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DAVID MCAULEY:

Thank you very much for that. Hello, everybody. Good morning, afternoon, and good evening to all. It is a good day to get back together as the IRP Implementation Oversight Team, a newly reconstituted team. My name is David McAuley and I have been the chair of the IOT up until the point of reconstitution and I'm willing to continue in that role in this early phase of the reconstituted IOT while we get ourselves organizationally together and set.

So, welcome to this first meeting of the new group. I will begin. And I want to thank Kristina for her email yesterday. I would like to begin by asking if anybody has anything with respect to their statement of interest that they would like to mention. Any revisions or anything else that they would like to mention about their statement of interest?

I don't see any hands in the queue and haven't heard anybody, so we will move on. But I think Kristina made a good point in her email. It's a good time for all of us to take another look at our statements of interest and make sure that they're up to date.

The next thing that we have—and really the first thing that we have—on our agenda is an introduction of the participants of the newly reconstituted IOT. And that will include people who have previously been with the IOT, as well as new members.

I'm going to take the chair's prerogative and introduce myself first, and then I will turn to Bernie and ask Bernie to introduce our staff support. And at the same time, Bernie might mention the kinds of support that

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we have as far as what kind of notes we'll get from meetings, that kind of thing.

Following that, let's introduce—Brenda, if you could bring up the next slide. Let's introduce ourselves and I'll go alphabetically and invite folks to give their brief background.

So, in order to start that process, I'll introduce myself. Again, David McAuley. I'm an employee of Verisign. I am a lawyer by training. I began my legal career in the US Navy, Judge Advocate General Corp. I moved to the technology industry where I worked in the software industry, as corporate counsel, ending up as a general counsel for a UK software company.

Following that, I moved from legal practice later in my career to public policy work. I worked at the Internet Society for about three years. I'm now at Verisign and my role is Senior Manager of International Policy.

I have been the chair of this group, as I mentioned—and we'll get into the history of the IOT very shortly. So, having said that ... I see Susan's point in the chat. If we could mention if we're currently involved in an IRP or cooperative engagement process. Thank you, Susan. I personally am not involved but I know that Verisign has expressed an interest to be involved in an ongoing IRP. I'm not personally involved, so I can't speak about it. I don't know anything about it. And I know nothing about any involvement in a CEP.

So, let us turn to Bernie. Bernie, if you would go ahead and introduce staff support for us.

BERNIE TURCOTTE:

Well, there's me, Bernard Turcotte. I've been around for a while at ICANN. I don't think I need a lot of introduction. I've worked on a variety of things for ccTLDs, work stream 1, work stream 2, the transition. Currently working ATRT-3 and have been associated with the IOT since the beginning.

Basically, I work with the chair in prepping agendas and getting documents together for meetings and I work with Brenda who's our resource person who makes all the magic happen with calls and sends the emails and the calendar invites and who's been doing this for a while. Just an old hand at it and it's very good.

So, David asked me to talk about what you can expect from us. Basically, these calls are recorded. There will be transcripts posted. We'll also post a list of action items and their status for each call. That's about it for me, David. Back to you.

DAVID MCAULEY:

Thanks, Bernie. So, let us begin. I'm not going to be scrolling through the participant list as I do this. I'll ask each person to introduce themselves, and if we have a pause, I'll simply assume that that person is not on the phone or in the Zoom right now and we can do an introduction when they join us. So, let's begin with Kavouss Arasteh. Kavouss, if you're on, please could you introduce yourself? Kavouss, if you're speaking, we can't hear you. But we do hear background noise.

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UNIDENTIFIED FEMALE: I don't see the Kavouss has joined.

DAVID MCAULEY: Thank you. So, I will ask those who are not yet teed up to speak to please mute if they're not speaking. Next in the queue, we'll go to Scott Austin. Scott, if you would kindly introduce yourself.

SCOTT AUSTIN: Hello, everyone. Thanks, David. This is Scott Austin. I have been practicing law for over 35 years. I'm with VLP Law Group based in Palo Alto but I'm in the Florida office in Fort Lauderdale. I focus my practice on IP litigation and transaction matters. I'm board certified by the Florida bar and I also served for many years as chair of the Corporations Securities Communicate on the Florida bar. I worked with the Florida legislature on changes to the Florida LLC Act. And currently I serve as a panelist for the World Intellectual Property Organization and also for NAF for the forum. And I'm a member of the Standing Panel of Neutrals for the Public Interest Commitment Dispute Resolution Procedure. And looking forward to working with all of you. Thank you.

DAVID MCAULEY: Thank you, Scott. Let me mention one more bit about my background. I should have done this and I'll invite everyone else to do it. I think Scott just did. And that is indicate how you participate within ICANN.

As you can tell by my employment of Verisign, I participate in the Registry Stakeholder Group. I also participate in the ccNSO. I

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participated in work streams 1 and 2 of CCWG Accountability and several PDP working groups. So, thank you.

Next in the queue is Becky Burr. Becky, please identify yourself.

BECKY BURR:

Thanks. This is Becky Burr. I'm a member of the ICANN Board, elected by the contracted parties house. I have been involved in ICANN since its inception, and as a member of Board of course pay attention to IRPs and CEPs as they are going on.

