**Goal:** Create a minimum standard of legal criteria for granting IGO-INGO Identifier Protections that is objective, verifiable, and measureable that could be used in case the group ultimately recommends such Protections.

**Working Qualification Criteria Proposals:**

***Model Alpha/Bravo:***

The goal is to protect organizations that are international in scope and operations, that serve the global public interest, and whose primary mission is of such public importance that they receive multilateral or multinational recognition and some form of special protection for their names and acronyms can be justified.

Meeting the following criteria is deemed to be sufficient evidence of the above requirements for an organization to be eligible for protections. The protection encompasses the name and the acronym of the respective organization as well as designations that - as the case may be - are explicitly mentioned in a treaty as a protected designation.

* + International in scope and operations, and
	+ Primary mission of such importance to the public interest
	+ That it receives multilateral or multinational protection,   such as:
		- Protection by treaty; or
		- Protection in multiple national jurisdictions; or
		- Inclusion in the Ecosoc list;
	+ And that some form of special protection for its name and acronym can be justified.

***Model Charlie:***

* The organization, its names, acronyms and (where applicable) its designation are protected by an international treaty; or
* The organization, its names, acronyms and (where applicable) its designation are protected by national laws in multiple jurisdictions, and its organizational mission is recognized through inclusion on the ECOSOC list of general consultative NGOs (or similar list).

***Model Delta:***

* Being on the list is only 1 criteria, just like having a treaty is just one criteria. The need to prove service to the public interest is another requirement beyond that. That is why I think the criteria for Group Alef should be something like:
* Pick one of:
	+ Treaty
	+ .int list
	+ ECOSOC general consultative list
	+ maybe some other list yet to be discovered
* + Pick one of:
	+ Have protective laws in at least 25 nations
	+ Have protective laws in at 3 countries in 4/5 UN regions
	+ Be doing the work of the global public Interest (or put as admission criteria - Score at least XX points in a global public interest qualification test set up by ICANN based on this group's recommendations)

