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ICANN

**Moderator: Nathalie Peregrine
September 22, 2015
11:00 am CT**

Coordinator: The recordings are started.

Man: Thank you very much. Hello everyone. Good morning. Good afternoon. Good evening. Welcome to the first meeting of the IRT Quarterly IDO INGO ID Charged Protection Cloud Implementation on Tuesday the 22nd of September 2016.

My name is (Fabien) (unintelligible). I am a senior registered (unintelligible) manager with the global domains division of ICANN. I will be leading this policy implementation. We will support the cross functional team of other ICANN staff members from several different (ones, GBD) compliance and several (unintelligible) will be attending our meeting today.

Before we jump into our agenda and discussion, I would like to remind you that the meeting is recorded and will be transcribed. For the purpose of the

transcript please do not forget to state your name when you are speaking. When you're not speaking, please make sure your line is muted and finally if at any time during the call you'd like to get into the queue, please raise your hand in (unintelligible).

So now move onto our agenda for today. Before we get into the subject of our discussion we will start with a rapid roll call and we'll take advantage of that roll call to allow some introductions for people who'd like to and then we'll move onto our agenda as we communicated last week.

So let's start with the - a quick introduction to staff who are on the call today. So I'm (Fabien) (unintelligible) again. I've given you a quick description of myself. So let me look at who is with us today. So we have (Anthony) (unintelligible) who's our (unintelligible) quality research team. We have (Francisco Ira) who's our director of technical searching. We have (Mary Wong) and (Steve Chan) from the (policy) team.

So let me now look at who we have from the volunteers for our (unintelligible) review team. So I see we have (Brian Kimball). Would you like to say a few words (Brian)?

(Brian Kimball): Sure. Thanks very much (Fabien). This is (Brian Kimball). I'm associate council at Public Interest Registry and I'm looking forward to trying to contribute in any way I can.

(Fabien): Excellent. Thank you very much. We have (Lori Shuman) as well. (Lori) would you like to say a few words? So (Lori) you seem to be having issues with your line. I see that you're typing. We'll definitely be looking forward to your comments. I see that - so let me move on and we'll come back to your

comments in the chat (Lori). Okay, you're senior director of insurance policy for the INTA and - sorry - okay. So a member of ITC - thank you very much.

We also have (Peter Winforth). Would you like to say a few words (Peter)?

(Peter Winforth): (Peter Winforth) here. I'm a co-chair with (unintelligible) at the new IMDO Access Proprietary Rights Protection Mechanism (working group) so it'll be very interesting to look at this topic on another level.

And although my normal day to day work is at the Swedish (Federal) Law Firm Phoenix Legal in IPC, I'm representing the experienced National Federation of Intellectual Property Attorneys. Thanks.

(Fabien): Excellent. Thank you very much (Peter). And I believe we have (Valeria Sherman) with us as well. Would you like to say a few words (Valeria)? Okay (Valeria) seems to be having trouble as well for dialing in. Let us know if you need any assistance. I'm sure we can - we can help you or get you in. And so you're an associate of designing with Smith, Gambrel and Russell, okay.

Excellent so thank you very much. I think I've - we have - we do this every time on the calls. Please let me know if I forget anybody in the call in or introductions.

(Jim Bikof): Could I be in this? It's (Jim Bikof).

(Fabien): Hello (Jim).

(Jim Bikof): Hello. Yes, I had - I don't know why my name didn't come up. I'm on a phone line, not on the Adobe.

(Fabien): That's why exactly. Thank you.

(Jim Bikof): So I'm a partner in Smith, Gambrel and Russell. (Val)'s working on my team and I think (David Heasley) of our firm had also volunteered but he is - he has moved over to become a judge and (Bruce McDonald) is now part of our team so the three of us will participate as volunteers and I should say that we're representing the IPC - the Intellectual Property Constituency - but also we represent the International Olympic Committee and I had served on the past PDP's involving IDO INGO curative rights with (Peter) and (Phil).

