



**Etienne Sanz de Acedo**  
*Chief Executive Officer*

655 Third Avenue, 10th Floor, New York, NY 10017-5646, USA  
t: +1-212-642-1776 | f: +1-212-768-7796  
inta.org | esanzdeacedo@inta.org

Submitted to: comments-proposed-aoc-org-reviews-process-15may15@icann.org

July 2, 2015

Ms. Larisa Gurnick  
Director, Strategic Initiatives  
ICANN  
12025 Waterfront Drive, Suite 300  
Los Angeles, CA 90094-2536

Re: Proposed Schedule and Process/Operational Improvements for AoC and  
Organizational Reviews

Dear Ms. Gurnick:

The International Trademark Association (INTA) is pleased to submit the attached comments on the Proposed Schedule and Process/Operational Improvements for AoC and Organizational Reviews for ICANN's consideration. We very much appreciate the opportunity to submit these comments—particularly at this critical time for ICANN and the Internet Community as a whole.

INTA respectfully notes that the AoC is a critical aspect of ICANN's internal accountability measures and that this review process is of the utmost importance to the maintaining the AoC. As such, we believe that the review process set forth herein and these comments are very timely and we respectfully request your consideration of our comments. Should you have any questions about our comments, I invite you to contact Lori Schulman, INTA's Senior Director of Internet Policy at 202-261-6588 or at [lschulman@inta.org](mailto:lschulman@inta.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Etienne Sanz de Acedo". The signature is fluid and cursive, with a long horizontal stroke at the end.

Etienne Sanz de Acedo

## Public Comment Input Template

The purpose of the [Public Comment posting](#) is to request community feedback on a proposed schedule and process, including operational improvements, for Reviews mandated by the Affirmation of Commitments (AoC Reviews) and the ICANN Bylaws (Organizational Reviews). The request for the community is based on both appreciating the community's workload and the timing of several Reviews in FY2016.

The following template has been developed to facilitate input to this Public Comment. Use of the template is encouraged, but not required. This template provides the opportunity for general input on the proposal as well as specific comments by section. Please note that there is no obligation to complete all of the sections – commenters may respond to as many or as few as they wish.

Following completion of the template, please save the document and submit it as an attachment to the Public Comment proceeding: [comments-proposed-aoc-org-reviews-process-15may15@icann.org](mailto:comments-proposed-aoc-org-reviews-process-15may15@icann.org)

- A. Please provide your name: **Lori Schulman, Senior Director, Internet Policy**
- B. Please provide your affiliation: **International Trademark Association (INTA)**
- C. Are you providing input on behalf of another entity (e.g. organization, company, government)? **Yes**
- D. If you answered 'yes' to the previous question, please list the entity on whose behalf you are submitting these comments: **INTA**

Please add your comments into the designated areas within the following document.

## Proposed Schedule and Process/Operational Improvements for AoC and Organizational Reviews

[The information below is the same as that contained in the [Public Comment posting](#) and is included in this document for your convenience.]

### BRIEF OVERVIEW

#### Purpose

The purpose of this Public Comment posting is to request community feedback on a proposed schedule and process, including operational improvements, for Reviews mandated by the Affirmation of Commitments (AoC Reviews) and the ICANN Bylaws (Organizational Reviews). The request for the community is based on both appreciating the community's workload and the timing of several Reviews in FY2016. Based on the terms of the Affirmation of Commitments (AoC) and ICANN Bylaws, seven Reviews are scheduled to take place in FY2016<sup>1</sup>, in addition to the finalization of the GNSO Review. Under the AoC, these Reviews would be: Security, Stability and Resiliency Review (SSR2); WHOIS Policy Review (WHOIS2); and Competition, Consumer Choice & Consumer Trust (CCT). Under bylaw mandated Organizational Reviews, these would be: At-Large2, NomCom2, SSAC2, and RSSAC2.

