# Navigating Unforeseen Legal Consequences Involving the Implementation of Internationalized TLDs

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## Executive Summary

The Internet Corporation for Assigned Names and Numbers (ICANN) is currently analyzing technical and policy implications regarding the introduction of Internationalized Top-Level Domains (IDN TLDs) into the root. This is an important step in the continued evolution of the Internet by enabling language communities of the world that write non-Latin and extended Latin scripts (i.e. use languages that cannot be directly represented with the US-ASCII character set) to utilize their languages on the Internet. To date, the ICANN staff and Board have elected to focus their policy discussion primarily on country code top-level domains (ccTLDs) through a fast-track ccTLD only IDN initiative.

While the IDNC Working Group (IDNC) has made constructive progress on proposing a framework for the introduction of an initial set of IDN TLDs, the approach taken by the IDNC from a legal perspective is fundamentally flawed. The IDNC has failed to recognize that an IDN equivalent of country name involves much more than making a mere linguistic determination as to which IDN string is "meaningful" in a particular "official language", but also involves a number of international legal determinations as well, with far reaching legal implications. ICANN Staff must properly consider, reference and incorporate the comprehensive body of work that has been developed by the World Intellectual Property Organization (WIPO) in this area prior to making any determination on how it proceeds with respect to the adoption of the IDNC Final Report.

This paper will provide an analysis into the legal ramifications of certain recommendations in the IDNC final draft, and propose an alternative model founded upon well established and internationally recognized principles of law. More specifically, this paper proposes that the ICANN Board request WIPO to investigate the possibility of developing an administrative process based upon Article 10bis of the Paris Convention. If WIPO determines that such an administrative process is appropriate, then it should recommend to the ICANN community a set of policies, rules and procedures to implement such a system. In drafting the policies, it is recommended that WIPO propose guidelines seeking the guidance from internationally recognized linguistics bodies, such as UNESCO, to aid in the administrative decision process.

The fundamental premise of this paper is that IDN TLDs need to be introduced as soon as feasible. The recommendation to involve WIPO and UNESCO is made with the belief that their involvement will not only ensure the introduction of IDN TLDs is done correctly but can also happen in a very timely manner as outlined in this paper.

**The IDNC Working Group**

The ICANN Board approved the creation of an IDNC Working Group based upon the charter proposed by the ccNSO.[ii] While it is important to acknowledge the valuable contribution the IDNC has made to date toward expediting the roll-out of IDN TLDs associated with ISO 3166-1 two character ccTLDs, there are a number of fundamental concerns both in the charter and the recommendations that the IDNC WG are proposing that need to be closely analyzed because of their potential for significant unintended legal consequences.

**IDNC Working Group Charter Concerns**

The first concern is in the very charter of the IDNC which proposes "to develop and report on feasible methods, if any …. of a limited number of **non-contentious** IDN ccTLDs"[iii] (emphasis added). The charter, however, fails to define the term "non-contentious", nor does it require that the IDNC attempt to define such a term. Moreover, there is little, if any, guidance in their reports on how the existence or non-existence of contention will be measured and/or defined. This is a fundamental flaw on a number of levels. Since its formation, ICANN policies have always been founded on the bedrock principle of "consensus". While this term in and of itself is not the model of exactness, nevertheless, there is a broad international understanding of this term and the standards by which it is measured. In the absence of any clear guidance or standards, the ICANN Board will find itself in the unenviable position of having to make new legal and substantive determinations on the existence or non-existence of contention.

While it may properly be argued that the ICANN Board has some experience in making substantive decisions involving potential claims of consensus and contention involving some ccTLD re-delegations, the ICANN Board should be asking itself another question. Is there an alternative path toward expediting the roll-out of IDN TLDs pursuant to which the Board would not interject itself into making potentially arbitrary or subjective decisions (or both) involving new legal standards (non-contentious) not universally recognized either by ICANN or in other international fora?

**Problematic IDNC Working Group Recommendations:**

As previously acknowledged the IDNC WG has made a valuable contribution towards expediting the roll-out of IDN TLDs; however, their proposed draft recommendations in connection with what constitutes a "meaningful string" as currently stated raise potential serious consequences involving issues of international law in other international fora.

The IDNC WG has proposed the following definition of what constitutes a "meaningful string" for potential inclusion into the proposed IDN ccTLD Fast Track Process.

