ICANN

Moderator: Benedetta Rossi
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7:39 pm CT

Benedetta Rossi: Good morning, good afternoon, good evening, this is the BC Meeting taking place on the 28th of January, 2013. Participating remotely we have Ron Andruff, Andy Abrams, Susan Kawaguchi, Mark Sloan, Angie Graves, Gabriela Szlak and James Baskin. Thank you very much and over to you.

Marilyn Cade: Thank you. Well it's Marilyn Cade. Let me introduce myself and go around the room and ask folks to introduce themselves and we'll start with Chris.

Chris Chaplow: Chris Chaplow, Vice Chair Finance and Operations.

Liz Sweezey: Liz Sweezey, FairWinds Partners.

Man: (Unintelligible).

Jimson Olufuye: Jimson Olufuye, Africa ISP Alliance.

Elisa Cooper: Elisa Cooper, CSG liaison, Thompson Reuters.

John Berard: John Berard, GNSO councilor.

Marie Pattullo: Marie Pattullo, AIM European Brands Association.

Steve DelBianco: Steve DelBianco, NetChoice.

Bryce Coughlin: Bryce Coughlin, Fox Entertainment.

Michael Castello: Michael Castello, CEO, CCIN.

Marilyn Cade: Thank you, everyone. So I said I was going to just do opening comments and setting the stage. Let me do that quickly and start out by thanking all of you for joining us. This is a BC working session and we are taking advantage of the fact that the ExComm was invited to participate in an intercessional which will take place tomorrow and the next day.

Unfortunately we were restricted to only seven seats. We'll be doing a review of the intercessional session at the end of the meeting. We do have dial-in and transcript for all of the sessions. But we will be doing a review. And one of the questions we need to ask is is an intercessional meeting helpful? Should it be for all members and be open or should it be a planning meeting?

ICANN responded to a proposal from the BC to do regional outreach events and smushed our request into a request from others. And we originally were not very happy with that but as it's turned out because of the changes that are going on at ICANN in terms of new services and new players and getting up to speed on improvements that Fadi Chehade is trying to make I think this intercessional may be very productive.

It is an intercessional of the Non Contracted Party House. And all of you have the agenda from Bennie - the full program for the next two days. For today

what we're going to do is have a listening session with a number of speakers. And I've asked the ICANN staff to come and tell us about what is different and their job since Fadi is here or what new services or expanded responsibilities that they have.

And I just want to check over real quickly the agenda so that all of you are sort of prepared. We didn't get PowerPoints from anyone. I'm not really expecting PowerPoints. If we do get any they will be posted to the Adobe Connect. But this is really about a conversation. And we want to make sure that those of you who are remote get to comment as actively as those in the room.

So we're going to start out David Olive is going to come and tell us about his role in supporting policy engagement with key stakeholders. Now that's a different term than what we used to talk to David about when we talked. David's responsibility was policy support first of all to the GNSO and then to all of the supporting organizations and advisory groups.

But I think what we're hearing is an expanded understanding of the different needs of different stakeholders in terms of how to participate and how to get support from ICANN. So he'll be talking with us first.

Then that'll be followed by a briefing from Rob Hogarth. And Rob is going to brief us on the view of the GNSO - the Generic Name Supporting Organization - and the GNSO Policy Council. Those are combined activities but the review of the policy development process is distinct from the review of the GNSO which includes a review of the constituencies and the stakeholder groups.

There was a previous review and certain improvements were required including an active Website and archive of email and certain other things that all of the constituencies will have a sort of kick the box have you done this not in a judgmental way but in a way to say where are you in terms of fulfilling the expectations of transparency and accountability.

And then I think the other part of that conversation is what else should ICANN do to help the constituencies or the stakeholder groups? So Rob will be briefing us on that not only the timeline but some of the details.

At 3:45 Christine Willett and Karen Lentz are going to come and join us. And Christine is relatively new. Bryce and I had the opportunity to meet her briefly on probably her first week on the job when we came here for the strawman solution discussion.

And the purpose of our sitting down with Karen and with Christine is to talk about the business users and customers of the RPMs. Up to now ICANN has looked at the new gTLD registries as customers. They're going to become suppliers.

But our philosophy in the BC is we are users of ICANN services and certainly the RPMs are a service just like accurate Whois is to us. But the RPMs are a service that we need for ICANN to understand; we expect them to fully support not only in information and resources but people who can help a registrant who is having difficulty over some kind of nonperformance in an RPM program that ICANN is running.

So this is going to be a first opportunity and I asked Bryce and Marie and Elisa and some of the - you on the phone to be sure that you're comfortable explaining what your view is of your customer base so to speak; that is, you,

Bryce, as a big company; Steve has big companies as members; Marie has big companies, Elisa does. But I think we want to get across to them our view - this is our expectation. Is it being met? And if not how do we help them meet our expectations.

We will then be joined by Margie Milam. And Margie is going to come and brief us on Whois. Congratulations are in order to Margie; she has just changed jobs. She now is reporting to Denise Michel in her new job. Denise has been promoted, as some of you know, she's a direct report to Fadi Chehade and has the Strategy Department. And Margie will be working for her. But she's coming to fill us in on Whois, which is always a high priority for all of us.