Specifically, three AoC Reviews and initial work on the At-Large Review are proposed for FY2016, and three Organizational Reviews would be deferred until FY2017. Timing for the Competition, Consumer Choice & Consumer Trust Review is not impacted by this proposal – this Review will commence as scheduled, with a call for volunteers in September 2015. In addition to suggesting an approach to adjusting the schedule to accommodate the workload for the community, several improvements are proposed to increase the efficiency and effectiveness of Reviews, per community suggestions.

Of note for this consultation is recognizing that the CCWG Accountability process is considering recommendations to include the AoC Reviews into the ICANN Bylaws, which may adjust the timing if needed.

ICANN is committed to fulfilling its obligations under the AoC and Bylaws, and stands ready to implement the mandated Review schedule, unless a suitable alternative is agreed upon with the Community. This public consultation and the proposed alternative schedule presented for consideration arises in large part after stakeholder requests for relief from the unplanned confluence of Reviews, as the large number of simultaneous Reviews will have significant impact on ICANN stakeholders' capacity as well as ICANN resources. While it is important to meet ICANN's commitments to fulfill accountability obligations, it is also important to be responsive to community's workload concerns.

The proposed timeline and process/operating improvements are all outlined in Section II below.

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<sup>1</sup> ICANN's FY2016 is 1 July 2015 – 30 June 2016

ICANN proposes a modified schedule for Reviews, along with several process/operational improvements designed to streamline the Review process to use volunteer time and ICANN resources more efficiently.

The Board will approve an updated Review schedule after community feedback, including any proposed alternatives, is considered.

Once adopted, this revised schedule will be implemented unless other processes underway affect it, such as those emerging from the IANA Stewardship Transition discussions and Enhancing ICANN Accountability work. Any changes resulting from those processes will be integrated into this work, as appropriate.

## **DETAILED INFORMATION**

### **Section I: Description, Explanation, and Purpose**

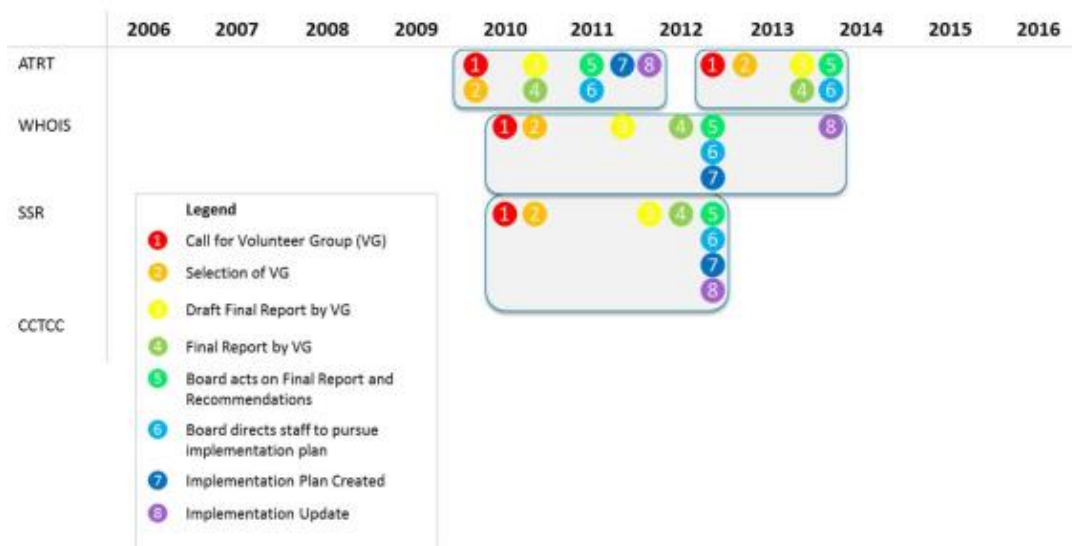
Community discussions on Review schedules yielded requests for a new proposed schedule. Additionally, analysis is underway of lessons learned from prior AoC and Organizational Reviews and implementation of ATRT2 recommendation 11 (addressing effectiveness of AoC Reviews) is progressing. All of this provides the basis for Staff recommendations on proposed timing of Reviews and process/operational improvements, with the goal of achieving greater efficiency (including cost savings) and effectiveness of Reviews, while ensuring that ICANN continues to fulfil its commitments under the AoC and Bylaws.

