



ICANN
58
COPENHAGEN

News from the Chair

Dear ICANN Community Members:

Welcome to Copenhagen and ICANN58! This meeting kicks-off what will assuredly be a busy and productive 2017. The Business Constituency (BC), per usual, remains actively involved in ICANN's policy-making processes. Already in 2017, as of this writing, the BC has commented on four separate items affecting the ICANN community, including ICANN's anti-harassment policy. And the BC intends to continue to be the voice of business users at ICANN throughout the year.

This year marks the first full year ICANN has been free of any U.S. government oversight and work continues in this regard, including community work on ICANN's "transparency" and "jurisdiction," among

other subject matters. Meanwhile, vitally important policy work that occurred in 2016 continues this year, in particular that being done by Working Groups related to new gTLDs (e.g., Subsequent Procedures and Rights Protection Mechanisms) and Next Generation Registration Directory Service, carries on. The BC has a variety of its members actively advocating in these WGs and will continue to provide cogent input on an ongoing basis.

Recognizing that the internet affects business users all over the world, the BC strives to expand outreach to the broader business community. In this regard, BC representatives will be attending an outreach event at the ICANN meeting on Tuesday, March 14, during the lunch

hour. The BC welcomes all business and commercial users of the Internet to join us then to learn more about what the BC does and how membership in the BC can lead to positive engagement within the broader ICANN community.

The BC is excited for 2017 and looks forward to interacting with the broader ICANN community in Copenhagen. The BC's members take seriously the BC's role within the ICANN community and look forward to another engaging meeting.

For more information regarding the BC, please go to our updated website at bizconst.org.

Warm Regards,

Chris Wilson
Chair, ICANN Business Constituency

Business at IGF 2016: Making a Difference for the Voice of Business

By Jimson Olufuye and Marilyn Cade

The 11th Internet Governance Forum (IGF), Guadalajara, Mexico, December 5-9, 2016, was the 1st IGF after the new 10-year mandate given by the United Nations General Assembly on 16 December 2015. The forum was highly successful, with significant presence from 80 governments, and more than 2000 participants from 123 countries and even more participating remotely.

BC members have been long standing participants in establishing and supporting the IGF from its inception, in 2006. The IGF2016 was no exception, with a record turn out from BC members, and more broadly, from businesses around the world.

BC members were actively engaged in their individual capacities in building support for the ten year renewed charter of the IGF – a long process that required engagement in multiple UN fora, and in offering guidance to ICANN Board and staff on engagement. BC members and others from the ICANN community continued their active engagement during the IGF2016. This article focuses on how the BC members or their colleagues engaged during the IGF but also acknowledges the importance of engagement of others from ICANN stakeholders, ICANN staff and ICANN Board in the IGF.

We achieved a new record, with fifteen members (15) of the BC@ICANN actively engaged in Day zero events, workshops and main sessions. As many BC members were accompanied by their staff and business colleagues, a rough estimate is over fifty business attendees affiliated with BC members, who were actively engaging at the IGF2016.

The theme of IGF 2016 “Enabling inclusive and sustainable development” was supported by the business stakeholders in the IGF community.



BC Member Omar Mansoor Ansari of TechNation, Afghanistan speaking at the Opening Ceremony of IGF 2016

It is clearly relevant to the Business Constituency’s members’ broad interest in Internet Governance.

The purpose of BC participation in the IGF is in furtherance of ICANN Strategic Objectives 1 which is “to evolve and further globalize ICANN”; and Objective 4 “to promote ICANN’s role and multi-stakeholder approach”.

BC members’ representatives Omar Manzoor Ansari of TechNation, Afghanistan and Cheryl Miller, Verizon, Inc USA were invited as high level speakers in the Opening and Closing Sessions respectively, and spoke

for all businesses – small and large. Their comments were offered in their individual capacity, as is required by the IGF. The transcripts can be found on the Internet Governance website <https://www.intgovforum.org>.

