

# Objection and Dispute Resolution **Fact Sheet**

***This fact sheet provides basic information on the Objection and Dispute Resolution procedures available in the New gTLD Program.***

ICANN will begin accepting applications for new generic Top-Level Domain names in January 2012. What is a generic Top-Level Domain? A generic Top-Level Domain or gTLD is an Internet extension such as .biz, .cat or .net. Right now there are roughly two dozen gTLDs, but soon, there could be hundreds. Even though any established entity located anywhere in the world can apply to operate a new gTLD Registry, applying for a new gTLD may not be right for every organization. Regardless

of whether your organization is planning to apply, you should still pay close attention to what gTLDs are being applied for in case you have reason to object such as protecting your rights or other legitimate interests. Perhaps you learn someone is applying for your trademark. Or maybe your organization represents a community and you feel an applied-for gTLD would be a misrepresentation of that community. The objection period is your time to object and potentially stop an applied-for gTLD from being approved.

***For detailed information on the Objection and Dispute Resolution Process refer to Module 3 of the Applicant Guidebook.***



- Visit <http://newgtlds.icann.org/applicants/agb> to review the Applicant Guidebook

*For detailed information on the Objection process refer to Module 3.*

- Email us: [newgtld@icann.org](mailto:newgtld@icann.org)
- Follow us on Twitter: [@NewGTLDsICANN](https://twitter.com/NewGTLDsICANN)



## ***The benefits of having an objection procedure for gTLD applications***

The objection procedure provides:

- A means to protect certain interests and rights.
- A clear path for formal objections during the evaluation of gTLD applications.
- An opportunity to have objections considered before a panel of qualified experts in the relevant subject area.

## ***Grounds for filing an objection***

Formal objections using pre-established Dispute Resolution Procedures may be filed on any of the following grounds:

- String Confusion Objection – The applied-for gTLD character string is so similar to an existing TLD or to another applied-for gTLD string that user confusion would likely result if both TLDs were delegated.
- Legal Rights Objection – The applied-for gTLD string infringes the existing legal rights of the objector.
- Limited Public Interest Objection – The applied-for gTLD string is contrary to generally accepted legal norms of morality and public order that are recognized under principles of international law.
- Community Objection – There is substantial opposition to the gTLD application from a significant portion of the community to which the gTLD string is targeted.

## Who can file an objection to a gTLD application?

- For String Confusion Objections, the objector must be an existing TLD operator or a gTLD applicant in the current/same application round.
- For Legal Rights Objections, the objector must be a rights-holder whose rights are being infringed.
- For Limited Public Interest Objections, anyone can file an objection; however the objection is subject to a “quick look” review designed to filter out frivolous and/or abusive objections.
- For Community Objections, the objector must be an established institution associated with a clearly defined community.

*In addition, ICANN’s Governmental Advisory Committee (GAC) can raise concerns about an application based on national laws or other sensitivities. The process is called GAC Early Warning and though not a formal “objection,” it could lead to another process: GAC Advice. In this process, the GAC directly advises the ICANN Board of Directors that an application should be rejected. For more detailed information on GAC Advice, refer to Module 3, section 3.1 in the Applicant Guidebook.*

## The Objection Filing Period is expected to open in May 2012.

According to the timeline established for the New gTLD Program, ICANN expects to post public portions of all applications that have been received, on its website in early May 2012. At this time, the formal objection period will begin and an applicant with standing will have approximately seven months to file an objection. After the objection filing period closes, those objections received will move through the dispute resolution process. Absent any unforeseen extensions, the dispute resolution process is intended to take approximately five months.

## Who can file an objection?

- Ensure you meet the criteria outlined under “Who can file an objection” (or in Module 3 of the Guidebook).
- File your objection and submit the required filing fee with the relevant Dispute Resolution Service Provider, listed below.

- Follow the Dispute Resolution Process. This includes an opportunity for the Applicant to file a response, an administrative review, possible mediation, and an expert determination issued by the dispute resolution panel.

## What if someone objects to my application

- The applicant may work to reach a settlement with the objector (resulting in a withdrawal of the objection or the application).
- When notified by the dispute resolution service provider to do so, the applicant may file a response to the objection and enter the dispute resolution process.
- The applicant may withdraw the application from consideration.