### **Section II: Background and Proposal**

#### **BACKGROUND – AOC REVIEWS**

The Affirmation of Commitments ([AoC](#); Section 9) calls for ICANN to organize Reviews of its execution of its commitments every three years, but does not include details on timing (three years from ... Convening the Review? Completing the Review? Board action on the Review?) The Second Accountability and Transparency Review Team (ATRT2) issued a recommendation (#11) to improve AoC Reviews. Implementation of this recommendation includes establishing an improved process and appropriate schedule for AoC Reviews.

The language of the AoC pertaining to the timing of the Reviews is vague, resulting in several potential interpretations. The four completed AoC Reviews—two Accountability and Transparency Reviews (ATRT 1 and ATRT2) and one each for Security, Stability and Resiliency (SSR) and WHOIS—provide valuable lessons and opportunities to streamline future Reviews to accomplish a predictable, efficient and effective Review process.

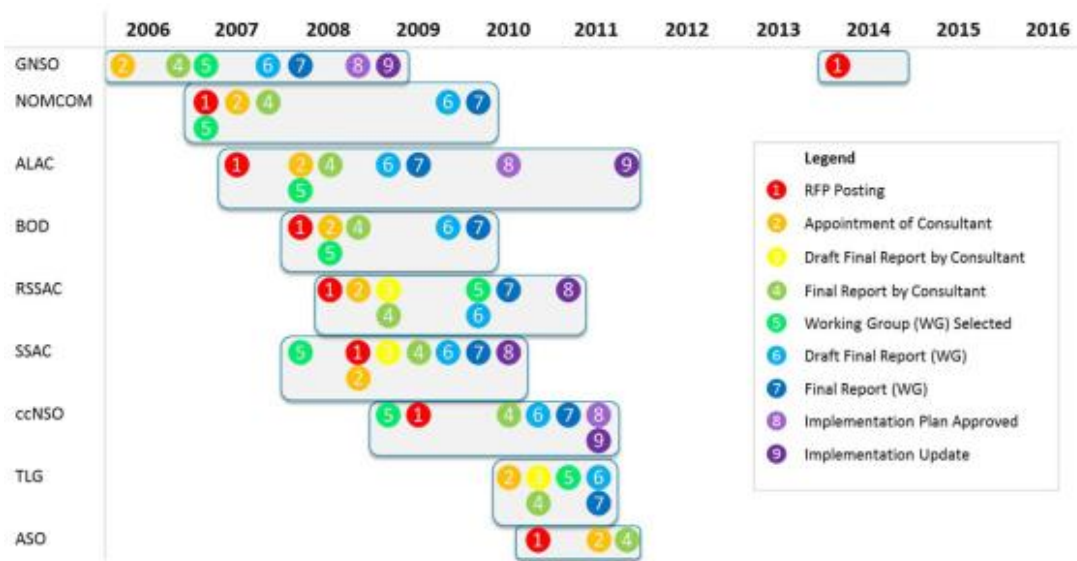


Both ATRT1 and ATRT2 were completed in one calendar year. The AoC mandated this schedule for ATRT1, but ATRT2 had no deadline requirement. ATRT2 started approximately two years after ATRT1 was convened. This limited the time for implementing ATRT1 recommendations approved by the Board and incorporating the improvements into standard operating processes prior to convening ATRT2 to review the effectiveness of the implementation activities stemming from ATRT1 and conduct their Review.

The first cycle of SSR and WHOIS Reviews revealed that assembling qualified volunteer team members and conducting the Review took considerably longer for these Reviews than ATRT 1 & 2 (4 months to assemble qualified volunteer team members and in excess of 1.5 years to conclude the Review). After the 6 months needed for the Board to assess and act on recommendations (as required under the AoC), that meant that full-scale implementation efforts of the SSR and WHOIS Reviews did not even begin until 2 years after each of the Reviews convened. Recommendations from all AoC Reviews have varied implementation timeframes and many proposed improvements require three years or more to complete, particularly within the SSR and WHOIS Reviews. The shorter the time between Reviews, the more limitations this puts on the subsequent Review teams' ability to assess the effectiveness of prior teams' improvements, as called for by the AoC.

