

**Adobe Connect: 13 members**

Brian Beckham - WIPO

Cyntia King  
George Kirikos  
Greg Shatan  
Griffin Barnett  
Justine Chew

Kathy Kleiman  
Kristine Dorrain (Amazon Registry)  
Michael Graham  
Renee Fossen (Forum)  
Roger Carney  
Sara Bockey  
Zak Muscovitch

**On Audio only:**

Claudio DiGangi

Rebecca Tushnet

**Apologies:**

Susan Payne

Phil Corwin

**Staff:**

Julie Hedlund  
Ariel Liang  
Mary Wong

Berry Cobb  
Terri Agnew

Terri Agnew:Welcome to the RPMs Sub Team for Trademark Claims on Wednesday, 12 December 2018 at 17:00 UTC for 60 minutes.

Terri Agnew:agenda wiki page: [https://community.icann.org/x/uQb\\_BQ](https://community.icann.org/x/uQb_BQ)

George Kirikos:Hi folks.

George Kirikos:With just Zak and I here, it'll be easier to reach full consensus. :-)

George Kirikos:Echo.

George Kirikos:Not anymore.

sara bockey:No

Kristine Dorrain (Amazon Registry):no

George Kirikos:(was one earlier)

George Kirikos:Since the next call starts at 1 pm Eastern, we need to finish on time (as several folks are in both subteams).

Cyntia King:Happy Holidays All!

George Kirikos:Disagreement needs to be based on evidence/facts (and I've done that).

Cyntia King:I'd like to nominate Griffen Barnett

Julie Hedlund:@Cyntia: Noted.

Greg Shatan:George, your opinions were duly noted.

Griffin Barnett:Lol ... also noted... not sure I am prepared to accept but I'll need to give it some thought

Griffin Barnett:Or perhaps you were nominating my evil twin, Griffen

Cyntia King:@Griffin - I apologize for my very fat fingers

Kristine Dorrain (Amazon Registry):I did it last time and might be willing to consider it.

Kathy Kleiman:Tx Cyntia and Kristine!

Michael Graham 2:Kristine and Griffin -- Would you like to Tag Team chair?

Ariel Liang:[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_docs.google.com\\_spreadsheets\\_d\\_1aBw-2DdW2gBzvBfhUgl3u6ShWIPZt0yyNF-](https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_spreadsheets_d_1aBw-2DdW2gBzvBfhUgl3u6ShWIPZt0yyNF-)

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Griffin Barnett:Ariel, your audio is quite garbled, FYI

Greg Shatan:Ariel is breaking up

Cyntia King:Breaking up really badly

sara bockey:nightmare audio

Griffin Barnett:@Michael, I'll certainly think about that suggestion as part of considering the nomination, and will discuss same with Kristine

sara bockey:yes

Kristine Dorrain (Amazon Registry):+1 Griffin

Terri Agnew:you can also use the four arrows in share pod to increase screen on your computer.

Griffin Barnett:I wonder if it would be a useful exercise to try and tie the survey information to the Trademark Claims charter questions were were tasked with answering?

Cyntia King:+1 Griffin

Mary Wong:@Griffin, yes, that is the intention and why staff prepared this table.

Griffin Barnett:@Mary, great glad to hear that

George Kirikos:My question related to the Registrant-Q5 tab of this spreadsheet.

Griffin Barnett:Now I see the charter questions in the chart in column A - didn't see that before

George Kirikos:(not sure if we were going to get to that later, or best to point it out now)

Ariel Liang:That's correct, Griffin

Griffin Barnett:Wait actually.. are those questions in column A the charter questions or the questions of the survey?

Mary Wong:@Griffin, Column A is the final agreed charter questions

Mary Wong:Column B is what the final survey questions were (based on the Data Sub Team suggestions that are shown in Column C).

Griffin Barnett:OK thanks for clarifying!

Michael Graham 2:@George -- Not a serious problem -- simply responses we were not asking for.

Mary Wong:There was no mandate for either AG or staff to filter results or otherwise decide what to include or not to include.

Griffin Barnett:Yeah, I think we can identify those responses that only discuss legacy gTLDs or ccTLDs and separate them out from our discussions

George Kirikos:@Michael: how can you say that, when the folks clearly didn't understand what they were doing when responding?

