

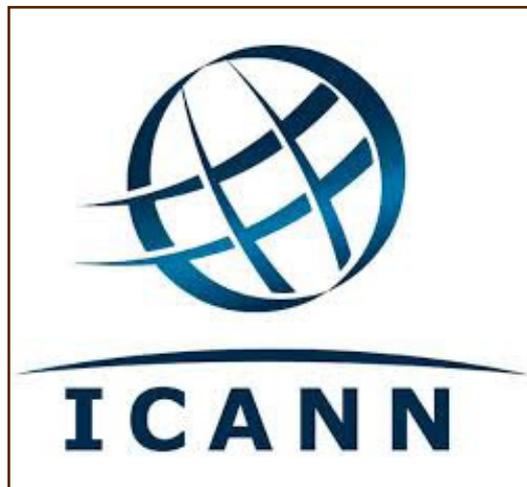


# Newsletter

Issue 24 March 2018



## ICANN Community Onboarding Pilot Program Call for Nominations by SOs/ACs



LOS ANGELES - Internet Corporation for Assigned Names and Numbers (ICANN) announced the call for nominations for the Community Onboarding Pilot (COP) Program for ICANN62. The COP seeks to improve ICANN community newcomer engagement and retention rates through mentorship and knowledge and experience sharing.

According to ICANN, interested Supporting Organizations (SOs) and Advisory Committees (ACs) - and their relevant stakeholder groups and constituencies- should nominate two representatives: one individual shall serve in the role of mentor and the other in the role of a mentee.

The program defines a mentor as an experienced member of the community best suited to share knowledge of and experience in ICANN. A mentee is defined as a relatively new member of the community who has demonstrated

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both the potential and desire to actively engage and participate in ICANN's advice and policy-making activities.

The COP can accommodate up to three participants from each community, although funding for the third individual shall be secured through alternate sources, not the COP. The two primary nominees will receive travel, lodging, and per diem for 25 - 28 June in Panama.

Both the process and the decisions concerning the selection of program participants will be determined by each respective community. COP participants are expected to contribute in the following ways:

- Actively participate in calls and discussions leading up to ICANN62
- Attend face-to-face meeting in Panama City
- Develop materials and tools to support community newcomers
- Engage in capacity development activities
- Share knowledge and experience

SOs and ACs must submit their nominations to: [OnboardingProgram@icann.org](mailto:OnboardingProgram@icann.org) no later than April 16, 2018. Individual nominations will not be considered.

*Source: ICANN*

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## **Accreditation & Access Model For Non-Public Whois Data**

*By: Statton Hammock*



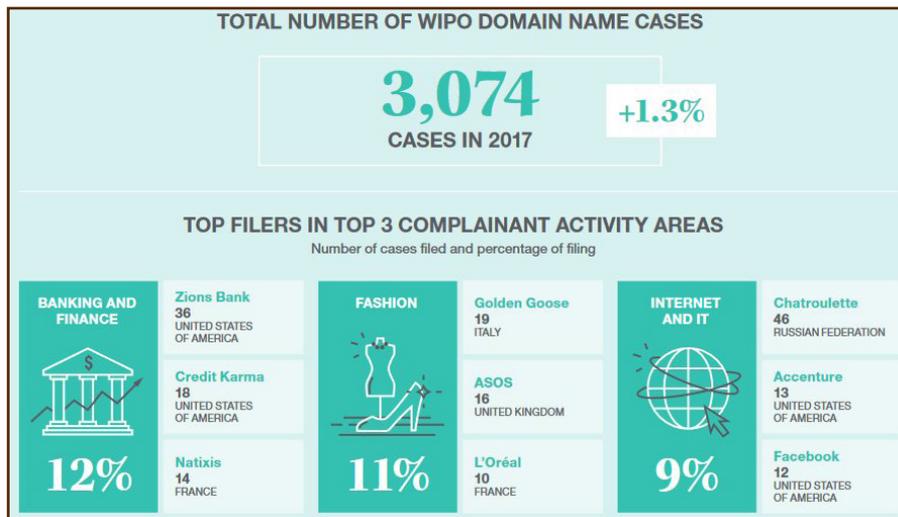
In the current debate over the balance between privacy and Internet safety and security, one of the unanswered questions is: “How will those responsible for protecting the public interest gain access to the non-public data in the WHOIS databases post General Data Protection Regulation (GDPR)?”

In an attempt to prevent WHOIS data

from going “dark,” several community members have been working for the past weeks to create a model that could be used to accredit users and enable access to the non-public WHOIS data. The submitted model seeks to help the ICANN community provide continuity for legal and legitimate access to non-public WHOIS data once ICANN's proposed interim model (Calzone) is implemented. It's intended as a first step to developing an implementation model before the May 25th deadline that would have minimal impact to the contracted parties who control their WHOIS databases while respecting the GDPR and protecting users.

