

ICANN

**Moderator: Gisella Gruber-White
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10:30 am CT**

Coordinator: I like to remind all participants this conference is being recorded. If you have any objections you may disconnect at this time. You may begin.

Marilyn Cade: Thanks (Jenny). I just wanted to announce I've joined the call.

Chris Chaplow: Thanks Marilyn. And this is the BC Toronto Prep call on October 2 2012. And we currently have on the call Chris Chaplow, David Fares, (Andy Abrahams), Angie Graves, Ron Andruff, Steve DelBianco, Ayesha Hassan, Camille Stewart, Celia Lerman, Gabriella Schitteck, Susan Calagucci, Phil Corwin, Fred Feldman, Patrick Ryan, Jim Baskin, Elisa Cooper, Mark Sloan, and Marilyn Cade. And back to you...

Marilyn Cade: Great.

Chris Chaplow: ...Marilyn the chair.

Marilyn Cade: Thanks. I'm just going to reorganize the - I just want to I think there's an echo. So I may end up dialing in again.

But I want to be really clear with everyone that this is a prep call. So we have another call next week and I'll just announce something.

We're going to have to move that call till Monday. (Jenny) will send out an announcement that (Steve) is traveling away have to have (Steve) and we're missing one of our counselors for the next call.

Next week's call is focusing on the council agenda the gTLD policy issues.

So today is the prep call for the Toronto meeting and more an effort to make sure the people are where what's going on in Toronto so that they can begin their own preparations. And that's what we're going to focus on today.

I'm going to open with a debrief on the chair's conversation with (Claudi), the new CEO and a brief report from a meeting that a breakfast that (Foddi) held in - (Barisia Foddi) held in Washington.

And then I want to just turn to (Benny) to announce the results of the election of the council through the council - the counselor that was elected to the GNSO council.

And then I'm going to briefly give an update on an intercessional discussion and then we're going to go into the review of the schedule and a discussion about the work we have ahead of us including an update on the social and other events so all of you can begin to plan for those interactions not only during the meeting but also in the side events and make sure that you have the information you need in terms of bringing your executives or colleagues that may be coming to Toronto with you.

And then we're going to close with AOB to add other topics.

Is AOB sufficient for everyone to add other topics? So does anyone realize we have a short amount of time this call, we have another call next week. Is there anything else that people feel we need to add to this call?

David Fares: Marilyn this is David. Not that there's something we need to add but I was wondering if we could just reorganize it after your summary of your conversation with (Foddi)?

If we could go into what are the hot topics because for those of us that - I have some colleagues that will be in Toronto but I won't be there. And it would be helpful...

Marilyn Cade: Okay.

David Fares: ...we could take the substantive issues first so that I can drop off because I have another commitment.

Marilyn Cade: Sure David.

((Crosstalk))

Marilyn Cade: No I'm happy to do that. Okay so let me go ahead with - (Foddi) has held I, you know, I think all of us know that we have a new breath in the ICANN leadership.

And really I - I guess I'm going to call it a new spirit in the ICANN leadership. (Foddi) was delayed in starting once appointed because - and I'm very happy that the chair and he are now being public about what the delay was.

The company he worked for had a public offering. And he needed to help them facilitate new leadership.

But he did use the time between his appointment when he was even not yet fully he was not yet the CEO to get acquainted with the staff and with many people from the community.

And he did start two weeks early from his announce date. So he started the middle of September not the 1st October.

He accelerated a series of meetings one on one with all of the chairs of the constituencies and the stakeholder groups of the DNSO. Sorry?

Man: No go ahead Marilyn.

Marilyn Cade: Okay, and of the chairs of the other supporting organizations.

My call with him was last Friday which was I think he has already had his calls now with all of the rest of the leadership.

He also held a breakfast on Friday morning a week ago in Washington. And the palace and someone else from the IPC was there, Google was there, (Sara Baldi) was there from Google -- a number of other people were there from the sort of Washington crowd.

The - I can send - I'll send some summary notes from that. But he basically laid out his priorities. And I just want to touch on them before I go to his one on one with me.

He made it very clear that he understands that ICANN must significantly improve on operational performance and operational excellence.

And he stated that he got the message from us at the BC and others that vulnerabilities on operational performance and operational excellence create external vulnerabilities and that his priority is going to be to focus heavily on making those changes and improvements and we should expect announcements in Toronto on small progresses.

So to give an example, there will be an announcement in Toronto, the preliminary session will be speeches. And then there will be a chair - the CEO will have a on - from the stage he will make a number of announcements about enhancements he is making to smooth and improve how the community interacts with ICANN.

So David I think the - normally the plenary is that opening session is viewed as just high level speeches.

But following that - and there will be high level speeches. But following that there also be that's I think very interesting session that people who are coming will want to be a part of.

I don't know a lot about what he's going to announce but among the things I expect him to announce is something like a facilitating tool so that if you're following ICANN actively on a number of fronts it's much easier and more effective for you to be able to track everything that you're following at ICANN in a single button as opposed to your having to search the ICANN Web site, blah, blah, blah.

So he's referring to this as using the kinds of tools that corporations are used to in terms of facilitating their own communication and interactions internally and externally.

But there's more to it than that. There's also discussions about other improvements to ICANN. I don't have any other insights but I want to flag that as something that is a big priority for him.

He has announced, so I think everyone knows he's announced two equal advisors at the senior level, (Terry Camell) and (Sally Costerson).

And think of them as a team. His message to us was think of them as a team with (Terry) focused on governments and IGOs and (Sally) focused on all of the stakeholders.

So let me just mention here. I was going to mention it later but in case I lose any of you (Sally) is invited to an hour long meeting with the BC. And I think we're confirmed for that.

And we do have a communications team that I'm going to be sending out invitations later to ask for participation in having a organized presentation and summary of concerns about communication for (Sally) when she comes to that meeting.

But that means that the BC meeting on Tuesday will also be a priority.

(Sally)'s going to have a lot of work he pointed out in understanding the stakeholders understanding their needs. And she will be very key going forward.

There's been a huge reorganization who reports to whom. It's not really easy to figure out. And we won't bore you guys with this but we are trying to put the new org charts into the BC newsletter or as a handout.

So public forum and public comment now report to (Sally), you know, there's some realignments. You've seen those in the announcements for us what this means is a much better structured and broader understanding that contracted parties should not dominate the messaging and the concerns at ICANN.

But ICANN has to understand all of the stakeholders have an equal role and that ICANN can't survive without satisfying the interest, views and concerns of all stakeholders.

That's pretty much the range of what he said in the breakfast. In my conversation with (Foddi) we've primarily talked about advancing and broadening the participation of business users and strengthening the role of business users in particular to show that the business constituency is reflecting and pursuing broadening our participation from developing countries and that we are not as the contracted party house is right now, but we are not just North American and European participants.

Globalization of participation and ensuring that ICANN is able to show that its constituent groups are advancing on that front are a very big priority to him.