I was on the Accountability CCWG and initially chaired this group. I think most people know the creation of the standing panel has been a passion of mine for quite a while, so I'm extremely glad we are back together and hope we can move expeditiously to create what I think is a critical institution for ICANN.

DAVID MCAULEY:

Thank you very much, Becky. Next in the queue is Samantha Eisner. Sam, please go ahead.

SAMANTHA EISNER:

Hi. I'm Samantha Eisner. I'm a Deputy General Counsel with ICANN. I've been with ICANN for about 11 years now. I became involved with this effort due my involvement with the transition. I worked with the CCWG Accountability on the development of the recommendations and have remained involved with the IRP/IOT effort.

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While I used to work directly with the IRPs and handle them within the litigation support function of the legal team, I don't do that anymore. I haven't had day-to-day involvement in the handling of IRPs since the transition about five or six years ago.

So, I of course talk to other colleagues on my team who do that work and have a more strategic look at it, but I don't remain involved in IRPs on a day-to-day basis but I'm continuing the role that I had in the prior iteration of the IOT in bringing information to the group. I can help collect some of the very substantive information about work around IRPs as well as the litigation background that I ring as I was a practicing litigator before I joined ICANN.

DAVID MCAULEY:

Thank you Sam. Next in the queue—and I did a quick look. I didn't see Robin in Zoom but in case she's on the phone, let me give Robin Gross a few moments to introduce herself or we will move on. Robin, are you there? Okay. I will take it that Robin is not yet with us.

Next in the queue is Malcolm Hutto. Malcolm, please go ahead.

MALCOLM HUTTY:

Thank you, David, and good afternoon or whatever time to everyone. I'm Malcolm Hutto. I work for the London Internet Exchange which is an association for network operators based in the UK. I also am a participant by virtue of that in EuroISPA which is the largest pan-European association for such network operators. And at EuroISPA, I am the chair of the International Internet Governance Committee, and

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therefore their principle spokesman on international Internet governance. I'm also chair of the Intermediary Reliability Committee which deals with matters such as illicit content and illicit use of the Internet and action to be taken by operators and others to regulate such illicit content and illicit behavior.

I became involved with the IOT through participation in the CCWG during the transition preparations, CCWG Accountability, where my main focus was on the scope that ICANN set out in the bylaws, the mission statements and mission limitation and the mechanisms to protect and enforce that. In particular, the IRP. So, I worked with some of you quite closely on that I'm sure some of you will recall.

DAVID MCAULEY:

Thank you, Malcolm. Took me a second to get off mute there. Thanks very much. Next in the queue is a colleague of mine, Helen Lee. Helen, would you go ahead, please, and introduce yourself?

HELEN LEE:

Yeah. Hi, everyone. Hi, David. Nice to meet you all. My name is Helen Lee. I am in the legal department at Verisign. Verisign is not technically involved in any IRP at this time but we have applied to be an amicus in the Afilas.Web IRP.

As for me personally, before I joined Verisign—I've been here about three-and-a-half years—I worked in private practice as an anti-trust attorney and litigator. I am mainly involved in the litigation department

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and the legal department here at Verisign. I'm a new member of the IOT and also a new member of any ICANN group.

DAVID MCAULEY: Thank you very much, Helen. Next in the queue—

MALCOLM HUTTY: Sorry, David. I forgot to answer the two explicit questions that you asked us to all speak to that Helen just reminded me. I participate in ICANN through the ISPCP Constituency of GNSO and I'm not involved, nor is any organization that I am directly answerable to involved in any current IRP or CEP.

DAVID MCAULEY: Thank you, Malcolm. Appreciate it. Next in the queue, Hector Ariel Manoff. Please, Hector, if you would go ahead and introduce yourself.

HECTOR ARIEL MANOFF: Yes. Hello, everybody. I'm Hector Ariel Manoff from Argentina. I'm a partner at Vitale, Manoff & Feilbogen and I participated in ICANN for about 20 years now [inaudible] years. I am a member of an intellectual property constituency. I have a very interesting experience as member of the implementation recommendation team that created the [URAS] and other IP protection mechanisms. I am practicing trademark patent Internet law in Argentina.



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DAVID MCAULEY: Thank you very much, Hector. Next in the queue is Susan Payne. Susan, go ahead, please, and introduce yourself.

SUSAN PAYNE: Yes. Thanks, hi. I'm Susan Payne. I'm another new member of this group. I work for Valideus, which is part of the Com Laude Group. Com Laude is a corporate domain registrar which participates in the Registrar Stakeholder Group, although I personally don't, and is also a member of the IPC which is where I do participate as IPC secretary.

The Valideus part of our business worked with new gTLD applicants, and so now new gTLD registry operators, many of which were non-brands, although not all of them. So, on behalf of one of my DotBRAND clients, I participate in the Registry Stakeholder Group as well.

My background, a little while ago now, I was a litigator. I was an IP litigator in private practice in London here before spending about 12 years as Head of Brand Enforcement at BBC Worldwide, which obviously was a sort of quasi-litigious role but had obviously other functions as well. Then, been at Valideus Com Laude for about five years now. And I'm not involved in any ongoing IRP or CEP.

DAVID MCAULEY: Thank you. Next in the queue is Flip Petillion. Please go ahead and introduce yourself, Flip.

