

# **International Non-Governmental Organizations Minority Position on the Protection of IGO and INGO Identifiers in All gTLDs Policy Development Process**

## **STATUS OF THIS DOCUMENT**

This is the Minority Position Statement for Final Report on the Protection of IGO and INGO Identifiers in all gTLDs, prepared by International Non-Governmental Organizations (INGOs).

## **International Organization for Standardization (ISO) & International Electrotechnical Commission (IEC) (INGOs):**

### Joint ISO-IEC Statement on the Final Report on the Protection of IGO and INGO Identifiers in All gTLDs Policy Development Process (Final Report)

This serves as a joint Statement on behalf of the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) with respect to the Final Report. ISO and IEC are non-profit international non-governmental organizations (INGOs) that develop and publish international standards. Our respective national members represent standardization efforts in over 150 countries and we have published thousands of international standards used on a worldwide basis.

Our standards aim to level the playing field for developing countries, facilitate free and fair global trade, and help companies to access new markets. They also help to ensure that products and services are safe, reliable and of good quality.

From the beginning of our participation in the IGO-INGO Working Group, we have advocated for not only INGOs but all international organizations that face the almost certain risk of increased abuse of their names/acronyms as more top-level domains enter the domain name system.

We cannot overemphasize that non-profit INGOs with global public missions are particularly vulnerable when it comes to facing this mounting risk of cybersquatting. This is because INGOs often lack the mandate, funds, expertise and resources to do so. And when they do, the fight can come at the cost of diverting (often public) resources away from serving the global community, including helping to make technology and communication, the Internet and the domain name system easier and safer for all to use.

When discussing the need for special protections for the names/acronyms of international organizations in top and second-level domains, we should not ignore INGOs.

#### 1. Universal Objective Criteria.

From the start of the Working Group's deliberations, we have emphasized the importance of finding one set of objective criteria for granting international organizations special protection. We were concerned that otherwise, tailor-made qualification criteria would effectively match certain *organizations* instead of describing the select *category* of international organizations that should be granted special protection based on the legal and policy rationale for doing so.

The current Recommendations however split international organizations into two categories and set apart two specific international organizations. We do not support this distinction.

To be clear, we support a set of universal objective criteria for all international organizations that would receive special protection in second and top level domains.

#### 2. INGO Recommendations.

Absent a set of universal objective criteria, in the first place, we continue to support the criteria proposed by ISO and IEC as it appeared in the "Initial Report on Protection of IGO and INGO Identifiers in All gTLDs" of June 14, 2013, and as it appears in the Final Report

The INGO Qualification Criteria follow;

- i. The INGO benefits from some privileges, immunities or other protections in law on the basis of the INGO's proven (quasi-governmental) international status;
- ii. The INGO enjoys existing legal protection (including trademark protection) for its name/acronym in over 50+ countries or in three (of five) ICANN regions or alternatively using a percentage: more than 50%;
- iii. The INGO engages in recognized global public work shown by;
  - a. inclusion on the General Consultative Status of the UN ECOSOC list, or
  - b. membership of 50+ national representative entities, which themselves are governmental/public agencies or non-governmental organizations that each fully and solely represent their respective national interests in the INGO's work and governance.

The relevant Final Report Recommendations rely on reference to the United Nations Economic and Social Council's (ECOSOC) list of non-governmental organizations in consultative status with the ECOSOC.

While we believe this list is neither as narrowly tailored nor as flexible as the proposed ISO-IEC criteria, we do believe that it provides a way forward for granting protection of INGO names in second and top level domains.

As such, we fully support the current Recommendations for special protections of INGO names and acronyms as was originally shown in our response to the Consensus Call.

### 3. Recommendations Not Receiving Support for All Organizations.

We strongly oppose any recommendation to block the acronyms of international organizations, or to place any permissions-based or inappropriate and burdensome delays or process on the application and registration of acronyms as second or first top level domains by trademark owners of such acronyms.

See [Letter from Mr. Rob Steele to Dr. Stephen D. Crocker of May 13, 2013](#). And subsequent request from the International Sugar Organization to change its GAC-provided acronym "ISO" to "ISOSUGAR" for these protections, [Letter from James Lowe to Steve Crocker and Fadi Chehadé of May 29, 2013](#).

Respectfully submitted,

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