

## 2013 Reconsideration Requests – Status Update – 24 June 2014

| No:  | Requester:             | Filing Date: | BGC Action Date: <sup>1 2</sup>   | NGPC Action Date: <sup>3</sup>            | Comments:  |
|------|------------------------|--------------|---|---|--|
| 13-1 | Ummah Digital, Ltd.    | 24-Mar-13    | 11-Apr-13<br>(Recommendation);<br>Total days from Request: 18                       | 18-May-13;<br>Total days from Request: 55 |  |
| 13-2 | Nameshop               | 30-Mar-13    | 1-May-13<br>(Recommendation);<br>Total days from Request: 32                        | 18-May-13;<br>Total days from Request: 49 |  |
| 13-3 | NCSG                   | 19-Apr-13    | 16-May-13;<br>Revised 25-Jun-13<br>(Recommendation);<br>Total days from Request: 27 | 2-Jul-13;<br>Total days from Request: 74  | Following community discussions, BGC revoked its initial Recommendation and issued a revised Recommendation. |
| 13-4 | DotConnectAfrica Trust | 19-Jun-13    | 1-Aug-13<br>(Recommendation);<br>Total days from Request: 43                        | 13-Aug-13;<br>Total days from Request: 55 |  |

<sup>1</sup> Article IV, Section 2.16 of the Bylaws provide that “[t]he Board Governance Committee shall make a final determination or a recommendation to the Board with respect to a Reconsideration Request *within thirty days following its receipt of the request, unless impractical, in which case it shall report to the Board the circumstances that prevented it from making a final recommendation and its best estimate of the time required to produce such a final determination or recommendation.*” (Bylaws, Art. IV, § 2.16.) Article IV, Section 2.17 of the Bylaws state that the Board (or the NGPC) “shall issue its decision on the recommendation of the Board Governance Committee *within 60 days of receipt of the Reconsideration Request or as soon thereafter as feasible.*” (Bylaws, Art. IV, §2.17.) It was impractical for the BGC to consider many of the Requests within thirty days due to the volume of Requests received, timing when those Requests were received, and the nature of some of the Requests. Requestors are regularly notified at each step of the proceedings, including whether there will be a delay beyond the suggested thirty days for the BGC, and whether the matter will be submitted to the NGPC.

<sup>2</sup> For Reconsideration Requests brought regarding staff action or inaction, and actions by third party panels in the New gTLD Program (including the expert dispute resolution panels) that are being treated as staff actions, the BGC has the option to issue final Determinations or to issue Recommendations to the Board or the NGPC. (See Article IV, Section 2.16 of the Bylaws; see also, BGC Recommendation on Reconsideration Request 13-5 at <http://www.icann.org/en/groups/board/governance/reconsideration/recommendation-booking-01aug13-en.doc>.)

<sup>3</sup> For some pending Requests, it has not been feasible for the NGPC to consider them within sixty days due to the time and volume challenges experienced by the BGC, as well as the NGPC’s own time constraints, some scheduling conflicts around the ICANN public meeting in Buenos Aires in November 2013, and the holiday schedule.

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| 13-5 | Booking.com<br>B.V. | 28-Mar-13 | 1-Aug-13<br>(Recommendation);<br>Total days from<br>Request: 126 | 10-Sept-13;<br>Total days from<br>Request: 166 | Initially put on<br>hold by Requester<br>pending<br>completion of<br>DIDP, following<br>which the NGPC<br>made a<br>Determination |
|------|---------------------|-----------|--|--|---|

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|------------|--|-------------------------|--|---|--|
| 13-6       | Hotel Top<br>Level<br>Domain<br>S.a.r.l. | 23-Aug-13               | 25-Sep-13<br>(Recommendation);<br>Total days from<br>Request: 32 | 5-Nov-13;<br>Total days from<br>Request: 74                                   |  |
| 13-7       | DISH DBS<br>Corp.                        | 23-Aug-13               | 25-Sep-13<br>(Recommendation);<br>Total days from<br>Request: 32 | 5-Nov-13;<br>Total days from<br>Request: 74                                   |  |
| 13-8       | Merck KGaA                               | 30-Aug-13               | 10-Oct-13<br>(Recommendation);<br>Total days from<br>Request: 41 | 5-Nov-13;<br>Total days from<br>Request: 67                                   |  |
| 13-9       | Amazon EU<br>S.a.r.l.                    | 4-Sep-13                | 10-Oct-13<br>(Recommendation);<br>Total days from<br>Request: 36 | Tentatively<br>scheduled for<br>July 2014;<br>Total days from<br>Request: TBD | Placed on hold<br>pending<br>consideration of<br>Report on<br>perceived<br>inconsistent String<br>Confusion<br>Objection Expert<br>Determinations,<br>requested by the<br>BGC on 10<br>October 2013. |
| 13-10      | Commercial<br>Connect,<br>LLC            | 5-Sep-13                | 10-Oct-13<br>(Recommendation);<br>Total days from<br>Request: 35 | Tentatively<br>scheduled for<br>July 2014;<br>Total days from<br>Request: TBD | Placed on hold<br>pending<br>consideration of<br>Report on<br>perceived<br>inconsistent String<br>Confusion<br>Objection Expert<br>Determinations,<br>requested by the<br>BGC on 10                  |