I also have served on the previous IOC Red Cross group that was exploring additional protections some years ago and we're looking forward to working with you in this effort.

(Fabien): Thank you very much (Jim). You're very helpful and we appreciate your time and commitment to this - to this matter. Is there anybody else on the line that I don't see in the Adobe Connect? Okay, I'm not hearing any voices or not seeing any hands raised. Let me check. So let's move on for agenda. Thank you very much. Thank you all for your presentations.

So our turn to provide a bit of presentation especially in terms of our approach to the implementation. As you're currently aware, we are working based on the (unintelligible) support of April 2014 which you may recall we also adopted some of the recommendations that did not conflict with GAC advice for which we directed the President and CEO to develop an implementation time.

And while the board is requesting additional time to work on the recommendations that were differing or that were inconsistent with GAC advice. So the framework really of our forced implementation right now is

those recommendations which were not inconsistent with GAC advice and we will launch into exactly what this means.

Please feel free to interrupt that (unintelligible) time if you'd like to comment or ask a question. Just use the hand feature in the Adobe Connect.

So as you may have seen from the - between the workstation I've created for each implementation, we have developed a summary table of the various recommendations and to guide us into what is currently in the scope of the implementation and what is still being reconciled under leadership of the board and the entities.

So I'm going to show very quickly a quick shot of that page that is linked on this slide which you will find after submitting on our workspace. So let me switch documents here.

So this is at the top of our page where we filled this table that I mentioned with a color code. The green is for recommendations that are - that have been adopted by the board which are highly consistent with GAC advice and you can work to implement.

What's in red are those recommendations that are - that have not been adopted because they're not - they weren't consistently GAC advice and those are marked in red and we will not be able to include those in the implementation and CO as there is an adoption of those (by the board).

So let me scroll down to our entire table so that we can review those various recommendations. As you can see on the table, we have four main categories but our - so for each of those organizations - those types of organizations for which there will be identified protection.

So if we start with the Red Cross Red Crisis movement - as you can see - we will work to implement sublevel and second level sections for the scope one identifiers which are the four names Red Cross Red Crisis (unintelligible) UNC funded.

And for - I saw a (unintelligible) are still being reconciled between the (unintelligible) for recommendation and GAC advice so they will not be part of our current work. Hopefully we can include them later and (unintelligible) does it.

As far as the (unintelligible) we will be working to implement the secondary protection for (unintelligible) three other languages. For ITO's we will be working to implement protection of this (unintelligible) and as far as the (unintelligible) that is the acronym - that again is being reconciled and will now be part of our current work with the pre (unintelligible). We will be able to get to that once the recommendations are reconciled and (unintelligible).

And finally for INGA we will be working to implement the sublevel and second level protections that have been recommended for the full names that are listed on the (unintelligible) consultancy list as we look back.

So we've tried to - we've designed this table to help us really distinguish what are the recommendations that we can already implement and those that we can't and we may need to keep the extension in mind as we approach ours.

(Unintelligible) so questions on this overview and this group of our implementations and we'll pause here for a second and let anybody who'd like to comment or ask a question. (Lori) would you like to ask? (Lori) I see your

hand raised. We can hear you typing (Lori). I think we have a little problem hearing you.

(Lori Shuman): Oh hi. I'd prefer that you hear me speaking. I'm using a headset and it's - it is really challenging today. I apologize. I kind of have a question. Being a member of the current working group, I'm a little confused about the implementation of (unintelligible) because shouldn't we be waiting for a report from our think group and shouldn't one of these things be shaped up? I mean I'm concerned that they're not aligned at the moment. What's the - what's the next thing on the task?

(Fabien): (Lori) can you hear me?

I apologize. You were very hard to hear. I'm not sure I could understand what you said. Could you try again? Maybe you'll more fully - I think we're getting noise on that - on your line.

(Lori Shuman): Okay, I will type.

(Fabien): Okay. We'll read your question. Thank you.