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FLIP PETILLION: Hello, David. My name is Flip Petillion. It's actually pronounced the French way.

DAVID MCAULEY: Thank you.

FLIP PETILLION: No problem at all. I'm a [inaudible] lawyer. I have my own firm for two-and-a-half years now. I used to be a partner with a Washington-based firm. I've been involved in domain name dispute resolution for 20 years and in domains business for 10 years. I am part of the IPC and the IPC elected me as one of the GNSO councilors. There, I am the liaison for the SubPro. I am involved in the PDP 3.0 improvement project and I focus on dispute resolution.

I have been involved in CEPs and in RRP, and under my supervision, my team started to be involved in the [ICN] registry case which is quite a while ago. We also worked on the DotHOTELS and Dot [inaudible] case, the DotWEB case, the DotHOTEL case, the DotECHO case, the DotSPORT case.

Recently, I have been hired to represent Namecheap in a little matter and we are currently in a CEP and this matter relates to the DotORG. And there is no IRP for the moment anyway that I am technically involved.

Maybe I should mention to end that I published a book together with my associate, Jan Janssen, which is entitled Competing for the Internet and which has a very long subtitle, but when you buy it you will see

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what it is. Actually, the book is about the dispute resolution in this very matter, in IRPs. Thank you.

DAVID MCAULEY:

Thank you, Flip. That is very, very interesting. Next in the queue, [inaudible], if you would kindly introduce yourself. And I will go down ... I don't see [Dessan] in the Zoom room, so I will move on and ask Kurt Pritz to please introduce yourself.

KURT PRITZ:

Hi, David. Thank you. You might hear, I don't really have a voice. Hopefully, it will come back for future meetings. I'm a director at UK Creative Ideas headquartered in the UK. It's the operator of the DotART registry. So, for them, I take care of legal matters such as trademark, patent, and contracts. And as you might guess, I rely on outside counsel for much of that. I'm involved in new product development and ICANN compliance and those sorts of things. So, as such, I'm a participating member in the Registry Stakeholder Group.

My background really is in operations as a production and engineering manager and executive for many years before becoming involved in ICANN. My legal background is that I went to law school as sort of a mid-life crisis. When I practiced, I did criminal appeals for a while but now I'm back in more transactional sorts of law, as I described.

Most recently, with ICANN, I chaired the phase one of EPDP and I participate in some other working groups. I'm not involved in any IRPs or CEPs, although I have advised clients for whom I was a consultant in

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the past whether to undertake an IRP and laying out the process for that. Thanks very much.

DAVID MCAULEY:

Thank you, Kurt. I sympathize with you. I just got over a very bad cold. It took forever to get over it, so I hope you can do better than that and get well quickly. Next in the queue, Nigel Roberts. Please, Nigel, go ahead and introduce yourself.

NIGEL ROBERTS:

Thank you, David. Nigel Roberts. Member of the ICANN Board. I have an academic legal background, although I started in a technical background [inaudible] to law school in mid-life. But I'm not a practicing advocate or solicitor. I actually run several small ccTLDs. Like Becky, I've been involved with ICANN since before its foundation and I'm elected onto the ICANN Board by the ccNSO.

DAVID MCAULEY:

Thank you, Nigel. Next in the queue is Mike Rodenbaugh. Mike, if you're with us, please go ahead and introduce yourself, although I don't see you in Zoom yet. And I will take it that Mike is not yet with us. So, next in the queue, Kristina Rosette. Kristina, please go ahead.

KRISTINA ROSETTE:

Hi, I'm Kristina Rosette. I am currently I think probably best described as taking a work break which raises the question of why I'm on this call. I spent nine years in the IPC as GNSO councilor, president, and vice

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president, and then most recently spent four-and-a-half years at Amazon where I was the lead lawyer for Amazon Registry Services, the gTLD operator entity within Amazon, during which point I participated in both the Registry Stakeholder Group and in the BRG, and in the latter on the Board of Directors.

I am not currently involved in an IRP, but while I was at Amazon, I was the lead Amazon lawyer for the DotAMAZON IRP. And I'm not currently participating in any stakeholder group constituency or advisory committee within ICANN.

DAVID MCAULEY:

Okay, thank you. Thank you, Kristina. Next in the queue is Greg Shatan. Go ahead, please, Greg.

GREG SHATAN:

Thanks. This is Greg Shatan. I've been involved in ICANN since about 2007. I participate ... At that point, I joined the Intellectual Property Constituency and I've been participating through the IPC ever since. I was president of the IPC for three years. I'm currently president of the New York chapter of the Internet Society, and through the New York Internet Society chapter, I participate in At-Large as the chapter is also an At-Large Structure.

I participated in a number of working groups and in both of the CCWGs and I've been involved in the IRP/IOT since the beginning. I am a lawyer in private practice in New York with the law firm of Moses & Singer for

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the last couple of years and other New York offices of firms for about 33 years in total.

I have spent a lot of my career as a trademark, copyright, licensing attorney but I've also litigated both intellectual property and anti-trust matters as well as web accessibility for the disabled.

Currently, I spend most of my time on technology transactions, Internet law on litigation and I've been also working heavily with a single large international bank client as their temporary [inaudible] in-house technology transactions attorney.