> For purposes of the Fast Track the string used must be meaningful in the Official Language. A string is meaningful if it is in the Official Language and:
>
> a) is the name of the Territory; or
> b) a part of the name of the Territory that denotes the Territory in the language; or
> c) a short-form designation for the name of the Territory, recognizably denoting it in the indicated language
>
> Where the proposed string is listed as the long form or short form name of the relevant Territory in Part Three column 3 or 4 of the UNGEGN Manual then the string should be considered to be meaningful. If the string is not so listed then meaningfulness will need to be documented by the selected delegate of the IDN ccTLD.

The problem with this recommendation is the last sentence which appears to contemplate ICANN administering a process in which a yet to be formed Linguistic Experts Advisory Panel (LEAP)is empowered to make recommendations on what is "meaningful" in an "official language." While at first blush this would appear to be a positive development from the IDNC Working Group's original draft recommendation that appeared to place this burden solely on ICANN, it ignores the fact that over 170 countries in the World Intellectual Property Organization's Second Internet Domain Name Process specifically recommended NOT to extend protection to names by which countries are familiarly or commonly known ( i.e. the answer to an equivalent IDN string of a country name starts and stops with the appropriate UN list[iv]).

Unfortunately, in an attempt to expedite the allocation of IDN TLDs the IDNC Working Group seems compelled on ignoring the clear and unequivocal guidance from WIPO despite the fact that WIPO had an extensive international consultation on this underlying topic prior to making its applicable recommendations. In addition, the very fact that ICANN itself will likely have to populate the LEAP or at the very least provide guidance in the LEAP's establishment calls into question the independent nature of this panel, as well as the qualifications and appropriateness of a technical coordinating body to engage in this endeavor in the first place.

**The Second WIPO Internet Domain Name Process:**

In having a detailed discussion on the topic of IDN TLDs involving the representation of a country name, it is critical to acknowledge and incorporate the extensive work undertaken in other international fora directly related to this issue. In this case, special attention and consideration needs to be given to the work the World Intellectual Property Organization (WIPO) has undertaken on behalf of its over 180 member States regarding the protection of country names in the domain name system.

The Second WIPO Internet Domain Name Process was initiated at the request of the Member States of WIPO and focused on the interface between Internet domain names and a range of other non-trademark identifiers; including the subset of country names within the broader

geographical identifiers category.[v] The initial recommendation set forth in the Second WIPO report recommended that there be no modification to the existing UDRP[vi] based in part on "a difficult area on which views are not only divided, but also ardently held."[vii]

However, the WIPO General Assembly in September 2001directed the Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) to hold two special sessions on the Report of the Second WIPO Internet Domain Name Process. At this first special session held from 29 November to 4 December 2001, it was decided that "most delegations favoured some form of protection for country names against registration by parties unconnected with the constitutional authorities of the country in question."[viii] It was also decided that the delegations should be invited to submit comments with regard to a list of questions[ix] to the Secretariat in advance of the second special session.

At the conclusion of this second special session of the SCT, the Chair noted that:

1. Most delegations favored some form of protection for country names against registration or use by persons unconnected with the constitutional authorities of the country in question.

2. As regards the details of the protection, delegations supported the following:
   (i) A new list of the names of countries should be drawn up using the UN Bulletin and, as necessary, the ISO Standard (it being noted that the latter list includes the names of territories and entities that are not considered to be States in international law and practice). Both the long or formal names and the short names of countries should be included, as well as any additional names by which countries are commonly known and which they notify to the Secretariat before June 30, 2002.
   (ii) Protection should cover both the exact names and misleading variations thereof.
   (iii) Each country name should be protected in the official language(s) of the country concerned and in the six official languages of the United Nations.
   (iv) The protection should be extended to all top-level domains, both gTLDs and ccTLDs.
   (v) The protection should be operative against the registration or use of a domain name which is identical or misleadingly similar to a country name, where the domain name holder has no right or legitimate interest in the name and the domain name is of a nature that is likely to mislead users into believing that there is an association between the domain name holder and the constitutional authorities of the country in question.

3. The Delegations of Australia, Canada and the United States of America dissociated themselves from this recommendation.