(Lori Shuman): Thank you.

(Fabien): While (Lori)'s typing, please feel free to raise your hand if you have a comment or question.

(Jim Bikof): (Fabien) it's (Jim Bikof). We're getting a lot of interference on the line.

(Lori Shuman): I think it's my bad mike.

(Jim Bikof): Thank you.

(Fabien): (Jim) is it better?

(Jim Bikof): Yes, it's much better.

(Fabien): Excellent. So (Lori) is in the chat saying that she's concerned that the work of this group and the work of the current working group are not aligned. So I'm not exactly sure. Can you be more specific to what you're referring to by the current working group? Are you talking about the working group on the curricular rights mechanism? So I'm waiting so I can read (Lori)'s typing.

So I understand your question is how is the work of this implementation aligned with the current work in this repeat working group when referring to the right mechanism. Is that your question (Lori)? Can you confirm? Okay, assuming this is - this was your question (Lori) let me try to answer by first saying that here we're working to implement recommendations for protections prior - so that our prevent these in the sense which would be protections at the first and second level of the DNA for those organizations where the current working group (unintelligible) working group is working.

And (unintelligible) right mechanism for resulting issues once names are reserved and I'm sure you're - are you aware of this (unintelligible) decided here we're working on an implementation while the current working group is working on policy development.

I see that you're raising your hand (Lori). Would you like to comment or respond? Okay, maybe you were trying to reenter the room, okay. So does that make sense to everybody? Are there any comments on these questions or

additional remarks from our policy colleague's maybe? (Mary) would you like to go ahead?

(Mary Wong): Sure. Hi everybody. This is (Mary) from the policy department and thanks for your question (Lori). I think I'll probably just pretty much repeat what (Fabien) has said. I think that the central distinction here is that this implementation team is really looking to advise the staff on implementing those recommendations that are already adopted by the ICANN board in the resolution that (Fabien) showed on the screen a while ago.

So in other words it's not about the curative rights piece of it and obviously the fact that (Steve) and I are supporting (Fabien) on this team means that any sort of potential overlap or any sort of potential spillover concerns that might impact policy work on the curative rights side, it would be (Steve) and my role to bring that back to the working group and the GNSO. So hopefully that helps.

(Fabien): (Unintelligible) would you like to make some comments.

(Peter): Thanks for having me here. Yes, speaking on behalf of the other working group we talked about and the work that has been done there and the problem in getting input to the prize from IDO. So I think that we can have even if we are working on more or less the same or similar topics from two different views - the protection - speaking generally of IDO's and INGO's.

I think there could be - get to find places where we can incorporate them in information but one question I have is when we talked about the topic again in generally about the protections for IDO's and INDO's. Are there any other formal or informal working groups that besides these two that we mentioned

that is also working with this topic from kind of input of use at the same time?
It would be good to have a full view on what's going on. Thanks.

(Fabien): Thank you (Peter). (Mary) would you like to give us a sense of perspective on all the work that's ongoing right now on this subject?

(Mary): Sure. Thanks (Fabien) and thanks (Peter). I guess maybe I'm not really understanding the question. I apologize (Peter) because when you asked about other groups, I'm not quite sure what you meant or maybe I just didn't catch what you actually said at the end.

In terms of the ICANN groups that are working on these issues, obviously we have this IRT which is implementing the work of the earlier GNSO PDP working group that (Jim) and others participated in and then the security rights working group that you co-chair which, you know, when it comes up with recommendations that those are adopted by the board, you know, would go into the IRT phase as well.

And then finally of course there's the outstanding recommendations from the first PDP that have not yet been adopted by the ICANN board that this IRT is not dealing with at the moment. Those clearly still need to be resolved between the board that is the NDPC and the GNSO. So I suppose that means that three pieces that sort of align in totality but that are either in the hands of different parts of ICANN groups or at different stages. Does that help?

(Fabien): Yes, thanks. Thank you but I - thanks.