And then I've invited Nora but I'm not sure that Nora is confirmed so she's still shown as to be confirmed. And it really is just an opportunity for her to get acquainted with you and to talk a little bit about her role which is to interface with IGOs, intergovernmental organizations.

Most of the people in the BC interact with IGOs in one way or another, whether that's ITU, WIPO, some of the regional associations like the African Telecommunications Union, (CTELL), OAS, various groups. But under Fadi there will be a specific focus on how to interact with the IGOs.

And one of the things we'd like to hear about is how can they make sure they're using the knowledge and resources that the Business Constituency members bring.

Then we're going to have a closed session where we're going to prepare for the next two days. And that will be members-only so it'll just be all of you and

us in the room without any other guest. And we'll be talking about what our priorities are for the next two days.

Any questions about the agenda or things that people want to mention now that they particularly want to be sure we pay attention to calling on you on any of these - the speakers that are lined up from those of you on the phone? Such a shy group. Yes, Steve?

Steve DelBianco: My question would be has ICANN done similar meetings like this - call them intercessional if you want - for Registrars and Registries before? And if so, what did they accomplish there? And is that something that they wanted to say pilot with the Non Contract side of the house? What's the real - what's the real intel on why ICANN is doing this?

Marilyn Cade: So it's Marilyn speaking and this is being transcribed and all the world is going to read this so let me tell you what I think. Yes, they have consistently done intercessionals with the Registries and Registrars.

Registries and Registrars have assigned ICANN staff liaisons who are on the ICANN staff who I would say act like the inside sales people to explain inside ICANN what the views are of the Contracted Parties and the needs are of the Contracted Parties.

And those meetings have typically not been funded by ICANN but have been very well supported by ICANN. So staff speakers, assistance in coordinating...

((Crosstalk))

Marilyn Cade: ...and such a meeting, for instance, was just held this past week.

Steve DelBianco: And so that kind of support (unintelligible).

Marilyn Cade: Right. The purpose of those sessions has often been to go into detail with Registries and Registrars on their Contracted Party obligations and have presented an opportunity, Steve, for detailed Contracted Party discussions...

((Crosstalk))

Steve DelBianco: ...with Fadi?

Marilyn Cade: Right. Yeah. So the request that the SGs put in last year and we did five requests to ICANN that members agreed on. We had a heavy request and focus on outreach and participation. We asked for funding to help pay for our newsletter. We asked for funding to help support paying for our secretariat.

What we didn't ask - and our outreach and participation events would have included ICANN staff as speakers. Some other constituencies and SGs asked for - particularly the IPC - asked for something that was more like an intercessional with policy briefings.

The NCSG seemed to agree with that. The NPOC was very interested in outreach and participation. Ultimately what staff did, Steve, was say well maybe what's good for the goose will also fit the chicken, so to speak. Girl from Missouri, huh?

But this concept was not well received initially within the SGs. It's been really, really hard for the planning team to reach agreement on the purpose and the agenda. And I would say the program that we're going to see tomorrow and the next day actually don't look like the initial program.

And that's because we insisted that if we come together for two days that the senior staff had to be here and had to meet with us. And that led to an agreement by Fadi to spend 90 minutes with each of the stakeholder groups and an opportunity to have Sally Costerton meet with them and Tarek. So that is different than, I think, you know, just a briefing on substantive policy issues.

There are briefings on RAA, Whois, new gTLDs, but they are not the majority of the program. I don't expect the Contracted Parties have a session on the future of Internet governance, for instance, and the importance of partnering with business around the world on working with governments about the external threats to ICANN but that was a priority to three of the four SGs.

Is that helpful?

James Baskin: Marilyn, this is Jim Baskin.

Marilyn Cade: Yes, Jim?

James Baskin: Hi, I'm in Geneva right now and it's about a quarter to midnight but I'm happy to be on the call with you guys. Hope you're doing well out there in California nine hours away from me.

Just a quick question about the Registry/Registrar version of these intercessionals. You mentioned that the funding was a little bit different. But what I didn't hear was whether there was - whether those meetings were basically open to all of the members of the stakeholder groups as opposed to a limited number of slots.

Marilyn Cade: Thank you, Jim, for that question. Sorry, the intercessionals that started, my understanding is, those intercessionals started with the logistical space actually being paid for by the Contracted Parties themselves and ICANN coming as speakers and so the meetings were open to the - whoever wanted to attend from the Contracted Party House.

I haven't paid a lot of attention recently to what they just did in Amsterdam. But I - what I would expect is they were open to anyone and all of the travel expenses were paid for by the Contracted Parties House themselves.

James Baskin: By the individual members as they decided to come to the meeting?

Marilyn Cade: Right.

James Baskin: Right.

Marilyn Cade: Right. I will just say, for those of you who don't know, Jim is in Geneva actually attending one of the very meetings where the ITU is talking about their role in Internet governance and code word to them that equals ICANN. So, Jim, it's good you're there.

And when we talk about that topic on Wednesday morning I hope, if possible, you'll be able to join us for that part of the discussion as well.

James Baskin: Well send me some details because we do have a nine-hour time difference.