In September 2002, the WIPO General Assembly noted that a majority of the delegations recommended that the Uniform Domain Name Dispute Resolution Policy (UDRP) be amended

to provide protection for country names in the domain name system. However, it noted that the following issues in particular warranted further discussion: " (1) the list to be relied upon to identify the names of countries which would benefit from the protection envisaged; (2) the extension of the deadline for the notification to the Secretariat of names by which countries are commonly or familiarly known; and (3) how to deal with acquired rights." The General Assembly decided that discussions should be continued in the SCT.

In November 2002, the SCT concluded the additional work that the General Assembly had requested in connection with the "list" of country names that would benefit from the proposed protection. The Chair concluded that "protection should be extended to the long and short names of countries, as provided by the United Nations Terminology Bulletin."[x] It was then decided "to inform ICANN that no recommendation would be made to extend protection to names by which countries are familiarly or commonly known."[xi]

**ICANN Board Consideration of the IDNC Recommendations:**

Based upon the detailed and comprehensive work undertaken by the international community regarding extending protection of country names to the domain name system, the ICANN Board should carefully note the following prior to taking any action in connection with IDNC WG recommendations:

(1) There is no universally recognized international law to deal comprehensively with the abusive registration of country names. As noted in the Second WIPO Report, "new law would need to be created in view of the inadequate reach of existing law."
(2) ICANN staff in the Second WIPO Domain Name Process, with regard to the protection of country names, stated that "any solution should have a firm basis in international law."[xii]
(3) It is well established and recognized by ICANN that it is "not in the business of deciding what is and what is not a country."[xiii]
(4) The recommendation of the WIPO General Assembly supported a modification to the UDRP to address abusive registration of country names. This mechanism by its very nature is a challenge mechanism, and not a pre-emptive right as currently proposed by the IDNC WG recommendation.
(5) There appears to be agreement among the international community, that any protection of country names should be narrowly limited to the short and formal names of the country as recorded in the appropriate UN publication.

It is respectfully submitted that based upon the aforementioned, the ICANN Board should reject the recommendations of the IDNC WG as currently proposed, particularly with respect to the creation of any Linguistic Experts Advisory Panel to make a "meaningful string" analysis.

**Avoiding an IDN TLD Policy Stalemate:**

Although not clearly articulated in the IDNC WG recommendations, it is important to note that if ICANN were to rely exclusively upon the UN Technical Reference Manual for the Standardization of Geographical Names in their proposed ccTLD IDN Fast Track initiative, over fifty (50) current ccTLD administrators would be precluded from participating in proposed ccTLD IDN Fast Track process. Most notably among this list of ccTLD administrators would be EURID, the registry operator for the European Union .EU TLD. This author believes that the European Union not only has a right, but a duty, to expand the name space constructively so that citizens of the European Union have the opportunity to appreciate a full IDN experience in all of the official languages of the European Union.

As articulated in the sections below, it is proposed that only by taking a step back and looking at the situation from a wider perspective can one then begin to explore other potential options to implement an expedited IDN TLD policy that scales universally for all TLD operators instead of the current ad hoc approach.

**Avoiding Artificial Distinctions in the Marketplace:**

One lesson that the ICANN community should have learned from the 2000 proof of concept gTLD and the 2004 sTLD rounds, was that artificial and arbitrary labels in connection with TLDs is misguided and/or susceptible to abuse. In addition, what the ICANN Board and staff should have learned from these respective processes is the need to keep a global perspective of the domain name marketplace when attempting to establish global domain name policies.

A quick historical review of the 2000 proof of concept TLD round provides some insight into the pitfalls of trying to pigeon hole specific TLDs arbitrarily into neat little policy boxes. The 2000 proof of concept round actually made the following three distinctions between the selected registry applicants: unsponsored/unrestricted (.INFO); unsponsored/restricted (.BIZ, ..NAME and .PRO), and sponsored (.AERO, .COOP, and .MUSEUM). However, following the most recent round of contractual renewals, the substantive differences in these registry agreements are now almost indistinguishable. The blurring of these contractual differences is further evidenced in the GNSO policy recommendations for new gTLDs that contemplate a template agreement for new registry operators.

Historically, there has been a strong distinction between gTLD and ccTLD communities. In fact, this distinction was a driving force in the 2002-2003 ICANN Evolution and Reform Process which resulted in the ccTLD community splitting off from the old Domain Name Supporting Organization (DNSO) to form its own Supporting Organization (ccNSO), while the remaining constituencies of the old DNSO were reconstituted into the current Generic Name Supporting Organization (GNSO). While acknowledging the appropriateness to divide certain policy development processes between the gTLDs and ccTLDs that might involve potential conflicts with national laws, one cannot refute the evolving competitive marketplace in which both gTLD registries and ccTLD registries compete.