I am not involved in any IRP or CEP. I think that covers everything. Thanks.

DAVID MCAULEY:

Thank you, Greg. Next in the queue, Mike Silber, if you would kindly go ahead and introduce yourself.

MIKE SILBER:

Thanks, David. Greetings, all. It's been a while. My name is Mark Silber. I'm a South African lawyer. I'm practicing. I work in-house for a pan-African telecoms company called Liquid Telecom. We have operations across the continent. I've dealt extensively on them and [inaudible] as well as the litigation side, both administrative as well as commercial.

I also head up the legal and regulatory function for our new data center business, and again been involved largely on the commercial side for

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which currently we don't have any significant disputes in that space just yet.

My history with ICANN goes back close on 20 years. A member of the ccNSO for a number of years and nine years on the ICANN Board. I've taken a break at the moment. My only ICANN involvement is a member of the ASO NRO AC and I took my seat on the AC on the first of January. At the moment, not involved in any CEP or IRP process.

DAVID MCAULEY:

Thanks very much, Mike. Next I'll call on Bruce Tonkin. I haven't seen Bruce in the Zoom room, but if Bruce is here or on the phone, go ahead please and introduce yourself. So, I don't believe Bruce is with us.

In a moment, I'm going to—I think Becky made a good point in chat. In a moment, I'm going to ask those who are present as observers to please identify themselves and their observer interest. But before I do that, I'm just going to circle back very quickly and give another chance to those to introduce themselves who were not with us when we started. So, I'll begin and ask is Kavouss with us by now?

KAVOUSS ARASTEH:

Yes. Good morning, good afternoon, and good evening to everybody. Yes, Kavouss Arasteh. I am in activities of ICANN since about eight years. I have been in ICT, the IANA transition, in the accountability work, work stream 1, work stream 2, IOT, in the PDP for the data protection and several other GNSO groups including working group [inaudible] and some other working group of subsequent rounds. Thank you.

DAVID MCAULEY: Thank you, Kavouss. Robin Gross, have you joined us by chance?

KAVOUSS ARASTEH: Excuse me?

DAVID MCAULEY: Sorry, Kavouss. I'm now checking—thank you for your comments. I'm asking if Robin Gross has joined the call in Zoom or on the phone. Thanks. I haven't heard Robin, so we will move next to [Deshawn]. If you have joined the call, could you kindly introduce yourself. Okay, I don't hear. Next would be Mike Rodenbaugh. Mike, have you joined? Apparently not. Then, finally Bruce Tonkin. Have you joined the call or the Zoom room? I don't think so. So, I will make a note and ask those individuals to introduce themselves in the next meeting.

If we could, I know Chris Disspain is here. I can see him in Zoom. I'll ask Chris to go first, but anyone else who might be an observer, just please identify yourself as an observer to the group. Chris?

CHRIS DISSPAIN: Hey, David. It's Chris Disspain. Hi, everybody. Yes, I'm here. I've been involved in this group since ... Well, it seems like forever. It's good to be here as an observer. As you know, board member. When it comes to IRP stuff, don't have any involvement in any specific ones but I've been on the ICANN side of chairing a [BAMC] for a number of years. I hope that's enough. If you need anymore, let me know.



DAVID MCAULEY: That's fine. Thank you very much, Chris. Are there any other observers? If you are in Zoom, please raise your hand. Or on the phone, please just speak up and indicate yourself. Justine, would you kindly introduce yourself?

JUSTINE CHEW: Thank you, David. My name is Justine Chew. For day job, I'm a [inaudible] lawyer in Malaysia, specifically an advocate and solicitor of the high court of Malaya. I do civil litigation and corporate advisory work which has, in most parts, nothing to do with ICANN.

In the ICANN sphere, I've been involved mostly as an individual off and on since 2012. I am currently a member of ALAC, sitting member of ALAC. But I mostly involve myself with policy work, and most currently I am an active participant of subsequent procedures and RPM, and I have been acting as the At-Large liaison for subsequent procedures. Thank you.

DAVID MCAULEY: Thank you. Karen, I take it you're here as an observer. Would you kindly indicate that?

KAREN MULBERRY: Yes. Thank you, David. This is Karen Mulberry. I work for ICANN Org and I'm also a part of the support team for the IRT, and at this point, I'm just observing the process. Thank you.

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DAVID MCAULEY:

Thank you very much. I am battling a cough, so sometimes I may be on mute just a little bit longer than normal. I apologize for that. Brenda, could you go back to the agenda slide, please? And as we do that, I will mention that the next thing on the agenda is a brief history. I'll go ahead and do that, but if there's others that participated in the IOT that want to weigh in briefly on the history of the IOT—we're not getting into substance yet—please feel free to do that. So, we can go, Brenda, to the slide ... I think it's slide number three.

It was clear when the CCWG for accountability got started that there was an interest in adjusting the IRP. There was some dissatisfaction I believe in the community with the IRP, and so the CCWG accountability work stream 1, when it issued its final report, contained an annex 7 that talked about its desires, instructions, whatever they might be with respect to IRP. So, if you are interested in that history, I recommend you the reading of annex 7 to the final report of CCWG accountability work stream 1.