Marilyn Cade: Okay. Any other comments from anyone?

Steve DelBianco: Yeah, this is Steve. Let me ask this, I mean, this is different, I hope, than just a briefing. When the BC holds our meetings during an ICANN meeting often

senior staff will come in and they'll give us a brief set of PowerPoints, remember Compliance, for instance.

And the questions we ask are rather cursory. It's not often an opportunity to do some detailed interaction; we're always looking at our watches to see where they have to be off to next. So if this is an intercessional it's not just one more of those. I presumed we'd have a different level of interaction here today than just having them run through a bunch of PowerPoints.

Marilyn Cade: Thank you, Steve. It's Marilyn again. Which is why we don't have PowerPoints; this is a dialogue. And, you know, I really want to make it about that because, to Steve's point, normally the staff come in, they give us a PowerPoint briefing. We ask questions about what's on the PowerPoint as opposed to have a real discussion about what we both need.

So, yes, we want today to be very different. I think we also want the rest of the two days to be different. It's going to be tough - and I will ask you guys if you can participate for the next two days by dialing in be sure you tell Bennie so that we are actually paying attention to the fact you need to speak because this is an open - all of the other constituencies have their members dialing in as well of course (unintelligible).

So if we know you're going to be able to be on the call and you have a priority issue we can flag that to the ICANN staff.

Chris Chaplow: Marilyn, it's Chris. This comment is from Ron. Although we haven't got slides there is the Adobe Connect and there's a chat room on the Adobe Connect. And Ron's just reminding people in the room that that is there.

Liz Sweezey: This is Liz Sweezey from FairWinds. I actually was at the Amsterdam meeting. I got back yesterday. And you're absolutely right in that there were speakers and they ran through PowerPoints and people asked questions based on the PowerPoints. So I would - I'm not going to be here for the next two days; I'll be here for the rest of the day. But I would definitely challenge this group to ask the tough questions and to ask for serious responses.

As you all saw reports from what happened at the Amsterdam meeting there were a lot of apologies but not a whole lot of real answers. So anyway that's just my two cents.

((Crosstalk))

Marilyn Cade: Yeah, but not only expand on it but explain not everybody on the call may actually know what you're talking about because...

((Crosstalk))

Steve DelBianco: I circulated an article from Domain Insight...

Liz Sweezey: Yes.

Steve DelBianco: This is Steve speaking. And in it Fadi backtracks a bit from the strawman. And, Liz, it would be great to understand - so all of you have that in your email inboxes. It would be great to understand what precipitated that. Was it sort of spontaneous from Fadi or was it pursuant to a long discussion about the strawman?

Liz Sweezey: There was not a long discussion. Unfortunately I was in and out of the sessions with different meetings. But, you know, I did read the different

articles. And I know that there was some - there were some people who were very vocal in asking those questions. And I think that, again, just there were no real answers and no, you know, apologies for missed deadlines. And we're going to try to not miss deadlines anymore and people are going to work seven days a week.

And anyway so my point is that I do really strongly recommend that, you know, you try to get serious answers from ICANN on this - from this meeting...

Marilyn Cade: But let me - it's Marilyn. But I think Steve was pointing to two topics, right? One is the missed deadlines, which I've seen quite a bit of mail about.

Liz Sweezey: Yes.

Marilyn Cade: And people saying, you know, we plunked down $185,000, you're missing deadlines, blada, blada, blada.

Liz Sweezey: Right.

Marilyn Cade: The second issue, though, I think, right, Steve, was the issue that I think is broadly of concern to BC members and that is apologies for the strawman solution which is to address improvements into the RPMs that the BC has said are absolutely essential. And that of the - Steve, 90?

Steve DelBianco: Of the 90 comments, Liz, most (unintelligible).

Liz Sweezey: There wasn't really - there wasn't really a whole lot of...

Steve DelBianco: Were you in the room when Fadi did the apology (unintelligible)?

Liz Sweezey: No, I wasn't. I wasn't.

((Crosstalk))

Liz Sweezey: It's hard for me to - I'm sorry, it's hard for me to speak to that as I wasn't in the room.

John Berard: This is John Berard, Steve. When you say apology what do you...

Steve DelBianco: Actually it was an acknowledgement I made a mistake with the strawman. I sent you the quotes.

John Berard: I just - okay.

((Crosstalk))

Steve DelBianco: And, Elizabeth, if I could ask - this is Steve - ask you one more question about that. Another issue that's going to surface is the notion of TLD applicants that are going to be closed but their generic keyword TLDs...

Liz Sweezey: Right.

Steve DelBianco: ...not brands. Was that a hot topic in Amsterdam?

Liz Sweezey: It was not. It was not. Again not when I was in the room. As you can imagine a lot of - I think a lot of the applicants at the meeting are proponents of the closed generics so, no, it was not a topic.

Steve DelBianco: Okay.

Marilyn Cade: Thanks for that discussion. Our guest, David Olive, has just joined us so I'm going to throw us immediately into our opportunity to talk to David. And, David, I've said to folks and had the chance to say to you - and I'll just really quickly tell you that we have a number of members on the phone as well. And this is an opportunity for us to talk to you and we really - I think we particularly want to make this a dialogue.