He also - I did - I was pretty adamant that that needs to be driven by the constituencies and building on the constituencies and not replacing the constituencies.

And I do - I think he really heard that, that this is not a staff driven initiative but should be a BC or - and other constituency partnership.

So in that line I'm going to give you an example. There's an African strategy. And to date it doesn't have a business representative.

(Terik) and (Foddi) and I agreed that two of the African, the members of the BC from Africa will be added to that group.

The representatives from Latin America, I put forward the names of our three Latin American members.

And for the NINA region we'll be asking one of the WITSA folks and then we'll be looking for other - now we're looking for participants who are actually from the region that are active in the BC.

So we have a couple. We have a WITSA member and we also have (Charles Chabonne). But the point is they are going to develop strategies for each of the regions and a business constituency and some of you will have presence in those regions.

The business constituency will want to have a voice and contribute to that. So I don't have details other than to say I made sure that we have a placeholder and told him I needed to come back to the BC to ask for additional names and ideas on this. And we'll have an opportunity to talk about it when we're together.

The only other thing that I will say about my conversation with (Foddi) is he is acknowledging but I think we're not going to do it very publicly that things are not working well internally at ICANN.

And he understands that there is very significant concern on the part of business issues about how they are - how their voice is heard.

We spent a fair amount of time on defensive registrations. And the cost, the transferred cost of defensive registrations and open gTLDs on to trademark holders which was an area he was very interested in hearing more about and we'll be talking about that more next week.

That's everything I think about my conversation with (Foddi) unless anyone has a question about it?

Man: No questions. I just can't write as fast as you can talk.

Marilyn Cade: Oh okay. Let me quickly talk about the intercessional because it's kind of related to this.

So the business constituency asked for funding for outreach events and other constituencies, the IPC asked for funding for intercessional.

The staff and I'm - I have no idea why but (David Aliz) thought that the answer to these request were to smush them all together and create an intercessional meeting where the five noncommercial constituencies would come together and have a two day meeting.

We held the call. We've been trying to sort this out because the constituencies all had different requests.

We had a call last night. There's a rough idea -- and please treat this as a rough idea -- about holding an intercessional meeting in January, late January in either Brussels or LA.

And the thing I pushed for was that the senior staff - and I mean the senior staff and body have to commit to extensive amounts of time in order for all of us to think that this is worth our doing.

Jim Baskin: Marilyn?

Marilyn Cade: Yes?

Jim Baskin: This is Jim. A quick question. I think I heard you say noncommercial. You mean non-contracted?

Marilyn Cade: Oh thanks. Sorry, sorry. The non-contracted, thank you Jim. The five yes, thank you, the five constituencies.

And so they will have some travel funding but not enough to cover all members. But they will have some travel funding.

And I expect to see something from the staff in summary from this brainstorming session which will be published to the BC.

But roughly what you should think about is it's very possible - I should just say that I asked for the consideration that instead of spending all of the money on an intercessional meeting that we consider providing funds to the constituencies but so that we could help to provide subsidy for attendance in China. But I don't think that's gotten much support.

But you're going to get a draft to look at. And in Toronto you'll have a chance to weigh in on your views of what you think will work best.

There's - the (impock) wants to use this to invite 500 people to an awareness session about ICANN.

ISP and ITC and others have different views. But you're going to see a draft. It's going to be important for you to weigh in.

But the reason it's particularly important I think to us is I pushed pretty hard that we would have to have meaningful materials.

And either we do work on what that is that can be used by all of the constituencies to do broader outrage so you have something to send within your organization.

I know Ayesha's on the call. This has been a continued problem for all of our associations and our members as well. What's the briefing material you can use about ICANN.

So at least you're going to have an opportunity to provide inputs. And the question I believe that everyone agreed -- all five of us were adamant that -- if we do this a full day has to be access to senior staff including (Foddi) and access to operational staff and access to policy staff so that we have the same kind of standing inside the ICANN staff that the contracted parties house does in terms of their understanding your views.

So I think it's a good thing. The - last the dates being considered are the last couple of weeks in January. The two locations are Brussels or LA. Any questions?

Man: Yes Marilyn. How many days do they - are they looking at for this session, three, four?

Marilyn Cade: Two.

Man: Two.

Marilyn Cade: Two.

Man: Two days okay.

Marilyn Cade: Yes. Okay I want to - I just want to turn to (Benny) to announce the councilor election. I think it's already well understood. But if I can (Benny) just ask you to formally announce the election?

Chris Chaplow: Marilyn (Benny)'s not on the call.

Marilyn Cade: Okay.

Chris Chaplow: I don't know if Glenn can help.

Marilyn Cade: Actually Chris I can do it. I just need to put it on the record.

So the business constituency held an election for our councilor position and we went through the charter defined process.

We had one candidate that is John Berard who is - was the previous candidate. He was elected with affirmative votes of 15 voting members which meets our

threshold and in many cases we had only one candidate. This was a vote of affirmation.

John will serve a term of two years. His term will end at the end of the annual meeting in 2014.

And just as a head is term limited he will - the head can - will serve the rest of his remaining term but councilors just FYI, for everyone according to other rules that the BC has to abide by, these are council rules that there are two two year terms.

Is (unintelligible) in a slightly different situation since if a councilor serves a partial term that doesn't count to the two two year terms.

But so for any of you are interested in both congratulating John and beginning to plan your career as a councilor start thinking about 2014.

And John we will issue congratulations to John and make that update on the Web site. And I'm going to go at this point to the hot issues for Toronto.

So Saturday and Sunday is in a bit of chaos right now. That is normally the working session of the GNSO council with briefings by staff.

They're both very full items. One thing that has changed the - (Benny) will be sending out a further version of the annotative agenda.

But one of the things you should be aware of is there is no meeting with the GAC or the GNSO Policy Council. And I'll talk about that in just a minute.

On Saturday there's a possibility that a couple of things from Sunday might be moved into Saturday if we're able to do that. But none of those things are critical.

It's just an effort to open up Sunday because Sunday has a number of important meetings for the BC and the CSG.

And so we are trying to negotiate with the council to move a meeting from Sunday to Saturday.

Saturday we'll have a series of meetings because again I don't think - I think most of the issues on Saturday except for the discussion about the IOC and the Red Cross names I think most of the rest of this draws on our experts until the afternoon when there is a extensive session on Whois.

It's an hour in length and that's going to be of high interest to everyone. There's also a consumer metrics session for 30 minutes. John will be speaking at that. And I think that consumer metric issue is also a big priority for all of us.

So Saturday you'll see the schedule. Again there will be people in all these meetings that have expert roles.

There is a session. I want to go to Sunday in terms of the BC will meet from 7:30 to 8:50 and from 8 o'clock to 8:50 we will have two board members.

And that is the board members from the GNSO. That is a meeting that's open to all BC members and any of your executive guests that you bring as well.

That meeting is a candid discussion with Bill Graham and with Bruce Tompkins and so we need as many members there as possible. We will ask you for IOVPs.

