

Anthony Gooch

Director
Directeur

PUBLIC AFFAIRS AND COMMUNICATIONS DIRECTORATE
DIRECTION DES RELATIONS EXTÉRIEURES ET DE LA COMMUNICATION

Mr. Peter Dengate Thrush,
Chairman ICANN Board
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601
USA

Subject: Internet Corporation for Assigned Names
and Numbers (ICANN)

Ref.: AG CB 013

06 October 2010

Dear Mr. Chairman,

In conjunction with ICANN's pending discussions concerning the expansion of generic Top Level Domains ("gTLDs"), the Organisation for Economic Co-operation and Development ("OECD") wishes to express its strong view that the protection of the names and acronyms of International Governmental Organisations ("IGOs") must be addressed.

Protecting the names and acronyms of IGOs is crucial for these Organisations, States, the international community and the public as a whole. The lack of adequate protection can mislead the public, give rise to IGO liability, and be both extremely harmful to an Organisation's reputation and costly, as Organisations must consistently allocate resources to identify threats and combat abusive registrations. Expanding gTLDs without including protection for IGOs will exacerbate already existing complications, cause an undue and unnecessary burden on IGOs, and give rise to a host of new problems.

The principle of special protection for the names and acronyms of IGOs has been codified under international treaties, most notably, Article 6*ter* of the Paris Convention, which protects IGO names and acronyms from being inappropriately registered as trademarks by third parties. Governments clearly felt that special protection for IGO names and acronyms is needed because such Organisations represent the public interest. It is reasonable to expect that such protection be extended to domain names.

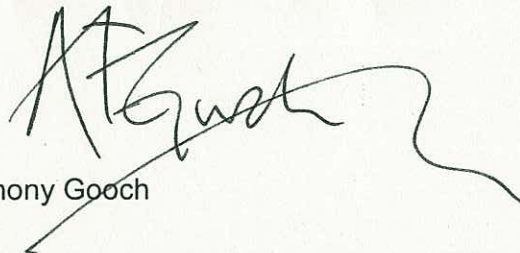


There is also overwhelming support by WIPO and its Member States to protect IGOs against abusive domain name registration, as evidenced by the 2002 WIPO General Assembly's Special Session Reports on internet domain names. In fact, the GAC itself recognises the importance of IGO names and acronyms under article 2.3 of the 2007 GAC Principles Regarding New gTLDs, which states under paragraph 2.3 that ICANN "must make proper allowance for...rights in the names and acronyms of inter-governmental organisations."

Notwithstanding the treaty provisions, WIPO Reports, and the GAC's own acknowledgment, there remains a lack of comprehensive protection with respect to IGO names and acronyms.

The OECD appreciates your consideration of this important issue and hopes that ICANN will recognise the importance of IGOs and take steps to address these issues addressed above. We remain available to address any questions or concerns.

Yours sincerely,



Anthony Gooch

CC:

- Ms. Heather Dryden, Interim Chair, Government Advisory Committee (GAC)
- Mr. Francis Gurry, Director General, World Intellectual Property Organisation (WIPO)