

# CWG Implementation – PTI bylaws, contract & IPR

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# PTI articles of incorporation & bylaws - highlights

- Name tbd
- Same legal entity as ICANN (California Nonprofit Public Benefit Corporation)
- Membership: ICANN is the sole member
- Rights of the member a.o.:
  - Elect the directors
  - Amendment of the bylaws (with PTI board approval)
- 5 member board (3 named by ICANN, 2 by the ICANN NomCom), for 'high impact' decisions 4/5 board members AND the 2 NomCom board members necessary



# PTI contract

First draft to be released any moment

- Based on the current IANA contract & CWG proposal;
- Names only;
- Contains Statement of Work & Service Level Expectations



# PTI bylaws & contract– ccTLD specificities

- CWG proposal Annex C sections 7 & 8: PTI relationship with TLD operators
- Practical implementation: specific articles in as well the PTI bylaws as in the ICANN – PTI contract:  
<https://community.icann.org/pages/viewpage.action?pageId=49351404&preview=/49351404/59647301/CWG%20Final%20Proposal%20Sections%207%20and%208%20Annex%20C.docx>
- Decisions and actions of PTI shall comply with local law of the ccTLD, except if that would force PTI to violate its own laws;
- PTI can not make changes to ccTLD policies and procedures without the consent of the impacted registry;
- PTI will not discriminate between types of registries;
- PTI will not require a contract in order to provide services to ccTLD registries;
- PTI will not impose additional requirements unless directly and demonstrably linked to the global security, stability and resilience of the Domain Name System.



# IANA Intellectual Property Rights

- IANA trademark & iana.org domainname
- Currently held by ICANN
- Plan:
  - transfer to IETF trust
  - IETF trust provides licenses to 3 communities
  - communities provide a sublicense to ICANN/PTI
- Status: under discussion, some legal difficulties raised