Evidence of this continually evolving marketplace is clearly established by looking at the respective percentages of gTLDs and ccTLDs in comparison to the overall number of domain names registered globally. Notwithstanding the fact that the domain name space has seen the introduction of thirteen new gTLDs in comparison to only a small handful of ccTLDs (.PL, .ME and .EU) ccTLDs have been increasing their overall market share within the domain name marketplace. In fact, by the end of the first quarter 2008, ccTLDs accounted for sixty-three (63) million of the one hundred and sixty-two (162) million domain names registered globally, a 33 percent increase year over year and a nine percent increase quarter over quarter.[xiv]

It is important to note that nothing in this analysis is intended to compromise either directly or indirectly with the national sovereignty that governments may exert in connection with their respective ccTLDs. In fact, it is respectfully submitted that the IDNC WG should have included more specific safeguards as outlined in the GAC Principles on ccTLD Redelegation as prerequisites for a ccTLD registry seeking to apply for an IDN equivalent TLD, instead of the more ambiguous "non-contentious" reference. Only with these additionally enumerated safeguards can a government properly advocate and safeguard the important public policy issues at stake with regard to any TLDs associated with their territory.

**Other Potential International Legal Principles to Advance the IDN TLD Rollout**

In looking for other potential international legal principles as a model for an IDN TLD rollout initiative, there was a potentially valuable insight offered by Sweden's delegation during the SLT's Second Special Session on the Report of the Second WIPO Internet Domain Name Process. In looking for potential legal principles to prohibit third parties unconnected with the constitutional authorities from registering a country name, the delegation commented that such registration "may be characterized as giving such registrants an unfair advantage over competitors, which could be classed, in terms of legal basis, as unfair competition, as defined by Article 10bis of the Paris Convention."[xv]

The Paris Convention dates back to 1883 and is one of the oldest intellectual property treaties. Currently there are over one hundred and seventy two (172) contracting member countries, making it one of the most widely adopted treaties in the world.[xvi] Article 10bis of the Paris Convention is documented below in its entirety:

*Article 10bis*
*Unfair Competition*

(1) The countries of the Union are bound to assure to nationals of such countries effective protection against unfair competition.

(2) Any act of competition contrary to honest practices in industrial or commercial matters constitutes an act of unfair competition.

(3) The following in particular shall be prohibited:

(i) **all acts of such a nature as to create confusion by any means whatever with the establishment, the goods, or the industrial or commercial activities, of a competitor;**

(ii) false allegations in the course of trade of such a nature as to discredit the establishment, the goods, or the industrial or commercial activities, of a competitor;

(iii) **indications or allegations the use of which in the course of trade is liable to mislead the public as to the nature, the manufacturing process, the characteristics, the suitability for their purpose, or the quantity, of the goods.**

(Emphasis added)

Using 10*bis* of the Paris Convention as a foundation, it is possible for ICANN to develop an IDN fast track policy that could be implemented across the entire TLD universe, instead of just a small subset of ccTLDs. Additionally, the process as currently outlined by the IDNC WG could easily be modified by substituting the problematic "meaningful string" component that would potentially require ICANN to make arbitrary decisions regarding what string did and did not represent a country name in a "non-contentious" process, with a much more flexible standard based upon well established international principles of trademark and unfair competition laws.

This process would not only enable the governments of China and India to move forward with multiple IDN TLDs to empower all of their citizens to experience a full IDN experience, but would provide a much more flexible and scalable approach that would permit the European Commission to work in conjunction with EUrid to submit a list of IDN equivalent strings in each of the European Union's official languages for inclusion into the Root. Simply stated, all governments of the world should have the same equal right to provide their citizens with a full IDN experience, and ICANN should not unfairly preclude those governments with Latin based scripts from participating in this process.

**Safeguards Against gTLD Registry Operators Improperly Extending Their Contractual Rights Through the Paris Convention**

There will no doubt be an immediate and vocal outcry from certain sectors within the ICANN community that will be quick to claim that this approach unfairly provides gTLD registries with an unreasonable mechanism to extend their monopoly and unreasonably delay the IDN TLD fast track process. However, before engaging in knee-jerk policy creation, the ICANN Board, staff, and community need to take pause, and investigate if there are other international fora that have addressed this issue in a less politically charged environment, and one in which the participants did not have such ardently held views or economic interests at stake.