(Jim Bikof): Yes, this is (Jim Bikof). I think (Mary) has stated it very succinctly. I think that really resolved that question.

(Fabien): Excellent. Thank you very much (Mary). Thank you (Peter) and (Jim). And I hear that - I read that (Lori) may now be able to speak with us but that's going to be helpful. Thank you.

(Lori Shuman): Thank you.

(Fabien): Okay. (Lori) did you want to say something maybe?

(Lori Shuman): No, I just wanted to say thank you. Can you hear me now?

(Fabien): Perfectly. Excellent.

(Lori Shuman): Good. I got these new headsets with a USB connection and they've been horrible all day. My apologies. This is like the third call I've had problems. You know, I just wanted to say that these - I think it's good to clarify these discussions because unlike some of the people in this group, I was not on the first working group. I've only been on the second so I am a little confused about sort of what the direction is from the board versus what we're supposed to be looking at in the working group versus what the implementation's supposed to be in terms of how that will line up with the new report that the group is going to issue.

And I understand that the board has adopted some recommendations and this is what we're here to implement but to the extent that they overlap with issues that we're looking at currently like the sovereign immunity issue or anything else - that's where I get a little bit confused.

(Fabien): Okay, thank you (Lori). So I think what we'll try to do is to make sure we - the scope and potential interaction with other - the other PT's that (Mary) described is clear at all times.

So, you know, that's not, you know, we hope that we will make that clear. So if this is still not clear to you (Lori) what we could do is have our next training on the main list and make sure that this is clarified for everyone. Would that work for you?

(Lori Shuman): That would work and if you don't mind, I'd like to ask another substantive question and that's regarding - I'm looking at the consolidated policy recommendations chart and I see the issue about the GAC list and I want - again I'm not sure I understand. When we talk about a GAC list of acronyms, the GNSO it looks like has said there should be no protection at the top level and then added into the TMC to the second level. But then my question is this.

My understanding is that the GAC is working on its own database essentially and the GAC is coming up with a formula for their own acronyms that they feel needs to be protected. How does that work into our scope with the consolidated - I mean is the presumption we would be looking through the database the GAC is creating or are we being asked to come up with something else or these options we're supposed to consider?

(Fabien): So from the perspective of implementation, at this very moment we're pretty much considering everything that's laid on the table as (unintelligible).

(Lori Shuman): Okay.

(Fabien): So we're operating against whatever the board is (unintelligible) with and no more so this is why we had it here to make this distinction. We could only do one but the board would result additional relations that we would then incorporate with the adopted improvement implementations. But given the fact that there is currently no timeline that's defined for this to be completed,

we are moving forward with implementing whatever, you know (unintelligible). Does that make sense?

(Lori Shuman): Yes, thank you.

(Fabien): Okay. Alright, unless there are any other questions or comments on this review of the various recommendations around either adopted or still be reconciled, I suggest we move on. I'm not seeing any opposition to this idea. Alright so let's move on and let me get back to our slide.

So and again you will be able to find that while (unintelligible) you will be able to find this table on our community workspace that's listed here on this slide.

So now in terms of deliverables what we are planning and what we are working on with the points that are deliverable - so let me give you a quick overview of the deliverables.

So first of all we're working on - instead of implementing procedures - I'm suggesting the recommendations so (unintelligible) and exception in particular of the sublevel, the same at the second level and the particular (unintelligible) at the second level. Those are our three implementation procedures.

We're also working on consolidating the list of identifier labels to be protected through those mechanisms - through those procedures - as well as other prerequisites for implementation and I'll get through that.

So for instance we're - we've been working on consolidating the list of identifiers to be protected as part of (unintelligible) of the Red Cross and Red Crisis movement name - the same for the IOC, the same for part one of the

IGO identifier - the INGO identifier - and we respectfully (unintelligible) identifiers that all hold together compact data for the implementation of the 90 day training protection mechanism.