## BACKGROUND – ORGANIZATIONAL REVIEWS

ICANN’s [Bylaws](#) call for the periodic Review of ICANN SOs and ACs. The Board’s Structural Improvements Committee (SIC) provides oversight for these Reviews and for improving this process. Article IV, Section 4 of ICANN’s Bylaws states: “The Board shall cause a periodic review of the performance and operation of each Supporting Organization, each Supporting Organization Council, each Advisory Committee (other than the Government Advisory Committee), and the Nominating Committee by an entity or entities independent of the organization under review. The goal of the review, to be undertaken pursuant to such criteria and standards as the Board shall direct, shall be to determine (i) whether that organization has a continuing purpose in the ICANN structure, and (ii) if so, whether any change in structure or operations is desirable to improve its effectiveness. These periodic reviews shall be conducted no less frequently than every five years, based on feasibility as determined by the Board. Each five-year cycle will be computed from the moment of the reception by the Board of the final report of the relevant review Working Group.”



## PROPOSED SCHEDULE

**1. Three AoC Reviews and initial work on the At-Large Review are proposed for FY2016, and three Organizational Reviews would be deferred until FY2017. Timing for the Competition, Consumer Choice & Consumer Trust Review is not impacted by this proposal. The proposed schedule for AoC Reviews strives to clarify the starting point for the next cycle of Reviews, includes sufficient time for planning and organizing of Reviews, and reflects a more focused Review scope (discussed below). This public consultation recognizes that the CCWG on Accountability is considering incorporating the AoC Reviews into the ICANN Bylaws, and any output of the CCWG Accountability recommendations will be factored into this timeline, if**

**the immediate set of Reviews is affected. For Organizational Reviews, the NomCom2, RSSAC2 and SSAC2 Reviews would be deferred for one year, until FY2017.**

**AoC Reviews** – Three AoC Reviews are scheduled to commence in late 2015. Note that this proposal does not defer the commencement of any of these three AoC Reviews, as these Reviews are considered to be key accountability mechanisms that will continue to be prioritized. However, should the CCWG Accountability process recommend adjustments to these AoC Reviews, this will be factored in.

As previously [discussed with the community](#), AoC Reviews would start three years after the date of Board action on the previous Review recommendations (SSR – [18 October 2012](#); WHOIS – [8 November 2012](#)). ICANN therefore would prepare for and begin SSR2 and WHOIS2 Reviews in late 2015, implementing a tightly scoped approach in combination with process/operational improvements outlined below. Note that the Competition, Consumer Choice and Trust (CCT) Review will launch as planned in September 2015 and is not deferred through this proposed schedule.

ID	Review	Task Name	Start	Finish	Q1 15			Q2 15			Q3 15			Q4 15			Q1 16			Q2 16			Q3 16			Q4 16			Q1 17			Q2 17								
					Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun						
1	SSR2	Appoint RT Volunteers	9/30/2015	12/30/2015																																				
2	SSR2	Plan Review	12/31/2015	2/29/2016																																				
3	SSR2	Conduct Review	3/1/2016	3/1/2017																																				
4	SSR2	Prepare for Board Action	3/2/2017	8/30/2017																																				
5	SSR2	Implementation	8/31/2017	8/29/2018																																				
6	WHOIS2	Appoint RT Volunteers	9/30/2015	12/30/2015																																				
7	WHOIS2	Plan Review	12/31/2015	2/29/2016																																				
8	WHOIS2	Conduct Review	3/1/2016	3/1/2017																																				
9	WHOIS2	Prepare for Board Action	3/2/2017	8/30/2017																																				
10	WHOIS2	Implementation	8/31/2017	8/29/2018																																				
11	CCT	Appoint RT Volunteers	9/30/2015	12/30/2015																																				
12	CCT	Plan Review	12/31/2015	2/29/2016																																				
13	CCT	Conduct Review	3/1/2016	3/1/2017																																				
14	CCT	Prepare for Board Action	3/2/2017	8/30/2017																																				
15	CCT	Implementation	8/31/2017	8/29/2018																																				