Griffin Barnett:Seems that those responses are a minority

Kathy Kleiman:+1 Kristine

Griffin Barnett:+1 Kristine!

Cyntia King:+1 Kristine - absolutely

sara bockey:Agree Kristine

George Kirikos:By the Analysis Group's own admissions, the results were dubious. Look at their responses to the questions.

George Kirikos:I agree about answering the charter questions.

George Kirikos:But, little/no weight can be assigned to those surveys.

Kristine Dorrain (Amazon Registry):Really appreciate the tool you all....

Michael Graham 2:@George -- Because I believe it inappropriate to inflate minor errors to empirical conclusions. Each of us must take the data and its collection into account in our own way. Your concerns have been expressed and heard. Let's move on.

Cyntia King:I believe we have the ability to weight the survey & use it, such as it is, along w/ the decades of experience in this group to provide a report to the WG.

Michael Graham 2:+1 Kristine's comment -- this is a very well-designed and useful tool. Thanks!

Michael Graham 2:+1 Cyntia

George Kirikos:@Michael: these aren't minor errors. See the email sent to the mailing list, which was very detailed.

Griffin Barnett:Agree re weighting the survey info appropriately, as relevant, in the course of focusing on answering the charter questions

George Kirikos:And was met with only a general response, no specifics. I have a strong empirical background, and can see the obvious issues.

Terri Agnew:I have reported some telephone numbers not working

George Kirikos:I think the codes weren't working on some dialin numbers (had the same issue as Rebecca, as noted before). I had to use the toll-free number to get in by audio.

George Kirikos:The first analysis group report, and other data sources were relevant too, in answering the questions.

George Kirikos:(March 2017 or so)

Ariel Liang:link is here: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_docs.google.com\\_spreadsheets\\_d\\_1aBw-2DdW2gBzvBfhUgl3u6ShWIPZt0yyNF-2DV51qmUuljg\\_edit-3Fusp-3Dsharing&d=DwlCaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhfzL7ar9Qfqa0Aign-H4xR2EBk&m=1MltCjfdnUp3ABAG\\_INNQPxS1b09Emd5EXhusJ5sOJY&s=zTBQzqYKyMdEjBI5p24b-rv-3WQaXgN-5fPXw\\_58P0&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A_docs.google.com_spreadsheets_d_1aBw-2DdW2gBzvBfhUgl3u6ShWIPZt0yyNF-2DV51qmUuljg_edit-3Fusp-3Dsharing&d=DwlCaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhfzL7ar9Qfqa0Aign-H4xR2EBk&m=1MltCjfdnUp3ABAG_INNQPxS1b09Emd5EXhusJ5sOJY&s=zTBQzqYKyMdEjBI5p24b-rv-3WQaXgN-5fPXw_58P0&e=)

Cyntia King:Reading

Griffin Barnett:Indeed, it's a lot of info to go through, digesting....

George Kirikos:The "panel" members (the 75 cent responses).

Michael Graham 2:I would prefer to take away the Tool and provide comments next call.

Michael Graham 2:@Rebecca -- To what answer(s) are you referring as showing that the Notice was not understood?

Griffin Barnett:Does "it worried me" translate to "detering good faith registrations" ?

Kathy Kleiman:@Michael - I think Rebecca is only on audio.

Griffin Barnett:Not sure we can make that jump

George Kirikos:I'm going through the charter questions in order/sequence.

Cyntia King:Can we could also consider the appearance & verbiage of the notice?

Ariel Liang:Just put numbering for the charter questions quickly and will do that update for the other tabs

Griffin Barnett:I do agree, however, that we could probably take a stab at improving the wording of the notice to make it more user-friendly

Griffin Barnett:+1 Kristine

Cyntia King:Just know that notices with red slashes or legal language could be daunting for those unfamiliar w/ the process.

Ariel Liang:In the table, we did not distinguish the panel sample responses and the ICANN sample responses due to the level of detail

Ariel Liang:we pulled the total number of responses

Kathy Kleiman:quick note: Rebecca was a lead in drafting these questions in the TMCH data subteam.

Griffin Barnett:a lot?

Cyntia King:So scrap the program rather than make the notices easier to understand? Am I misunderstanding?

