



15th July 2011

MARQUES comments on the “Preliminary GNSO Issue Report on the Current State of the Uniform Dispute Resolution Policy”.

About **MARQUES**

MARQUES is the Association of European Trade Mark Owners, representing the brand owners' interests worldwide in the protection, utilisation and enforcement of trademarks, as well as of designs and the other relevant IP rights, as essential elements of commerce. Its current membership crosses all industry lines in 84 countries. The brand owners represented in the Association together own more than two million domain names (a conservative estimate). These domain names are relied upon by consumers across Europe as signposts of genuine goods and services.

An important objective of **MARQUES** is to safeguard the interests of the public by ensuring the proper protection of trademarks and of any IP rights in general, and to safeguard the interests of right holders with regard to the regime of IPR protection. **MARQUES** attempts to achieve this objective by advancing the cause of the trade mark and IPR laws which protect the public from deception and confusion.

Comments

MARQUES believes that there should be no review of the UDRP at this time.

In this belief, **MARQUES** stands in line with many others in the ICANN community. When the new gTLD process was advanced in 2008 by the GNSO, concerns were raised by **MARQUES** and many other interest representative organisations and corporations about the protection of intellectual property. The success of the UDRP as a proven tool for combating bad faith registration was given as a reason for the advancement of the new gTLD process. Any move to review the UDRP at this stage would therefore undermine the basis for the new gTLD programme. IP owners need consistency during this period of change. **MARQUES** believes that there should be no review of the UDRP until at least two years after the launch of the new gTLDs when both procedural and policy issues can be considered alongside the new measures to protect IP that will be introduced, including the URS and the IP Claims process.

MARQUES is grateful for the opportunity given to submit these comments and in addition thanks the ICANN Board and staff for the work on the New gTLD programme.

Respectfully submitted,

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