The Main Session on IG and SDGs was organized by Marilyn Cade, and other IGF Multi-stakeholder Advisory Group (MAG) members. This session was a town hall format that sought broad input from all stakeholders regarding their views about how to link the Internet Governance and SDG agendas. It received high profile



The theme of IGF 2016 “Enabling inclusive and sustainable development” was supported by the business stakeholders in the IGF community.

attention from the United Nations, and was co-moderated by Ambassador Benedicto Fonseca, and Karen McCabe, IEEE. Along with others, several BC members spoke during the open mic segments: <https://www.intgovforum.org/multilingual/content/igf-2016-day-4-main-hall-taking-stock-emerging-issues-future-of-the-igf>

Business members also engaged in special organized events. For example, ICC-BASIS, a BC member, provided daily informative briefings for business attendees at the IGF2016. The briefing included an introductory session for business participants with a recap of highlights of previous day events and a preview of what to expect for the day. ICC-BASIS also organized a high profile social event for special invitees and all business attendees.

The IGF2016 again provided opportunities for extensive networking and outreach. More than 150 BC Newsletters were distributed at the event through informal personal outreach by Marilyn Cade, Omar Manzoor, Andrew Mack and Jimson Olufuye. The BC Outreach Committee

is examining further engagement in upcoming fora, such as the ICANN meetings, the WSIS Forum, CSTD, and the IGF2017 event in December, 2017.

- Overall, BC members representatives taking active roles in workshops and main sessions included Chris Wilson (21st Century Fox), Steve DelBianco (Netchoice), Marilyn Cade (mCade-ICT Strategies), Barbara Wanner (USCIB), Ellen Blackler (Disney), Paul Mitchell (Microsoft), Jay Sudowski (I2Coalition), Lise Fuhr (ETNO), Andrew Harris (Amazon), Andy Mack (AMGlobal LLC), Carolyn Nguyen (Microsoft), Hibah Kamal-Grayson (Google), Isabel Rutherford (Amazon) and Marta Capelo (ETNO), Jimson Olufuye, Kontemporary; Omar Mansoor, TechNation; and Cheryl Miller, Verizon.
- Other representatives from members such as Google; Facebook; AT&T and Verizon; and Telefonica played active roles. A collaborative initiative of several companies – One World Connected, with leadership from Cheryl Miller, Verizon

Communications – hosted a highly visible booth in the IGF Village, drawing attention to efforts by its members to enhance connectivity in developing countries.

- BC members also attended the joint I* reception, taking advantage of engagement with the senior ICANN staff and ICANN board for interactions and informal discussions.

Senior officials from UN DESA also attended and paid close attention to the main sessions including attending and participating directly in the National and Regional IGFs (NRIs) Main session and in a consultation / coordination session of the NRIs, both organized and coordinated by BC Member Marilyn Cade, who is also the Substantive Coordinator of the NRIs.

Engagement at the IGF each year is only one of the key activities that the BC Executive Committee and the Outreach Committee encourage. We also organize outreach and awareness at all ICANN meetings; reach out to BC members regarding the WSIS Forum which will be held 12-16 June, Geneva, Switzerland; in the Commission on Science and Technology for Development, 8-12 May, and encourage engagement with the various national and regional initiatives where ICANN may be discussed.



BC Member Cherry Miller of Verizon Inc, USA speaking at the Closing Ceremony of IGF 2016

For more information on IGF2016, please review the IGF Chairman’s report on <https://www.intgovforum.org>

For more information about the IGF2017, visit the IGF website: <https://www.intgovforum.org>

Upcoming Open Consultation and MAG meeting: 1-3 March – Geneva, Switzerland.

ICANN Multistakeholder Organizational Chart



ICANN Board of Directors

Top row Left to Right: Göran Marby – President & CEO, Steve Crocker – Chair (NomCom), Becky Burr (GNSO), Rinalia Abdul Rahim (At-Large), Cherine Chalaby – Vice Chair (NomCom), Chris Disspain (ccNSO), Asha Hemrajani (NomCom), Ron da Silva (ASO), Markus Kummer (GNSO), Maarten Botterman (NomCom)

2nd row Left to Right: Khaled Koubaa (NomCom), Rafael Lito Ibarra (NomCom), Lousewies van der Laan (NomCom), George Sadowsky (NomCom), Thomas Schneider (GAC), Mike Silber (ccNSO), Akinori Maemura (ASO), Ram Mohan (SSAC Liaison), Jonne Soininen (IETF Liaison), Kaveh Ranjbar (RSSAC Liaison)

Generic Names Supporting Organization (GNSO)

(see following page)

James Bladel (Chair)
Heather Forrest (V. Chair)
Donna Austin (V. Chair)