From 9:00 to 9:30 there will be a briefing on SSAC. And we'll ask a few of our members to go in that.

There's likely to be a TALC meeting to talk about the chair elections and the vice chair elections that's going to overlap with that. We were not able to change that.

There is a tentative meeting of the CSG in the afternoon on Sunday. We have a room that we're trying to confirm with the other two constituencies.

And things will run parallel to that with the council. We will look for most members to be in the CSG meeting. And the CSG meeting well be discussing things like the impact of new gTLDs on the GNSO and then on ICANN and other things that require CSG position.

So Sunday's going to be you'll see this, you're going to have a bit of a parallelism. We will try to have BC huddles on Sunday night so people can catch up and see what has happened.

On Monday morning I've already spoken about the fact that (Foddi)'s speech which will follow the high-level speech is going to be something that all of you want to come to.

The BC has asked for a change in the date line for the two week objection period. We sent a letter about that.

We don't have it - we have a draft answer but then (Lisa) and (Chris) and I met with (Curt) and (Curtis) supposedly trying to negotiate an extension on the objections.

I would not expect an extension to be later than the middle of mid to late March but that would still be an extension past January.

If that is agreed to then you should expect that topic to be a topic of much debate and discussion both in the public forum at ICANN and also in the GNSO discussions on the weekend.

There I - (Curt) owes me an update on when they're going to send is the list.

I did (unintelligible) today on how that's looking. But right now the most I can tell you is at least our request is still being actively considered.

But any extension would be probably a 30 to 40 day extension, not a several month extension.

And again it would undoubtedly be discussed over the weekend and then also in a public forum.

Once you get into Monday the high level government group is meeting in parallel. That meeting - those meetings are largely closed.

There may be one open session on Monday. Ayesha had asked me and I had been pursuing already what sessions were open for us to be able to sit in on.

And because they have decided to issue a communique they're going to spend most of the afternoon in a communique discussion.

So if there is an open session it will be a brief open session after their lunch...

Woman: Excuse me.

Marilyn Cade: ...period. So I'm sorry I can't give you more details on that. But (Heather) has promised to come back to me. And there could be one opportunity for you to sit it on the high level meeting as observers. But right now I can't tell you that that's happening.

At the same time on Monday one of the things that is important to us is that community guidance and advice processes. That's probably really important for the BC to pay attention to since we have found that they do not always take advice for take advice from us.

Monday also has a new gTLD sorry guys, update for Appleton from 11:00 to 12:30. And that's going to be of high interest to a number of people.

The Expert Panel on Security and Abuse is on Monday. We will try to send people to that.

And then the strategy for applicant and the updates on the RAA negotiations are parallel to each other.

And when you see the notes from me and from (Benny) we're going to ask people to volunteer to attend these sessions.

Not all of you will want to be in them but we are going to need to have participation. Of high interest is a session on Sunrise and Trademark claims implementation on Monday. And I think that's probably a hot topic for us.

Tuesday we will have breakfast with the GAC. And so if you're bringing guest I - we need to have their names.

We will have an 8:00 to 9:30 breakfast with the GAC. And I think that's a great opportunity.

The topics are discussions about what does it mean for ICANN to act in the public interest and other concerns the business has.

And the GAC will give us one topic. So that's going to be a great opportunity in that breakfast.

We're going to stakeholder meetings then. We do have an hour long session with the board on Tuesday. And again that's something that all of your guests will want to come to.

I'll send you the topics right now. We can give them three topics. The IPC has added Whois. We have also added a couple of other topics.

I'll send those around and members should weigh in on them. That's not a very dynamic forum that you are in the room with the board and it is a good opportunity to hear from the board on what they're thinking about.

This issue about the review of the GNSO will be on the agenda on the part of the board. But I think they're going to have other topics that they want to talk about as well.

In the evening -- and this is probably something that you need to make sure you're aware of, we have an hour long social event for the CSG with the board on Tuesday.

So I'm going to go back to the BC schedule for just a minute. I mentioned that we will have (Sally) as a guest speaker.

We will also have the SSAC as a guest speaker and the CSO as a guest speaker on Tuesday.

On Monday afternoon during the lunch period we will be focusing on policy issues. And Elisa and (Steve) will be driving that session.

So you'll see a separate - that'll be a preparatory session on Monday. If you go out to Tuesday you're going to be - Tuesday's going to be a very full day for you. And if you need to be in multiple places which many of you will need to be we just need to kind of make sure that we know who is going to be with the BC.

And the other thing I'm going to remind people of is you are required to have differential representation so don't - please don't - for some of you you're trying to figure out what that means.

But if you have people who are participating, they're designated to participate in the contracted party house they should go to the contracted party house reception and those of you who are designated and are carrying the business user activities should be in the BC social events, et cetera.

On Wednesday there's a session on accountability structures that is going to be important for us. And there's also an open GAC plenary session. And very often members go and sit in that. And we will be looking for people to do that.

The trademark clearinghouse will have another workshop on Wednesday morning, an hour and a half. And that's going to be pretty important.

There's a Latin American Caribbean stakeholder's engagement and outreach session that I'll be asking (Cecelia) and (Gabby) to be a part of. And I will probably go too.

But in particular if some of you have a strong presence in Latin America and Caribbean -- and I'm thinking about Google right now Patrick -- you may want to also designate someone to come to that particular session as well.

There is a Whois update. And we'll have people Elisa and (Susan) and Sarah Deutsch and others who are taking the lead on Whois will need to be in that.

There's also a discussion that some of you are going to be very interested in. And that is the batching and metering of new gTLD applications.

You'll be able to self-select on that. That's going to be something that we'll be probably interested in hearing feedback on since other members need to be another sessions.

There is a Nominating Committee update. And that is a public session where the new chair of the Nominating Committee who has not yet been appointed will talk about what the functions of the Nominating Committee are.

Let me just say that the agenda when you look at it is wrong. It is a 2013 Nominating Committee update as opposed to a 2012 Nominating Committee update.

But we'll be announcing the new Nominating Committee chair and highlighting that there are three board seats, two GNSO council seats, et cetera, et cetera.

In the afternoon there is a contract compliance session. And there's also a session on community outreach that we'll want to have people in.

And then the council meets, the GNSO Council meets for much of the afternoon. And for some strange reason there is a contractual compliance audit strategy meeting that is at the same time as the GNSO Council meeting. So we're going to need to send people to both of those.

Wednesday night is the gala. I'm - I apologize, I should mentioned that Tuesday night is normally music night and it is - there is music night on Tuesday night.

If you're bringing gas and they haven't been to ICANN before and you're looking for just a, you know, socialization activity it is a nice socialization activity and board members do show up at it as well as lots of staff.

Wednesday night's the gala. Thursday there is a very important session. We need a lot of BC members to be at called enhancing ICANN's global engagement with stakeholders.

And that's going to be important for us. We're going to have a chance to talk to (Sally) about that.