**QC Framework History:**

* *Model Alpha: (REVISED TO ALPHA/BRAVO 11 MAR 2013)*
* Organizations that serve the global public interest, that are international in scope and operations, and whose primary mission is of such public importance that some form of special protection for its name and acronym can be justified.
* Meeting two of the following criteria is deemed to be sufficient evidence of the above requirements for an organization to be eligible for protections. The protection encompasses the name and the acronym of the respective organization as well as designations that - as the case may be - are explicitly mentioned in a treaty as a protected designation.
	+ Protection by treaty
	+ Protection in multiple national jurisdictions (either by virtue of a specific law or treaty protection that is enforceable in a multiple jurisdictions without the requirement of a specific enactment
	+ Mission serving the global public interest
	+ inclusion in the Ecosoc list
* *Model Bravo: (REVISED TO ALPHA/BRAVO 11 MAR 2013)*
	+ striving to get to is a minimum standard to qualify for special protections (of whatever nature), and that many of those that have been suggested already, e.g. treaties, national laws, organizational mandates etc., are a form of proxy for the vague concept that:
	+ "an organization [must] be
		- * international in scope and operations, and
			* its primary mission be of such public importance
			* that it receives multilateral or multinational protection beyond ordinary trademark laws, and
			* that some form of special protection for its name and acronym can be justified."
* Avri Doria (6 MAR 2013) *(POSTED AS DELTA 11 MAR 2013)*
	+ Being on the list is only 1 criteria, just like having a treaty is just one criteria. The need to prove service to the public interest is another requirement beyond that. That is why I think the criteria for Group Alef should be something like:
	+ Pick one of:
		- Treaty
		- .int list
		- ECOSOC general consultative list
		- maybe some other list yet to be discovered
	+ + Pick one of:
		- Have protective laws in at least 25 nations
		- Have protective laws in at 3 countries in 4/5 UN regions
		- Be doing the work of the global public Interest (or put as admission criteria - Score at least XX points in a global public interest qualification test set up by ICANN based on this group's recommendations)
* Claudia MacMaster Tamarit (27 FEB 2013)
	+ [General Consultative Status with the UN ECOSOC](http://esango.un.org/paperless/Web?page=static&content=intro); Apparently to be eligible for consultative status
		- an NGO must have been in existence (officially registered with the appropriate government authorities as an NGO/non-profit) for at least two years;
		- must have an established headquarters;
		- a democratically adopted constitution;
		- authority to speak for its members;
		- a representative structure;
		- appropriate mechanisms of accountability; and,
		- democratic and transparent decision-making processes;
		- The basic resources of the organization must be derived in the main part from contributions of the national affiliates or other components or from individual members.
* Jim Bikoff (26 FEB 2013)
	+ "an organization [must] be
		- international in scope and operations, and
		- its primary mission be of such public importance
		- that it receives multilateral or multinational protection beyond ordinary trademark laws, and
		- that some form of special protection for its name and acronym can be justified."
* Mary Wong (13 FEB 2013)
	+ "an organization be
		- international in scope and operations, and
		- its primary mission be of such public importance
		- that some form of special protection for its name and acronym can be justified." [bullets added.]
* NCSG Input Statement (11 FEB 2013)
	+ Those groups who are not able to protect their interest via existing measures because they lack legal protections, but are otherwise legitimately entitled to preference over all other users of a tld could be granted privileges to correct the gap in protection. In short, only where there has been shown to be a gap in existing protection mechanisms should additional privileges be considered.
	+ There may be some groups who have a signficant presence on the Internet and have direct contact with the public for fundraising purposes and are not afforded trademark protection for the use of their names. It is in those cases, the WG should consider in detail to ascertain who has legitimate rights but is not able to effectuate those rights given existing RPMs.
* Thomas Rickert (7 FEB 2013)
	+ Option A: Protection of a name or an organization by virtue of an international treaty AND protection in multiple jurisdictions. (*large support for option A via list*)
	+ Option B: The existence of a name, acronym or designation by virtue of an international treaty AND the requirement of the organization to be mandated to work in the global public interest. (Note: It was proposed that the global public interest can be shown by existing protection under multiple national laws).
* Claudia MacMaster Tamarit (30 JAN 2013)
	+ Existence of national laws or treaties that prohibit the unauthorized use of the words/designations in question;
	+ Status of the international organization as a non-profit institution;
	+ Membership (number of member countries in the international organization, including percentage of governmental/public members) to be weighed as a part of a multi-factored analysis where numbers may be considered flexible benchmarks, e.g., over 50 countries or representational 25% of the world's population, etc.);
	+ Organizational mandate for international public service (e.g., Statutes, Bylaws, Treaty, etc.);
	+ Work/serve on international level: Number of countries in which the international organization has operations or provides services and/or products; Nature and extent of collaborations with governments and other international organizations (again, to be weighed in a multi-factored analysis);
	+ Engage individuals globally: Nature and impact of work, services and/or products on an international level in regards to communities, industries, etc.
* IOC (30 JAN 2013)
	+ National laws and/or treaties that prohibit the unauthorized use of the words/designations in question
	+ Not-for-profit status
* Claudia MacMaster Tamarit (23 JAN 2013)
	+ Membership (e.g., 1+ country represented)
	+ Organizational mandate to serve the international public good (e.g., Statutes, Bylaws, Treaty, etc.)
	+ Character string to be protected is already protected in law (e.g., trademark law, Article 6ter)
	+ Non-profit status
	+ Work/serve on international level (e.g., 1+ countries or 1+ international organization)
	+ Engage individuals globally (e.g., involving persons from 1+ country)
	+ Internet presence (e.g., at least 1 domain name)
* RySG Input Statement (20 JAN 2013)
	+ The RySG supports the limited recommendations of the Drafting Team. Beyond those recommendations, “Special Protections” are inappropriate for any select group of entities, in light of the Rights Protection Mechanisms that are available (or could be made available with suitable amendments) to all users of the DNS. Special Protections would be an infringement of domain name registrants’ ability to use the recognized identifier capabilities of the DNS to express ideas and opinions.
	+ The RySG is waiting for the advice of the ICANN General Counsel’s office on this question. While ICANN, like any corporation, is subject to International Treaties and Domestic Laws, the RySG is not aware of any demonstration of the applicability of such International Treaties or Domestic Laws to the DNS and the ICANN procedures governing registration of domain names. The protection afforded by the treaties and laws relates to trademark uses, as opposed to domain name registration. The RySG does not believe that the treaties or laws would form an objective basis for Special Protections.