Not surprisingly, there have been other international organizations that have addressed the exact same issue, i.e. IDN equivalence of ASCII strings within the DNS. In 2001, WIPO and the International Telecommunication Union (ITU) held a joint symposium on the technical, policy and legal issues involving IDN[xvii]. Although this symposium was primarily focused on IDNs at the second level, the legal principles that WIPO analyzed apply equally as well to the top level. In its written submission, WIPO analyzed a number of IDN second level disputes that required its highly qualified panelists to apply existing international trademark law to address such issues as translation and transliteration in rendering their decisions.

In discussing how some intellectual property legal systems were adapting to "the challenge of protecting marks across jurisdictions and in different languages"[xviii] WIPO engaged in a detailed analysis of how the "doctrine of foreign equivalents" had developed through United States legal precedents. While this reference to specific United States jurisprudence is not intended to be dispositive of the issue, these precedents need to be factored into any policy formulation as long as new additions to the Internet's Root A Server are governed under the IANA contract currently administered by ICANN on the behalf of the United States Government.

It is respectfully submitted that if the ICANN Board should task WIPO with investigating the potential of an administrative challenge process by which third parties could object to an application by a TLD registry operator (gTLD and ccTLD) for an IDN equivalent TLD string under the proposed fast track process. If WIPO believes that such an administrative challenge process can be properly founded on international law, then it should promptly undertake to prepare a draft policy and rules. In drafting these documents, WIPO should specifically enumerate the proposed guidelines on how WIPO experts would seek the guidance from an internationally recognized linguistics body, such as UNESCO, to aid in the administrative decision process. These draft policy and rules could then be shared with the community in a similar manner as the draft UDRP policy and rules back in 1999. Following any necessary modifications, these policy and rules could then be approved by the ICANN Board.

**Protecting the Rights and Interests of Registrants**

One issue that has not been fully analyzed in the current IDN discussion is the potential negative impact on domain name registrants in the existing ASCII TLDs. Just as existing registries may have a legal right under the Paris Convention to prevent confusion in the marketplace, domain name registrants may be entitled to a similar degree of protection. As evidenced by some IDN disputes that WIPO has administered over the years, it is clear that the domain name registrants need to be afforded some degree of protection to mitigate against abusive registrations.

It is proposed that those registries that are successful in making a claim under the Paris Convention to register an IDN equivalent TLD under the proposed fast track process should provide all existing registrants in that TLD a right of first refusal to register their existing second level domain name in the new equivalent IDN TLD. While ICANN has no such authority in connection with ccTLDs to mandate this policy, it is encouraging to see ccTLD operators such as .AR adopting this approach in connection with IDN implementation at the second level.

**Action vs. Inaction**

The global internet community has rightfully demanded a full IDN experience. Because of delays over the years, there has emerged a patch work network of solutions that potential calls into question the principle of a unique and unified global root. While the recent efforts of ICANN staff need to be acknowledged and complimented, it is now up to the ICANN Board to step forward and provide thought leadership that the community expects and which the **entire community** can respect and support.

There will undoubtedly be some within the community that will attempt to undermine the thought leadership set forth in this article with a parade of horrors if the ICANN Board does not immediately adopt the IDNC WG recommendations, notwithstanding the reality of previous ICANN delays over the years. In response to these naysayers, I offer the following UDRP timeline as proof of how **great things** can happen in relatively **short periods of time** when people sharing **common interests** work together with **leadership** provided by qualified international organizations with **competent experience** in the underlying subject matter:

> 27 May 1999 – ICANN Board Resolution 99.43 endorses the principle that a uniform dispute resolution policy should be adopted for Registrars in generic TLDs;
>
> 26 Aug 1999 – ICANN Board Resolution 99.81 accepted the GNSO Recommendation to accept a UDRP, and implements a drafting committing;
>
> 24 Oct 1999 – ICANN Board Resolution 99.113 directs staff to implement theUDRP.
>
> 2 Dec 1999 – The first UDRP complaint is filed with WIPO
>
> 14 Jan 2000 – WIPO renders its first decision in a UDRP

**Conclusion**

The New Zealand delegation in connection with the Second WIPO Internet Domain Name Process consultations stated that it was not "[i]n the interests of member States to develop ad hoc solutions for the protection of country names, which would apply only on the Internet."[xix] This quote should serve as a stark reminder to the ICANN Board about the decision that it will soon have to make.