Under the proposed schedule, the three AoC Reviews (SSR2, WHOIS2 and CCT) would be conducted concurrently, starting with the preparatory phases (appointing volunteers and planning the Review) in September 2015. It is anticipated that the Review teams would be appointed and initial planning work done within five months, with the substantive work of the Review teams beginning in March 2016 and lasting for one year.

**COMMENT: Please provide your comments on the proposed AoC Review schedule, under which three AoC Reviews would be conducted concurrently.**

**INTA believes that the current schedule is not realistic or optimal. The large number of simultaneous reviews will have significant negative impacts on ICANN stakeholders’ capacity, as well as ICANN resources. These reviews are too important to rush and the existing schedule will not allow sufficient time or resources to be dedicated to each of the**

reviews. While INTA agrees in principle with the proposal to alter the review schedule, we question whether conducting the three AoC reviews, along with the initial work on the At-Large Review, simultaneously during FY2016 will allow for full and engaged input from the community. INTA recommends that ICANN consider the possibility of staggering the start dates of each of the AoC reviews so they are not in the same phase simultaneously. A staggered schedule would allow for more stakeholders to participate, and be fully engaged in, each of the reviews. It will also alleviate negative impacts on ICANN resources. At the same time, INTA continues to recommend that the reviews in general occur every three years for at least two full cycles.

**Organizational Reviews** – Under the current schedule, the preparations for NomCom2 and SSAC2 Reviews would begin now, and the RSSAC2 Review preparations would begin in August 2015. Additionally, the GNSO2 Review, which began in June 2014, is scheduled to finalize in August 2015, with implementation work to follow. The At-Large 2 Review preparations have begun, in line with the current schedule, with the engagement of the independent examiner targeted for July 2015.

Under the proposed schedule, ICANN would prepare for and begin the At-Large2 Review under a slower schedule, implementing a self-assessment component and fine-tuning Review methodology/data collection for suitability to At-Large’s organization in FY2016, prior to engaging an independent examiner. The independent examiner would conduct the Review between April and December 2016. Lessons learned from the At-Large2 Review, and the GNSO2 Review and implementation, will inform planning for NomCom2, SSAC2 and RSSAC2. Planning for these Reviews would occur late in FY2016 and the Reviews would commence in FY2017.

ID	Review	Task Name	Start	Finish	Q1 15			Q2 15			Q3 15			Q4 15			Q1 16			Q2 16			Q3 16			Q4 16		
					Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	At-Large2	Plan Review	1/1/2015	4/30/2015	█																							
2	At-Large2	Conduct Self-Assessment	5/1/2015	10/30/2015				█																				
3	At-Large2	Conduct Competitive Bidding	11/2/2015	4/1/2016							█																	
4	At-Large2	Conduct Review	4/4/2016	1/3/2017										█														
5	At-Large2	Plan Implementation	1/4/2017	7/5/2017																								
6	At-Large2	Implement Improvements	7/6/2017	1/3/2018																								
7	GNSO2	Conduct Review	7/1/2014	8/31/2015	█																							
8	GNSO2	Plan Implementation	9/1/2015	2/29/2016							█																	
9	GNSO2	Implement Improvements	3/1/2016	2/28/2017										█														
10	NomCom2	Plan Review	4/1/2016	9/29/2016													█											
11	RSSAC2	Plan Review	5/2/2016	10/31/2016																█								
12	SSAC2	Plan Review	6/1/2016	11/29/2016																			█					

**COMMENT: Please provide your comments on the proposed Organizational Review schedule, which calls for the At-Large2 Review to proceed based on a slower schedule and NomCom 2, RSSAC2 and SSAC2 to commence in FY2017.**