And finally eventually we will also need to produce all the consensus policy language and all these ones to go through public comment. So this just gives you an idea of the deliverables that we will be working against. And what you also see on the slide is an idea of the status of our work, you know, in each of these areas.

So we're currently working on the procedure which we hope to (unintelligible) with you soon so that we can start reviewing those and provide your comments and input. With respect to the list of identifier and other prerequisites we're - we have pretty much worked through the RTR names, IOC names. Obviously those are fairly simple.

We're being challenged on the other list of identifiers for several reasons. The first one is that we're currently missing the information on the two languages that each IDO is entitled to get the protection of their name for. And with respect to the INGO's we're very able right now to get a version of the list of identifiers that can work through our system. So those are some of the prior areas of work that we're working on to get three of those lists of identifiers that are actionable and that we can put into our policy implementation. Any questions on those deliverables? Any comments?

I'm not seeing any hands raised. I'm not hearing anybody so let's move on. In terms of the timeline, this is our current assumption. We - as you can see some parts of this chart - we will be - we plan on working on drafting the implementation plans so all the observables all the way through early next year and we expect that we would be regularly engaging with you - the IRT -

to review and work to get your input and review of our various deliverables as well as discuss many of the issues and challenges we are facing.

Then we would move onto a public comment period where we would request input from the wider community on the plan that we have developed and on which we would have obtained your review. It would (unintelligible) would be planned. This is currently planned for the March, April timeframe of next year.

We'll then work with you to finalize the implementation plan after early public comments to announce the policy effective date by mid-2016 for an actual policy effective date of general (unintelligible) and it should synchronize with our regular policy implementations calendar that we have implemented where we announce policy effective dates for actual policy dates - for dates when policies become effective every six months.

So this is our current assumption and we will certainly be aiming for those and keep you updated on our daily committee sign-offs. Let me stop here for a few seconds if in fact you would like to make comments or ask questions. Okay, I'm not hearing any comments or seeing any hands raised so I'll move onto our discussion of communication of some of the issues we're facing right now - some issues that are challenging.

So first of all in relation to policy recommendations, one of the main spoken issues we have is around the perimeter of protection. You may be aware that the policy recommendations address identifiers but does not specifically provide guidance or exhaustive lists of actual DNS labels that are actual remaining that those identifiers would be matched to.

And the question here really is whether electrical protection should - what is the actual code of the protection of one-a-day identifiers. Should there be translator action points of some names and languages or should there be at the perimeter or translation of that would be to add identifiers into several labels considering dashes or modem issues, etcetera.

So this is one of the big questions on which we hope to gather data and work with you through (unintelligible) as far as the implementation. Another open issue is going to be the potential impact of future recommendations that may be approved by the board and you see in particular the case of the claims protection implementation.

As you may recall, we will be working to implement a 90 day planning protection mechanism at the second level for INGO main and as far as the term recommendations that are being reconciled with GAC advice, there were considerations of potentially permanent claims protection. So we're seeing this if it worked in some and adopted recommendations that we see there's a potential impact on the way we would implement those - the 90 days claims in the permit mechanism.

So this is more of a timing issue because it will determine when the GAC and the recommendations are being reconciled and get adopted by the board. Are there any questions or comments on these two issues? Okay, I'm hearing none or seeing any hands raised.

So as part of the other challenges we have, those are related to the actual implementation and in fact I mentioned quickly the true languages issue already in the IDTO name on the backlist and I also mentioned briefly the challenge we have with the INGO main identifiers and the compact data.

We have identified the key partners with whom we need to work to gather this data and we are being challenged to effectively engage with these organizations. So as I mentioned earlier, this is one of our priority areas of work.

Are there any questions, comments? Okay, hearing none - moving on. Speaking of next steps, we are - we will be - our next meeting is likely to be a (unintelligible) have a face to face meeting during the next IT meeting in Dublin at the end of October. This still isn't confirmed but we're working on that and will let you know as soon as possible. And more generally we would expect to meet regularly - potentially at a monthly pace - but this is again to be confirmed based on our ability to make progress.

