The ICANN GNSO Business Constituency

Newsletter, July 2013

News from the Chair

by Elisa Cooper

The last several months have been an incredibly busy time for both ICANN and the Business Constituency. With final versions of the Registry Agreement, and Registrar Accreditation Agreement, the ICANN FY14 Draft Budget, and New gTLD Advice from the Governmental Advisory Committee (GAC), staying abreast of recent issues has been challenging to say the least.

However, due to the dedication and hard work of Business Constituency members, we have been able to not only review and evaluate the issues of importance to us, but we've been able to submit our comments to ICANN through the Public Comment Process and have our collective voices heard.

We expect the next several months to bring continued complexity with the launch of New gTLDs, reports from the Expert Working Group on gTLD Directory Services, implementation of the Registrar Accreditation Agreement

and GAC Advice.

We also look forward to helping create ICANN's new, overarching vision and Five-Year Strategic Plan so that ICANN can respond and evolve in the changing domain name landscape - and that ultimately, the interests of Business are fully represented.

Now more than ever before the Business Constituency must continue to understand and evaluate the issues that are greatest concerns to Business globally.

Although the road ahead may be one filled with hard work and challenges, the Business Constituency will continue to forge ahead to ensure that our voices are heard.

On the road to Durban

by Marilyn Cade

ICANN is meeting on the world's second largest continent – Africa - home to over 1B citizens; 58 distinct countries and regions; with 169.4 million Internet users, 516 Million Facebook subscribers, in six short years, to the world's youngest population, Africa is facing a true 'window of opportunity' as it moves ahead. Reconvening in Africa, the BC has just concluded one of our two outreach activities focused on strengthening business awareness and engagement. [See related articles on pages 3 and 6].

The BC has a packed agenda from arrival on Saturday through close of the meeting on Thursday, with sessions on the new gTLD program; ICANN budget/Operating Plan; a new five year Strategic Plan for ICANN, and opportunities to understand how ICANN is accepting GAC advice.

A special Sunday working session with the CSG will provide much needed

Preparing for the Launch of New gTLDs

by Elisa Cooper

The inevitable is now upon us, and the launch of the first New gTLD Registries is approaching. So, exactly what should businesses be doing to prepare for the launch of New gTLDs?

Businesses should be identifying and submitting trademarks to the Trademark Clearinghouse if they plan to seek domain names during Sunrise Registration periods. As a reminder, Sunrise Registration periods provide rights holders with priority registration, giving them the ability to register domains before they become generally available to the public.

Businesses should also thoroughly review the list of applied-for TLDs which is available on the ICANN website. Last year, ICANN revealed the entire list of 1,930 applications, representing approximately 1,400 new TLDs, about half of which were closed registries. Now is the time for businesses to begin thinking about how these new gTLDs could affect them.

Finally, businesses should familiarize themselves with new Rights Protection Mechanisms available as part of the New gTLD Program, including Trademark Claims, the URS (Uniform Rapid Suspension), the PDDRP (Post-Delegation Dispute Resolution Procedure) and the RRDRP.

Trademark Claims: In the case where a domain is submitted for registration in a new gTLD and is an identical match to an authenticated trademark within the Trademark Clearinghouse, the Trademark Claims service will provide notification (during the first 90 days of General Registration only) to the prospective registrant and confirm that (i) the prospective registrant has received notification that the mark(s) is included in the Trademark Clearinghouse; (ii) the prospective registrant has received and understood the notice; and (iii) to the best of the prospective registrant's

knowledge, the registration and use of the requested domain name will not infringe on the rights that are the subject of the notice. If the domain in question is registered, the rights owner will be promptly notified.

Uniform Rapid Suspension (URS) System: All new gTLDs will be subject to the URS system. The URS system is designed to provide a cost-effective, expedited process to address issues of trademark infringement and abuse. Form complaints are filed electronically and are designed to be as simple and formulaic as possible. Domains are only suspended for the remainder of their registration term, or for an additional year at current market registration rates. After suspension ends however, domains become available for registration and are likely to be registered again resulting in a never-ending cycle of watching and suspending.