**INTA agrees with the proposal to conduct the At-Large2 Review on a slower schedule and to defer the start of the NomCom2, SSAC2 and RSSAC2 reviews until FY2017. The proposed schedule will allow for greater engagement in these reviews by the community, particularly if those parties are focused on the AoC reviews during FY2016. The proposed schedule will also allow for information obtained from the At-Large2 and GNSO2 Reviews to be applied to the planning and conducting of the NomCom2, SSAC2 and RSSAC2 reviews.**

## **PROPOSED PROCESS/OPERATIONAL IMPROVEMENTS**

### **2. *Use planning and project management tools for AoC Reviews, including clear and focused Review scope, consistent budgeting, and cost tracking.***

The proposed improvement is for the Review approach to apply good practices used to conduct performance assessments for broadly similar organizations. Key recommended enhancements:

- Develop a clear and focused Review scope during the planning phase, which will serve to improve planning and budgeting of volunteer time and ICANN resources.
- Provide consistent budgeting, cost tracking, and standardization of budget scope.
- Develop useful tools to serve as guidance to ease the burden for each Review team and for improved consistency between Reviews, for example sample project plans, timelines, checklists and templates.

Key drivers of cost of AoC Reviews are: number of volunteers, number of in-person meetings, scope/conduct of Review, duration of Review, and whether independent consultants are engaged to assist the Review teams. In the past, concrete information for the above-mentioned drivers of cost had not become available until the Review team began its work. This has typically occurred too late to be considered in the annual budget process, creating a gap between budgeted resources and specific Review needs. The proposed process improvement for a clear and focused Review scope will address this gap by enabling a “standard” budget allocation and consistent budgeting and subsequent cost tracking. As recommended by ATRT2, procedures are being developed/incorporated into the next Review process to provide the Review teams with clearly articulated Review budget and assumptions at the start. Throughout the Review, there will be periodic reporting on the progress relative to planned schedule and budget. The clear and focused Review scope also is expected to assist the Review teams with prioritization of recommendations in order to optimize the finite ICANN resources (time and budget).

**COMMENT: Please provide your comments on the proposal to apply planning and project management tools to Reviews.**

**INTA agrees on the need to develop a clear and focused Review scope during the planning phase in order to improve planning and budgeting of volunteer time and ICANN resources. However, INTA believes that ICANN resources would be maximized if most of the Review**

meetings were held virtually or allowed for remote participation. Through virtual or remote participation reviews, INTA believes that ICANN would make the most of its budget since every volunteer would “absorb” the cost associated with his/her own work. Moreover, the Review terms would be shorter since, through virtual meetings, travel time is eliminated and time is more efficiently used.

3. ***Streamline AoC Review teams and Review duration.***

The proposed improvements strive to ensure that volunteers’ skills and expertise are well aligned with the requirements for a given Review. It is suggested that the membership is aligned to the needs of each Review based on the scope, with an eye toward smaller and more focused teams. In order to provide volunteers with a realistic forecast of the length of their expected service, a clear and focused Review scope developed during the planning phase and useful tools applied throughout the Review are recommended. Anticipated schedule, milestones and time commitment would be published as part of the call for volunteers. Duration of AoC Reviews would be reduced, based on improved planning, focused scope, prioritization of recommendations, availability of Review guidance materials and timely, detailed reporting on implementation progress. A template project plan, including major phases of work and milestones, is recommended to be used as a tool to be tailored for each Review, in order to determine realistic duration. Note that the past AoC Reviews have lasted between 12 and 20 months.

The recommended changes suggest modified terms of service for the Review teams, so they can answer questions about the intent and implementation of their recommendations. The benefit would be a more efficient implementation process. Under this proposal, the Review team would remain active until implementation planning is complete, as compared to the current practice of Review teams concluding their term upon delivery of their final report.



**COMMENT: Please provide your comments on the proposal to streamline AoC Review teams and Review durations.**

INTA believes that it is paramount to streamline AoC Review terms and durations whenever possible and without unduly rushing the process as we have noted above.

