

# The ICANN GNSO “Business Constituency”



## Business Constituency Meeting: San Francisco – 15 March 2011

### Attendees:

Marilyn Cade	Mcade LLC	Fred Felman	Mark Monitor
Steve DelBianco	NetChoice	Margie Milam	ICANN
Sarah Deutsch	Verizon	Andrew Mack	AMGlobal Consulting
Leigh Williams	Financial Services Roundtable	Garth Bruen	Naralo
Janet O'Callaghan	News Corporation	Liz Williams	Guest
Berry Cobb	Infinity Portals LLC	Michael Imdr	JAS Global Advisors
Mike O'Connor	O'Connor Company	John Crain	ICANN
Chris Martin	USCIB	Liz Gasster	ICANN
Audrey Plonk	Intel Corp.	Phil Corwin	ICA
Liesyl Franz	Techamerica	Chris Chaplow	Andalucia.com
Susan Kawaguchi	Facebook	Brian Winterfeldt	IPC Treasurer - Guest speaker
Sarah Schramm	ExxonMobil	Adam Palmer	Symantec
John Berard	Credible Context	Lynn Goodendorf	Good Security Consulting
Ayesha Hassan	ICC	Philip Sheppard	AIM
Cristoph Steck	Telefonica + ETNO	Mike Rodenbaugh	Rodenbaugh Law
Katrina Olsen	Overstock.com	Jeff Brueggeman	AT&T
Ron Andruff	RNA Partners	Tero Mustala	Nokia Siemens Networks
Jim Baskin	Verizon	Jarkko Ruuska	Nokia Siemens Networks
Nivaldo Cleto	CGI.br	Lucy Nichols	Nokia Siemens Networks
Erin Vivion	Rodenbaugh Law	Lane Mortensen	Wells Fargo
Steve Elias	Corporation Service Company	Mark Sloan	Wells Fargo
Anders Halvorsen	WITSA	John Hines	Reed Smith
John Myers	Canadian Int Pharmacy Association.	Karl Allerbach	Interworking Labs
Sarah Falvey	Google	Martin Sutton	HSBC
Joyce Cutter	BNA Inc	Zahid Jamil	DNDRC
Jim Grey	.Ca	Phil Davidson	ITN
Anupam Agrawal	TCS	Charlie Minesiyer	Neustar
Dawn Yankeelov	Tech Republic	Steve Sheng	ICANN
Marie McCann	Rodenbaugh Law	David Olive	ICANN
Denise Yee	Visa	Marika Konings	ICANN
Shannon Hopkins	Visa	Scott McCormick	McCormick ICT Int.
Bill Smith	PayPal	Benedetta Rossi	BC Secretariat
Denise Michel	ICANN	Kieren McCarthy	Guest
Anders Halvorsen	WITSA (telephone)		
Jon Nevett	Domain Dimensions		

### 1. **Special Recognition.**

On behalf of the Business Constituency, In recognition of exemplary contribution to the ICANN Business Constituency Policy Development Priorities through active participation in ICANN's working group, the Chair presented two BC Members, Berry Cobb, Infinity Portals LLC and Mikey O'Connor, O'Connor Company, a certificate and cash recognition of 125 euros each.

### 2. **Using a Brand Name as a String**

Fred Felman and Elisa Cooper, BC Members (MarkMonitor), Sarah Deutsch, BC Member (Verizon) and CSG Representative, Brian Winterfeldt, Guest from Steptoe and Johnson and Susan Kawaguchi, BC Member (Facebook), gave a presentation on brands as string. The slides can be found in the San Francisco meeting page on the bizconst.org website. Brian Winterfeldt, Steptoe and Johnson began the presentation talking about the new gTLD program: opportunities that come with introduction to the gTLD program, encourage brand owners to really know what the program is about. He wanted to prepare people for the string evaluation process, and the possibility of contention set.

Fred Felman, BC Member (MarkMonitor) then discussed the survey responses he received from MarkMonitor clients as they are approaching the gTLD application period. Amongst the customers that were interviewed (150 approximately), about 9% were unaware of the program. Initially, 30% to 40% definitely were going to apply, now 44% are definitely going to apply and 26% say they will do it whereas 44% don't know yet. Fred Felman's guess is within the larger customers probably 50% to 60% will do something about it if the TLDs accept application this year. Interestingly, when asked if this program will impact how they protect their brands online, the clients' responses marked that they believe they will have to spend more to defend their brands online, despite the new rights protection mechanisms that will help them.

Sarah Deutsch, Verizon and CSG Representative, showed one brand owner's perspective (Verizon) on new TLDs, showing that many people don't intend to register in new spaces and the fear that a lot of infringers will register. She then gave her understanding of what the rights protection mechanisms are, their views on measures, the GAC's view and the board's response.