During the work of the CCWG accountability, there was developed a legal team and it was capped at 25 members. It was a relatively small team and it was developed in order to deal with particularly esoteric legal questions and deal with Sidley Austin on the matter. Sidley was an outside advisor to the CCWG.

And that legal team sort of over time morphed into the IOT as the bylaws were adopted, and as she mentioned, the initial chair of the IOT

was Becky, and then when she was selected to the Board, I took over as the chair of the IOT.

We've never had more than one chair, and as I said at the beginning, I am acting as chair just as we get started. What we've done is we have developed what are called "interim" supplementary procedures that the Board passed in October of 2018 but there's obviously some more work that needs to be done on the supplementary procedures. These are called supplementary procedures because these are rules that take into account the esoteric nature of ICANN and they supplement the arbitration rules of the International Center for Dispute Resolution (the ICDR) which is ICANN's procedural vehicle for conducting IRPs.

And as we saw in the introductions, we have amongst ourselves a number of people who are very well steeped into the practice of IRP and including CEP, which will certainly help as we roll forward with our work.

One thing I should note about the history is that many of you who are familiar with the work of the CCWG accountability work stream 2 would know that there was a sub-team that was created that was to deal with the cooperative engagement process, specifically to come up with rules, etc.

That team, unfortunately, dissolved. I think the leader had to leave the ICANN community for personal reasons. I can't remember what it was. Nothing bad. It was simply that they were moving on professionally, and the team which had been small was disbanded.

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At the time—Malcolm, I think you'll recall this—we were approached and asked if we would take on in the IOT the effort to come up with CEP rules. So, you'll see that CEP is on our work to be done and that sort of explains how that happened.

Our work to date has, in my opinion, been characterized by at times intense debate, but I also will say it's been characterized by good faith all around. Sometimes, the work is difficult and what I would suggest as we move forward and when we get to schedule discussions is that we would look at doing work on rules first but I'll reserve that until we get to the scheduled discussion.

If we could go to the next slide, Brenda, and I'll mention some of the things that are on our plate. By the way, I'm sure you all know that the IRP is addressed in ICANN's current bylaw 4.3 which will become our friend. We will become well-versed in bylaw 4.3.

Peppered throughout 4.3 are things that the IOT will help with, will do, etc. and that's where these things come from. One, we need to finish work on the supplementary rules of procedure to make sure that they're no longer interim but are basically established supplementary rules of procedure.

Two, as I just mentioned, we have been asked to work on CEP. The CEP appears at bylaw 4.3(e) and you'll see that there was a call there for creating rules for CEP.

In 4.3, we are asked to recommend training for the standing panel. The standing panel, as you know, is a separate sort of parallel process. There's two parallel things going on to get the IRP up and fully

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established. One is what we're doing as an IOT and then separately is the creation of a standing panel of arbitrators which is between ICANN and the SOs and ACs. We do have a role with respect to the standing panel, recommend training for the standing panel.

You'll also see in the next bullet that we have to develop—or we should develop—recall process for members of the standing panel. The standing panel is in 4.3(j). We have to develop a recall process for members of the standing panel in the unhappy event that that would ever be needed.

We should consider designing specialized rules for PTI service complaints. That may be something that we're called upon to do, depending I guess on how we interact with CSC and folks like that. But that's certainly something that we're asked to consider.

To develop procedures of ICANN elects not to respond to an IRP. This is an interesting one. I forget the sections but there are two sections that speak to what happens if ICANN elects not to respond to an IRP. Our work may be done for us but we need to look at that with some focus.

We need to develop standards and rules governing appeals. We need to come up with rules for appeals and we need to consider developing additional independence requirements for standing panelists. There are some conflict-type rules in 4.3 but we are to consider whether any additional rules are needed.

That is a brief summary of things that are on our plate. I might ask for you to go to the next slide, Brenda. This was a slide simply—a summary slide. I've pretty much gone over that, so we can go to the next slide.

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MALCOLM HUTTY: Hand up, David. A question.

DAVID MCAULEY: Oh, I'm sorry. I didn't see it, Malcolm. Go ahead, please.

MALCOLM HUTTY: A question on the work that we still have to do. Clause 4.3 or section 4.3, why of the bylaws, which is the final bit on the IRP additionally says that ICANN, not the ICANN [inaudible] but ICANN shall seek to establish means by which community, non-profit claimants and other claimants that would otherwise be excluded from utilizing the IRP process may meaningfully participate in and have access to the IRP process.

Now, I do have a question as to whether it is within our work to make recommendations for how ICANN might discharge that obligation. I'm not necessarily asking for a ruling on that from you now, but it seems appropriate to attach that as a question to the things on our work list, at least to be decided whether or not that's on our work list.

DAVID MCAULEY: Thank you, Malcolm. That's an interesting point and I had looked at 4.3 why and it is an interesting section. So, I'll just make a note to Bernie and to Brenda. When we keep this list of remaining work and when we review it, it's possible I missed something that we have to do, when we review this list, let's add questions like that. I know that we'll have other questions near the end of our work. For instance, I'll just give one

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example. What will we do when we finish our work? Would we recommend that we remain in the background? The reason I ask is once standing panel is established, they can recommend rules of procedure themselves to the ICANN Board and the Board might want to hear from us if that were to happen.