**4. Focus each Organizational Review on operational effectiveness and include self-assessments and focused preparatory actions by the organization under Review.**

The ICANN Bylaws mandate that *“The Board shall cause a periodic review of the performance and operation of each Supporting Organization, each Supporting Organization Council, each Advisory Committee (other than the Governmental Advisory Committee), and the Nominating Committee by an entity or entities independent of the organization under review. The goal of the review, to be undertaken pursuant to such criteria and standards as the Board shall direct, shall be to determine (i) whether that organization has a continuing purpose in the ICANN structure, and (ii) if so, whether any change in structure or operations is desirable to improve its effectiveness.”*

The following improvements are proposed for Organizational Reviews:

- Identify an alternate process to assess whether a given ICANN organization has a continuing purpose (see below).
- Self-assessment by representatives of the entity under Review of how previous Review’s findings and recommendations have been addressed and whether the improvements have been effective.
- Preparatory actions designed to fine-tune Review methodology and data collection for suitability to the given entity, prior to the launch of competitive bidding process to select the independent examiner.
- Clarification that structural changes along with all other improvements resulting from the last Review cycle would be assessed as part of the operational effectiveness scope.
- Clarification that whether structural changes are needed and when such changes should be considered would be topics for discussion after the organizational Review is finalized.

Based on lessons learned from recent Reviews and in consideration of the adoption and implementation of ICANN’s Strategic Plan for FY16-FY20, the assessment of whether a given ICANN organization has a continuing purpose would be better served through means other than the periodic organizational Reviews (see below).

A standard part of any Review process is to begin with the assessment of how the previous Review’s findings and recommendations have been addressed and whether the improvements have been effective. Structural changes, along with all other improvements resulting from the last Review cycle, would be assessed as part of the operational effectiveness scope of the upcoming Review cycle. Such assessments conducted by the organization under review would be useful as a key input into the work of the independent examiner. Also useful would be for the organization under review to seek reasons why the implemented improvements may not have been as effective as intended. This process is well aligned with the notion of continuous improvement. Whether structural changes are needed and when such changes should be

considered would be topics for discussion after the organizational Review is finalized, possibly during the implementation planning, depending on the nature of findings and recommendations.

To improve the efficiency and effectiveness of Organizational Reviews further, it is proposed that representatives of the entity under review be involved in various preparatory actions designed to fine-tune Review methodology and data collection for suitability to the given entity and that this activity take place prior to the launch of the competitive bidding process to select the independent examiner. This approach is currently piloted for the At-Large Review with initial positive feedback.

**COMMENT: Please provide your comments on the proposal to focus each Organizational Review on operational effectiveness and include self-assessments and focused preparatory actions by the organization under review.**

**INTA supports proposals for improving the effectiveness and efficiency of the Organizational Reviews. Including self-assessments and preparatory work by the organization under review and considering previous Review findings, would appear to be worthwhile. However, any involvement by representatives of the organization under review should not replace or bias the work of the independent examiner. Otherwise, the integrity and independence of the review process could be comprised (or at least the implication of such could occur). Also, the proposal makes it somewhat unclear when and by whom structural changes to the organization under review would be assessed, considered and implemented within the scope of the operational effectiveness review and we recommend that this be clarified.**

***5. Consider establishing an alternate process (to Organizational Reviews) to examine strategic issues such as the continued purpose of organizations.***

The question of whether an ICANN organization has a continuing purpose in the ICANN structure aligns with long-range, strategic considerations that relate to all ICANN organizations, with important cross-organizational dependencies and relationships. With the ICANN Strategic Plan recently adopted by the Board, after an extensive bottom-up community led effort, it has been suggested that an alternative process be established to examine strategic issues, such as the continued purpose of ICANN organizations, in alignment with the strategic plan. Furthermore, the IANA Functions Stewardship Transition work and Enhancing ICANN Accountability proposals may have an impact on ICANN structure and organizations—this should be considered as an overarching (“meta”) topic. In conjunction with an alternative process to address strategic structural issues, Organizational Reviews would continue and would be more narrowly focused on questions of operational effectiveness.