Country Code Names Supporting Organization (ccNSO)

Katrina Sasaki (Chair)
Byron Holland (V. Chair)
Demi Getschko (V. Chair)

Address Supporting Organization (ASO)

Filiz Yilmaz (Chair)
Louie Lee (V. Chair)
Ricardo Patara (V. Chair)

Government Advisory Committee (GAC)

Thomas Schneider – Switzerland (Chair)
Olga Cavalli – Argentina (V. Chair)
Gema Campillos – Spain (V. Chair)
Henri Kassen – Namibia (V. Chair)
Wanawit Ahkuputra – Thailand (V. Chair)

Security & Stability Advisory Committee (SSAC)

Patrik Fältström (Chair)

Root Server System Advisory Committee (RSSAC)

Brad Verd (Co-Chair)
Tripti Sinha (Co-Chair)

At-Large Advisory Committee (ALAC)

Alan Greenberg (Chair)
Tijani Ben Jemaa (V. Chair)
Leon Sanchez (V. Chair)

Technical Liaison Group (TLG)

Bilel Jamoussi
Wendy Seltzer
Daniel Dardaillier
Warren Kumari

Internet Engineering Task Force (IETF)

Jari Arkko (Chair)

Nominating Committee 2017

Hans Petter Holen (Chair)
Zahid Jamil (Chair-Elect)

Ombudsman

Herb Wayne

GNSO Stakeholder Groups, Constituencies & Council

The GNSO Council is responsible for managing the policy development process of the GNSO.



The GNSO Policy Development Support Team supports the GNSO community's development of bottom-up, consensus policies and guidelines that help advance the stable and secure operation of the Internet's unique identifier systems. *David Olive, Steve Chan, Glen de Saint Gery, Gisella Gruber, Julie Hedlund, Robert Hoggarth, Susie Johnson, Marika Konings, Nathalie Peregrine, Carlos Reyes, Steve Sheng, Mary Wong, Terri Agnew, Emily Barabas.*

Report from the BC's Councilors on the GNSO Council

By Philip S. Corwin and Susan Kawaguchi

ICANN's Generic Names Supporting Organization (GNSO) includes all parts of the ICANN community involved with generic top level domains (gTLDs), and its Council sets policy for them. The Business Constituency (BC) is part of the Commercial Stakeholders Group (CSG), which comprises one-half of the Non-Contracted Parties House (NCPH) side of the Council. The BC's current Councilors representing its views on Council are Susan Kawaguchi of Facebook – who was just reelected to a second term – and Philip Corwin, head of Virtualaw LLC and Counsel to BC member the Internet Commerce Association.

Like most of the ICANN community, the Council was closely involved with the work of the CWG-Stewardship and the CCWG-Accountability. Most Councilors – including the BC's – participated in various aspects of this process. The end result of this two-track process was the development and delivery of a coherent package of recommendations for transitioning oversight of the IANA root zone functions from the National Telecommunications and Information Administration (NTIA), a division of the U.S. Department of Commerce, to the global multistakeholder community; in conjunction with new measures to make ICANN's Board and staff more accountable to its community while preventing governmental takeover or domination of ICANN.

Following completion of the CWG's work, the CCWG's final Accountability Proposal received final signoff by ICANN's Chartering Organizations, including the GNSO, at the ICANN 55 meeting that took place in Marrakech, Morocco in early March. Following that approval, the final transition and accountability package was sent on to ICANN's Board, which it then approved and transmitted it to the NTIA, which then conducted its own review against its stated principles and requirements for the transition – and found them all satisfied. And the ICANN community completed its own review of draft Bylaws revisions incorporating all the transition and accountability proposals.

Still, the work is not over. The launch of the secondary yet still important issues relegated to Work Stream 2 has commenced. These include assurance of greater transparency in ICANN decision-making and operations and grappling with nuanced jurisdictional matters.

The IANA transition was consummated on October 1, 2016 and the community must now adapt to its newly empowered role. In that regard, the GNSO Council has commenced a discussion of how the GNSO should exercise its role in the Empowered Community that will exercise the accountability powers. BC members will continue to discuss these ongoing processes on a regular basis, and Susan and Philip will convey the BC's consensus views to the full Council.