And the question here really is whether this timeframe in which (unintelligible) two days of this time or generally this time we could only rely for our next meeting. Would anybody like to comment? Is this convenient for everyone or convenient for some? I see that we have a checkmark from (Peter).

(Jim Bikof): It's (Jim Bikof). This is convenient for us.

(Fabien): Okay, excellent. Thank you (Jim). I see that (Brian) is typing, okay. Alright so it seems to be a convenient date so what I suggest we do is we rely on this date as our default potential time for meetings and we will certainly let you know well in advance when we move times of a meeting. And again we'll let you know as well for the next few meetings in the next week or two I would think once we receive a confirmation of the scheduling of our potential (unintelligible) for which there is officially - we hold participation for those that would not be able to attend the meeting in Dublin.

I see that this also works for (Lori). Excellent. Thank you very much for your feedback. And so in terms of next steps, I think it's important for us to get a sense of our - the expectations so that we understand the work - how we (unintelligible) the IRT essentially to our work.

So as I mentioned - as I shown on the timeline - over the next ten months we would hope that we can receive any applicable contributions from IRT members on all open issues that you would be able to review our draft procedures and provide your comments, review the list of identifiers that we are assembling to make sure that we are not submitting some issues in (unintelligible).

We would be (unintelligible) as part of the work for the IRT expected new contribution to reviewing the consensus first language and finally there's a process to address the responsive (unintelligible) through public comment. That's through the public comment period that we will eventually organize in our approaching the conditions and policy language.

So this is - this is it for our - the next steps. I'd like to make sure to bring it up for any comments and questions and also specifically provide an opportunity for everyone on the IRT kind of talk about their own expectations, prior experiences (unintelligible) it might add with previous IRT's. Anything you'd like to share to make sure that our collaboration's affecting the very output. So these are - let me stop here and see the - let us know - show (unintelligible).

(Lori Shuman): Hi, can you hear me? It's (Lori).

(Fabien): Yes, we can hear you well.

(Lori Shuman): Hi, I just think - and it probably doesn't need to be said but maybe it does because one of the things - this is my first IRT experience with ICANN. One of the things that I would really advocate for is trying to keep things as streamlined and elegant in terms of how we explain conclusions to the rest of the community.

I think what happens sometimes is that the recommendations of IRT's aren't as well understood as maybe they should be and then they end up getting sort of diluted or torn apart by the rest of the community and I'm hoping that we can find ways that if we articulate our positions as reasonable and as balanced and as compromised, perhaps there would be less controversy about whatever we end up do less amending.

(Fabien): Thank you (Lori). I think we certainly share your - your goal to streamlined and elegant solutions and we're really hoping that the solutions we will propose and which we'll request your reviews and eventually on which we hopefully agree to (unintelligible) be controversial. That's certainly something we'll try for and we'll certainly welcome your (unintelligible).

Are there any other comments, questions? And on sub sides would anybody like to share just some remarks with respect to the topic or the collaboration between the implementation team and the review team? Okay, I hear none so it looks like we're all aligned and looking forward to work starting in our collaborations to get going.

So unless anybody would like to ask any question or (unintelligible) in the subject, I suggest we adjourn the meeting for today and give ourselves ten minutes back and we will be in touch very shortly for scheduling our next meeting. We hope to be sharing with you some draft deliverables as soon as possible.

After this meeting we will post this presentation as well as the transcript and recording of our session on our community workspace. I will send a reminder of when we do post (unintelligible).

So please feel free to use our workspace to refer to it if you need to. Please feel free to reach out to us on the main list and we hope that we have an efficient and effective collaboration and we look forward to working with you. Thank you very much, everybody. Thank you for joining today and we will be in touch very soon. Thank you very much.

Man: Thank you (Fabien).

(Fabien): Thank you buddy. Bye.

END