But the reason it's also important is there is a lot of confusion on the part of the present staff from global partnership about whether the stakeholders drive the participation in the region or the staff drives the participation and whether it's a partnership.

So this is going to be an opportunity for those of you who are particularly interested in advancing building the constituency and ICANN to come and participate.

It's a public session. I don't know exactly what the format's going to be but we should have more information on it.

And at the same time parallel to that there is a privacy and proxy accreditation program. And we will need to have BC members in that as well.

So we'll be asking for some volunteers. Many of you are going to be really interested in that enhancing global engagement with stakeholders.

There's a UDRP PDF Working Group that we're going to need to have people in. And I'm going to in particular ask Phil Corwin and Elisa and some of our other folks who are heavy users of the UDRP to focus on that.

There's a DNS risk management session. And Scott McCormick and Jeff Brueggeman, Bill Smith and some others and I'm thinking that maybe even though Google folks haven't yet added someone to our SSR group.

But maybe that would be a good opportunity Patrick for us to talk more about getting someone from Google to also join that.

There's a Strategic Plan Community Update session. And Chris and I will be in that but we're looking for other volunteers to be in it as well.

And the ICANN Midnight Internet Governance Landscape Session is in the afternoon on - sorry it's from 11:30 to 1 o'clock on Thursday which is a very bad time because the GAC is gone but it is a very important workshop.

And that workshop is the workshop that encompasses not only the IGF but the relevant discussions about the wickets and other activities that are implication to ICANN.

Those...

Man: Marilyn?

Marilyn Cade: Yes?

David Fares: Could I just ask, is there any - is all of this in the annotated agenda?

Marilyn Cade: Yes.

David Fares: Because it's really hard to process all of this information about the schedule.

Marilyn Cade: Sorry David. It's all in the agenda that (Benny) sent out. I was just trying - but I've skipped a lot of thoughts in the agenda. I'm only touching on the ones that I thought were important to the BC. There's a lot more.

David Fares: All right is it possible to - I mean maybe going forward it's better to highlight some of these things where we think it's important for the BC to do it.

Because as I said I'm not going to be at that meeting and it's impossible for me to refer all of this back to my colleagues that are going to be.

And it might be better to do this via email rather than a - I mean I really appreciate all of the information that you're providing but it's very difficult to process in this way.

Marilyn Cade: Yes sorry I should have made that clear. You need to capture this. I'm just - (Benny) sent out the agenda. I was just trying to highlight some items that you will get an annotated agenda that has it highlighted for you for your briefing.

Can I just though finish up with one thing...

David Fares: Could you (discuss) some of the hot topics that - if we're going to get that in writing?

Marilyn Cade: Yes.

Can I just say I think Ayesha's on the phone. And I did want to turn to her if she could share some information on the ICANN and the Internet Governance Landscape.

And then I just want to talk about the public forum topic. And then I think we're done on hot topics. And yes David we will send them by email as well.

But I thought we ought to hear from Ayesha. Can you give us an update on that workshop?

Ayesha Hassan: Yes. That workshop is coming together nicely. It will be moderated by Bill Graham from the BC. We will have Jeff Brueggeman on the panel.

It is an interactive session. So it will be important to have people in the room who can contribute the business perspective on the various issues that will be discussed.

But it's coming together nicely and it should be transcribed and Web cast, et cetera so that's always a good way to preserve some of the important discussion that goes on there.

Marilyn Cade: But Ayesha can you highlight as David suggested so what are the hot topics in that workshop?

Ayesha Hassan: Well the hot topics in that workshop will be wicket and, you know, to some degree what's going on in the UN General Assembly regarding IGF and the multi-stakeholder approach and to some degree enhanced cooperation as well.

David Fares: Just sorry, I don't mean to interrupt but just to be clear ,when I'm talking about the hot topics I was talking about the agenda that (Benny) circulated impact on BC discussion on the substantive issues regarding impact on new gTLDs on ICANN GNSO structure, improvements in RPMs and a concern about lockout in generic applications.

Marilyn Cade: Sure. Right and so David we'll highlight those. But I want to highlight something that for some of the other members is important. And that is that ICANN's legitimacy is once again really under criticism.

And part of the reason it's under criticism is because of the new GTLD program. So I would be surprised if that doesn't come up in some of the discussions at the high level group.

I just want to flag URS and then go back to David's point that I lot of the discussion and I think David one of the hot topics for us is are we going to get improvements to the defensive mechanism?

And is ICANN going to actually do something to respond to the requests they have from BBC and the ITC and the governments to improve - make improvement in the defensive registration mechanism? And if so what are those improvements?

So I think that's going to be something of a consuming topic. I can't at this point tell you whether the GAC - for the GAC hot topics right now the topic seem to be Red Cross and IOC, how to deal with the IGO name and the role of the GAC and participation in policy development which seems to be a particularly significant topic that the GAC is likely to say that ICANN has not fully implemented the ATRT recommendations relative to the GAC.

It's - I'm not telling you it's an acrimonious discussion but I think it's going to be a clear discussion.

ICANN just announced an update on Recommendations 6. There were two recommendations they had done nothing about.

And those lay in (David Holly)'s hands and (Curt)'s and (JJ)'s hands. They've gotten recent big attention. And they are - they're likely to be discussed and clearly identified in the communique.

The relevance for us I think is the role of the GAC, the active role of the GAC in the GNSO policy process.

And so I do think that's a pretty hot topic for all of us or I would have said an important topic David before.

But because in the past the business community has work productively with the government while certain other communities have taken a view that the government shouldn't have the ability to provide advice other than to the board on policy.

So I just want to raise this a bit for a discussion because the GAC has been very much the friend of the business user community in the scorecard they did and potentially on issues related to dealing with the RAA, et cetera.

And I guess we should probably talk a little bit about what the rough views are of the BC. We have past views but what the rough view is at the BC. And this topic is likely to get a fair amount of attention in Toronto.

David Fares: Hi. This is David. As you know we're fully supportive of the BC's efforts to get improved price protection mechanisms and think together - and definitely recognize that the GAC has been very helpful. We need to be - continue to be supportive and engage with them on that.

Marilyn Cade: Does anyone have, you know, does anyone have - thank you David. I think I'm just assuming that if we move forward would we have a short list of defensive registration proposals.

I'm going to send them out again that I think for us that we want GAC support on the short list of improvements.

And maybe I'll just take them off again or Elisa may have to and Steve may have to help me.

But it's extending sunrise to 60 days, not 30 and making it standard so that the trademark holders aren't dealing with different requirements.

There may be some exceptions to single registrant TLDs that wouldn't have sunrise because it doesn't apply, extending the trademark clearinghouse for a much longer period of time, making sure there is a URS and that it is a fast process and an affordable process.

And then we get into the question that we have raised of having a do not register aspect to the trademark clearinghouse which includes exact match plus whatever words.

