

Dot Registry IRP – Basis for Redactions

The Bylaws governing the Independent Review Process (IRP) allow for the IRP Panel to agree that certain information can be held as confidential. (Bylaws, Art. IV, Section 3.20.) As set forth by the IRP Panel, the parties are required to maintain the confidentiality of specific information produced during the Dot Registry IRP. Pursuant to the IRP Panel’s Procedural Order No. 3, the parties exchanged information that was to be maintained as confidential. ICANN therefore has an affirmative obligation to redact the confidential information. As set forth in Procedural Order No. 3:

Documents exchanged by the parties or produced to the Panel at the Panel’s directive which contain confidential information [in particular, the “names of EIU personnel involved in the work contemplated and the work performed by the EIU in connection with Dot Registry’s applications for .INC, .LLC, and/or .LLP...”]:

- i. May not be used for any purpose other than participating in ICDR Case No. 01-14-0001-5004, and;
- ii. May not be referenced in any, and any information contained therein must be redacted from any, written submissions prior to public posting.

(Procedural Order No. 3, Paragraphs 3 and 8, available at <https://www.icann.org/en/system/files/files/procedural-order-3-04may15-en.pdf>.)

ICANN has complied with the terms of Procedural Order No. 3, which is reflected in the redactions to the Final Declaration, transcript of the IRP hearing, and other submissions and exhibits posted during the course of the Dot Registry IRP. To the extent ICANN receives any future confirmation that previously designated confidential information can be considered non-confidential, ICANN will publish a revised Final Declaration, transcript, and materials.