Later, throughout the next two days, there will undoubtedly be PowerPoint presentations that will be circulated and we'll put them up for everyone. But we really wanted this to be a dialogue.

So let me kick off by reminding people that before David joined ICANN he was at Fujitsu and actually was pioneered WITSA's involvement in the ICANN process and was very involved in helping WITSA to come to grips with developing their various policy positions.

So, David, I - it's particularly nice for us to be able to welcome you. And we'd like to hear more about what's changing in your role and somewhere along the conversation we're going to ask what more you can do for us.

David Olive: Okay, very good. I think I should use this because there are other people in remote participation and I'd like to thank you very much for this time in advance of our meetings beginning tomorrow to work with and talk to the Business Constituency.

It still remains a close part of my heart from my background with the IT industry and with WITSA which was, of course, and is linked to promoting the IT - ICT solutions around the world through its participation in national IT

associations with Jimson. Good to see him from Nigeria and representing Africa as well as an example of this.

But I'm very impressed that we have 43 participants from 22 countries and this is another case in point of the global links of the Business Constituency so, Marilyn, thank you very much and other leaders here today.

This meeting and session was an attempt to try to have a gathering of the leaders of the various constituencies within the GNSO on the Non Contracted Party side. Because of the busy nature of our ICANN meetings I don't always have enough time to spend with you and other groups as I would like.

You don't always have enough time to spend amongst yourselves and between groups of the various constituencies and so this is a pilot experiment for consultations, collaboration and planning both for your groups and other groups within the Non Contracted Party House. And so I'm glad that this is taking place. I know people are busy. You all have other schedules so to take time out for this ICANN meeting is an important way for us.

In terms of my role, of course, I am Vice President of Policy Development Support. That is heading the team of 20 staff people who provide subject matter expert and secretariat support to various support organizations and advisory committees within ICANN.

Obviously our main focus and attention of staff would be on the supporting organizations that are core to the policy development process, that is to say the GNSO, ccNSO, and to a lesser degree but still there as a supporting organization, the ASO.

In terms of the advisory committees we help them facilitate their work as they're presenting advisory opinions or commentary to the Board or general commentary in the ICANN process and that is the At Large, the SSAC, now growing the RSAC of root operators, and also with my new responsibilities of supporting the GAC.

So when you were saying what new things are you doing this is a - the advisory committees and supporting organizations that we normally support - we're expanding that. And as the RSAC is being restructured to be a more - more involved with ICANN meetings and other things to interact with us that's a growing role and of course with the GAC and helping with GAC support as they move forward.

Another element is that with the new president, Fadi Chehade, there was a change in the organizational structures. And I was then moved to report directly to him. I have weekly meetings with his global leadership team. And with that it was recognition of the centrality I think of the policy development process and the role the staff plays in facilitating that for you in the community. So to that extent that's an important new change.

And then part of the work we do with the SOs and ACs I've been asked to look at and be part of what is called the SO/AC Stakeholder Engagement working with Sally Costerton in her engagement role as well as Tarek and the global stakeholders and their role as it's evolving.

So this is - these are the new responsibilities for me. And to that extent what does that all mean in a sense? We're working on that. And that's why it's very good to have a dialogue on this. I am well aware of the SOs and ACs and have been trying to look at how to help with engagement.

We do it somewhat in terms of the work we do in the policy development process because that's a core element of channeling your work. But we know there are other elements of your work that are not part of that in terms of the ICANN community as well as what tools.

We have started out with a toolkit, the toolkit of services for the GNSO as well as some of the secretariat support services that you receive through Glen and others in that regard. And it's been kind of a smaller step to assisting you in your work in the constituencies.

But it will grow, I think, in terms of how that links to our regional strategies and involvement and the footprint of the various constituencies in various regions that we are involved with and how best to tap that and to use that leverage that you have in those various regions.

So that's kind of the update. Let me also compliment you - and I use it as an example if I may - an example of what others should do. This guide and your newsletter is really, I think, great. And I've been promoting it to people and you've been passing it around; you're the best promoters.

But we use it as an example of what other constituencies should do or could do as a - just a communication tool. And working with Sally who, of course, is also in charge of communications, you know, what other tools both online and printed like this can be used in your efforts for outreach and others.

So I'll stop there and let people...

Marilyn Cade: Good.

David Olive: ...ask some questions.

Marilyn Cade: David, let me do this, I'd like to tell you who's on the phone and give our first opportunity for questions to our members that are on the phone. But before I do that I'm just going to say I think there's a couple of things you mentioned that I may be very familiar with and maybe some of us are but they deserve a quick touch and that is the fact that Tarek and his team are developing regional strategies.

So there is an African regional strategy for ICANN. There is a Latin American - a LatAm regional strategy for ICANN. There will be AMENA strategy. There may be country-specific strategies with certain countries that there's particular value or so much Internet population that it's important to do that.

And we'll be hearing more about that from Tarek and from Sally. But I wanted to mention it because although I think Jimson is a little familiar with it and Chris and I are, a lot of it is not fully fleshed out. So I wanted to mention that because it is - some of our members who are on the phone have a very, very strong interest and a deep presence, as well as those in the room, in some of these regions so that was one.