## Dispute Resolution Providers

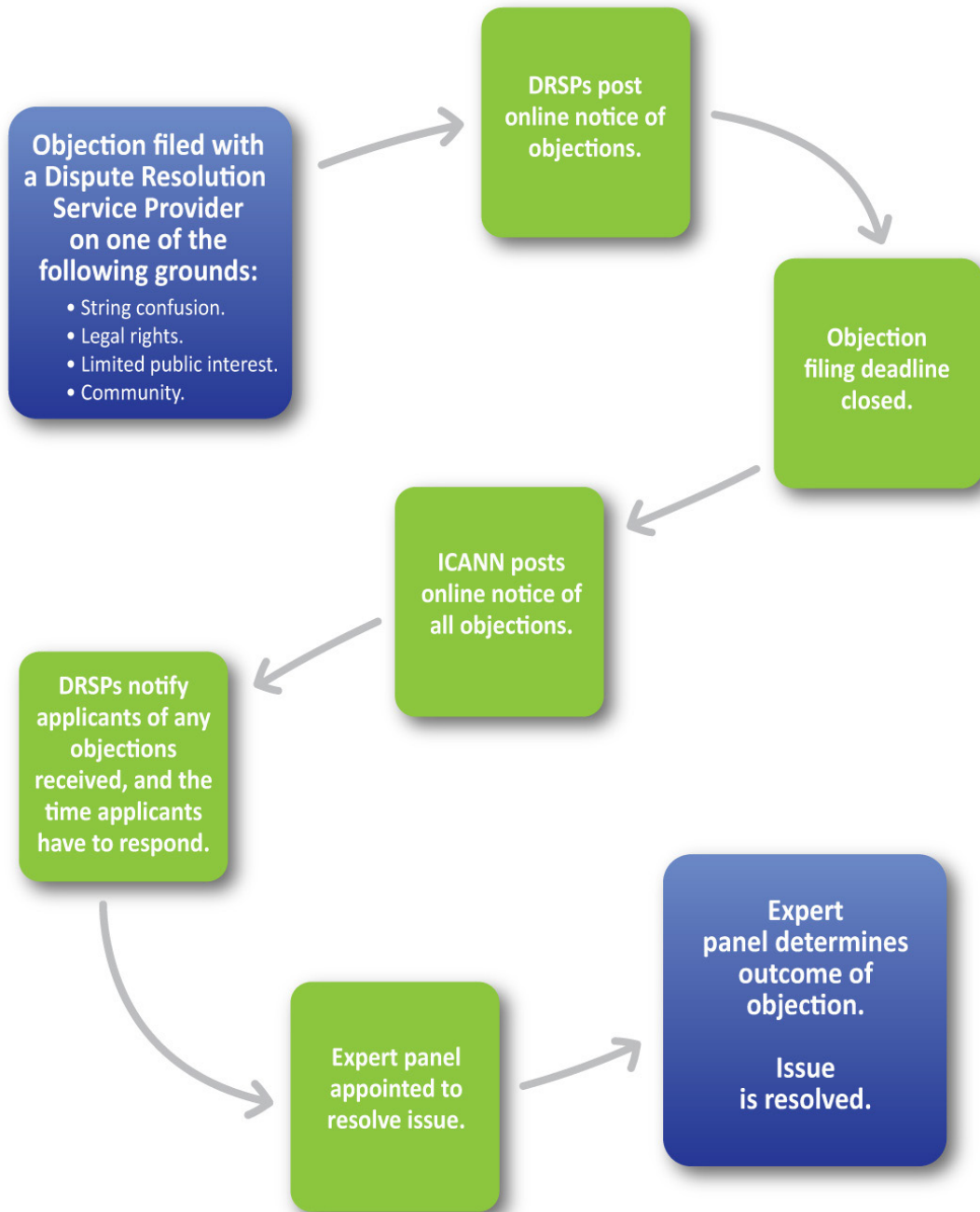


Dispute resolution proceedings will be administered by independent Dispute Resolution Service Providers, not by ICANN.

- For String Confusion Objections: The International Centre for Dispute Resolution (<http://www.adr.org/icdr>).
- For Legal Rights Objections: The Arbitration and Mediation Center of the World Intellectual Property Organization (<http://www.wipo.int/amc/en/index.html>).
- For Limited Public Interest and Community Objections: The International Center of Expertise of the International Chamber of Commerce (<http://www.iccwbo.org/court/expertise/id4595/index.html>).
- For more detailed information on the new gTLD Objection and Dispute Resolution Procedures refer to Module 3 of the Applicant Guidebook.

As always, rely on the Applicant Guidebook as the authoritative source of requirements. This publication is only a guide.

## New gTLD Program – Objection and Dispute Resolution





## New gTLDs are changing the Internet. Discover what they could spark in your organization.

### *Who should learn more about new gTLDs?*

- **Advertising, marketing and branding professionals**
- **Investors**
- **Governments**
- **Non-profit organizations**
- **Trade associations**
- **Trademark owners**
- **Intellectual Property attorneys**
- **Anyone that uses the Internet**

For detailed information on the Objection and Dispute Resolution Process refer to Module 3 of the Applicant Guidebook.

<http://newgtlds.icann.org>

**About ICANN:** *The Internet Corporation for Assigned Names and Numbers (ICANN) was formed in 1998 to coordinate the Internet's unique identifiers around the world. Without that coordination we wouldn't have one global Internet. It is a not-for-profit, public-benefit corporation with participants from all over the world dedicated to keeping the Internet secure, stable and interoperable. It promotes competition and develops policy on the Internet's unique identifiers. ICANN doesn't control content on the Internet. It cannot stop spam and it doesn't deal with access to the Internet. But through its coordination role of the Internet's naming system, it does have an important impact on the expansion and evolution of the Internet.*