* ISPCP Input Statement (17 JAN 2013)
	+ We propose that all IGO (International Governmental Organizations) that were created under an international treaty that was ratified by more than a sufficient number of countries (perhaps more than 10) should be considered. There is a list of IGOs in the Paris Convention for Protection of Industrial Property, Art. 6ter, that could be used for reference.
	+ With regards to INGO (International Non-Governmental Organizations) the situation is not so clear. Some of these organizations are protected under international treaties others are declare international organization by just one government. In view of this we sugest that only those INGOs protected by treaties signed by a sufficient number of countries (10?) should be granted protection at the first and second level.
* Alain Berranger (16 JAN 2013)
	+ "Possess a justified and documented International Legal Personality"
		- proposal is for Qualification No. 3 ONLY as Qualification No. 1 (and 2) would exclude truly international organizations that are not established by treaty
* ALAC Input Statement (15 JAN 2013)
* The criteria which are relevant to the ALAC are:
	+ The organization must be able to demonstrate that they have been subject to harms due to bad-faith attempts to use their names at the 2nd level in existing TLDs;
	+ The organization must demonstrate that substantive harm to the public interest if their names are not protected in the future.
	+ Organizations that could meet the second criteria would need to demonstrate that they are:
		- Not for profit
		- International in scope (perhaps with some pre-defined number of countries involved)
		- Perhaps they or their national arms are recognized as a charity by N governments
		- Have a record of humanitarian or socially beneficial activities
		- Have a track record of using xx% (or some similar measure) of its funds for above activities
		- Have significant end-user fundraising or other user engagement in its Internet activities or can otherwise demonstrate the harms if other entities masquerade as the IGO/INGO.
* Claudia MacMaster Tamarit (19 DEC 2012)
	+ Summarized Qualification Criteria;
		- Structure. Special international nature/composition
			* Membership composition (countries/governments represented/involved);
			* Protection/creation by Treaty, including use of .int;
			* Protection/recognition by National Laws, including non-profit status;
			* Years in existence;
		- Work. International scope/impact of work for public good
			* Work in/ provides service to a number of countries;
			* Recognized relationships with/ services to countries, IGOS and INGOs;
			* Recognized relationships with/ services to the public/individuals;
		- Harm. Risk/scope of harm in domain name abuse
			* Recognition/use of names/acronyms/designations;
			* Extent of existing and future abusive domain name registrations, including recognizing ad hoc domain name uses;
			* Organization can use RPMs.
* Claudia MacMaster Tamarit (18 DEC 2012)
	+ Number of member countries in the international organization;
	+ Percentage of governmental or public members in the international organization;
	+ Number of countries in which the international organization has operations or provides services and/or products;
	+ Nature and impact of work, services and/or products on an international level;
	+ Nature and extent of collaborations with governments and other international organizations;
	+ Status of international organization under international and/or domestic law;
	+ Duration of international organization’s existence;
	+ Status of the international organization as a non-profit institution and/or operating in the public interest;
	+ Recognition/use of name or acronym with/by the international organization;
	+ Number and extent of existing abusive domain name registrations relating to the name or acronym.
* Evan Liebovitch (18 DEC 2012)
	+ What is the charitable status of the organization in the countries in which it operates?
	+ What is the current incidence of fraudulent or misleading domains related to the organization?
	+ Does the organization work and communicate directly to the public, or rather through affiliates, governments and partners?
	+ Does the organization, or its subsidiaries, engage in ad-hoc domain creation to deal with unforeseen needs (ie, disaster relief)
	+ Does the organization currently use a domain under .int?
* From the Work Package Spreadsheet:
	+ Protection by treaty
	+ Protection by national law
	+ Protection in 30 jurisdictions required
	+ Recognized relationships with countries, IGOs and INGOs
	+ Work in/provides services to a number of countries
	+ Recognized relationships with/services to the public/individuals
	+ Organizations serve a public good
	+ Organization can use RPMs
	+ What is the charitable status of the organization in the countries in which it operates?
	+ Does the organization work and communicate directly to the public, or rather through affiliates, governments and partners?
	+ Membership Composition
	+ Years in Existence
* From the IGO-INGO Final Issue Report, **GAC Proposal**:
	+ the criteria that the GAC established for proposing special protection for the RCRC and IOC, i.e. non-profit, humanitarian organizations whose names are currently protected by existing international treaties and national laws in multiple jurisdictions.
* From the IGO-INGO Final Issue Report, **.INT Criteria: the criteria for an international organization to register a .INT domain name:**
	+ an international treaty between or among national governments must have established the organization; and
	+ the organization that is established must be widely considered to have independent international legal personality and must be the subject of and governed by international law;
* From the IGO-INGO Final Issue Report, **Staff Proposal in Preliminary Issue Report**:
	+ the duration of an international organization’s existence;
	+ the number of member states in the international organization;
	+ how frequently its symbols and names are utilized in public media;
	+ the number of countries in which the international organization has offices and operations.
* From the IGO-INGO Final Issue Report, **IGO Commentator Proposal**:
	+ the status of the organizations under public international law;
	+ privileges and immunities enjoyed by the organizations;
	+ the principle source of financing for those organizations;
	+ the protection of common goods including market principles, the rule of law, and freedom of expression.
* From the IGO-INGO Final Issue Report, **Staff Singapore Proposal**:
	+ The Board Workshop Paper in support of the Singapore Resolution included the following set of criteria:
		- The Movement or Organization requesting that one or more of its Intellectual Properties (“Properties”) be place on the Reserved Names list must have been well established long before (such as 50 or 100 years) the new gTLD policy was adopted by the Board on 26 June 2008.
		- The names are widely recognized and closely associated with the Movement or Organization.
		- One or more Properties of the Movement or Organization must be protected by legislation in at least 30 countries, on at least four continents.
		- One or more Properties of the Movement or Organization must be protected by one or more treaties adopted by at least 60 countries.
		- The Movement or Organization must be a non-profit institution (or the equivalent) operating in the public interest and the reservations of names must serve the public interest.
	+ GAC advice must have been received indicating the GAC’s strong support for the Movement’s or Organization’s request to have one or more of its Properties placed on a Reserved Names list.