BC members will next gather together at ICANN58, taking place in mid-March in Copenhagen, Denmark. Other issues on which the Council is currently engaged include:

- Overseeing implementation of the recently completed PDP on accreditation standards for privacy and proxy services providers associated with registrars, to ensure that registrants' privacy is maintained but that rights holders can convey messages and obtain registrant data in appropriate circumstances.
- Assuring that International Governmental Organizations (IGOs) have adequate access to the Uniform Domain-Name Dispute Resolution Policy (UDRP) and Uniform Rapid Suspension System (URS) rights protection mechanisms, or to a similar arbitration process, to prevent abuse of their names and acronyms in domain names. BC Councilor Philip Corwin is Co-Chair of this WG, which issued its draft report and recommendations on January 20th for forty days of public comment. This topic is expected to be a major focus of GNSO-GAC dialogue in Copenhagen.
- Determining what usage should be made of the more than \$100 million (and possibly as much as \$240 million) in "last resort" auction proceeds for contested new gTLDs. The Council has established a CCWG to grapple with this issue and it has just produced a proposed Charter to guide its work ICANN's Board has signaled that it will give serious review to community input.
- Maintaining and improving the functioning of a liaison from the Council to the Governmental Advisory Committee (GAC). This work has included implementation of an "early look" system for gathering GAC feedback on developing issues, with the aim of better integrating governmental views into the policymaking process.

- Following the work of a Policy Development Process (PDP) on subsequent rounds of new gTLDs. This will be coordinated with a separate PDP reviewing all rights protection mechanisms (RPMs) for all gTLDs – including the first review of the Uniform Dispute Resolution Policy (UDRP) ever undertaken. Approval of the Charter for the RPM PDP was given at the Council meeting in Marrakech, and Councilor Corwin is one of its Co-Chairs. The BC has made clear that its position is that any new round of gTLDs can only proceed after both of these PDPs complete their review of all matters pertaining to new gTLDs, along with a separate review of Competition, Choice and Trust mandated by the Affirmation of Commitments.

- Overseeing the work of a multi-part PDP on “A Next-Generation Registration Directory Service” (RDS) that is intended to help redefine the purpose and provision of gTLD registration data, and develop a potential new model to replace today’s much-criticized WHOIS system. BC Councilor Susan Kawaguchi has played an integral role in this effort and will continue to be involved with its work.

The BC may also take the initiative on select new issues by urging the Council to initiate the process that can lead to the development of new responsive policies. One issue that has received BC attention is a rising number of domain thefts, which can be devastating to businesses. ICANN has a role to play in addressing this, including best practices for registrar security as well as tougher compliance against registrars who do not cooperate adequately in investigating incidents and returning stolen domains.

Another issue on the BC’s radar is the targeting of Trademark Clearinghouse registered marks for excessive sunrise registration fees by new gTLDs, as brought to wider public attention by such registry actions as the \$2,500 annual fee established by .Sucks. The issue is broader than that single registry and involves questionable policies regarding “premium domain” designation and pricing by many new gTLD registries.

As the 2017 round of ICANN meetings commences, the BC’s Councilors will continue to play a vital role in conveying BC consensus views to the Council while keeping BC members apprised of Council activities and decisions.



**BC Councilors
Susan Kawaguchi,
and Philip Corwin**

BC Outreach in collaboration with AfICTA

By Waudu Siganga and Lawrence Olawale-Robert



Front row, from left: **Dr. Jimson Olufuye, Minister of ICT Namibia Hon. Tjekero Tweya, Arinola Akinyemi, Abdul**

As part of its FY17 Outreach Strategy realization, the Business Constituency (BC) conducted Outreach on the side-lines of the AfICTA Summit 2016, which took place in Windhoek, Namibia on October 12-13, 2016.

The BC Outreach took place specifically on October 13, 2016 at the Safari Hotel and Conference with the theme: *Sustaining Critical Infrastructure for IoTs & Keeping Internet safe, secure and resilient*. Chaired by Jimson Olufuye, speakers included Marilyn Cade, Patrick Jones (on behalf of Pierre Dandjonou), Andrew Mack (remote participation), and Lawrence Olawale-Robert. Speakers created awareness on the Post Transition IANA & the imperative for one Internet. They also talked about requirements to move from business users to registries and registrars and how to ensure Internet remains a safe place to do business.

