

**COOPERATIVE ENGAGEMENT AND INDEPENDENT REVIEW PROCESSES  
STATUS UPDATE – 18 NOVEMBER 2015**

**ACTIVE COOPERATIVE ENGAGEMENT PROCESSES<sup>1</sup>**

<b>Request Date</b>	<b>Requester</b>	<b>Subject Matter</b>
17-Feb-2014	GCCIX, W.L.L.	.GCC
17-Jul-2014	Amazon EU S.a.r.l.	.AMAZON
18-Jul-2014	Donuts Inc.	.HOSPITAL
10-Dec-2014	International Rugby Board and SportAccord	.RUGBY .SPORTS
20-Jan-2015	Asia Green IT System Ltd.	.PERSIANGULF
14-Jul-2015	Nameshop	.IDN

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<sup>1</sup> The Cooperative Engagement Process (CEP) is a process voluntarily invoked by a complainant prior to the filing of an Independent Review Process (IRP) for the purpose of resolving or narrowing the issues that are contemplated to be brought to the IRP. (*See* Bylaws, Art. IV, §§ 3.14-3.17.) Cooperative engagement is expected to be between ICANN and the requesting party, without reference to outside counsel. The requesting party may invoke the CEP by providing written notice to ICANN, noting the invocation of the process, identifying the Board action(s) at issue, identifying the provisions of the ICANN Bylaws or Articles of Incorporation that are alleged to be violated, and designating a single point of contact for the resolution of the issue. Further information regarding the CEP is available at: <https://www.icann.org/en/system/files/files/cep-11apr13-en.pdf>.

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**RECENTLY CLOSED COOPERATIVE ENGAGEMENT PROCESSES**

<b>Request Date</b>	<b>Requester</b>	<b>Subject Matter</b>	<b>IRP Filing Deadline<sup>2</sup></b>
13-Mar-2015	Top Level Design LLC, United TLD Holdco Ltd. t/a Rightside Registry, Minds + Machines Group Limited	.GAY	28-Nov-2015
21-Feb-2014	Asia Green IT System Ltd.	.ISLAM .HALAL	1-Dec-2015
22-Oct-2015	dotgay LLC – <b>withdrawn</b>	.GAY	N/A

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<sup>2</sup> The CEP process provides that “[i]f ICANN and the requester have not agreed to a resolution of the issues upon the conclusion of the cooperative engagement process, or if issues remain for a request for independent review, the requestor’s time to file a request for independent review designated in the Bylaws shall be extended for each day of the cooperative engagement process, but in no event, absent mutual written agreement by the parties, shall the extension be for more than fourteen (14) days.”  
(<https://www.icann.org/en/system/files/files/cep-11apr13-en.pdf>)

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**ACTIVE INDEPENDENT REVIEW PROCESSES<sup>3</sup>**

<b>Date ICANN Received Notice of IRP</b>	<b>Date IRP Commenced by ICDR</b>	<b>Requester</b>	<b>Subject Matter</b>	<b>Status</b>
17-Jul-2014	24-Jul-2014	Merck KGaA <a href="https://www.icann.org/resources/pages/merck-v-icann-2014-07-22-en">https://www.icann.org/resources/pages/merck-v-icann-2014-07-22-en</a>	.MERCK .MERCKMSD	<u>Panel Selection</u> : Full Panel confirmed on 10 March 2015.  <u>Materials</u> : Written submissions, Declaration(s), and Scheduling Orders are posted <a href="#">here</a> .  <u>Hearing(s)</u> : Panel determined that no final hearing will be held; awaiting Final Declaration.
21-Sept-2014	22-Sept-2014	Dot Registry, LLC <a href="https://www.icann.org/resources/pages/dot-registry-v-icann-2014-09-25-en">https://www.icann.org/resources/pages/dot-registry-v-icann-2014-09-25-en</a>	.INC .LLC .LLP	<u>Panel Selection</u> : Full Panel confirmed on 5 February 2015.  <u>Materials</u> : Written submissions, Declaration(s), and Scheduling Orders are posted <a href="#">here</a> .  <u>Hearing(s)</u> : Hearing is scheduled for 1 February 2016.

<sup>3</sup> The Independent Review Process (IRP) is a process by which any person materially affected by a decision or action by the Board that he or she asserts is inconsistent with the Articles of Incorporation or Bylaws may submit a request for independent review of that decision or action. (See Bylaws, Art. IV, § 3.) In order to be materially affected, the person must suffer injury or harm that is directly and causally connected to the Board's alleged violation of the Bylaws or the Articles of Incorporation, and not as a result of third parties acting in line with the Board's action. Further information regarding the IRP is available at: <https://www.icann.org/resources/pages/mechanisms-2014-03-20-en>.