### 3. **SSR - BC Leadership Challenges**

Jeff Brueggeman, BC Member (AT&T), spoke about the status of the SSR Review team. The review team put out a set of questions for comment which are due on the 6<sup>th</sup> of April. The first goal for the team was to review everything that ICANN is doing, the security plan, SSAC and look at how they're implementing each component on the security part. Goal for Singapore meeting: to have conducted an exhaustive catalog of what has occurred, what the materials are within ICANN and interviews with different constituencies. SSR – Security, Stability and Resiliency, which has a particular significance to business users for contracted parties. Effort of the SSR is to build on something which emerged from the business constituency, and that is looking at what SSR means from the business user perspective, its range of concerns and interests that business users bring to this topic.

Scott McCormick, BC Member (McCormick ICT Int.), informed the meeting with a presentation on the DIS working group which is just beginning. Objectives: the actual frequency and severity of threats to the DNS, the current efforts and activities to mitigate these threats to DNS, and the gaps in the current security response to DNS issues. Adam Palmer, BC Member (Symantec), then spoke about the drafting of comments on these issues, to jump start the process to involve the rest of the wider group. Greg Rattray, BC Member (FS Roundtable), will circulate comments this week, to condense some core arguments that they have, or positions to support to improve SSR. Adam then proceeds to discuss three of the comments he submitted.

Greg Rattray, BC Member (FS Roundtable), provided some perspective of where ICANN fits in a broader set of concerns around cyber security. The focal point on his presentation was what we need to do as a business community. He has been working with Leigh Williams (president of BITS – security program lead) to ensure that financial services related to new gTLDs have the right sorts of security and governance mechanisms.

Patrick Jones, part of ICANN's security team, talked about the role of the security team: serves as a

bridge to the business community, GNSO operators, infrastructure providers, and the spectrum of the community that's interested in security. What they want to do is work with the business constituency to take the security discussion and have concerns being heard and addressed.  
Email: [Patrick.jones@icann.org](mailto:Patrick.jones@icann.org) to discuss security and address any questions.

#### **4. WHOIS, IRD, ATRT**

Liz Gasster, ICANN, gave an overview of the WHOIS studies that are currently being managed to inform policy making in the GNSO council. There are currently four studies that the GNSO is considering. WHOIS is a priority topic for the BC and will continue to have updates in further BC meetings.

Steve Sheng, ICANN, then gave an overview of the IRD (Internationalized Registration Data working group) which defines how the internationalized domain names are for domain labels. Liz Gasster and Steve Sheng both asked members of the Business Constituency for feedback and discussion in regards to both WHOIS and IRD, asking for technical people to participate.

Denise Michel, ICANN, then gave an update on the ATRT (Accountability and Transparency Review Team report). The affirmation of commitment obligates ICANN to run 4 community reviews, and the ATRT is the first one; this was aimed at looking at obligation of ICANN to maintain and improve robust mechanisms for public input, accountability and transparency to ensure the outcome of its decisions reflects the public interest. The second group is the GAC, where a number of recommendations were made to change the process. The third group is Public Input and Policy Development process, where a lot of recommendations go to the Public Comment Forum processes. The fourth group is reconsideration of Board decisions. The affirmation requires the Board to take action on the report within six months.

Susan Kawaguchi, BC Member (Facebook) and Lynn Goodendorf, BC Member (Good Security Consulting LLC), then continued the discussion of the WHOIS studies. Susan mentioned what the review team had done since arriving in San Francisco, and that the SSAC gave them good details to follow and requested a definition of WHOIS. Lynn mentioned that they want to get on the agenda in Singapore with this group to be able to do all of the constituencies. They have just put out a call for comments which includes their plan of work. The review team also needs feedback on what they put out there, and Lynn asks that if anyone within the BC thinks they are going in the wrong direction they should mention it. The group is currently brainstorming on a preliminary list of issues, to then see how to divide the workup into subgroups. The completion date goal is November 2011.

Steve DelBianco, Vice Chair Policy Coordination (Netchoice) asked for the review team to identify fact based study areas that will help with the next WHOIS Review team and Policy Development. Doing that would help the Council understand the funding and proceed with the queue of studies ahead.

#### **5. GNSO Council Agenda Review/ Further Discussion of the Members Views And Priorities re GTLDs**

Steve DelBianco, Vice Chair Policy Coordination (Netchoice) gave an overview on the Council meeting agenda scheduled for the following day and public comment. The council meeting has several topics on the agenda that are relevant to recent BC discussions. The first topic is voting on the WHOIS studies, a motion on the registrars (a delaying motion) designed to ask staff questions before moving onto the question of doing studies.