But there's other questions sort of also peppered throughout 4.3, so that's a good point. And your idea of creating questions is a good one. So, thank you. Thanks, Malcolm.

Brenda, could we go back to that ... Okay. This is another great summary of IRP. What this does is simply go through 4.3(a) which is the purposes of the IRP, and when you go through that, you'll simply come away thinking, I believe, as I do, that the IRP, the top-most part of the ICANN accountability mechanisms is extraordinarily important, meaning that our work is important and also the work on the standing panel that's going on in the parallel process.

I'll mention something now that I was going to reserve until the end and that is just this bit about creating a standing panel. As mentioned, that's not something the IOT has a formal role in. However, all of us here on this call who participate in the IOT will develop an understanding of bylaw 4.3 and we all participate in our respective SOs and ACs and they're going to need help because this is sort of daunting to get into the IRP for people who are not familiar with bylaw 4.3. And I think we all—it's not just me. I think those of us in the previously existing IOT encouraged ourselves and I think we will continue to encourage ourselves to be available as volunteers to our respective SOs and ACs to

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participate in the effort to create a standing panel. As Becky mentioned earlier in the call, it's extraordinarily important.

Anyway, thank you, Brenda. Could you go to the next slide, please? Well, I just spoke about that. Is there anything else on the slides? I can't recall.

BRENDA BREWER: No, that's the last one.

DAVID MCAULEY: Well, thank you. If you could go back to the agenda, then. I think the next thing that we want to talk about is meeting schedules. That is our schedule. And this is something that was addressed briefly on the emails yesterday.

So, it's now up to us to talk about meeting, so that you can see under number three on the agenda, there are certain points for us to discuss. Forget about the week of January 13<sup>th</sup>. We're in it. It is what it is. How long should our calls be? Do we want to have a regular time for the calls? It's somewhat difficult because we have Bruce in Australia, we have people all over the globe basically. So, do we want to rotate the calls? How do we want to do this? Is there a day of the week we want to meet? So, I would invite people to come forth and offer suggestions.

Now, having said that, let's assume for a minute that we agree to meet every week. My strong suggestion—and Bernie, I'll come to you in just a moment. My strong suggestion would be that the next meeting not be



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for two weeks so that we give each of us a chance to weigh in on these and any other issues on list and some time to think about.

But, having said that, let me turn to Bernie whose hand is up. Bernie, if you're speaking—

BERNIE TURCOTTE: Sorry, I'm having a little trouble getting off mute here. Can you hear me?

DAVID MCAULEY: Yes, we can hear you now.

BERNIE TURCOTTE: Okay, great. Just a few notes. It is rather customary in ICANN when we're covering the globe to have two or three meeting times. Usually, the simple one is the plus-eight hour but that's up to this group to decide.

The second thing is try to avoid Fridays because that goes into Saturday across the dateline if you're having a specific day for the meeting.

Lastly, I've built a schedule for everyone. I assumed everyone is available 9:00 to 17:00 in their local time as a minimum. A few of you have replied to give me extended hours. If I look at that schedule for all the members, the time that has the most people available is 13:00 UTC. Close behind that is 14:00 UTC and 16:00 UTC. Back to you, David.

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DAVID MCAULEY: Thank you, Bernie. Next in the queue I have Kavouss. Please go ahead, Kavouss.

KAVOUSS ARASTEH: Yes. It is customary that we have rotating times and also many other things [inaudible]. Nevertheless, every group is competent to establish its own rules and nothing prevents us if we all agree on a consensus basis to establish something. But I suggest, at least from my availability point of view, I prefer to have a fixed day for the time being. [inaudible] because [inaudible] Friday, it goes to the Saturday if we opt for the rotating time. So, I am in favor of fixed day, number one. I am in favor of not more than one hour for the meeting because we have experienced more than one hour will be a little bit boring, unless in some specific occasion and cases that we are obliged to provide something we may exceptionally have longer periods, such as one hour and 30 minutes. But normally I suggest, at least as far as I am concerned, fixed day and one hour.

Weekly or not weekly, that is another issue. It depends on the scope of the work. It depends on the volume of the work. I don't know whether from the very beginning we could start from each week or one every two weeks. That is another issue. I am very much [inaudible] to listen to the others. But I don't think that perhaps at the very beginning we need to have one meeting per week. But if, at the first two or three meetings, we need to have one hour per week to start something and put it on the process, I have no difficulty. I am open for discussion, but I am much in favor of fixed day and one hour per meeting. Thank you.

DAVID MCAULEY:

Thank you, Kavouss. And I'm going to raise my hand and the reason I'm doing it is because I'd like to speak as a member of this group rather than as chair right now and give my thoughts on the meeting schedule. And what they are is I agree very strongly with Kavouss that a fixed day would be a great idea and I tend to agree with Kavouss that the one hour rule is also a good one, unless we decide later, too, that we want to meet in a face-to-face meeting at ICANN meetings. Maybe more than one hour would be appropriate at that time. But I'm certainly in favor of that.

I take Chris's point in the chat, his observer point, that Bruce is available late. I do think we should try and make sure that everybody can participate because I also take Becky's point in the chat. We need consistent participation. One of the reasons we've been reconstituted in the fashion we have is we had a small group. We had good faith all around. We had good participation but there were some members of the group that didn't participate.