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<b>Date ICANN Received Notice of IRP</b>	<b>Date IRP Commenced by ICDR</b>	<b>Requester</b>	<b>Subject Matter</b>	<b>Status</b>
8-Oct-2014	13-Oct-2014	Donuts Inc. <a href="https://www.icann.org/resources/pages/donuts-v-icann-2014-10-13-en">https://www.icann.org/resources/pages/donuts-v-icann-2014-10-13-en</a>	.RUGBY .SPORTS	<p><u>Panel Selection</u>: Full Panel confirmed on 7 April 2015.</p> <p><u>Materials</u>: Written submissions, Declaration(s), and Scheduling Orders are posted <a href="#">here</a>.</p> <p><u>Hearing(s)</u>: Hearing took place on 8 October 2015; awaiting Final Declaration.</p>
5-Dec-2014	8-Dec-2014	Gulf Cooperation Council <a href="https://www.icann.org/resources/pages/gcc-v-icann-2014-12-06-en">https://www.icann.org/resources/pages/gcc-v-icann-2014-12-06-en</a>	.PERSIANGULF	<p><u>Panel Selection</u>: Emergency Panelist appointed on 10 December 2014; the two parties have selected Panelists; ICDR in the process of selecting the third Panelist.</p> <p><u>Materials</u>: Written submissions, Declaration(s), and Scheduling Orders are posted <a href="#">here</a>.</p> <p><u>Hearing(s)</u>: No hearings are currently scheduled.</p>
10-Mar-2015 (.HOTEL)  13-Mar-2015 (.ECO)	12-Mar-2015	Despegar Online SRL; Donuts, Inc. Spring McCook, LLC; Famous Four Media Limited- dot Hotel Limited; Fegistry, LLC; and Radix FZC (.HOTEL) and Little Birch, LLC and Minds + Machines Group Limited (.ECO) <a href="https://www.icann.org/resources/pages/various-v-icann-eco-hotel-2015-09-02-en">https://www.icann.org/resources/pages/various-v-icann-eco-hotel-2015-09-02-en</a>	.HOTEL, .ECO [consolidated on 12 May 2015]	<p><u>Panel Selection</u>: Full Panel confirmed on 30 July 2015.</p> <p><u>Materials</u>: Written submissions, Declaration(s), and Scheduling Orders are posted <a href="#">here</a>.</p> <p><u>Hearing(s)</u>: Final hearing scheduled for 23 November 2015.</p>

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19-Mar-2015	24-Mar-2015	Dot Sport Limited <a href="https://www.icann.org/resources/pages/dot-sport-v-icann-2015-03-27-en">https://www.icann.org/resources/pages/dot-sport-v-icann-2015-03-27-en</a>	.SPORT	<p><u>Panel Selection:</u> Full Panel confirmed on 3 September 2015.</p> <p><u>Materials:</u> Written submissions, Declaration(s), and Scheduling Orders are posted <a href="#">here</a>.</p> <p><u>Hearing(s):</u> Administrative hearing took place on 28 September 2015; Final hearing scheduled for 17 February 2016.</p>
24-Mar-2015	7-Apr-2015	Corn Lake, LLC <a href="https://www.icann.org/resources/pages/corn-lake-v-icann-2015-04-07-en">https://www.icann.org/resources/pages/corn-lake-v-icann-2015-04-07-en</a>	.CHARITY	<p><u>Panel Selection:</u> Full Panel confirmed on 17 September 2015.</p> <p><u>Materials:</u> Written submissions, Declaration(s), and Scheduling Orders are posted <a href="#">here</a>.</p> <p><u>Hearing(s):</u> Preliminary hearing took place on 3 November 2015; Final hearing scheduled for 13 January 2016.</p>
30-Sep-2015	5-Oct-2015	Afilias Limited, BRS Media, Inc., Tin Dale, LLC <a href="https://www.icann.org/resources/pages/afili-as-brs-tin-llc-v-icann-2015-10-12-en">https://www.icann.org/resources/pages/afili-as-brs-tin-llc-v-icann-2015-10-12-en</a>	.RADIO	<p><u>Panel Selection:</u> IRP filed on 5 October 2015; no Panelists have been selected.</p> <p><u>Materials:</u> Written submissions, Declaration(s), and Scheduling Orders are posted <a href="#">here</a>.</p> <p><u>Hearing(s):</u> No hearings are currently scheduled.</p>

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22-Oct-2015		dotgay LLC	.GAY	<p><u>Panel Selection</u>: IRP has not commenced; notice of IRP commencement has not been issued by ICDR.</p> <p><u>Materials</u>: IRP has not commenced; notice of IRP commencement has not been issued by ICDR.</p> <p><u>Hearing(s)</u>: IRP has not commenced; notice of IRP commencement has not been issued by ICDR.</p>

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11-Jun-2014	13-Jun-2014	Vistaprint Limited <a href="https://www.icann.org/resources/pages/vistaprint-v-icann-2014-06-19-en">https://www.icann.org/resources/pages/vistaprint-v-icann-2014-06-19-en</a>	.WEBS	9-Oct-2015	22-Oct-2015 (See Board consideration of Final Declaration at <a href="https://www.icann.org/resources/board-material/resolutions-2015-10-22-en#2.d">https://www.icann.org/resources/board-material/resolutions-2015-10-22-en#2.d</a> )

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<sup>4</sup> Pursuant to Article IV, Section 3.21 of the ICANN Bylaws, “[w]here feasible, the Board shall consider the IRP Panel declaration at the Board's next meeting. The declarations of the IRP Panel, and the Board's subsequent action on those declarations, are final and have precedential value.” (<https://www.icann.org/resources/pages/governance/bylaws-en#IV>)