PDDRP (Post-Delegation Dispute Resolution Procedure): The PDDRP will also provide rights holders with the ability to file complaints against Registries who have acted in bad faith with the intent to profit from the systematic registration of infringing domains at the second level (to the left of the "dot"). According to ICANN, an example of infringement is where a Registry Operator has a pattern or practice of actively and systematically encouraging registrants to register domain names and to take unfair advantage of the trademark to the extent and degree that bad faith is apparent. Another example of infringement is where a Registry Operator has a pattern or practice of acting as the registrant or beneficial user of infringing registrations to monetize and profit in bad faith. For infringement occurring at the second level, possible remedies may include requiring the Registry to implement measures to protect against allowing future infringing registrations or the

suspension of accepting new domain name registrations until the violation is cured.

RRDRP (Registry Restriction Dispute Resolution Procedure): The RRDRP is a complaint procedure for community-based gTLDs in which the complainant asserts that it is "a harmed established institution as a result of the community-based gTLD Registry Operator not complying with the registration restrictions set out in the Registry Agreement." The complainant must prove that the TLD operator violated the terms of the community-based restrictions in its agreement and that there is measureable harm to the complainant and the community named by the objector.

There are still many unknowns surrounding the launch of new gTLDs such as timing, costs, eligibility requirements, etc. That said, now is the time to prepare given the complexity that exists. But rest assured – the Business Constituency will continue to follow ICANN and the New gTLD Program closely to help our members not only understand the issues that of are of greatest importance to business, and we will be working together to ensure that the BC's voice is heard throughout the ICANN community.

Update on Expert Working Group on Next Generation gTLD Directory Services (EWG)

by Susan Kawaguchi

The Expert Working Group (EWG) recently published a draft report of our initial findings and recommendations. We focused on use cases and the vast background of work done by the ICANN community in attempting to frame a new model for registration data. Accuracy, access and privacy needs were of prime importance in all discussions. We will be interacting with the community at the Durban meeting (Monday, July 15th, 2013 at 14:45-16:15: Replacing WHOIS – The Next Generation Directory Services) and hoping to spark additional discussions and comments to continue our work.

We will use community input to continue to frame our recommendations. The EWG meets once more face to face at the end of August to finalize the report and plan to deliver the final report at the Buenos Aires meeting.

Lead up to ICANN Buenos Aires: Update on E-Gobernanza Activities

by Gabriela Szlak

The Latin American eCommerce Institute (eInstituto), through its eGobernanza initiative has worked hard to raise awareness on crucial Internet Governance issues in Latin America from a business perspective. Since the Beijing meeting, activities included: 1) a video at "Internet Day" Argentina Conference, 2) a workshop at "eCommerce Day Santiago" – with an audience of over 1200 businesses participants and more participating online from LatAm, 3) a "Roundtable with eLeaders" event, with online streaming to all LatAm, organized with Escuela Virtual Mercosur, 4) an article on the New gTLD program and Internet Governance and 5) local television interview on Internet Governance issues.

We are focused on the fundamental role of businesses in ICANN's multi stakeholder model, the importance for local businesses to become engaged in IG and join the BC to make a difference, ICANN's LAC regional Strategy as a tool for development, and the impact of the new gTLDs program from a business perspective.

eInstituto reaches over 80% of businesses of the region with web presence. eGobernanza Initiative organizes outreach activities with industry leaders. Our main target for this year is to prepare the region for the upcoming ICANN meeting in Buenos Aires in order to foster IG, collaborate with the development of the regional DNS market and help our businesses navigate the new challenging Internet scenario. The Buenos Aires ICANN meeting will be the protagonist for the future of the regional participation and engagement of the region at ICANN. We look forward to welcoming you in Buenos Aires!

Giving ICANN Quality Leadership

by Waudo Siganga

The 2013 ICANN Nominating Committee (NomCom) concludes work at ICANN's Meeting in Durban, finalizing key volunteer leadership selections: 3 members of the Board; 3 members of the At-Large Advisory Committee (ALAC) – one each from Africa, Asia/Australia/Pacific Islands and the Latin America/Caribbean Islands regions; 2 members of the GNSO Council; and 1 Council member of the ccNSO. Selected candidates will take up their positions at the end of ICANN 48 Buenos Aires. The BC was represented by Ron Andruff and Waudo Siganga.