The other one that I wanted to just mention is I would be remiss if I didn't thank you for the terrific work that Glen de Saint Géry does with her very small secretariat staff. And she is certainly a role model. We, of course, are particularly committed to always thinking she walks on water because she used to be a BC member years ago before she joined the ICANN staff and actually created the whole secretariat function.

The toolkit of services is not as visible to our members. We'll be talking more about it but just as an FYI for some of you that includes the transcripts and the use of the conference bridges, the dial-out - the paying for dial-out, all that

kind of work having (Jesse) here with us today to help support us, for instance and Glen and other services.

So I just wanted to say - to kind of put some of that into context. Let me go to the phone. I know we have Andy Abrams and we have Susan Kawaguchi, Ron Andruff, Jim Baskin and am I missing somebody who's on the phone?

Benedetta Rossi: Marilyn, this is Bennie. We also have Mark Sloan on the line.

Marilyn Cade: Hi, Mark. So let me offer any of you the first opportunity to ask David a question or share a point of view with him.

Ron Andruff: This is Ron, Marilyn.

Marilyn Cade: Yes, Ron, please.

Ron Andruff: Good afternoon, everyone, and thank you, David, for your presentation. I just wanted to ask with the restructuring now a little bit getting seated in are all of the positions that were open in terms of looking for staff to fill key positions - is all of that done now or are we still sort of in the middle of that while we're working through the application process?

David Olive: Thank you, Ron. If you're referring to major heads of the organizations I think that is now completed. There still is a staffing going on or expansion of staff going on in many areas, one, for the policy; we're just coming up to full contingent now with the hiring of two more junior entry-level policy specialists.

And others are filling in. They just hired someone in the Registry Department. So that continues. But in terms of heads of the departments I think we're pretty

well set with the people that you've heard announced at the moment. That is to say Christine Willett in charge of the gTLD operations and Cyrus Namazi for the - basically the services - the Registrar Registry and that completes I think the major positions that were part of the new organizational change.

Marilyn Cade: It's Marilyn. I'm going to ask, actually, a follow on question to Ron's question then go back to the microphone. When I look at the ALAC there are professional policy staff that support the ALAC as well as secretariat support. But when I - and when I look at the SSAC I see some support - senior capable staff supporting them.

When I look at the GAC, which is to business users one of the most fundamental weaknesses in our chain of multistakeholder engagement, that is we really have to have a very strong positive relationship across the Board with governments. And that's what these businesses make sure that they do because governments can affect their role as business users not only ICANN.

I don't see the same level of professional staff. And I don't mean to take us down an area too far but I just wanted to note it because, you know, I think that's something that we as business users would see as a gap.

David Olive: I think part of that, of course, is the evolving nature of these various groups, the GAC in particular, into what type of support it wanted. It tried various models in the past with volunteer member governments providing this to see if that would work out.

And so to that extent we're coming back to more of a model of what the policy department does for other SOs and ACs providing a subject matter expert and secretariat expertise to coordinate their program in this new phase to see if that might be what would be suitable to the GAC leadership.

So there is a GAC liaison obviously as a subject matter expert and a manager for coordination of services of their scheduling and program similar to Glen, if you will, to help them in their work. And there may be others indeed as they kind of define it. And they're still working that model out.

So in the meantime we're not - we're not saying well we'll wait for that; we're going to provide the expertise that we know how to do for the other groups in offering that to them as a way to help them facilitate and organize their work.

Marilyn Cade: I have two questions in the room; one from Jimson and one from Steve. Let me just - and one from Chris. Let me just ask if there's one more question from the conference bridge first.

Hearing none I'm going to go to Jimson and then to Steve and then to Chris.

Jimson Olufuye: Thank you very much. This is Jimson. I would like to really appreciate (unintelligible). Thank you for the work you do WITSA. So actually since you left it will not be same but I've been staying in your footprint in ICANN and all that you've been doing. Happy that you're still (unintelligible) policy matters, policy is very important. Your policy initiatives in WITSA (unintelligible) then as a vice chair for WITSA Africa.

And (unintelligible) now as the chair for Africa with the Alliance. And I am very glad - I want to focus on two points. Number one, on your Africa outreach - I - the picture is not very clear to me. I would like to get more (clearance) with what specifically - what specific initiative ICANN is working on to purport business - Internet business in Africa especially with regard to new (unintelligible) from the university.

Right now the Internet penetration in Africa is about say (40%) is going - no, (40%) from Nigeria and within Nigeria about (50%) so growing and we need to engage it seriously.

And the second point is on the Internet governance. Internet governance is very important. The case in point (unintelligible) I personally witness at (unintelligible) in Dubai. I appreciate Marilyn for all her support in ensuring that members of my team they have full understanding of the issues.

So how will ICANN really plan the IG engagement to ensuring that governments are properly (carried) along (unintelligible) developing nations. Let me give an example. Like for about three months now (unintelligible) in GAC has retired and the position is like vacant.

So it should not be so that (unintelligible) engagement or who is the replacement. And I know I'm making some effort towards replacement so I'm glad to hear that you're revamping the old process and (unintelligible) more information about a liaison and other kind of improvement there. Thank you.