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|       |      |          |   |     |               |
|-------|------|----------|---|-----|---------------|
|       |      |          |   |     | October 2013. |
| 13-11 | NCSG | 8-Sep-13 | 29-Oct-13<br>(Determination);<br>Total days from<br>Request: 51 | N/A |               |

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| No:   | Requester:               | Filing Date: | BGC Action Date:  | NGPC Action Date:                            | Comments:  |
|-------|--------------------------|--------------|---|--|--|
| 13-12 | Tencent Holdings Limited | 14-Sep-13    | 29-Oct-13<br>(Recommendation);<br>Total days from Request: 45 | 9-Jan-14;<br>Total days from Request: 111    | Was on NGPC agenda in November, but NGPC asked for additional information; intervening holidays.   |
| 13-13 | Christopher Barron       | 19-Oct-13    | 12-Dec-13<br>(Recommendation);<br>Total days from Request: 54 | 22-March-14;<br>Total days from Request: 154 | NGPC initially reviewed on 9 Jan 2014 and asked for additional information; scheduling conflicts around ICANN public meeting in Buenos Aires in November 2013, and intervening holidays; follow up investigation regarding Requester's affiliation with GoProud Inc. |

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| 13-14 | DERCars, LLC | 21-Oct-13    | Tentatively scheduled for July 2014;<br>Total days from Request: TBD |                   | BGC first reviewed on 10 December 2013, and put on hold pending completion of consideration of Report on perceived inconsistent String Confusion Objection Expert Determinations and potential approaches to address some perceived inconsistent string confusion expert determinations; scheduling conflicts around ICANN public meeting in Buenos Aires in November 2013, and intervening holidays; proposed review mechanism to address perceived inconsistent expert determinations on string confusion objections out for public comment from 11 February 2014 to 2 April 2014. |

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|------------|-------------------------|------------------------------------|--|---|--|
| 13-15      | Commercial Connect, LLC | 25-Oct-13                          | 12-Dec-13 (Determination);<br>Total days from Request: 48  | N/A                                       | Scheduling conflicts around ICANN public meeting in Buenos Aires in November 2013; intervening holidays. |
| 13-16      | dot Sport Limited       | 8-Nov-13                           | 8-Jan-14 (Determination);<br>Total days from Request: 61   | N/A                                       | Intervening holidays.  |
| 13-17      | GCCIX, W.L.L.           | 14-Nov-13                          | 8-Jan-14 (Recommendation);<br>Total days from Request: 55  | 30-Jan-14;<br>Total days from Request: 77 | Intervening holidays.  |
| 13-18      | ILGA                    | 3-Dec-13                           | 8-Jan-14 (Determination);<br>Total days from Request: 36   | N/A                                       | Intervening holidays.  |
| 13-19      | HOTREC                  | 4-Dec-13                           | 21-Jan-14 (Recommendation);<br>Total days from Request: 48 | 30-Jan-14;<br>Total days from Request: 57 | Intervening holidays.  |
| 13-19      | HOTREC                  | 4-Dec-13                           | 21-Jan-14 (Recommendation);<br>Total days from Request: 48 | 30-Jan-14;<br>Total days from Request: 57 | Intervening holidays.  |
| 13-20      | DotSecure, Inc.         | 12-Dec-13                          | 21-Jan-14 (Determination);<br>Total days from Request: 40  | N/A                                       | Intervening holidays.  |
| 13-21      | European Lotteries      | 23-Dec-13                          | 21-Jan-14 (Determination);<br>Total days from Request: 29  | N/A                                       | Intervening holidays.  |
| 13-22      | DotMusic                | 23-Dec-13                          | 5-Feb-14 (Determination)<br>Total days from Request: 44    | N/A                                       | Intervening holidays.  |
| 13-23      | Ruby Pike, LLC          | 27-Dec-13,<br>Revised<br>30-Dec-13 | 5-Feb-14 (Determination)<br>Total days from Request: 40    | N/A                                       | Intervening holidays.  |