Work began during ICANN 45 Toronto; this year marked a first with the call for SoIs being posted on Facebook and Twitter. Intense outreach activity by individual committee members amongst their respective communities and regions, and more broadly engaged NomCom members. Outreach paid off: 110 SoIs were received, matching the record for 2003. Applicants come from Africa (12), Asia/Australia/Pacific Islands (30), Europe (32), Latin America/Caribbean Islands (18) and North America (18). Of these, 27 are female, 83 are male: 78 applied for ICANN Board, 24 for GNSO Council, 14 for ccNSO Council, and 30 for ALAC. Some candidates applied for more than one position.

To improve transparency in NomCom participation and engagement, the NomCom introduced publication of non confidential factual information, e.g., attendance/participation of NomCom members, recording of meetings when not discussing candidates and the regular publication of short reports (aka, the NomCom scorecard) via the NomCom Wiki, to keep stakeholders and the ICANN communities informed of committee activity. Further evolution toward more transparency seems likely.

ICANN Multi-Stakeholder Model

Board Team Photo from Prague with CEO Fadi Chehadé

Back row Left to Right: Sébastien Bachollet (At-Large), Gonzalo Navarro (Nom Com), Bill Graham (GNSO), Thomas Roessler (TLG Liaison) (replaced by Francisco da Silva), Bertrand de La Chapelle (Nom Com), Chris Disspain (ccNSO), Thomas Narten (IETF Liaison), Mike Silber (ccNSO) Front Row Left to Right: Suzanne Woolf (RSSAC Liaison), Judith Duavit Vazquez (Nom Com), Fadi Chehadé – President & CEO, Steve Crocker – Chair (Nom Com), Bruce Tonkin – Vice Chair (GNSO), George Sadowsky (Nom Com), Kuo-Wei Wu (ASO), Cherine Chalaby (Nom Com), Ram Mohan (SSAC Liaison), Raymond A. Plzak (ASO).

Photo taken at ICANN Meeting 44 in Prague (Selecting Organisation in brackets)

Not in photo: Erika Mann (Nom Com), Heather Dryden (GAC Liaison), Francisco da Silva (TLG Liaison), Olga Madruga-Forti (Nom Com), Olga Madruga-Forti (Nom Com)

GNSO

(see following page)

ccNSO

Lesley Cowley (Chair)
Keith Davidson (Vice Chair)
Byron Holland (Vice Chair)

ASO

Louis Lee (Chair)
Alan Barrett (Vice Chair)
Naresh Ajwani (Vice Chair)
Fiona Asonga
Douglas Onyango
Tomohiro Fujisaki
Andy Linton
Jason Schiller
Ron da Silva
Ricardo Patara
Hartmut Glaser
Hans Petter Holen
Dmitry Kohmanyuk
Jorge Villa
Wilfried Woeber

Government Advisory Committee (GAC)

Heather Dryden (Canada) (Chair)
Tracy Hackshaw (Trinidad & Tobago) (Vice Chair)
Petter Nettlefold (Australia) (Vice Chair)
Thomas Schneider (Switzerland) (Vice Chair)

Security & Stability Advisory Committee (SSAC)

Patrik Fältström (Chair)

Root Server System Advisory Committee (RSSAC)

Jun Murai (Chair)

At-Large Advisory Committee (ALAC)

Olivier Crépin-Leblond (Chair)
Carlton Samuels (Vice Chair)
Evan Leibovitch (Vice Chair)
Tijani Ben Jemaa (Rapporteur)
Rinalia Abdul Rahim (APRALO Regional Representative)

Technical Liaison Group (TLG)

Fernando Soriano (ETSI)
Bernardo Correia (ETSI)
Reinhard Scholl (ITU-T)
Thomas Roessler (W3C)
tba (IAB)

Internet Engineering Task Force (IETF)

Thomas Narten
(Non Voting Liaison)

Nominating Committee 2013

Yrjö Länsipuro (Chair)
Cheryl Langdon-Orr (Chair-Elect)
Adam Peake (Associate Chair)

Ombudsman

Chris LaHatte

GNSO Stakeholder Groups, Constituencies & Council

The GNSO Council is responsible for managing the policy development process of the GNSO.