**COMMENT: Please provide your comments on the proposal to focus Organizational Reviews on operational effectiveness [and to]\* consider establishing an alternate to examine strategic issues such as the continued purpose of organizations.**

**INTA agrees that it may be appropriate to assess the continued purpose of an organization under review in the context of a more holistic cross-organizational review of ICANN. However, the alternative process should be consistent with the requirement under the ICANN Bylaws that Organizational Reviews should be conducted no less than every five years.**

*\*It appears that there may be some wording missing from the request that link the two processes together. INTA is interpreting the missing words as “and to” and includes them in brackets for clarity.*

### **IMPROVEMENTS UNDERWAY – For your information**

Several process improvements are already underway or being considered by the Board – they are included here for information and additional context only. They include:

- Oversight of AoC Reviews to be assigned to an appropriate Board Committee or a subset of the Board, in parallel to SIC’s responsibility for overseeing Organizational Reviews.
- Global standards of the Project Management Institute used in implementing improvements arising out of Reviews (piloted for ATRT2 implementation).
- Improved tracking, reporting and oversight of implementation progress (including centralized tracking and revamped icann.org webpage).
- Improved planning and resource/budget allocation prior to the start of the Reviews.

Currently, the Board itself provides oversight relative to AoC Reviews process, operations and other overarching issues; the small-group format of oversight has been effective in other areas. Given the focus on accountability and Reviews as one of the mechanisms supporting ICANN’s accountability, the Board is considering assigning the responsibility for oversight of AoC Reviews to a discrete group or committee. A formalized process of a Board group or committee available to interact with the AoC Review teams at critical junctures during the Review and implementation would be beneficial in several ways: to address scope, issues and dependencies impacting the Review during planning; to facilitate clarity, advisability and feasibility of recommendations throughout the Review; and to hold entities accountable for achieving the milestones necessary to complete the implementation. Currently, the responsibility for oversight of Organizational Reviews lies with the Structural Improvements Committee (SIC), but there is not a similar assignment for AoC Reviews.

ICANN worked closely with the ATRT2 throughout 2013, laying down a foundation to ensure the implementation of the recommendations would be timely and effective. An implementation methodology was designed based on the global standards of The Project Management Institute. The PMI methodology<sup>2</sup> currently is piloted for the ATRT2 implementation program, with the goal of achieving professional excellence through clear scope definition, company-wide resource planning, monitoring against timelines and consistent reporting. Quarterly updates and

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<sup>2</sup> The Project Management Institute (PMI) standards include rules, guidelines and project management techniques that are widely accepted with a goal towards achieving professional excellence. Benefits include a clear scope definition, company-wide resource planning, monitoring against timelines and consistent reporting.

additional information is available on the [ATRT2 implementation program wiki](#). ICANN intends to use a similar approach for implementation of recommendations from all AoC Review teams on a go forward basis.

## **Other Comments**

### **Are there any other comments or issues you would like to raise for the Proposed Schedule and Process/Operational Improvements for AoC and Organizational Reviews?**

**INTA wishes to reiterate its position set forth in its recent comment on the CCWG Accountability proposal that the AoC in general should be incorporated into ICANN’s bylaws. The AoC is a critical mechanism to help ensure ICANN accountability and emphasizing the importance of the AoC by incorporating it into ICANN’s bylaws would be highly desirable—especially at this critical time for ICANN during the IANA function transition.**

### **About INTA**

**INTA is a 136 year-old global not for profit association with more than 6,400 member organizations from over 190 countries. One of INTA’s goals is the promotion and protection of trademarks as a primary means for consumers to make informed choices regarding the products and services they purchase. INTA has also been the leading voice of trademark owners within the Internet Community, serving as a founding member of the Intellectual Property Constituency of ICANN. INTA’s Internet Committee comprises over 200 trademark owners and professionals from around the world charged with evaluating treaties, laws, regulations and procedures relating to domain name assignment, use of trademarks on the Internet, and unfair competition on the Internet, whose mission is to advance the balanced protection of trademarks on the Internet.**