While it is clearly within ICANN's mandate to administer the delegation of new TLDs into the Internet's root, it should defer to appropriate and qualified international bodies to make non-technical recommendations that have a significant effect on the international legal landscape. Failure to involve these other qualified international bodies imposes upon ICANN the obligation to re-create new independent panels to make these non-technical (linguistic and legal) recommendations which may run contrary to already established consensus driven principles. The creation of a linguistic advisory panel will likely not only delay the implementation of new IDN TLDs, but further call into question the expansion of ICANN's mission beyond its stated narrow technical mandate.

At is upcoming Board meeting in Paris, the ICANN Board can demonstrate their commitment to exploring all possible means to expedite the roll-out of new IDN TLDs by requesting WIPO to conduct an analysis into the feasibility of an administrative dispute process based upon Article 10bis of the Paris Convention, and to provide a potential timeline for implementation. If it is determined that such a process can be developed in a timely manner, this proposed alternative recommendation provides a solid legal foundation to implement all new IDN TLDs. An additional benefit to this approach is that this process can easily be integrated into the proposed new TLD process currently being implemented by ICANN staff. Thus, instead of ICANN benefiting one sector of the domain name industry with preferential ad hoc treatment, the entire TLD name space (both ccTLD and gTLD) can provide their users with a full IDN internet experience thru a fair an equitable process.

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[i] The author is regularly engaged by registries (both ccTLD and gTLD) in a wide range of policy and operational matters. However, this paper is written in an individual capacity, and does not necessarily represent the viewpoints of any past, current or future clients, although I do readily acknowledge a keen interest on behalf of many within the ccTLD and gTLD community to expedite the IDN TLD process.

[ii] http://www.icann.org/minutes/resolutions-02nov07.htm#_Toc55609363

[iii] http://www.ccnso.icann.org/workinggroups/idnc-charter.htm

[iv] The UN Bulletin has been succeeded by the UN Multilingual Terminology Database available at http://unterm.un.org

[v] Executive Summary, Second WIPO Internet Domain Name Process , http://www.wipo.int/amc/en/processes/process2/report/html/report.html#summary.

[vi] Paragraph 244.

[vii] Paragraph 237.

[viii] See Paragraph 132, http://www.wipo.int/edocs/mdocs/sct/en/sct_s1/sct_s1_6-main1.pdf

[ix] (i) How should the name of a country be identified (for example, by reference to the United Nations Terminology Bulletin, ISO Standard 3166, or by some other method) and should both the long and short names of countries be protected?
(ii) In what languages should country names be protected?
(iii) To what domains should any protection be extended (for example, to all, both existing and future, gTLDs, only to future gTLDs, also to ccTLDs, etc.)?
(iv) How should any alleged acquired rights be treated?
(v) What mechanism should be used to implement protection (for example, the UDRP or some other mechanism)?
(vi) Should any protection extend to the exact country name only or also to misleading variations?
(vii) Should protection be absolute or should it be dependent upon a showing of bad faith?

[x] SCT/9/8 Paragraph 7(i), see http://www.wipo.int/edocs/mdocs/sct/en/sct_9/sct_9_8.pdf

[xi] SCT/11/7, Paragraph 5, see http://www.wipo.int/edocs/mdocs/sct/en/sct_11/sct_11_7.pdf

[xii] SCT/S2/8, Paragraph 178.

[xiii] ICANN Internet Domain Name System Structure and Delegation (ccTLD Administration and Delegation) (ICP-1), http://www.icann.org/icp/icp-1.htm See also RFC 1591.

[xiv] June Verisign Domain Brief, see http://www.verisign.com/static/043939.pdf

[xv] See http://www.wipo.int/edocs/mdocs/sct/en/sct_s2/sct_s2_8.pdf, Paragraph 181.

[xvi] See http://www.wipo.int/treaties/en/statistics/StatsResults.jsp?treaty_id=2&lang=en

[xvii] See http://www.itu.int/mlds/

[xviii] See http://www.itu.int/mlds/briefingpaper/index.html#wipo, Paragraph 32.

[xix] SCT/S2/3 Paragraph 4.