Of interest to many was the ICANN fellowship program, a fast track to engaging the community and becoming active in the ICANN eco-system. Interested delegates were directed to portions of the ICANN website where information on the fellowship program was available.

In all the discussions, speakers underscored the importance of the bottom-up multi-stakeholder model practiced by ICANN which has served it well over the years and has delivered on the requirements of the NTIA for its IANA stewardship to be transitioned to the global multi-stakeholder community. Thus, the need for more business people to be part of the ICANN community was severally underscored.

Over seventy business leaders participated in the outreach event and the Namibian Minister of ICT, Hon Tjekero Tweya was in attendance at the Summit Opening Ceremony. About 100 BC Newsletters, 100 BC pens and fliers were distributed at the event. Special rollup banners, wall banners and social media platforms were used to project BC and ICANN brands.

Many participants showed interest in joining the community and at this time, one of two participants that submitted their applications is a now a BC member.

The mission of the BC

The Constituency fully represents the views of the Internet business user community,

ICANN policy positions are consistent with the development of business via an Internet that is stable, secure and reliable while promoting consumer confidence.

ICANN policy positions derive from broad stakeholder participation in a common forum for suppliers and users.

Executive Committee

Chair: Chris Wilson

Vice Chair, Policy Coordination:

Steve DelBianco

Vice Chair, Finance & Operations:

Jimson Olufuye

CSG Representative:

Barbara Wanner

GNSO Councilor: Susan Kawaguchi

GNSO Councilor: Philip Corwin

BC Appointees to the Nominating Committee:

Jay Sudowski (Small Business Seat)

Paul Mitchell (Large Business Seat)

BC Credentials Committee:

Andrew Mack, Arinola Akinyemi

John Berard

BC Finance Sub Committee:

Marilyn Cade, Chris Chaplow

BC Secretariat:

Chantelle Doerksen

Outreach Committee Members:

Andrew Mack (Coordinator),

Ellen Blackler, Marilyn Cade,

Lawrence Olawale-Roberts.

If you would like to become a member of the BC, please contact the BC Secretariat at: info-bc@icann.org

Join the BC:

www.bizconst.org/joinus.htm

www.bizconst.org

NCPH Intersessional Meeting 2017

By Barbara Wanner, BC CSG Rep



Reykjavik, Iceland served as the venue for the 4th Non-Contracted party House (NCPH) Intersessional on 14-15 February 2017, a gathering that brought together seven delegates from each of the six Commercial Stakeholder Group (CSG) and Non-Commercial Stakeholder Group (NCSG) constituencies. The two-day gathering, facilitated by ICANN staff Robert Hoggarth and the Business Constituency (BC) Chair Chris Wilson along with other constituency leaders, provided additional “white space” for discussions – both in plenary and community breakout sessions - about policy issues of common interest that regular ICANN meetings often cannot provide. Importantly, this Intersessional also enabled a broader exploration of the role and expectations of the “house,” a discussion that highlighted some shared values but noted challenges to NCPH collaboration and unanimity posed by its diversity.

Throughout the two days, senior ICANN staff conducted private discussions with CSG and NCSG delegates. On Day 1, in particular, ICANN CEO Göran Marby held virtual discussions the two NCPH sub-groups. David Olive, Senior Vice President for Policy Development Support, and Jamie Hedlund, ICANN’s newly appointed Senior Vice President of Contractual Compliance and Consumer Safeguards, also

held face-to-face meetings with the constituencies.

Highlights of the NCPH Intersessional include:

- The CSG’s virtual meeting with ICANN CEO Göran Marby.
- An in-depth face-to-face session with Jamie Hedlund on Compliance issues.
- Presentation of constituency 2017 goals and objectives.
- Discussion of NCPH in-house procedures and selection of ICANN Board candidates.
- Update on the next phase of new gTLDs.
- A discussion of Right Protection Mechanism (RPM) and Intellectual Property (IP) issues.
- A Discussion on ICANN Budget oversight by the Empowered Community and the role of NCPH.
- The importance of maintaining the GNSO’s traditional policy-making leadership position at ICANN.
- NCPH: roles and expectation per next Review.

In all, it was a frank and cordial intersessional with opportunity to discuss burning issues openly and objectively outside busy ICANN meetings with considerable common positions identified amidst divergent views.