And Elisa and I have been trying to come up with a description that is exact match plus whatever words that the trademark holder sent to the clearinghouse.

Have I missed something in our - we had other priorities such as the...

Steve DelBianco: Marilyn it's Steve. One of the most important ones was the idea that names that have been subject to squatting or fraud that involve the trademark recovery under URS or UDRP would automatically be added back in...

Marilyn Cade: Right.

Steve DelBianco: ...for purposes of trademark claims notices. And that's...

Marilyn Cade: Right.

((Crosstalk))

Steve DelBianco: ...one - and nobody doesn't agree with that idea.

Marilyn Cade: Right, right.

Steve DelBianco: The key for us is to do things that don't necessarily involve big changes to the guidebook. And a lot of the BC's priorities don't involve the guidebook some do but some don't.

For instance the RAA, the Registrar Accreditation Agreement amendments don't involve any changes to the guidebook. They just involve working hard with government's law enforcement to put stringent verification requirements in the RAA.

Marilyn Cade: So let's...

Steve DelBianco: I think (unintelligible) the trademark clearinghouse so that...

Marilyn Cade: Right.

Steve DelBianco: ...the more that...

Marilyn Cade: Right.

Steve DelBianco: ...is in a centralized administration and it may well have to be subsidized substantially by ICANN.

The same is true of URS where URS would be an investment that ICANN makes to make sure that the fees stay affordable and the process actually works.

And then finally the BC's priority of suggesting that any promises that an applicant makes to satisfy an objection should be baked into the contract that they eventually sign with ICANN so that ICANN can be held accountable to enforce a contract on specific things that an applicant said they would do to address an objection.

Marilyn Cade: Thanks Steve. So let me just mention that I have a rough update on the RAA. And one of our other items in our priority list was verification of Whois accuracy.

And I think because I've been asked by (Foddi) to limit a request to five items we may have to deal with who is accuracy in the RAA.

Let me come back to that. But I want to mention something to all of you that we really need to do and we haven't done it.

In order for us to be effective both with the GAC and the board we need some case examples. We need some of you who are companies - and I know Elisa has done a great job on this.

But we need some of you who are companies. I'm going to give you an example. PayPal went to the microphone during the Melbourne IT hosted session on improvements to the defensive recommendation mechanism and gave an example.

And (Susan Calagucci) on a participating in a meeting remotely with the Department of Commerce gave an example of how many names Facebook has to protect.

For those of you who can to the extent it's public information if you can have your, you know, factoid of X company has X hundreds or thousands of names that we have to protect because of consumer fraud issues and other consumer protection issues, those are the kinds of statements that we really need to be able to put into a handout.

If you can't make it publicly for attribution you need to be able to share it in your interaction with board members about why improvements on defensive registration are really important and why they matter across the board for business users.

The - my - I'm not going to elaborate on this but the level of understanding of the board today and the staff is still limited to understanding what the applicants have done not what the business users are asking for.

We've got a few more minutes. I don't know if anyone has - I have a quick update on the RAA negotiations.

Somebody may have more details than I have but I just want to run through the RAA because that is also something that I think is a real priority for us. And we may even have to respond on that before the ICANN meeting.

Steve do you or (John) or Zahid have any formal updates on that or can I - I can give you my informal update but I'm hoping there's more formal update to it?

Steve DelBianco: Why don't you go first.

Marilyn Cade: So the negotiations is still strongly (get a) sense on the part of registrars to before the fact that validation. And the public comment process is going to ask for public comments on a variety of things.

So right now the registrars are proposing after the fact validation and only validating one kind of information.

So when we see that I think we have to have not only BC positions on this but individual companies are going to need to need to comment on this.

That's probably one of the things that the other issue that's relevant to us is the amount of time that the registrars will store data and the rules under which they will provide access to data.

So those are the three things that I got an update on. And I know it's not everything that business users are interested in but that happened to be what was raised with me.

Steve DelBianco: Yes this came up at the Melbourne IT meeting a week ago here in Washington. And again the registrars want to push back on affirmative obligations to verify more than one field.

And they also want to push back on impairing the registration of a name while validation is occurring.

Since we know where the points of difference are I agree the point you made earlier Marilyn that we need to lean heavily on law enforcement in the GAC to insist upon preregistration, validation of sufficient number of fields that we can reliably contact a registrant. So I think the battle lines are drawn.

Marilyn Cade: I'm just speaking personally. It's Marilyn. But I'd really love to hear from others. I don't actually understand what the harm is to the registrar to delay the going live of the name until they validate this information.

Many ccTLDs still require manual validation. They require proof of residence in the country. You know, many - some are becoming open but many require validation.

And the other thing that the cc's do, most of them collect the money and they don't let the name go live until the money is collected.

I kind of don't get it about what they harm is to the registrant to require this validation. But I think that may be concern about parties who are both registering names. Does anyone else want to comment on this?

Elisa Cooper: Marilyn this is Elisa. I'll just say that I believe the concern has to do with just a change in the way people are used to registering and used to using domain names.

And so I think that's the primary concern. Obviously also there is additional costs were involved to do that kind of a validation as opposed to doing post-registration validation.

Marilyn Cade: Well, you know, I think we're going to have to figure out we have an existing position and maybe Steve when we have the BC call on the issues that that are before the council because I'm assuming this will be before the council, maybe you could add this into that discussion?

Steve DelBianco: Will do.

Marilyn Cade: So we owe the members an annotated agenda which highlights the bit points of things that are directly about new gTLD policy.

What we normally do is we propose in one color and we put the things that are about ICANN governance in another color.

So for members who are particularly interested in the strategic plan and certain other things you'll see two different colors.

The board - so the ICANN meeting ends on Thursday night with a cocktail wrap up. So there is no formal public board meeting again this session. I should just want to be sure everybody understands that.

There is a board meeting for 30 minutes but that's not a real board meeting. They basically are going to thank the host.

Any decisions they take will be taken in a closed board discussion over the weekend. And those decisions will be announced without the opportunity for public forum comment.

So we'll add that to Steve's discussion topics in the past. The position of individual BC members has been that if you're going to take up controversial topics that they should put those on the public forum discussion before they actually make decisions.

But in Toronto once again there will not be a formal public board meeting.

I don't know if any of you think that's a, you know - the only other thing I'm going to say to you is there is a huge number of topics open for public consultation that are just been opened in the last few days September 22 on.

And Steve has put together a calendar. Many of those are about ICANN governance, not about gTLD policy.

So when - you know, we'll try to keep differentiating because some members are interested in both and some only in one. So we'll try to keep differentiating on that so you know what you want to focus on.

The Toronto meeting is absolutely packed. And if you have - again I'm going to say if you have senior people coming or you're bringing some of your team please let (Benny) know that so we can make sure we get enough seats in the BC meeting if they're coming to that with you or if they're coming in your place.

And we will be meeting at kind of odd time Sunday morning with two board members. There will be a transcript of that. There will be a CSG meeting in the afternoon on Sunday.