Contracted Party House Councilors

Registry Stakeholder Group
Jonathan Robinson (Europe) (Chair)
Jeff Neuman (North America)
Ching Chiao (Asia Pacific)

Registrar Stakeholder Group
Mason Cole (N America) (Vice Chair)
Volker Greimann (Europe)
Yoav Keren (Europe)

Nominating Committee Appointees
Lanre Ajayi (Africa) (Voting)
Thomas Rickert (Europe) (Voting)
Jennifer Wolfe (N America) (Non Voting)

Liaison and Observer
Alan Greenberg (N America) (ALAC Liaison)
Han Chuan Lee (Asia Pac) (ccNSO Observer)

Non-Contracted Party House Councilors

Commercial Stakeholder Group
Commercial and Business Users
Zahid Jamil (Asia Pac)
John Berard (N America)
Intellectual Property Interests
Brian Winterfeldt (North America)
Petter Rindforth (Europe)
Internet Service and Connection Providers
Wolf-Ulrich Knoben (Europe) (Vice Chair)
Osvaldo Novoa (Latin America)

Non-Commercial Stakeholder Group
David Cake (Asia)
Maria Farrell (Europe)
Joy Liddicoat (Asia)
Magaly Pazello (S America)
Wendy Seltzer (N America)
Wolfgang Kleinwächter (Europe)

Contracted Party House

Registry Stakeholders Group
Keith Drazek (Chair)
David Maher (Past Chair)
Paul Diaz (Vice Chair)
Michael Palage (Treasurer)
Ken Stubbs (Assistant Treasurer)

Registrar Stakeholders Group
Michele Neylon (Chair)
Jeff Eckhaus (Vice Chair)
James Bladel (Treasurer)
Jennifer Standiford (Secretary)

Intellectual Property Constituency
Kristina Rosette (CSG)
Steven Metalitz (CSG)
Claudio Di Gangi (CSG)
Mark Partridge (CSG)

Non-Contracted Party House

Commercial Stakeholders Group*

Business Constituency
Elisa Cooper (CSG)
Steve DelBianco (CSG)
Chris Chaplow (CSG)
Marilyn Cade (CSG)

Internet Service & Connection Providers Constituency
Tony Holmes (CSG)
Tony Harris (CSG)
Alain Bidron (CSG)
Antonio Tavares (CSG)
Jaime Wagner (CSG)

Non-Commercial Stakeholders Group*

Non-Commercial Users Constituency
William Drake (Chair)
Wilson Abigaba (Africa)
Norbert Klein (Asia)
Tapani Tarvainen (Europe)
Edward Morris (N America)
Carlos Alberto Afonso (S America)

Not-for-Profit Operational Concerns Constituency
Executive Commitee names pending election results.

* The groups' officers are omitted here

AfICTA Launches Business Outreach to Africa

Jimson Olufuye

Fulfilling the Promise of the Digital Age in Africa, AfiCTA's inaugural event, Lagos, Nigeria, 26-28 June, drew together AfiCTA's Board leadership, government representatives from African countries, businesses from Nigeria and elsewhere in the Continent, speakers from ICANN Board, Staff, and Business Constituency@ICANN.

Opening the Summit, AfiCTA's Chair and key organizer of the Summit, Dr. Jimson Olufuye noted that fulfilling the promise of the digital age is key to Africa's social and economic development.   He noted that the first AfiCTA Summit will set the pace for the realization of a more involved business community from across Africa, seeking to create new opportunities in the Internet driven economy, and engaging in ICANN and Internet Governance activities .

A day of pre events included a session demystifying ICANN for business users and an afternoon session focused on the Domain Names Security Service Extension (DNSSEC Awareness]. Dr. Waudo Siganga, Chair, Computer Society of Kenya and AfiCTA Board member, as moderator, introduced Marilyn Cade for a tutorial on ICANN, its importance for African businesses and explained the larger Internet eco system and key activities.

