

Attendance - 32 Members

Adrian Carballo - LACRALO	Lawrence Olawale-Roberts
Ann-Cathrin Marcussen	Marita Moll
Annebeth Lange, co-lead ccNSO	Martin Sutton (Co-lead)
Cheryl Langdon-Orr PDP CoChair	Matthew Johnson
Chris Casavale - IPC	Olga Cavalli - Co Lead GAC
Christopher Wilkinson	Olga Kyryliuk
Ejikeme Egbuogu	Paul McGrady
Greg Shatan	Raymond Mamattah (Ghana)
Griffin Barnett	Sophie Hey
Javier Rua-Jovet (ALAC co lead)	Susan Anthony
Jeff Neuman (Overall SubPro Co-chair)	Susan Payne
Jim Prendergast	Taylor R.W. Bentley (Canada, GAC)
Justine Chew	Timothy Asiedu
Katrin Ohlmer .berlin .hamburg	Yrjö Länsipuro
Kavouss Arasteh	

Audio only: Bram Fudzulani, Vernatius Okwu Ezeama, Abdulkarim Oloyede

Apologies: David McAuley, Jaap Akkerhuis, Naeem Uddin, Alberto Soto

Staff: Antonietta Mangiacotti, Julie Hedlund, Steve Chan, Julie Bisland

AC Chat:

Julie Bisland: Welcome to the New gTLD Subsequent Procedures Sub Team – Track 5 – Geographic Names at the Top Level call on Wednesday, 03 April 2019 at 20:00 UTC

Julie Bisland: Agenda wiki page: <https://community.icann.org/x/bhVlBg>

Olga Cavalli - Co Lead GAC: Hello!! I want to test my audio

Annebeth Lange, co-lead ccNSO: Hello!

Adrian Carballo - LACRALO: Hello everyone.

Martin Sutton (Co-lead): Hi everyone, I will not be on audio for early part of call but on adobe

Timothy Asiedu: Hello everyone.

Steve Chan: Link to the document here: https://urldefense.proofpoint.com/v2/url?u=https-3A_docs.google.com_spreadsheets_d1WKSC-5FpPBviCnbHxW171Zlp4CzuhQXRCV1NR2ruagrxs_edit-3Fusp-3Dsharing&d=DwIFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=QIF-05YzARosRvTYd84AB_UYInlydmFcjNmBM5XgySw&m=ILOxLTU3X84u0hcERIAt4XLur5-b8FXW0ftuKDp49gE&s=aJCFd-tojNrmAt5KxLyGQgZGILtA4Ae9u-IP7AwoxtQ&e=

Steve Chan: And we are on tab 4, Questions for Community Input

Steve Chan: It looks like we missed Statements of Interest. If any WT5 member would like to highlight a change to their SOI, please just raise your hand.

Javier Rua-Jovet (ALAC co lead): Hello to all!

Cheryl Langdon-Orr PDP CoChair: hi all just here for a short while in my luncheon break in the ATRT3 Meeting

Julie Bisland: thank you, Cheryl

Javier Rua-Jovet (ALAC co lead): Hi CLO

Steve Chan: We are on page 14 in the document in the AC room.

Steve Chan: Page 15 in the document in the AC room.

Javier Rua-Jovet (ALAC co lead):old

Kavouss Arasteh:Steve, we are on what page pls

Steve Chan:@Kavouss, we are stil on page 15 in the document in the AC room.

Steve Chan:And line 71 in the Google doc

Annebeth Lange, co-lead ccNSO:@Julie, it seems that the line numbering in the Action items/Notes are not the same as in the document, Can you check?

Julie Hedlund:Hi Annebeth -- It's fixed now

Annebeth Lange, co-lead ccNSO:@Julie, thanks!

Paul McGrady:Just a general comment to remind us that we are going through these comments and just because no one is agreeing or objecting to what is being read doesn't mean that everyone agrees with what was in the comments that were read.

Cheryl Langdon-Orr PDP CoChair:ATRT3 Started back up so I will need to leave you now .. Apologies ...bye for now

Annebeth Lange, co-lead ccNSO:Bye, Cheryl!

Javier Rua-Jovet (ALAC co lead):bye @CLO

Steve Chan:As noted verbally, you will find minimal color-coding in this section, but we have endeavored to Bold the text that directly relates to the question.

Justine Chew:@Olga: I am pleased to note re "opines" :)

Steve Chan:We are stil on page 17 in the document in the AC room.

Greg Shatan:Absolutely true, Paul. Which raises the question of how the WT will revise any of its recommendations as a result of these comments (or just say "Thank You" to the submitters).