Griffin Barnett:The chart is super useful, but I think we will need to do more to associate the data itself with the specific questions to which the data may relate

Cyntia King:@Julie - thanks for that clarification

Griffin Barnett:Something we can try and do offline and then come back and discuss further in future calls

George Kirikos:The justification for these additional RPMs were fears about massive cybersquatting. But, if those fears were exaggerated, and we now have more quantitative data about that, then that would argue for elimination of some of these RPMs.

Cyntia King:@Krikos - thanks for clarifying your point.

Ariel Liang:understood Kristine - I will check the original numbering and update Column A

Griffin Barnett:@George, what's the basis for your conclusion that the fears are exaggerated, and also isn't it possible that larger cybersquatting didn't take place specifically because these mechanisms were in place?

George Kirikos:@Griffin: TMCH only affects registrations in the first 60 days.

George Kirikos:So, we can check to see cybersquatting levels post 60 days, etc.

Griffin Barnett:TMCH?

Griffin Barnett:Do you mean Claims?

Griffin Barnett:Also isn't it 90 days?

Kristine Dorrain (Amazon Registry):Good question Kathy, I agree.

Griffin Barnett:Also, isn't there an ongoing claims process?

Griffin Barnett:At least for NORNs?

George Kirikos:@Griffin: right, claims

George Kirikos:Or 90 days, whatever.

Griffin Barnett:Well your the king of wanting to be precise George, so let's be precise

George Kirikos:Once the claims period ends, there's no more claims, so how is the existence reducing cybersquatting?

Griffin Barnett:\*the irony of my poor typing in that context is noted

Griffin Barnett:We also have to consider the panoply of mechanisms working together, not just one in isolation, to understand the overall impact on reducing cybersquatting

Cyntia King:So we're approaching the data by respondent group rather than by charter question?

Michael Graham 2:In regard to the Content and Intent of the TM Claims Notice -- We will never not have some confused individuals and to believe there will be none ignores reality. The question is whether there is sufficient evidence of confusion to support the proposition that the Notice is insufficient. This is just one point of reference.

George Kirikos:Let's decide by Friday which sections we cover next week, so folks can review over the weekend.

Kristine Dorrain (Amazon Registry):@Cyntia, I think that's Kathy's broader point and I agree, it's not a foregone conclusion.

Griffin Barnett:@Cyntia, I would think it would need to start with the charter question, then examining the relevant data for each question across all the respondent groups

Kristine Dorrain (Amazon Registry):AGree Griffin

Michael Graham 2:@Cyntia -- I would agree with your unspoken point: We should focus on answering the Charter Questions USING the data, not focus on the data.

Mary Wong:As Julie is suggesting, staff hopes that the Sub Team's systematic review of the results - tying in to and focusing on each of the agreed charter questions - can demonstrate the validity (or

otherwise) of the opinions and conclusions that people may hold based on individual reviews of the results.

Cyntia King:In the URS SUB-team, we approached by question which worked particularly well. My 2 cents.

Mary Wong:@Michael, @Cyntia - the staff sense is that this is what Kristine was suggesting? (and the general agreement)

Griffin Barnett:It also seems that some of the agreed questions are a bit duplicative.. like... is the Trademark Claims service having its intended affect (2), and (3)

Griffin Barnett:Maybe we can group some of those

Cyntia King:@Kathy - thanks for highlighting

Griffin Barnett:Ah, Kristine's comments now go to my point, makes sense

Griffin Barnett:\*sense

Kathy Kleiman:@Kristine - which 3 tabs?

George Kirikos:Gotta jump to the other meeting now. Bye for now.

Cyntia King:@Michael +1

Kristine Dorrain (Amazon Registry):"Actual and Potential" " TM and Brand" "Rr/Ry"

George Kirikos:Please send it to the mailing list for us to review.

Griffin Barnett:I think that approach makes sense Kristine - let's make sure that is captured very clearly in our notes/action items so we can all be prepared for next time

George Kirikos:Under Action Items.

Kathy Kleiman:subparts a and b -- what column?

Brian Beckham - WIPO:@Griffin, @Kristine, please do let us know about chairing

Kristine Dorrain (Amazon Registry):we'll talk...

Griffin Barnett:Indeed

Griffin Barnett:Thanks Julie, Ariel, and all

Michael Graham 2:Thanks!

Cyntia King:Thanx!

Ariel Liang:Thanks everyone

Kathy Kleiman:Tx All!