She invited African business users to become actively engaged with ICANN; follow the Business Constituency through AfiCTA or directly; and thanked AfiCTA for their commitment to collaborate with the ICANN BC to further encourage African businesses engagement. [www.aficta.org/presentations]

A key element was a focus on Security and Stability for the DNS; experts, Dr. Richard Lamb, ICANN, and Eng. Alain Aina, CEO, TRS led the DNSSEC Road show and training sessions. Joining them was Mary Uduma, President of the Nigeria Internet Registration Association (NIRA), the .ng ccTLD. With over 45 attendees from Nigeria joining the hands on training, Eng Lanre Ajayi, President, ATCON, and Board Member, noted that turnout to the training exceeded expectations.   The focus on security and stability and collaboration with ICANN is expected to continue.

The chair of the Opening Ceremony, Ms. Funke Opeke, CEO, Mainone LTD; Mike Silber, ICANN Board member; Marilyn Cade, ICT Strategies; and AfiCTA Board members, Waudo Siganga, Kenya; Roger Latchman, South Africa; Engr Lanre Ajayi, Nigeria and Hossain Elgamai, Egypt called on business to take a more active and engaged role

in accelerating business and other stakeholders engagement in furthering African social - economic growth and development. The speakers supported increased engagement with ICANN and in other multi stakeholder discussions regarding Internet governance, and the follow up to the World Summit on the Information Society.

During the event, AfiCTA announced its Africa ICT Champions initiative: presenting awards to Leo Stan-Ekeh, Chair, Zinox Technologies Ltd, Nigeria and Manal Amin, CEO, Arabize.com. Special Recognition awards honored Fadi Chehade, CEO and President, ICANN [accepted by Mike Silber]; Marilyn Cade, CEO, ICT Strategies, and Dr. Fred Matiagi, Cabinet Secretary, Information and Communications Technology Ministry, Kenya, for exemplary commitment to the use of ICTs for sustainable African social and economic development.

AfiCTA also announced engagement with Af*, a newly formed collaboration of the African organizations, AfriNIC and AfTLD and continued engagement with the African Strategy for ICANN.

Dr. Olufuye noted: "AfiCTA is committed to bring the African business community more deeply and effectively into both the African strategy for ICANN and the Business Constituency, and to contribute to the leadership of our continent in social - economic growth and development, nationally, regionally, and globally.

With a population of more than 1 billion, GDP of over US $2T, a huge natural resource base, Africa is poised to leap into a 21st Century African renaissance. AfiCTA, as articulated in its Lagos Declaration, looks forward to continuous and sustainable engagement with all stakeholders to achieve the promise of the digital age for Africa."

Profiling Costerton, Mondini and the Global Stakeholder Engagement Team

A Differentiated Engagement Model

More ICANN activites to:

1. Inform
Raise Awareness, Educate and Initiate Engagement

2. Engage
with Participants, Followers, Advocates and Commentators

3. Support
Participation in Policy Making

The objective is a "pathway" approach, giving Stakeholders options on how informed - or actively involved - they wish to be; plus the ability to gain subject-matter knowledge along the way.

ICANN's new stronger external focus is led by professionals with experience and passion for broadening awareness and engagement, includeing Sally Costerton, Senior Advisor to the President for Stakeholder Engagement, a veteran communications expert, who served as CEO and Chair of global public relations consultancy Hill & Knowlton in the EMEA (Europe, Middle East and Africa) region. Ms. Costerton, along with former Egyptian Minister of Communications, Tarek Kamel, was one of ICANN CEO Fadi Chehadé's first strategic hires. Together, Costerton and Kamel lead Global Stakeholder Engagement, a growing team of professionals versed in public diplomacy, outreach and advocacy work.

Members of the Global Stakeholder Engagement team are the most outward facing members of an ICANN staff of over 150 nationalities based across 25 time zones. Their mandate is to engage with active participants while simultaneously broadening the base of ICANN supporters and participants.

Team members are committed to learn from stakeholders how the ICANN model can successfully meet their needs while seeking ways to strengthen the relationship between ICANN and stakeholder groups. They also support enhanced communications among these groups.

One of Costerton's early insights was a perceived barrier to engagement; subject matter knowledge and a necessity to understand complex technical terms and acronyms can make participating in ICANN an intimidating prospect for newcomers. A differentiated engagement model has emerged, and is being discussed with stakeholders.