We'll be meeting on Monday in the lunch period focused on the gTLD council meeting. We'll be meeting on Tuesday with a series of starts with breakfast with the GAC.

You'll then go to a CSG meeting and an interaction with the board, then the BC meeting with three speakers, then we'll have a social event with the board.

So those are all - and then Wednesday we'll have another meeting in preparation for the public forum. So Tuesday's going to be a packed opportunity for you if you're bringing guests.

Chris Chaplow: Marilyn, Chris here. You've had elections for chair and vice chair for council on your agenda updates and outreach participation. You've not said anything on those yet.

Marilyn Cade: I'll spend a quick minute on that. I know we're out of time. There are two candidates for chair of the council.

The - this is a managed political process but just an update for all of you. There are two candidates are both from the contracted party house.

One of them is Jonathan. Jonathan Jonathan somebody help me, Jonathan.

Woman: Jonathan.

Marilyn Cade: Sorry?

Woman: Robinson.

Marilyn Cade: Robinson, thank you. Jonathan is from the registry constituency. The analysis of most of us who have observed his work or on the council is he's very open-minded and treats the very neutral in his interactions.

There was a review of his - of him by all of the Executive Committees of all three of the constituencies.

(Thomas Weichert), who is an NCA Nominating Committee appointee who is actually an accredited registrar of the company he's on the board of Echo, is actually an accredited registrar.

Echo is a big European IST. Thomas has also been nominated by the - by our house driven by the noncommercial stakeholder group.

And with the support of the ISP, the IPC and the BC agreed to support the nomination but did not agree to a commitment to both for Thomas.

Both candidates have merits. Thomas is in a somewhat difficult situation in that he has volunteered on is owned to become a nonvoting NCA. And while that's going to bore the members to death the implications for the BC are precedent-setting.

That is if we've agreed to have someone assigned to a house as a voting member it's actually a complicated process involving the Nominating Committee and the General Counsel to make a change in that.

So I'm not going to bore you with that. But if you start hearing a big debate about this it's just the formalities of how that change happened.

The vote is cast by the councilors with consultation with the Executive Committee. And that is what will come up in the house discussion on Sunday morning.

There is right now no vice chair candidate from our house. We had originally acquiesced to - there was interest in Wolfgang Kleinwachter.

Many people from the BC know Wolfgang. Wolfgang has declined an interest. There was a consideration that Joy Liddicoat might be a vice chair candidate. There's been no acknowledgment of that.

And just last night I was contacted by another - a couple of people in the CSG to ask why maybe we would put forward vice chair candidates after all.

Up till now the workload has been and the electability issue has prevented that. But I will be sending a notice out to the Executive Committee saying since Joy doesn't seem to be emerging and accepting the neutrality requirements that we would like to have we may have to reassess this.

For your purposes the vice chair is responsible for administrative coordination and scheduling. It's not a substantive view.

It is an administrative and management task. But it is additional work on top of the council work.

The politics are very friendly on the part of the contracted party house but perhaps as usual not so (disclosive) within our own house.

We hope to go into - the only other thing I guess I can say is, you know, the final interaction and the vote on - the chair vote may end up being very messy because it takes 60% in both houses. And that means all six votes from each of the stakeholder groups - sorry, I'm saying this wrong.

It takes six votes. For example in our house it takes six votes from the stakeholder group plus one from the other SG plus the NCA.

So you have to have a total of eight votes. So you can't win with only six votes from the CSG or only six votes from the NCSG.

You have to have at least one vote from the other stakeholder groups and the NCA vote. So it's a complicated process.

And for anybody who wants to delve into it I'm happy to talk more or email more about it. But I think it's probably a level of detail that's enough to cause most of the BC members to fall asleep.

But thank you Chris. I think it was important just to give an update.

So we're going to move the meeting next week to Monday at 10:00 AM.
You'll get a notice on that.

David Fares: Would it be possible to cover the other substantive issues that we're on our gender that we didn't get to talk cover today like impact on new gTLDs on the GNSOs structure and concerns about industry lockout on generic applications?

Marilyn Cade: I can do that if people can stay on for a couple of minutes?

These are topics - so on - the impact on - the impact of new gTLDs on the ICANN structure I think all I can do right now David is give a summary of the different positions that have been taken.

We were all asked to submit one pagers to the chair. I circulated the one we submitted. Our view was we need to improve existing structures, hear from the incoming participants, make sure their means our met in the meantime and consider any major restructuring or change in ICANN after the newcomers arrive at ICANN using existing structures in the meantime and that ICANN needs to significantly improve the services and the support that they're providing and make sure they don't have other failures and that restructuring of ICANN.

You know, I think we basically said restructuring is - should be considered only after being able to take into full account the implications of who all is coming to ICANN and what their needs are as well as the fact that many business users who may come to ICANN are not registrants. They are users. So that's kind of what we said.

David Fares: Could you - I seemed to have missed that. Could someone please recirculate that?

Marilyn Cade: I will. I will.

((Crosstalk))

David Fares: I don't recall a going out.

Marilyn Cade: It did. I posted it. But I think what I should do is send you what everyone else submitted as well.

David Fares: That would be very helpful. And I think we need to give some thought about this to the subject of the BC.

Because I mean it does have an impact on the structure of the GNSO and the voting, related voting procedures and processes, et cetera.

Marilyn Cade: Exactly. And it's tied as well David to the other topic you raised I think. So the...

David Fares: Do others have any concerns or issues with this issue though rather than just - or...

Marilyn Cade: Right.

David Fares: ...points of view?

Steve DelBianco: Hey David it's Steve DelBianco. I believe there is a short and a long term issue here. And the short term issue is that in the next year a registry constituency will be taking on lots of new companies that have never been registries before and are not in the same business as a lot of registries today, a single registrant TLDs corporates and new entrants.

And that their voices and their votes are definitely going to change the way the registry constituency and they contract party house comes to its positions and does its voting.

The registry constituency already floating new rules for how they might weight the voting based on the number of domain names within their own constituency.

And if they were to make those new rules before all of you new members get in there well then that creates a little bit of a disenfranchising problem.

Over the long run the bylaws of ICANN require that next year we do a review of GNSO and how it's all working in terms of policy development, decision-making and things like voting.

The last time around that review led to a restructuring, very painful restructuring, the weighted voting, a contract party house but still shuffled the chairs on the deck with respect to the noncontract parties.

My personal belief that that review and restructuring, potential restructuring will be deferred rather than do it right in the middle of the new gTLD and all the new registries that are coming into the existing GNSOs structure but that's just my view.

David Fares: And I'm sure many of you have heard that there's some push by some single registrant TLDs to create a separate constituency within the contracted house.

Marilyn Cade: And so it's Marilyn. I've heard that. I've heard a couple of other things.

If that were to happen, you know, I think I probably know more about what it takes to create a constituency than most of us do. And if anybody wants to talk to me about it we can separately.