Zahid Jamil, GNSO Councilor (DNDRC) and John Berard, GNSO Councilor (Credible Context) then covered the next topic which is the motion that the BC with staff assistance put into the council their proceeding with studies of registrars and a study on proxy and privacy services. This is a compliance based study as well as a study on the existence of abuse by privacy and proxy services. Members discussed the possibility of refining their way of finding consensus, but equally having to find individuals who take responsibility within the group.

Steve DelBianco, Vice Chair Policy Coordination (Netchoice) introduced the next topic of the agenda, which was a proposed response to the board resolution passed in Cartagena. Bruce Tonkin made this resolution, calling it the Zuck Resolution, where the board asked four groups – the ALAC, the GAC, GNSO and CCNSO – to help establish definition and measures for three key phrases: the words

consumer choice, competition and innovation. Bruce Tonkin stated that we should establish what it is that we're trying to achieve before the year begins, and the Board adopted it unanimously although zero progress was made from the GNSO council.

Marilyn Cade, Chair (Mcade LLC) introduced a work item for the BC in regards to this topic: beginning a discussion on what the BC thinks the issues around consumer, confidence and trusts are; put this in the upcoming BC call to talk about what the BC thinks ICANN's role is in this area and what it means.

Steve DelBianco, Vice Chair Policy Coordination (Netchoice) mentioned that a group is trying to form a new constituency at ICANN called the Consumer Constituency, and at the end of the meeting they planned Singapore to be a formal constituency, not just a candidate. This group would like to own the issue of consumer concerns, but both Steve and Marilyn agreed that it doesn't serve the BC's interest and that the BC and every constituency at ICANN ought to own these issues.

Marilyn Cade, Chair (Mcade LLC) presented a future exchange between the BC and the ALAC which she is currently organizing for Singapore. All members will be invited to participate both for the preparation and remotely.

Steve DelBianco, Vice Chair Policy Coordination (Netchoice) then went through the Council agenda point by point. Topics discussed: SSR working group. They are trying to bring down the number of people involved to 12. Chris Chaplow, Vice Chair Finance & Operations (Andalucia.com) then gave a brief report on the CCNSO lead cross Community study group closed SFO meeting "Study Group for the use of Names as countries and Territories", which will be more of a study group than a working group. RAP was then discussed with a presentation by Zahid Jamil, GNSO Councilor (DNDCR); staff is consulting with the council to see what needs to go into the discussion papers and issues paper with UDRP. These discussions will continue, and there are certain interests who don't want the UDRP to go ahead, so discussions were held about its complexity.

#### **6. FY12 Budget & Operating Plan – BC Priorities**

Chris Chaplow, Vice Chair Finance & Operations (Andalucia.com) gave an overview on the FY12 Budget process from the BC's perspective, which begins from the first of July 2011 for one year. The draft budget is published in May, and is approved in the meeting in June. This year all constituencies were given the opportunity to comment into the draft framework at an earlier stage, so the approach has changed slightly. Another major difference: the budget is broken down into core operations or special projects and the new gTLDs.

The proposed framework of revenue for ICANN for this coming year is \$68 million, and almost all of the revenue comes from the registries and registrar fees. Meeting sponsorships have jumped up from half a million dollars to just over a million on the forecast for this year. Operating expenses have increased by 15%. \$51 million for core operations and \$11 million for the projects. Chris asked the financial controller for a breakdown on the relative amounts for the projects but the information was not available. The projects that he focused on were contractual compliance and the toolkit. Under the toolkits, he put a detailed request for face-to-face meeting support, teleconference support, extra for the mailing lists and archiving. The mailing list was on the list for toolkit items and the BC is very interested in it as well as transcripts, mp3 recordings and office election assistance.

Marilyn Cade, Chair (Mcade LLC) then outlined the requested proposal for a BC fellowship program, which differs from the current one. The current program doesn't enable small businesses from developing countries to come to ICANN and get engaged. It is more suited for ALAC and government folks. The BC would ideally like to be able to bring someone to two meetings in a year and then help them do an outreach event of their own in their country or region. So the BC is currently asking ICANN for funding to help achieve this and provide travel funding for the participation.

#### **7. Nominating Committee Update**

Chris Martin, BC Member (USCIB) then gave a quick update on the nominating committee's process, stating that there are currently two open board seats, a single CCNSO seat and three ALAC seats from

Africa, Latin America and Asia Pacific. He encouraged members to share ideas for candidates. This particular process might also influence outreach. Mike Roberts, the other member of the NomCom, sent his apologies.

**8. Meeting Closure**

Marilyn Cade, Chair (MCade LLC) then concluded the meeting with an assignment for all BC members for the formal publishing of the BC document. The members who haven't yet sent their bios and pictures to Benedetta Rossi, BC Secretariat ([secretariat-bc@hotmail.com](mailto:secretariat-bc@hotmail.com)) should do so as soon as possible so that the document can be completed and published.