What we need now—and we have important work in front of us and I think we need to ... I'm speaking as a participant now. We need to have consistent participation.

The final thing I would say is if we meet every week, I think that would be a good idea if that's what we eventually decide. But in the early proceedings—maybe the first two meetings after this one—I would suggest a two-week hiatus so that questions like this, organizational questions like this, can also be put on the list for people who are not

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here with us—Robin, Mike, whoever it might be, Bruce—to also get a chance to weigh in and give us some time to get organized. Maybe a meeting every other week while we go through this beginning period. That’s the conclusion of my personal remarks. Next in the line, Flip, please go ahead.

FLIP PATILLION:

Thank you, David. I very much agree with everything that has been said so far and I actually recall two things. Consistency is indeed quite important. Who commits really needs to continue to participate actively and of course needs to be given the opportunity to participate actively. And I think that the best way to solve that is indeed a particular day and a particular length and maybe a particular moment of the day or a couple so that we can install or [inaudible] some consistency and persistency in our respective agendas because we have all other meetings that we’ve committed to, other projects we accepted to work with other people.

And I think, personally, with a particular day in mind—and indeed, in the beginning we don’t need to meet every week, I think. But with some consistency in dates and in moments and day of the week, I think that will really help us in organizing ourselves. Thank you.

DAVID MCAULEY:

Thank you. Kavouss, I believe that’s a new hand. Is that right?

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KAVOUSS ARASTEH:

Yes, it's a new hand. Perhaps something that maybe we have to put in the agenda and that is that whenever we need to decide on something, we need to establish quorum. It would not be appropriate if the number of participants is so small that we decide on something, unless if we have some discussion and we see the number of participants is less than quorum and not lose the opportunity. Still, we could continue to discuss but we could not decide on something. So, with decisions, this is a customary international, not only in ICANN—everywhere. We need to establish a quorum.

What that quorum would be? There are different ways, different factors, and even elements on what people said, that quorum would be minimum 50% plus one. It depends on how many members we have. And sometimes including or excluding the [inaudible] but if you are speaking on behalf of your own entities, you could be counted as well. But this quorum is important.

My question is, for decisions, we need the quorum and we have to establish that. You remember that, David. We had this in the past several times and sometimes because of lack of a sufficient number of participants, it could not continue the meeting. So, I would like to take this opportunity and remind ourselves that that is something that we have to think of. Thank you.

DAVID MCAULEY:

Thank you, Kavouss. Bernie, your hand is up. Please, go ahead.

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BERNIE TURCOTTE: Thank you. Instead of just generally discussing this on the mailing list for a meeting time or times, we found that putting out a Doodle poll has helped align people. So, if the group thinks that's a good way forward, we could try and put something together.

DAVID MCAULEY: Thank you, Bernie. I think that's a great idea. I'd love to see a Doodle poll on something like that. Susan, your hand is up. Please, go ahead.

SUSANE PAYNE: Hi. Yes, thanks. Whilst I do think Doodle polls are really useful, I do think we also have to be a bit mindful of the fact that there are some time zones who are inevitably going to lose out if we simply go by what time people are most available.

So, I do support the idea of at least a couple of time rotations, because otherwise, if we look at this time we're at now which I know is one of the times when Bernie mentioned that most people are available, but it's 6:00 AM or something on Pacific time and it's about 1:00 in the morning for Bruce. I think we need to be prepared to share the pain.

DAVID MCAULEY: Thank you, Susan. Again, I'm going to raise my hand because I want to speak as a participant, not as chair. I would like to second what Susan just said. I'm a big believer—and I remember this from my days on CCWG for accountability when we had calls that started for me at 3:00 AM and went for three hours. We have to share the pain.

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On the other hand, the balancing act for us is to do that but also to maintain the consistency that Becky mentioned initially. That's critical to us.

So, our tough job between now and the next meeting is to give some thought to what will work. I think a Doodle poll would be helpful in this respect. So, thank you for that, Bernie, for that idea. But we have a balancing act. We have to be consistent, consistent participation. We have great minds here and we need everybody to weigh in. It is equitable to share the pain, there's no question about it. Susan makes a good point. Hopefully, we can thread that needle and we'll look forward to a Doodle poll. So, thank you. Those are my comments. Does anybody else want to speak on this right now? We'll probably bring it up on list in the interim.

If not, there's a corollary question. Do people feel it would be useful to have a brief, by which I mean 90 minutes to two-hour meeting, at ICANN meetings? A face-to-face opportunity that would also accord remote participation capability. Is that something that people would think is useful? Should we try and arrange to do that in Cancun? It takes some time to arrange these things. They don't just drop out of the sky. So, that's a question, if anybody would like to weigh in on that. Kavouss, I see your hand and then Malcolm's. Please, go ahead.

KAVOUSS ARASTEH:

Yes. I have no problem with the 90 minutes or more face-to-face meeting during the ICANN but we should make every effort to avoid that meeting being in parallel with some other meeting that some of us

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are involved or interested and so on, but it is possible. If we schedule beforehand, that is possible. Otherwise, [inaudible] for any time available. So, that should be important. I just want to make sure that some of us, including myself, we are involved with some other meetings and we don't want to lose this IOT meeting.