If that were to happen the good news is the process - there is a process for that. And I'm going to give you an example. David I can only speak about our charter in the CSG.

The votes are assigned to the stakeholder group.

David Fares: Say that again, sorry?

Marilyn Cade: See that could lead to the redistribution of the present votes. In the - and so in our house you guys are all aware that the MPOC has been unable to achieve voting status.

I don't - I'm not suggesting that would happen for a single user constituency in the contracted party house.

But I think setting up a constituency, you know, it has to be global, it has to be this. I doubt if those parties would have any trouble doing that.

The thing that they have to keep in mind is each entity gets one vote in the GNSO stakeholders whether they can still be very full participants for any other constituency they're eligible for but they have to pick a single place to vote.

So if they chose to vote in a new constituency in the contracted party house they may still be paying eligibility to be a full member in the BC or the IPC et cetera, et cetera.

But to Steve's point and I'll just speak...

David Fares: They're very different situations though. I mean it could be two subsidiaries of a single parent company. One could be the member of one constituency and one the member of the other constituency. So it's not a given that it's necessarily one company.

Marilyn Cade: I think the only thing that would have to be established is that it's an independent entity as far as I can read the rules.

But I was just going to make a different, a slightly different point. Restructuring of the GNSO completely I think is different than enabling new constituencies within the present structure.

That was the question I wanted to ask you if I was - I was trying to be responsive to say new constituencies can emerge now completely changing the structure which is what some people want to do and blow up the GNSO completely. That kind of restructuring I think is a much bigger issue.

David Fares: Right absolutely.

Fred Feldman: I mean do we think we'll have some vision of this as we see a lot more users flock to some of these?

I mean I think as some of these TLDs -- and I think some of them will be quite successful -- probably actually start to gain some user ship might even approach VeriSign's.

So I mean if you look at some of the people who are promoting them and users actually enjoy I think that's going to be very interesting and very telling as we see adoption and that's probably going to influence this.

Marilyn I wanted to ask a question. It's Fred Feldman. And if others don't actually feel this way I think it's something, you know, I'm willing to walk away from.

But one of the things I was concerned about as I saw the (noncom) selection is - and I apologize I didn't weigh in on this earlier, is that there's no large business representation on that.

And I was wondering if others felt similarly that as we are the BC and there are a lot of large organizations involved in the BC that it would be appropriate for us to have a large organization participating in the Nominating Committee?

Marilyn Cade: So Fred I'm going to provide a briefing right now on what the issues are. And then we can come back and have this conversation. Because I think a lot of people will want to be sure that they are familiar with what the issues are.

The BC has two seats on the Nominating Committee. The function of the Nominating Committee is not to represent the BC.

We have appointees. We have seats. And we've been fortunate to push to have two seats. We're the only constituency that does. It's been a difficult negotiation that I managed for us to get that.

And it is because we represent the full breadth of business. I'm not disagreeing or wanting to not hear what you're saying but I think people need to understand what the functions of the appointments are.

That is we are not there and we had a problem in the past long ago when some people thought that their appointment meant that they were to get a seat for their particular community.

The Nominating Committee's job is to assess what the present makeup of the board and the council is and the ccNSO is and to try to build in through their appointment responsibility capabilities that supplement those who are already on the board. So...

Fred Feldman: I understand that. I'm just thinking it would be helpful to have a large business perspective in that very important body and on a day to day basis. And that's my only point of bringing this forward.

Marilyn Cade: I hear you. But Fred I'm a little concerned. We published - the charter provides for process. We published a proposed process and did not hear from members' objections at the time.

We called for - I need to be on the record. We called for nominations. We just need three. We took an assessment and made a decision and our appointments have been made.

And so now we have two people who are appointed. If we are going to change that that will be after this first meeting.

So we also have an issue where we fought very hard to have two representatives, two seats. There are people who don't want us to have two seats.

I'm not objecting to you're asking for us to completely revert and replace this but we'll have to follow a process...

Fred Feldman: Marilyn, what I asked Marilyn is if there were others that felt similarly.

Marilyn Cade: I - and I'd love to hear that but I'm just trying to explain to everybody...

((Crosstalk))

Fred Feldman: (Unintelligible) I asked if there were others that felt similarly. And so you're speaking now.

Marilyn Cade: No Fred I'm going to ask people to respond you. But I'm also pointing out that if we do this we're not going to be able to make this replacement until probably a two to three week period which will be after the first meeting. And I just think people need to know that.

Why don't we ask...

Man: I had to step out for a second. But what was the process followed with the three candidates in the decision-making process? I'm sorry?

Marilyn Cade: So the charter provides for appointment or election. I circulated a request proposed process to the members and to the Executive Committee.

We asked for members to volunteer their interest. We received three volunteers. We reviewed all three of the candidates and the Executive Committee appointed two of the candidates.

I would just summarize for all of you that over the history of the Nominating Committee we have followed a process in some cases of executive officers making the appointments without solicitation of members, just making the appointment.

We followed the process of elections and we - I reviewed the process and it's followed by some of the other groups.

We asked members to volunteer their interest which is something we've done in the past as well.

And then the Executive Committee examined all three options and the challenges ahead of us and appointed two members to be our representatives and designated those representatives as we were able to do. That's the process.

David Fares: I was simply asking a question because I don't know the bylaws on this section. So that is - the call for nominations is to the entire constituency membership?

And then the appointment is a determination by the (Xcom)? Is that with the bylaws say?

Marilyn Cade: David the charter provides for either option appointments or election. Appointment did not require us asking the full membership to volunteer but we did that.

We asked the full membership...

David Fares: How do we go about determining whether it's going to be appointment or election? I just don't - I really think this is an important procedural question. I'm not challenging anything at this juncture. I'm just really asking.

Steve DelBianco: Hi David. Steve DelBianco. I'll just read you the charter line. I think the...

David Fares: That would be great.

Steve DelBianco: ...answer to your question is the executive committee is charged with making the decision as to whether to confirm appointments or establish election.

The actual phrase says the executive committee shall confirm appointments or establish elections for the BC delegates and the nominees.

David Fares: Okay so that's very helpful. Thank you. And one is from a small business user and the other was from a large business user? Is - and which is which?

Marilyn Cade: David I'm really sorry. You - I didn't hear you.

David Fares: So if I'm not mistaken we're supposed to have one noncom rep that represents small business users and another one that represents large business users, right?

Marilyn Cade: No. That's not our negotiation. Our negotiation was we get two seats. And we are responsible for representing the entirety.

What we've done in the past is designate someone for each of those seats. And the executive committee has always made a designation.

I think what Fred is asking I think Fred that you should see, I think what Fred is saying is that he would prefer that we only consider a candidate from a large corporation that in the past many of our representatives have been...

Fred Feldman: No I said I'd like to consider a balance and there is not a representative from a large business on that. That's what I said.

Marilyn Cade: Right but I think the members need - you know, this is something that if you spend a lot of time you could find out that in the past our representatives have often been associations that have a mix of members large business and small. And we have designated the representatives for a seat.

