



26 April 2013

**Re: Locking of a Domain Name Subject to UDRP Proceedings – Initial Report**

An ICANN-accredited registrar, Com Laude works with brands who share a vision for a safer Domain Name System for consumers and the global digital economy.

**Note that we do not at this time endorse any proposed opening up of the UDRP itself for review.**

While we believe that the meaning of “status quo” as well as the corresponding prohibition on transferring a domain name during a pending UDRP proceeding should have been sufficiently clear for registrars and registrants, we recognize that some actors have exploited a historical imprecision in the UDRP and UDRP Rules in an effort to frustrate the spirit of the UDRP.

We therefore welcome and support the Preliminary Recommendations in this Initial Report, and appreciate the collective efforts of the Working Group.

These Recommendations will provide greater clarity on registrar, Provider, and party (complainants and registrants) obligations, in particular as to locking domain names subject to UDRP proceedings; together these will go a long way towards preventing “cyberflight” in future UDRP proceedings.

As to a process for suspending a UDRP proceeding for the purpose of facilitating a settlement (Recommendation 10), we propose consideration of something along the following lines: at any stage of a UDRP proceeding (i) the parties jointly notify the Provider and registrar of their wish for a 30-day suspension of the proceedings, (ii) if the parties need additional time to negotiate a settlement, they may jointly request one 30-day extension, (iii) if the parties are unable to agree on a settlement, the proceedings would re-commence at their pre-suspension stage, (iv) if the parties reach an agreement, they would jointly inform the Provider and registrar of the desired Whois changes, the domain name would be unlocked, and the proceedings dismissed without prejudice.

Thank you for your consideration of the above suggestions; please do not hesitate to contact us if we can be of further assistance.

Yours sincerely,

/s/

Nick Wood  
Managing Director  
Com Laude