The differentiated engagement model recognizes that some stakeholders merely wish to be informed and follow ICANN's work. Others will want to actively participate, but need a pathway to become familiar with the policy-making process and subject matter.

As a result, new information platforms, starting with myICANN (www.myicann. org), will include multiple sources of information in a user-friendly format, as well as social media tools to facilitate engagement.

Another hallmark of ICANN's Stakeholder Engagement efforts is its dedication to a global approach. As part of these efforts, Christopher Mondini took on the role of Vice President of Business Engagement in January, 2013. His portfolio just expanded to North American region engagement. Mondini is a former U.S. diplomat whose first assignments were in South America. Chris has a diverse background, including diplomacy, and cross border regulatory issues.

Mondini's global business engagement focuses primarily on the developing world, where Internet penetration is spreading the fastest and helps fuel economic growth.

As part of his outreach efforts, Mondini emphasizes that ICANN's commitment to encouraging consumer choice and competition sits alongside its responsibility of coordinating a global public resource. Mondini noted that business is the main driver behind the sped of the Internet's growth, acknowledging that many such businesses invest expertise and resources to work with other stakeholder groups to make ICANN policy.

The Business Constituency has been a partner and advocate in this work, helping to amplify messaging and encouraging new adherents to take the critical first steps on the pathway to engagement.

The mission of the BC:

- The Constituency fully represents the views of the Internet business user community,

- ICANN policy positions are consistent with the development of business via an Internet that is stable, secure and reliable while promoting consumer confidence.

- ICANN policy positions derive from broad stakeholder participation in a common forum for suppliers and users.

Meet the Secretariat

Benedetta Rossi, BC Secretariat, is the BC's professional Secretariat responsible for: member queries, BC website management & updates, budget & invoicing services, ICANN meeting logistics, mailing lists, minutes, reports and other administrative tasks. Based in France, Benedetta speaks English, Italian, French and Spanish.

If you would like to become a member of the BC, please contact the BC Secretariat at: bc-secretariat@icann.org

Please download our latest Factsheet, published in July 2013, and other resources at bizconst.org

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On the road to Durban *continued from front page*

collaboration and discussion time for the SGs/Constituencies to do internal discussions. Key topics for GAC and Board discussions include the BC's support to the GAC advice; ICANN's "acting in the public interest in its decisions"; and the perspectives of business users on ICANN's priorities and support to the work of these key stakeholders, as reflected in ICANN's budget and operating plan.

BC's member, Michelle Chaplow, Andalucia.com, is the CSG representative to the Meetings WG which has a public session in Durban. Another key session, "Replacing WHOIS – The Next Generation Directory Services" will include BC's member, Susan Kawaguchi, Facebook, who represents the CSG on the Expert Working Group. [See related brief update on page 3]. Sprinkled into the overall ICANN agenda are opportunities for business users to interact with the GAC; the ICANN Board; and, as a special event, supported by ICANN's Global Business Outreach, with newcomers from business, and especially from the region.

As ICANN moves forward with developing a strategy for the next five years, business users in particular understand that this is a critical time span for ICANN. The workshop on Internet Governance will provide a 'roadmap' of issues and events, including whether the debate is about Enhanced Cooperation among governments, or includes all stakeholders – a critically important debate to ICANN, and far beyond.

Looking ahead, as ICANN turns fifteen years old in September, we can celebrate this important milestone together when we meet in Buenos Aires in October.

www.bizconst.org

Executive Committee

Chair: Elisa Cooper

Vice Chair, Policy Coordination: Steve DelBianco

Vice Chair, Finance & Operations: Chris Chaplow

CSG Representative: Marilyn Cade

GNSO Councilor: Zahid Jamil

GNSO Councilor: John Berard

BC Appointees to the Nominating Committee 2013

Ron Andruff
Waudo Siganga

BC Credentials Committee:

Martin Sutton
David Fares
Ron Andruff

BC Finance Sub Committee:

Anders Halvorsen
James Baskin
Angie Graves

Useful Links

BC Charter: www.bizconst.org/charter.htm

BC Members: www.bizconst.org/members.htm

Join the BC: www.bizconst.org/joinus.htm

Acronym Helper: www.bizconst.org/glossary.htm