I don't want to exaggerate the work that we are doing. That is one of the most important parts of the whole processes in ICANN and we need consistency, needs continuation, need devotion and so on and so forth. Friendship, no doubt, consensus, no doubt, but also we need the time available to do so. If we have a face-to-face meeting, Bernie or others are invited to coordinate that ... For instance, for me, it would be difficult to have a meeting at the same time as we have the communique of GAC. It's difficult because I will attend that communique, and sometimes if there is a PDP for six months on the data protection also, I am interested to attend that. This is an example.

So, maybe it's good to have a list of that and to see whether we could avoid that. Just a possibility, to the extent that is possible. Thank you.

DAVID MCAULEY:

Thank you, Kavouss. Malcolm, your hand is up next. Please, go ahead.

MALCOLM HUTTY:

I think Kristina was ahead of me.



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DAVID MCAULEY: Oh. Well, not on my Zoom, but Kristina, if your hand is up, please go ahead. Kristina?

KRISTINA ROSETTE: Thanks, Milton. I am very much in favor of a face-to-face meeting in Cancun with the caveat that we, as ICANN usually does, have robust remote participation for those of us who might not be attending. It would seem to me that anything shorter than two hours might not necessarily be worth doing, to best take advantage of the time.

And I'm going to go against the tide of Susan and Chris and express a preference that it not be the last day of the meeting, simply because very often I find that people are trying to get back home, and for those folks who are still there, at that point, everyone is fairly exhausted. So, maybe the second to last day of the meeting. But that's my vote. Thanks.

DAVID MCAULEY: Thank you, Kristina. Malcolm, go ahead, please. And we're near the end, so everybody please be brief.

MALCOLM HUTTY: Thank you, David. I broadly support this. I think that if this is to be a formal meeting—that is, decision-making—robust remote participation and adequate notice of what is going to be discussed are crucial to protect those that are not able to be there. We actually started this group by breaking that at the [inaudible] meeting where we did not

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have [inaudible] and that caused problems. We should learn from that and not repeat that experience.

But, also, if we are to do this, I think plenty of advanced notice. There may be people that will make different plans for how they will go to Cancun or which days they will attend for, depending on how this is scheduled. So, it's important to make a decision early so that people can make travel plans accordingly.

In the event that it is not possible to do this or if the remote participation and so forth were drawn at the last moment, becomes unavailable or whatever, I would strongly be of the view that the meeting should go ahead because it is useful for people to meet with each other, but it should not be a decision-taking meeting and the meeting not have any formal status, but nonetheless should go ahead so that people can essentially exchange views informally and that might help move thinking ahead without actually depriving anyone of the opportunity to participate in decision-making.

DAVID MCAULEY:

Thank you, Malcolm. Let's go to Bernie and then I'll make a brief closing comment. Go ahead, Bernie.

BERNIE TURCOTTE:

Thank you. I'm getting the sense that we would like to meet in Cancun. Not to rain on everyone's parade, we're already pretty late. Karen and I will look into what is available when and get back to you because rooms are limited and we are late, so we will look at what is available for a 90

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or 120-minute meeting and we'll hopefully have that for the next meeting. Thank you.

DAVID MCAULEY:

Thank you. And let me just say two things, speaking in response to Bernie. Bernie, if you could, please do that in the nature of placeholder. And please—I know you will—convey to the schedule makers the importance of IRP-IOT. One of the things I think that the IRP suffers from is, as important as it is, it doesn't seem to have urgency behind it like an EPDP or whatever. So, that might help. A placeholder would be good.

There were things we didn't get to today but we're going to keep the meeting to the schedule. Bernie and I will converse about this and come out. My suggestion is that we meet two weeks from around now for a 90-minute meeting. It's a good idea that Becky put out. So, you'll see us on list a little bit later this week.

Unless anyone has a final comment, I would like to close the meeting. So, let's go ahead and close it. I want to thank everybody and welcome everybody, again, for their participation in the IOT. It's important work and thank you. Susan, I see your hand. A brief comment.

SUSAN PAYNE:

Sorry, David. Yes. It was just one final point. I think in the original email when we were going to have a meeting before Christmas, the original email with the agenda said something about for the second meeting the topic of leadership would be on the agenda. I sort of heard you say a

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couple of times that you are willing to stay in the chair for the first few meetings, for the first organizational meetings. A couple of times you've said things like that. That's sounding to me that the chair-ship is something that will be an open issue and I just wondered whether you could clarify that.

DAVID MCAULEY: I don't think ... Pardon me. Can you hear me?

SUSAN PAYNE: Yes.

DAVID MCAULEY: Okay. I'm having a problem with mute. We didn't get to that today simply because we didn't have time. That was on the agenda and I'd like to bring that up at the beginning of the next meeting and organize my thoughts around it. But it is an item to at least be looked at.

SUSAN PAYNE: Super. Thanks.

DAVID MCAULEY: Thank you. So, thank you, again, everybody. Important meeting. I'm very happy to meet all of you and welcome you to IOT and look forward to meeting again in about two weeks' time.

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So, that's the end of the meeting and we can stop the recording. Thank you.

UNIDENTIFIED MALE: Thanks, everyone.

**[END OF TRANSCRIPTION]**