

**Zoom Chat Transcript**  
**IRP-IOT Call – 15 December 2020**

11:12:46 From Kristina Rosette to Everyone : Apologies for joining late. Lost track of time.

11:13:03 From David McAuley (Verisign) to Everyone : Interesting update, thank you, Susan

11:27:13 From Becky Burr to Everyone : I believe that someone with connections with this university participated in the original IRP

11:28:11 From Bernard Turcotte to Everyone : link to the public comment inputs

11:28:14 From Bernard Turcotte to Everyone : <https://mm.icann.org/pipermail/comments-irp-iot-recs-22jun18/>

11:29:49 From David McAuley (Verisign) to Everyone : My thought did not come from here, Susan, but I see Dot Music's point

11:30:39 From Bernard Turcotte to Everyone : Time check - 60 minutes left in call

11:33:37 From David McAuley (Verisign) to Everyone : In my view, creating malign incentives says nothing about the intended recipient of the incentive.

11:34:16 From Chris Disspain to Everyone : I cannot and do not accept the characterisation that the hiding of info etc would be a natural response

11:40:47 From Becky Burr to Everyone : There is an easy solution here, just say 12 months from the time the decision is public.

11:41:00 From Chris Disspain to Everyone : indeed

11:41:07 From Chris Disspain to Everyone : Makes perfect sense

11:44:52 From Chris Disspain to Everyone : exactly Nigel

11:46:28 From Malcolm Huttly to Everyone : Indeed Nigel. I do believe time should not run until the claimant became aware or ought to have been aware. Unfortunately some are arguing otherwise, that it should run immediately from the decision

11:46:53 From Chris Disspain to Everyone : Who is raging that Malcolm?

11:46:59 From Chris Disspain to Everyone : Arguing..

11:47:11 From Chris Disspain to Everyone : Or raging maybe ;)

11:48:16 From Malcolm Huttly to Everyone : Is when time should start to run not the essence of our dispute? (Setting aside your personal desire to ensure certain types of claim, like mission limitation, should not be heard by the IRP at all)

11:49:50 From David McAuley (Verisign) to Everyone : i have assumed the decision is public when made but to avoid doubt i think Becky's idea is a good one – 12 months from publicatuion of the decision

11:50:12 From Chris Disspain to Everyone : I don't believe so no...If you take your example, your education company can bring an IRP as soon as they know about the issue BUT not IMO on the mission issue but rather on the 'personal matter' for them

11:51:26 From Malcolm Hutty to Everyone : Well, you insist that you have a right to interpret the bylaws in your own way. All I can say is that "the mission issue" is specifically listed as the first purpose of the IRP in the bylaw that creates the IRP.

11:55:14 From Chris Disspain to Everyone : I agree Susan...Not suggesting otherwise..

11:56:55 From Scott Austin to Everyone : From the materials I have researched, knowledge or awareness is consistent with a statute of limitations, but a statute of repose does not have this requirement. So was this distinction considered, and if so then repose was the result should we now be adding a condition of knowledge or awareness as the trigger for the stopwatch. And if knowledge is added as the start date, do we still need the safety valve given to the panel to waive the limit (if I am paraphrasing correctly here).

11:58:57 From Chris Disspain to Everyone : Malcolm, I am not arguing that the IRP should be unable to consider the mission issue...I am suggesting that it is a nonsense to have the question being able to IRP's many years after the event, especially where, in the case of all of your examples, the claimant is NOT prevented from bringing a claim for personal remedy..

12:00:23 From Bernard Turcotte to Everyone : Time check - 30 minutes left in call

12:01:58 From Chris Disspain to Everyone : respectfully, Malcolm I believe you are conflating ICANN not being right with ICANN intentionally subverting its duty to be transparent

12:03:32 From Kurt Pritz to Everyone : I do not think ICANN would have an additional incentive to be transparent to address the much-less-than-one-percent of cases that are lodged after the expiration of repose.

12:07:35 From Mike.Silber to Everyone : I don't follow your comment Kurt?

12:09:30 From Kurt Pritz to Everyone : Listening to Malcolm's comment: The .music comment indicated that elimination of repose would provide an additional incentive for ICANN transparency.

12:09:56 From Mike.Silber to Everyone : thanks Kurt

12:10:23 From Kurt Pritz to Everyone : Not as transparent as I hoped

12:16:04 From Mike.Silber to Everyone : 😊

12:17:32 From Chris Disspain to Everyone : He wasn't referring to you Kavouss...

12:18:01 From Mike.Silber to Everyone : Malcolm

12:18:11 From Mike.Silber to Everyone : Chris

12:18:12 From Malcolm Hutty to Everyone : yes?

12:19:00 From Chris Disspain to Everyone : That's easy for you to say Silber ;-)

12:19:44 From Mike.Silber to Everyone : exactly

12:22:04 From Mike.Silber to Everyone : I like Kurt's suggestions

12:22:07 From Chris Disspain to Everyone : Turkey, roast potatoes, sprouts and public comments...YUM

12:22:39 From Mike.Silber to Everyone : explain which comments have persuaded you (if any)

12:24:07 From Chris Disspain to Everyone : that would be a useful way forward

12:27:43 From David McAuley (Verisign) to Everyone : Thank you, Susan, and all. Happy holidays all

12:28:14 From Malcolm Huty to Everyone : Sorry, must go. Door. Merry Christmas to all who celebrate it, and my very warmest wishes to everyone.

12:28:33 From Malcolm Huty to Everyone : Hear hear, well said Kavouss

12:28:37 From Kristina Rosette to Everyone : Bye, all! Happy 2021, everyone!

12:28:39 From Scott Austin to Everyone : Thanks Susan and the same to you and your family and to all of our IRP-IOT members. Thanks.

12:29:01 From David McAuley (Verisign) to Everyone : Thank you Kavouss

12:29:13 From Scott Austin to Everyone : Thank you Kavouss