Steve Chan:Now on page 18 in the AC room

Javier Rua-Jovet (ALAC co lead):hand up by @Greg

Jim Prendergast:@greg and @paul - true points and somethign for chairs to address but in WT1-4 this exercise, why somewhat painful, did prove useful. 1) there were some comments that were mistakenly omitted so they got added 2) we identified a significant number of new ideas submitted via comments that were not previously deliberated by the group and now will be and 3) we identified some comments that were unclear so we were able to go back and get clarification on what was actually meant.

Paul McGrady:@Jim - agree, this exercise is very useful.

Javier Rua-Jovet (ALAC co lead):did prove useful.

marita.moll:@Greg -- I think that every comment the included the "applicable law" would need to explain their meaning -- because I don't they all meant California law

Yrjö Länsipuro:@Greg - if applicable local law means California law, why dont the bylaws etc just say so?

Kavouss Arasteh:CHRISTOPHEI acknowledge your diligence in this regard

Greg Shatan:@Marita, I agree, which was the point I was trying to make.

Katrin Ohlmer | .berlin .hamburg:+1 Christopher - applicable law often means national law in the comments

Paul McGrady:@Christopher - assuming for the sake of argument that your interpretation is correct, the relevant "applicable laws" would still need to be identified. We have been at this for years and I have yet to have anyone identify a local law prohibiting geographic terms from existing as gTLDs. Vague references aren't laws.

Javier Rua-Jovet (ALAC co lead):I believe thats an old hand by Christopher

Kavouss Arasteh:Paul, Can we identify those ?

Ann-Cathrin Marcussen:+ 1 Katrin

Katrin Ohlmer | .berlin .hamburg:@Yrjö - there does not seem to be a reference in the Bylaws that "local laws" are tied to Californian Law

Paul McGrady:@Kavouss - assuming they exist, they could be identified by those who want them considered. However, I have been asking for years that those who believe such laws exist come forward with them. So far, nothing...

Kavouss Arasteh:Paul,

Steve Chan:Page 19 in the doc on screen

Greg Shatan:Yrjo, this is a very typical construction that's used in many, many corporate documents and contracts. It's also possible that ICANN (or any other party) would, in particular instances, be bound by applicable local law. For instance, ICANN's Brussels office is bound by Belgian and EU law in regard to employment, benefits, workplace safety, etc., etc. Therefore, the construction we're looking at makes more sense and is more able to take such situations into account where a particular legal system has rules that result in the application of their laws to ICANN.

Kavouss Arasteh:yea this is the dilemma that we are facing with this vague expression

Jim Prendergast:how long is this call?

Julie Hedlund:60 minutes

Steve Chan:Correct, 60 minute call

Kavouss Arasteh:Greg, you have used that in your Jurisdiction work under WS2

Greg Shatan:@Christopher, can you kindly point me toward resources with regard to the events that you recounted (regarding the EU, Ira Magaziner and 1998, etc.). Thanks!

Kavouss Arasteh:Dear All, I have to drop

Kavouss Arasteh:Bye

Olga Cavalli - Co Lead GAC:bye Kavouss

Javier Rua-Jovet (ALAC co lead):Team: Some of this is out of scope.

Greg Shatan:@Kavouss, since I'm applying the same principles of legal interpretation, I would expect to be consistent. It's only vague if you look at it without context.

Javier Rua-Jovet (ALAC co lead):Agree

Steve Chan:Next call is on Wednesday, 10 April 2019 at 05:00 UTC

Julie Bisland:Next WT5 call: Wednesday, 10 April 2019 at 05:00 UTC for 60 minutes.

Javier Rua-Jovet (ALAC co lead):Ciao!

Javier Rua-Jovet (ALAC co lead):Gracias Olga

marita.moll:Running for another call. Bye

Katrin Ohlmer | .berlin .hamburg:Thanks, Olga!

Christopher Wilkinson:@Greg - This should be addressed to the archives of the negotiaion in 1998,

Paul McGrady:Thanks Olga! Thanks Everyone!

Martin Sutton (Co-lead):As a reminder, members of WT5 can review the doc and share comments/questions about how it has been summarised.

Annebeth Lange, co-lead ccNSO:Thank you Olga,!

Annebeth Lange, co-lead ccNSO:Bye all

Martin Sutton (Co-lead):Thanks Olga

Lawrence Olawale-Roberts:good bye

Greg Shatan:Bye all!

Olga Kyrlyiuk:bye!

Olga Cavalli - Co Lead GAC:bye all

Ann-Cathrin Marcussen:byebye all