



International Centre  
for Dispute Resolution®

A Division of the American Arbitration Association

## ICANN's NEW gTLD PROGRAM

String Confusion Objections

*Speaker:*

**Thomas Ventrone**

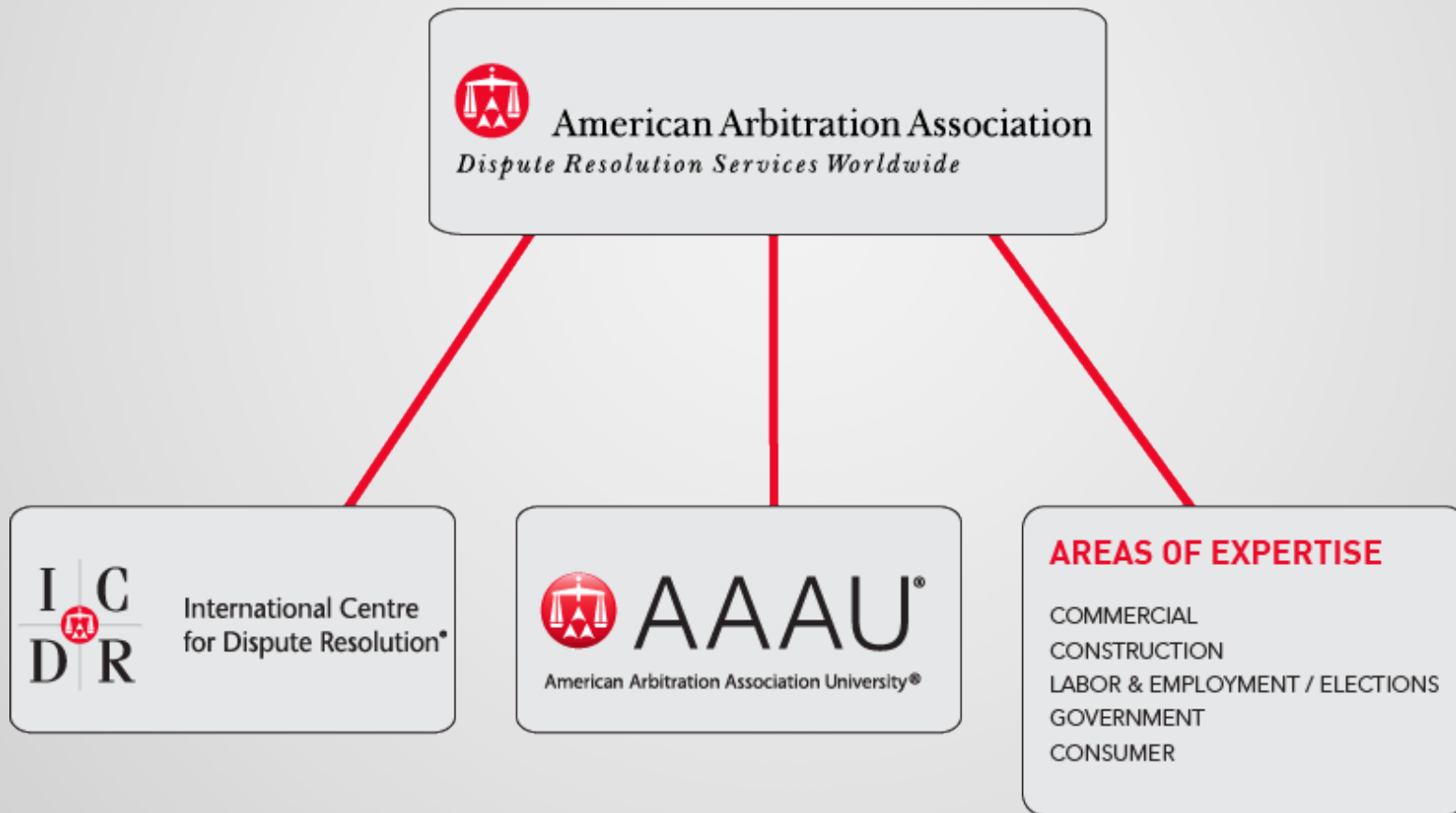
*Vice President*

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# INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION



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- Established in 1996 as the international division of the American Arbitration Association.
- One of the most recognized and prominent providers of international dispute resolution services in the world.
- Largest Number of International Arbitration Filings last five years.
- Staff fluent in 14 languages
- 4 international offices
- 650+ worldwide independent mediators and arbitrators



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## STRING CONFUSION OBJECTIONS

- Standing to Object (3.2.2.1)
  - Existing TLD operator asserting confusion between applied-for gTLD and the TLD it currently operates
  - Any gTLD applicant in the current round asserting confusion between an applied-for gTLD and the gTLD for which it has applied. (Both have passed the initial evaluation)

STRING CONFUSION

REGISTER  
WITH WEBFILE

FILE NEW  
OBJECTION

ACKNOWLEDGE  
RECEIPT

ONLINE DATA

- ABOUT WEBFILE
  - Secure, Proprietary System
  - Registration Required
  - 24/7/365 Availability
  - Payment Processing
  - Document Upload
  - Case Status



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ONLINE DATA

- Select ICANN gTLD String Confusion Procedures Rules / Expert Determination
- Enter Objector Information
- Enter Applicant Information
- Enter String
- Upload Documents / English Language / 5000 words or 20 pages
- Submit Fee
  - Credit Card
  - \$2,750 Filing Fee
    - Possible additional fees for expert compensation and hearing costs



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## NEW gTLD OBJECTION ADMINISTRATIVE REVIEW (ARTICLE 9)

- Acknowledge Receipt of Filing
- Perform Administrative Review
- Advise if Incorrectly Filed
- Allow for Correction of Deficiency
- Possible Administrative Dismissal of Objection
- Notify Applicant of Completed Objection Filing



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- Example of Online Objections Filed Report

ICANN New gTLD Program  
ICDR Dispute Resolution Process - String Confusion Objections

ICDR Case No	Date Received	Ground for Filing	Objector	String	Applicant	Determination
001 - 12	27-Jun-12	String Confusion		ACCOUNTANT		



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- Objections Filed Report continually updated
- Seven (7) month objection period – no further action taken during this period
- ICANN to publish Dispute Announcement 30 days from close of objection period
- ICDR Notice to Applicant for a response will initiate promptly after Dispute Announcement

THE PROCESS

THE RESPONSE

THE EXPERT

THE  
DETERMINATION

CONCLUSION

- Applicant Reply Due within 30 days of ICDR notice
- Allow for correction of deficiencies
- Failure to timely reply is a default
- Responses shall contain
  - Name and Contact Information
  - Point-By-Point Response to Objectors Statements
  - Filing Fees, Including Expert Compensation Deposit and Hearing Fees
- Possible Consolidation of objections
- Negotiation and Mediation encouraged



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- ICDR gTLD String Confusion Panel
  - Minimum 15 years of senior-level or professional experience
  - Experience in one or more of the following areas: Domain Name disputes; WIPO disputes; Internet, Intellectual Property
  - Training and substantial experience in arbitration, mediation, and/or other forms of dispute resolution
  - Freedom from bias and prejudice
  - Ability to evaluate and apply legal, business or trade principals
  - Ability to manage the process and provide a thorough and impartial evaluation of evidence
  - Dedicated to upholding the AAA Code of Ethics for Arbitrators
  - Located in 21 Different Countries in Europe, Asia, The Middle East and The Americas



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- Expert will review all uploaded submissions
- Expert may decide if further written submissions are required
- Expert to decide issue based on documents submitted, ICANN Standards, and Rules or Principles it determines to be applicable
- Expert may decide to hold a hearing by only in extraordinary circumstances
- Objector has burden of proof to sustain objection
- Expert to issue a written, reasoned determination
- Prevailing party(s) to receive refund of expert compensation deposit



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FOR MORE INFORMATION:

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