Additional Written Submissions

- a. The Panel may decide whether the Parties shall submit any written statements in addition to the Objection and the Response, and it shall fix time limits for such submissions.
- b. The time limits fixed by the Panel for additional written submissions shall not exceed thirty (30) days, unless the Panel, having consulted the DRSP, determines that exceptional circumstances justify a longer time limit.

Article 18. Evidence

In order to achieve the goal of resolving disputes over new gTLDs rapidly and at reasonable cost, procedures for the production of documents shall be limited. In exceptional cases, the Panel may require a Party to provide additional evidence.

Article 19. Hearings

- a. Disputes under this Procedure and the applicable DRSP Rules will usually be resolved without a hearing, but the Panel may decide, on its own initiative or at the request of a Party, to hold a virtual hearing only in extraordinary circumstances.
- b. In the event that the Panel decides to hold a hearing:
 - i. In order to expedite the proceedings and minimize costs, the hearing shall be conducted by videoconference only.
 - ii. The hearing shall be limited to one day, unless the Panel decides, in exceptional circumstances, that more than one day is required for the hearing.
 - iii. The Panel shall decide whether the hearing will be open to the public or conducted in private.

Article 20. Negotiation and Mediation

- a. The Parties are encouraged, but not required, to participate in negotiations and/or mediation at any time throughout the dispute resolution process aimed at settling their dispute amicably.
- b. Each DRSP shall be able to propose, if requested by the Parties, a person who could assist the Parties as mediator.
- c. A person who acts as mediator for the Parties shall not serve as an Expert in a dispute between the Parties under this Procedure or any other proceeding under this Procedure involving the same gTLD.
- d. The conduct of negotiations or mediation shall not, *ipso facto*, be the basis for a suspension of the dispute resolution proceedings or the extension of any deadline under this Procedure. Upon the joint request of the Parties, the DRSP or (after it has been constituted) the Panel may grant the extension of a deadline or the suspension of the proceedings.
- e. Absent exceptional circumstances, such extension or suspension shall not exceed **thirty (30)** days and shall not delay the administration of any other Objection. An exception to the **30**-day extension will be granted if both Parties agree that the Applicant will file an Application Change Request to ICANN and communicate their decision to the DRSP via a joint notification. In such a case, the proceedings will be suspended until [15] days after the publication of the results of the Application Change Request.

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- f. If, during negotiations and/or mediation, the Parties agree on a settlement of the matter referred to the DRSP under this Procedure, the Parties shall inform the DRSP. The DRSP, in turn, shall terminate the proceedings, subject to the Parties' payment obligation under this Procedure having been satisfied, and inform ICANN and the Parties accordingly.

Article 21. Principles

- a. For each category of Objection identified in Article 2(f), the Panel shall apply the principles that have been defined by ICANN.
- b. In addition, the Panel may refer to and base its findings upon the statements and documents submitted and any rules or principles that it determines to be applicable.
- c. The Objector bears the burden of proving that its Objection should be sustained in accordance with the applicable principles.

Article 22. The Expert Determination

- a. The DRSP and the Panel shall make reasonable efforts to ensure that the Expert Determination is rendered within forty-five (45) days of the constitution of the Panel. In specific circumstances such as consolidated cases and in consultation with the DRSP, if significant additional documentation is requested by the Panel, a brief extension may be allowed.
- b. The Panel shall submit its Expert Determination in draft form to the DRSP's scrutiny as to form before it is signed, unless such scrutiny is specifically excluded by the applicable DRSP Rules. The modifications proposed by the DRSP to the Panel, if any, shall address only the form of the Expert Determination. The signed Expert Determination shall be communicated to the DRSP, which in turn will communicate that Expert Determination to the Parties and ICANN.
- c. When the Panel comprises three Experts, the Expert Determination shall be made by a majority of the Experts.
- d. The Expert Determination shall be in writing and shall state the reasons upon which it is based.
- e. The outcomes of the String Confusion Objection can be as follows:
 - a. If the Objector prevails:
 - i. Where the Objector is another Applicant, then the entire variant string set in both that application and the Objector's application must be placed in a contention set.
 - ii. Where the Objector is an existing gTLD operator or existing ccTLD operator/a significantly interested Party in the respective country or

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- territory, the application (including primary and allocatable variant gTLD strings) is ineligible to proceed to the next stage of the application process; or
- b. If the Objector does not prevail, that entire application may proceed to the next stage of the application process, unless other processes prevent it from proceeding.
 - f. The possible outcomes for Limited Public Interest, Legal Rights, and Community Objections are as follows:
 - a. If an Objection against an applied-for primary gTLD string prevails, then that entire application is ineligible to proceed to the next stage of the application process; or
 - b. If an Objection against only one or more applied-for allocatable variant gTLD string(s) prevails, then that application for the applied-for primary gTLD string and other unaffected applied-for allocatable variant gTLD string(s) may proceed to the next stage of the application process without the applied-for allocatable variant gTLD string(s) which are rendered ineligible by the Objection; or
 - c. If the Objection does not prevail, then that entire application may proceed to the next stage of the application process, unless other processes prevent it from proceeding; or
 - d. The application cannot proceed unless agreement is reached on a new or modified RVC that is approved by ICANN.
 - g. The DRSP will refund the prevailing Party of its advance payment(s) of Costs pursuant to Article 14(e) of this Procedure and any relevant provisions of the applicable DRSP Rules. Should the Expert Determination indicate that the Application cannot proceed unless agreement is reached on a new or modified RVC that is approved by ICANN, the Objector will be considered as the prevailing Party.
 - e. The Expert Determination shall state the date when it is made, and it shall be signed by the Panel. If any Expert fails to sign the Expert Determination, it shall be accompanied by a statement of the reason for the absence of such signature.
 - f. In addition to providing electronic copies of its Expert Determination, the Panel shall provide a signed hard copy of the Expert Determination to the DRSP, unless the DRSP Rules provide otherwise.
 - g. Unless the Panel decides otherwise, the Expert Determination shall be published in full on the DRSP's website.
 - h. The non-successful Party in an Objection will have the opportunity to appeal an Expert Determination and such appeal would be considered under a clearly erroneous standard of review. The process for appealing to an Expert Determination is described in the [Objection Appeal Procedure].
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Article 23. Exclusion of Liability

In addition to any exclusion of liability stipulated by the applicable DRSP Rules, neither the Expert(s), nor the DRSP and its employees, nor ICANN and its Board members, employees and consultants shall be liable to any person for any act or omission in connection with any proceeding conducted under this Procedure.

Article 24. Modification of the Procedure

- a. ICANN may from time to time, in accordance with its Bylaws and by following the processes described in the Predictability Framework, modify this Procedure.
- b. The version of this Procedure that is applicable to a dispute resolution proceeding is the version that was in effect on the day when the relevant application for a new gTLD is submitted.