David Olive: Thank you, Jimson. I will just recall to the group that as we were working on our efforts internationally with Marilyn and others we were at a conference in Bermuda where we were talking to various groups of international organizations including the ITU.

And the ITU was going on and on about how they were the best for capacity building and the best for helping out the IT industry in all parts of the world and in Africa. And Jimson stood up and said, really? How so? Could you tell us how you're helping entrepreneurs, how are you helping - - how are you helping these IT industries that are emerging in developing countries?

And the IT guys, well we have symposiums, don't we? And he couldn't really answer that. But the point was that the IT industry was saying we are developing the internet. We are developing products and services for our users and new users.

We are solving the issues of e-government and e-health and the like and ICT for development. And we're not sure where you fit into this as telecommunications - International Telecommunications Union. There's an element of that but that's not the full ITC in a sense.

So that was an interesting area of how you took leadership and have now expanded it, as I now hear, for the - for Africa and elsewhere, that's great, and the focus on the entrepreneurs.

The quick answer to your question is - we have a new regional vice president for Africa and the global stakeholder group. Tarek and Sally are working on their initiatives to do this in support of the region in Africa. And they're also involved with the Internet governance matters as well.

My role coming into this would be as advisor to them to see, because of the SO AC engagement, to see how we can make sure there's a connection to our existing ICANN groups and make sure that there is an interaction there.

So, please, we have to reserve those questions, I think, for Tarek and Sally will be able to give you more details on that and will be able to kind of spell out where they are on those initiatives regionally. And also post WCIT, Tarek was there, of course. And he'll be able to talk a little more about the plans for that going forward.

On the GAC representative, thank you for telling me this and good work behind the scenes to try to get someone filled on that one. And we'll be in touch on that one.

Marilyn Cade: Let me go to Steve and then to Chris and come back to the conference.

Steve DelBianco: Hey, David. Earlier this month you and your staff put out a memo - a draft framework for making the distinction between policy and implementation. Incredibly timely and I'd like to think it was partially stimulated because the Commercial Stakeholders Group, in Toronto, surfaced yet another time implementation improvements for the new gTLD program.

And (unintelligible) my question would be did you guys formulate that specifically about things like the strawman and our list of eight improvements and have you run the strawman set of implementation improvements through your draft framework to see which branch they go on, the policy branch or the implementation branch.

David Olive: Thank you, Steve. The origin of the paper - there are many origins, let me put it that way. It was not just for the strawman, if you will. The policy department obviously is involved with the preparation from the policy development process with the improvements of that to the Board final decisions.

And then we prepare that package and pass it over to the implementation side of the house with the notes and the like. And so we have an interest in making sure that there is - there are clear information flow to the implementation side.

It seems that, in terms of the policy development process at least the consensus policy within the bylaws as stated, that is a clear step by step and people know the steps of that process.

Board approval it goes then to implementation they - that is putting it into contractual language and things like this for the contract and that comes out, again, through a public comment process of this is the way best forward to the...

Steve DelBianco: Yeah, did you guys, as an exercise, did you run a few recent things through your model? And I'm interested to know whether if we run the Strawman 1-4 through, if you run the replacement of Digital Archery with the drawing. Just give us some sense...

((Crosstalk))

Steve DelBianco: ...through the model.

David Olive: No, what we were trying to present was the practice. So, I mean, the practice that we do today. We use the implementation...

Steve DelBianco: You were being descriptive and not normative about it?

David Olive: That's right for the paper.

Steve DelBianco: In that descriptive way have we run the strawman through there?

David Olive: The implementation people may have thought of that but the point is that...

Steve DelBianco: If there's anything coming out of staff that gives us guidance on implementation policy it's your paper. And that's a critical question about whether the strawman elements should move ahead or not. And there's quite a bit of discussion on that. It'll come up more in the next few days.

((Crosstalk))

Marilyn Cade: ...is still under discussion.

David Olive: That's right. This is the - the implementation issues would be under the same process of a 30-day public comment period as we would normally have implementation of any policy. So the guiding principles are in the Applicant Guidebook, the implementation section of that guidebook.

      What we were trying to do is to say that this is a practice. Should there be any changes to that practice? When will that practice be known? And in the public comment period people would make mention of that or the GNSO groups would make mention of that but, that it is or it isn't or should be or shouldn't be and that's - was taken into account by the implementation team.

Steve DelBianco: Right, so since that's the practice; it's the status quo...

David Olive: Right.

Steve DelBianco: ...it's descriptive, not normative...

David Olive: Correct.

Steve DelBianco: ...you wrote about it three weeks ago, the strawman has been published longer than that. It just makes sense to have the implementation side run the strawman through, because you have a pretty detailed little model...

David Olive: Right.

Steve DelBianco: ...with the branching in it so that's not up for comment. You simply describe the way it works today.

David Olive: Correct.

Steve DelBianco: That's why it didn't get posted for public comment...

((Crosstalk))

David Olive: Well that's - those are the next steps. We circulated it to the SO AC chairs, asked them to circulate it freely to their members. We hope to have a discussion in Beijing with representatives from all those SOs and ACs to help us organize a session and then decide where to move that forward in terms of the series of questions we did ask on that.

