

EPDP Team – Temporary Specification Discussion Summary Index Template

Temp Spec Section	Appendix E	Date (last update)	22 August 2018	Category	3
Current text	<p>This Appendix contains supplemental requirements for the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules").</p> <p>Uniform Domain Name Dispute Resolution Policy</p> <p>1.1. Registrar Requirement: The Registrar MUST provide the UDRP provider with the full Registration Data for each of the specified domain names, upon the UDRP provider notifying the Registrar of the existence of a complaint, or participate in another mechanism to provide the full Registration Data to the Provider as specified by ICANN.</p> <p>1.2. Complainant's complaint will not be deemed defective for failure to provide the name of the Respondent (Registered Name Holder) and all other relevant contact information required by Section 3 o the UDRP Rules if such contact information of the Respondent is not available in registration data publicly available in RDDS or not otherwise known to Complainant. In such an event, Complainant may file a "Doe" complaint and the Provider shall provide the relevant contact details of the Registered Name Holder after being presented with a "Doe" complaint.</p>				
	Support as is	No strong Opinion	Does not support as is		
	77.78%	11.11%	11.11%		
Dependency on other sections of the Temp Spec	Section 7.3				
Related Charter Questions	o) UDRP o1) Should Temporary Specification language be confirmed, or are additional adjustments needed?				
Proposed Response to Charter Question(s)					
DPA / EDPB Guidance	N/A				

Proposed Changes / Rationale for Change	
RySG	It should be noted that although the RySG does not have issue with the wording in the Appendix per se, similar to that as noted in Appendix D, s 1.2 does create a possible incompatibility with the existing UDRP procedures, and thus this should be considered during substantive review. The RySG also notes that there is a comprehensive review of URS and UDRP underway in the RPM PDP.
RrSG	
IPC	1.1 - As above, clarification is needed on “another mechanism to provide the full Registration Data to the Provider as specified by ICANN”. Any other mechanism must make full Registration Data available to Complainant so that Complainant has an opportunity to amend complaint upon obtaining full RDDS data post-filing. 1.2 - As above, Complainant must only be required to insert whatever publicly-available RDDS data exists for the domain name(s) at issue, and must be given the opportunity to file an amended complaint upon obtaining the full RDDS data post-filing.
BC	
ISPCP	
NCSG	The question of access to Registered Name Holder data by Trademark owners and UDRP providers should be deferred.
ALAC	Clarity on the phrase "participate in another mechanism" would be appreciated. Is this just to attempt to get P/P details revealed or is it something else?
GAC	Section 1.1: It is not clear what “participate in another mechanism to provide the full Registration Data to the Provider as specified by ICANN” mean. Section 1.2: what are the safeguards built in to ensure that this provision of “Doe” complaint is not be abused to get the contact details of the Registered Name Holder.
SSAC	1.2 (Access to Respondent contact) may be a use case for a future differentiated access system. ICANN staff are advised to keep a list of collection purposes that we identify during this PDP, if they're not already doing so. Additionally, the current lack of access may make it harder to consolidate multiple cases involving the same registrant. As a result, dispute resolution caseload may increase. Consolidation is explicitly permitted under UDRP paragraph 4(f), and implicitly in URS.
High level summary of the deliberations and/or recommendation(s)	

Proposed modification of text (if appropriate)
[Include proposed modifications to the text, if applicable]
Level of Support
[Indicate level of support for proposed modification, per designations in the charter]