So we have not said that the only person who can stand but we have designated the seats.

And we've done that again in order to be sure that the Nominating Committee does not tell us we can't have two seats. But I'm not sure we've answered Fred's question.

Fred Feldman: My question was were there others who actually felt that we should consider putting a large business and small business on this, that it was not a good representation of the total BC in its entirety?

And apparently there aren't or maybe there's no one on the call now. I have no idea who's on the call at this point.

Marilyn Cade: Fred there are plenty of people on the call. And I'll publish the list of who's still on the call.

Elisa Cooper: Marilyn this is Elisa. I mean it seems like I don't know, I mean I could be wrong, I don't know I don't know how others feel and I know this is highly unusual.

And I understand that a change couldn't happen, you know, until two or three weeks after the first meeting.

But if there is concern about this, if there is some concern about the voting or the appointments or whatever is it possible to put this out to vote across the full membership or is that not a possibility?

Marilyn Cade: Guys I think we're going to have to have another discussion about this. We followed the process established by the charter.

And, you know, I'm trying to be fair about this but I'm also trying to make sure the business constituency does not lose its opportunity to fully participate in things that are important.

And I'm - I guess I'm concerned that this is coming as an issue now at a time when we - but I also am concerned that the members weren't somehow - I

think this was something we're going to have to have a further discussion about Elisa because we will be completely nullifying a decision that was made according to the rules of the charter.

That opens this up to appeal by the people who have been appointed according to the legitimate process.

So they - so I just need to be clear everybody understands this because everything we do right, we're trying to follow the charter.

And so those parties who have been appointed according to the process, we follow the process that was public they have a right to legitimate appeal as well which is going to throw us into a protracted debate when we will not have participation. And...

David Fares: Look this is David. Maybe if I could just suggest something and I'm not - I absolutely don't want to get into a process where there's going to be an appeal, et cetera.

But I think going forward I would recommend that XCOM err on the side of elections over appointments. I think it would make everyone feel much more included in the decision-making process.

Marilyn Cade: David that's great and we could even modify, you know, to make sure that happens we could even modify the charter.

They fastest fire to our modifying the charter was only appointments with no visibility. And we were trying to fix something and to make it more flexible.

But so going forward we could certainly modify the charter. We could do that very quickly for going forward purposes and make sure that everything is an election.

David Fares: I think that's...

Man: I think that's an excellent point.

David Fares: I would recommend that as something that we pursue. I just think it would make us - all of us who pay our dues feel more included in the decision-making process.

I'm not questioning the integrity of the process itself based on the current bylaws but I think going forward we should be as democratic as possible.

Fred Feldman: That's an excellent suggestion.

Chris Chaplow: Thanks. Chris here. Just we've got 17 on the call and (unintelligible) (Beth Miller) and (Christine Olson) into the roll call. Thanks.

Marilyn Cade: So let me back up here...

Phil Corwin: Marilyn?

Marilyn Cade: Sorry?

Phil Corwin: Phil here. Could I make one very quick statement?

Marilyn Cade: Yes please.

Phil Corwin: Yes I realize we're about out of time here. I did - and we're not going to have time to get into discussion but on the single registrant closed generic topic I circulated a letter for informational purposes I just came across the other day written by Kathy Klieman which for me made clear that the issue here is whether ICANN should grant exemptions from the new gTLD registry operator code of conduct.

And that relates in turn to issues of competition and consumer choice that have been important for the BC.

There's another letter on this subject posted at Circle ID by Michele Neylon of Black Night registry and signed by a lot of people.

So I - clearly we don't have time to discuss it but I think it's going to be a topic of - that's going to get quite a bit of focus in Toronto and something the BC should probably take a more focused look at in...

Marilyn Cade: Phil - yes Phil thank you for mentioning that. I was going to say we did not talk about that topic and I think it is an important one.

So I'm going to see if we could add that to his, the agenda for Monday. I think this issue of if - and I think David you had raised that. I want to be sure that that was the same question you were raising?

David Fares: Which one I'm sorry?

Marilyn Cade: You had raised a question about the impact of new gTLDs on the structure. But also I thought you were also raising the second question about the competition issues. Did I misunderstand...

David Fares: Regarding the generics?

Marilyn Cade: Yes, yes.

David Fares: Yes.

Marilyn Cade: Could Did you say - yes. Could you say a couple of words about that? We won't be able to debate it but we can get it on the agenda.

David Fares: Well I just wanted to have a conversation about it and I think let's put it on the agenda for next time. And I just hope going forward on the calls we can actually have an agenda with timelines and we can get to all the subjects.

Chris Chaplow: Chris here, just to mention we were talking before. There is on the agenda in Toronto the new TLD applicant group NTAG on Monday from 1:00 till 3:00. Some members might be interested in that.

Marilyn Cade: Thanks Chris. So to David's point let me make sure that I'm summarizing what the topic is so everybody can think about it.

I think it's a question that certain words that are identified - and David I may be totally wrong so correct me please, certain words that are identified with industry.

And I guess maybe - and I'll use that cloud as an example a word that's identified with some kind of in industry, identity maybe .insurance is a better example.

The question of whether that string being operated as a closed string has competition issues. Is that the topic or is it a different topic?

David Fares: Marilyn it was a topic on the agenda I was interested in learning. So I don't...

Marilyn Cade: Oh sorry, sorry okay. Well then I just summarized what was brought forward to me. Sorry. I just I wanted - I'm sorry. I thought you were raising a different topic.

I just sent a...

David Fares: I'm requesting that we actually have an agenda and we get through it on the calls.

Marilyn Cade: Got it. Thanks David.

So in summing up I was going to say that we hadn't gotten to this other topic. You heard what the topic was that we didn't get to.

And we did add in a topic we didn't have on the agenda which was an important one, this discussion about the Nominating Committee status.

So I'll talk with Steve and we will talk about how to modify the agenda on Monday to make sure we can go through these various topics.

Is there anything anybody wants to put on the agenda for Monday they haven't?

Okay. Then we're going to have a - I think we're going to have to expand Monday's timeslot a little bit. And Steve I'll give you a call and we can figure out how we manage that because I know you've got a plane as well.

Steve DelBianco: Thank you.

Marilyn Cade: And I think what I'll do is talk with the (Xcom) and send out a few notes of what I think some of the rough topics were because we don't get the transcript for a few days.

And we will try to do that over the next couple of days so you have that in your hands before Monday.

If you haven't responded to (Benny) about who you're bringing or who you're sending to the meeting please try to do that.

(Benny) is not going to be in Toronto and she will not be available to us for more than a couple of hours in the next few days due to a family situation.

So we're going to need to wrap up as much as we can the support activities and the time we use from her. And I know you - we're pushing you guys but to the extent you can do that that would be much appreciated.

Thanks for your extensive time.

Chris Chaplow: Thanks Marilyn. Bye now.

Woman: Thank you.

END