

The International Anti-Counterfeiting Coalition (the “IACC”) welcomes this opportunity to comment on the Draft Uniform Rapid Suspension Systems (“URS”) as part of ICANN’s expansion of the Generic Top-Level Domain (gTLD) space.

The IACC is the world’s oldest and largest organization representing exclusively the interests of companies concerned with trademark counterfeiting and copyright piracy. Our members consist of over 200 corporations, trade associations, and professional firms and represent total annual revenues of approximately \$750 billion. Our brand and copyright owner members represent a broad cross-section of industries, and include many of the world’s best known companies in the apparel, automotive, consumer goods, entertainment, pharmaceutical, and other product sectors. The IACC is committed to working with government and industry partners in the United States and elsewhere, to strengthen IP protection by encouraging improvements in the law and the allocation of greater political priority and resources, as well as by raising awareness regarding the enormous—and growing—harm caused by IP violations.

While the URS appears to provide a cost-effective and expedited approach for addressing clear cut trademark abuse, we are concerned that the remedies only allow for the suspension of the domain for the balance of the registration period or for the ability to register the domain for an additional year with ownership to remain under the original Registrant.

In addition to these remedies, we would also ask that an option for the transfer of domains be allowed in cases where determination is in favor of the Complainant. Our concern is that domains suspended under the URS will be registered again when they become available resulting in a never-ending cycle of domain name watching and suspending.

We are also concerned that Registrants have the ability to respond to default cases for a period of up to two years after a ruling in favor of the Complainant. The continual tracking and management of these default cases for a period of up to two years will be burdensome for corporate legal departments and directly conflicts with the URS’s intended cost-effective and expedited approach. Consequently, we ask that the period be shortened from two years down to the shorter of 90 days or the expiration of the domain.

In summary, we urge ICANN to reconsider the proposed remedies for the URS and to allow for a transfer option. We also ask that the amount of time Registrants have to respond to default judgments in favor of the Complainant be decreased to the shorter of 90 days or the expiration of the domain.