   But in terms of changing the implementation policy as currently practiced that...

((Crosstalk))

Steve DelBianco: ...because I don't want to lose this chance; we may to see you again before we talk to Fadi tomorrow. If we talk to Fadi do we know whether staff has done what they always do where they run certain things through the model that you described was the way we do things now. And if they haven't done that yet...

David Olive: I think...

((Crosstalk))

Steve DelBianco: ...staff has been silent on implementation policy.

David Olive: I'm not part of the implementation staff so I can't say. But I think they, of course, they do that and that's probably what they've done. But I...

((Crosstalk))

Marilyn Cade: Sorry, it's Marilyn. During the strawman solution working session that Bryce and I were at Margie or Karen?

((Crosstalk))

Marilyn Cade: Karen presented - right, am I right? Karen presented that chart, remember, Steve? And then the paper...

((Crosstalk))

Marilyn Cade: Right, and then the paper was developed around that. Now tomorrow in the CSG meeting this issue is on the discussion for the CSG executive committees to how are we going to address responding to that so it's one of our topics within the Executive Committee...

((Crosstalk))

Marilyn Cade: No, right. But I think Steve has really identified what would be a very critical point to all of us. And just to comment that in the summary of the - in the public comments on the straw man solution the predominance of the comments coming in from business users support that the RPMs, for instance, 1-4, are implementation not policy.

And I think, you know, maybe it would be good for us to give you a heads up but that's very much a topic of discussion for us with Fadi tomorrow. And, Chris, I want to go to you and then go back to the microphone. David, did you want to...

David Olive: Yeah, I think - and we might want to change the title. I would prefer it if we'd said policy development versus implementation because that's what we're really talking about here. You know, because it goes policy development, staff facilitates that which is done by the SOs. That goes to the Board for a decision and then that proceeds to implementation.

So the question is it's not is it policy or is it implementation but it is really that next step and the question would be is the implementation in keeping with or not in keeping with the general policy that was initiated by the GNSO?

Steve DelBianco: (Unintelligible).

((Crosstalk))

David Olive: That's correct. And that's part of the reason to have a little more clarification as to what that means. Now since the Applicant Guidebook - or since the approval of the GNSO for the new gTLDs and the Applicant Guidebook iterations the GNSO has come up with - and realized that it's good to have some sort of implementation notes, commentary and even...

((Crosstalk))

David Olive: Right, correct, a record to refer back to - or even have people available to comment who were part of the process going forward. And so to that extent it was recognized that the policy may be generic in its principles but wants to make sure that the implementation is in keeping with that topic.

Marilyn Cade: John, did you have a follow on related to this before we go to Chris?

Chris Chaplow: Yeah, Chris Chaplow speaking. David, yeah, thanks for the document and it's good for Steve to raise this. When I saw it a few weeks ago actually it reminded me that there's been some discussion at ICANN about policy and implementation. And a couple of times in the past I've had to search on the Internet to find what academic work, if you like, was there.

I hadn't found anything and then your document came along and I read it and I went back on the Internet, again, to look for material. And I couldn't find anything. And I thought well that's strange; surely this has been done before because it must affect a lot of organizations.

Which sort of brings me to my question: Is this 95% original work or was there material that you've been able to refer to academic or otherwise?

David Olive: No, again, this was practice at ICANN so the clearness of how we do the policy development process is in the annex of the bylaws and the implementation issues and change of that are in the Applicant Guidebook - the section I'm sorry I don't have but we did quote it there so we were talking about that.

Now in terms of academic research, no we didn't do that type of search, if you look because we're ICANN specific using those governing documents for that purpose. But it is an age-old question; where is the bright line?

And it's - if we went to the next step we would probably find the literature that would tell you about that but there isn't any good guideline that says this is the bright line that's here and it's there because there are laws that are made that general and implementation rules that are then put in place the purpose of which is to make that happen.

There are ways you can circumvent the process if you don't have implementation rules, you know, that's the whole spirit and intend of the law. And we're not talking about that here at ICANN we're talking about moving forward to do that. But that's the literature we'll probably talk about that whether or not self-executing or the like in local laws - rules and regulations.

Marilyn Cade: It's Marilyn. I want to go back to the conference bridge. But before I do that, David, actually in the work the president's strategy committee did and the feed-in of that work to the Affirmation of Commitments. There was a significant amount of discussion supported by many commenters that APA-like practices should be established and followed on the Administrative Procedures Act.

Examples were also explored of similar programs that existed in Europe and elsewhere. And I think this whole topic is going to be very near and dear to the Business Constituency's heart. Many of the members represent their companies in the development of policy or in the influence of legislation or in the influence or regulations such as at the FTC or similar agencies in other countries.

So I would have thought there actually is a relatively significant body of work that perhaps we could go back and look at again in this area. John.

John Berard: This is John Berard. So another area that I spent some time in is privacy, data protection and privacy. The arguments or the debate in that arena, now being led by the emergence of a new privacy regulation in Europe, is the difference between prescriptive regulation or legislation and outcome related legislation.