*Source: Circleid*

## WIPO Cybersquatting Cases Reach New Record in 2017



GENEVA - Three industries – banking and finance, fashion, and internet and IT - accounted for nearly one-third of all cybersquatting disputes handled by WIPO’s Arbitration and Mediation Center in 2017 as trademark owners filed an all-time high of 3,074 WIPO cases under the Uniform Domain Name Dispute Resolution Policy (UDRP).

Cybersquatting disputes relating to new generic Top-Level Domains (New gTLDs) accounted for more than 12% of WIPO’s 2017 caseload, which in total covered 6,370 domain names. Of all New gTLDs, registrations in .STORE, .SITE, and .ONLINE were the most-commonly disputed. With the addition in 2017 of .EU (European Union) and .SE (Sweden), 76 Country Code Top-Level Domain (ccTLD) registries have now designated WIPO’s dispute resolution service, and ccTLDs accounted for some 17% of WIPO filings in 2017.

WIPO Director General Francis Gurry said: “By abusing trademarks in the Domain Name System, cybersquatting undermines legitimate commerce and harms consumers. This is true especially where squatters use domain names to offer counterfeit goods or for phishing, as is seen in numerous WIPO cases. The availability of the highly effective UDRP procedure is an indispensable support for the credibility of commerce on the Internet and for protection against fraudulent practices.

The US remained the country where most WIPO UDRP cases originated, with 920 cases filed in 2017, followed by France (462), the U.K. (276), Germany (222), and Switzerland (143). In total, parties from 112 countries were involved in case filings in 2017. In 2017, WIPO appointed 298 panelists based in 45 countries, and administered proceedings in 15 different languages.

The top sectors of complainant activity were banking and finance (12% of all cases), fashion (11%), internet and IT (9%), heavy industry and machinery (8%), and food, beverages and restaurants, biotechnology and pharmaceuticals, electronics, entertainment, and retail at 6% each.

In almost one-third of banking and finance-related decided cases filed in 2017, complainants asserted fraud, phishing or scam, the highest rate among all business sectors. In over one-third of fashion-related decided cases filed in 2017, complainants asserted counterfeiting, the second highest rate among all business sectors.

Philip Morris leads the list of filers - 91 cases - followed by Michelin, AB Electrolux, Andrey Ternovskiy (Chatroulette), Sanofi, Zions Bank, Carrefour, Virgin, Accor, and BASF and LEGO.

WIPO in 2017 launched an all-new edition of the WIPO Jurisprudential Overview. Covering over 100 topics, this essential WIPO case filing tool captures numerous developments in WIPO UDRP jurisprudence and the Domain Name System.

Since the WIPO Arbitration and Mediation Center administered the first UDRP case in 1999, total WIPO case filings passed the 39,000 mark in 2017, encompassing over 73,000 domain names.

### **Intellectual property disputes**

In 2017, the WIPO Center received 52 mediation and arbitration cases and 84 good offices requests for different types of intellectual property (IP) disputes. In recent years patent-related disputes have been most common, followed by ICT, trademark, and copyright disputes. Europe remains the most frequent location of parties (51%), followed by North America, Asia, and Latin America. WIPO cases concerned such transactions as R&D agreements, distribution agreements, software agreements, film co-production agreements and non-disclosure agreements.

WIPO mediation was the most requested procedure, followed by expedited arbitration and arbitration. A growing share of these cases related to non-contractual disputes filed after the dispute had arisen, including proceedings that had been pending before national courts or before member state IP Offices.

In 2017, companies, including multinationals and SMEs, were the most frequent users of WIPO mediation and arbitration, followed by individuals, research institutions and universities, as well as copyright collecting

societies. Nearly 60% of cases involve parties, which also use WIPO's PCT, Madrid or Hague Systems.

Building on similar cooperation previously established with other member states, the WIPO Center in 2017 commenced 12 new collaborations with national IP and Copyright Offices. Cooperation options include the establishment of Alternative Dispute Resolution (ADR) frameworks, the organization of training and promotion, and case administration.

The WIPO Center published the [Guidance on WIPO FRAND ADR PDF](#), [Guidance on WIPO FRAND ADR](#) to facilitate the submission of disputes concerning fair, reasonable and non-discriminatory (FRAND) terms for standard-essential patents (SEPs). WIPO's World Intellectual Property Report 2017 noted that up to 35% of patents filed worldwide since 1990 relate to smartphones, with a relatively high share of smartphone patenting relating to SEPs. The [Guidance on WIPO FRAND ADR](#) covers elements for parties to consider in an ADR process, and includes tailored model submission agreements to refer a FRAND-related dispute to WIPO procedures as an alternative to court litigation.

Based in Geneva, Switzerland, with an office in Singapore, the WIPO Arbitration and Mediation Center offers Alternative Dispute Resolution options for the resolution of international commercial disputes between private parties. The arbitration, mediation and expert determination procedures provided by the WIPO Center are recognized as particularly appropriate for technology, entertainment and other disputes involving IP. The WIPO Center is also the global leader in the provision of domain name dispute resolution services under the WIPO-designed UDRP, receiving cases from trademark owners from around the world.

*Source: WIPO*

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