So I want people to feel safe could be the policy and the implementation is, you know, we're going to give everybody a Beretta or a Sig Sauer. I mean, you know, and so - the more you look at the outcome then the wider the field of vision for implementation.

ICANN, at least in the nine years that I've been paying partial attention to it, has tended toward a prescriptive policy, right? And that has narrowed the field of vision for implementation. And so what we, I think, are facing right now is the irritation that arises when those two concepts begin to rub against one another.

I have no idea what the outcome is. I do know that your paper was well received and vilified within minutes of its...

((Crosstalk))

John Berard: ...you know, within minutes of its arrival so I think you can say that you've made no one happy and so therefore you've succeeded.

David Olive: Well on that point I think the issue - you said well what other elements were pushing or encouraging us to do that. Well, you know, this started also with

the ATRT review of this and the recommendation to the Board to clarify the Board's action versus executive action so that's one trend.

I mentioned the policy development steps interest in making sure that it's documented and handed off to the implementers on the other side. I think the new team in implementation, you know, wanted a better set of clarity of what was the practice and where should it go. And Fadi himself had said that that would be a great area for clarification.

So there is a number of forces that have been talking about the need to do that. Whether or not it's a - you can create a bright line generally I don't think you can. But at least to make it clear how we do this and the criteria we're using that has to be clear. That has to be clear.

((Crosstalk))

Steve DelBianco: One of the criteria in there says that if there's any new obligations on Registries and Registrars it's not implementation and that seems like a bright line but I'm sure there are shades of meaning in there. There were obligations to come out and do the drawing, had to get on an airplane and buy a ticket for a buck, right?

David Olive: Right.

Steve DelBianco: So I know - you don't mean it as black and white as your paper made it look.

David Olive: That's right.

Marilyn Cade: We need to wrap up but I want to go back to the microphone and see if there's anyone else on the conference bridge that wants to take one last question for David? And if not I'm going to - John, did you have - okay. David.

David Olive: I just wanted to clarify two things that came up in the course of our discussion when we were talking about regional strategies and that is going forward with our global stakeholder group and Tarek is talking about Africa and Latin America and other regional if not country specific.

     But I just want to be clear that in terms of the policy development process we're still doing it at a global level. I mean, we're trying to surely engage more at the regional level or country level but our - the framework of that is unlike the regional Internet registries that do it region by region and then come together with a consensus.

     That's not what we're talking about here; we're not talking about keeping the approach we have at the moment and trying to engage others that happen to be in that region. So that's the one clarification I'd like to make.

     The second one is - yeah, thank you for the thank you on Glen's work. We do appreciate that. She's - has a manager title now because of all her great work. And there is a sharing of information. The policy team meets on a global call every Wednesday where we keep each other informed.

     And so I do hear and know about, as others tell me as well, your concerns and your issues, the support you're needing or asking for. And I just wanted to let you know that that's how we keep aware of that and how I keep aware of things going on on a weekly basis.

Marilyn Cade: John, you had a final?

John Berard: This is John Berard. I'll - in the spirit of sports talk radio I'll ask the question and take your answer off the air. As you have reorganized or as the staff has reorganized, has aligned for efficiency, effectiveness, are you doing it - has there been any insight as to whether the way the community is organized can be made more efficient and effective?

So in other words I guess my question is as you organize the staff are you organizing against the way the community is currently organized or are you organizing the staff in the hope of implementing how the community might become organized?

And as I said I'll - I don't want to put you on the spot but I did want to get the question because as we look at the GNSO review going forward questions about is it organized for optimal success? There clearly are some strains and some warts on the organization and I'm just curious as to whether it plays out on the staff side.

David Olive: The one thing I will say about that question, John, I mean, how you organize yourself (would) basically, you know, allow the constituencies to do the framework as they see fit - that suits them the best. And that's really kind of in a organizational capacity (unintelligible). Our focus has been primarily on how that inputs to the policy development process.

In general what I try to do is to try to prevent siloing in that sense and to have people share their experiences. So because of our team and our interactions what's happening in the GNSO or what's happening in the ccNSO, what practices work well for that. And we try to have a subject matter expert who knows that community and also additional policy staff who, on occasion, are

part of that one and another community so that they are seeing other elements of groups and how they organize.

So to that extent I'm trying to prevent a - just a one focus on just how the GNSO does it but to try to give people a broader experience and to share that experience in addressing the issues that we try to facilitate and address those raised by the SOs and the ACs.

That doesn't address your question about how you organize yourself and how we can help on that and that's kind of the next phase that, you know, that now that I'm focusing on more of the capacity side of it or the organizational side of it I'm interested to hear what would be needed in that regard, what tools, what...

((Crosstalk))

David Olive: But does it answer some of that question?

John Berard: (Unintelligible).

Marilyn Cade: We will be talking about this extensively, David, in the - with Fadi in the CSG and also with the Board because Steve Crocker has added this question to the opportunity to talk to the Board. And I think maybe we should just say that this is a topic that we will want to talk more about.

But I will park one thought to you that has come up on the chair's list...

((Crosstalk))

Marilyn Cade: ...and that is the idea that the SG need the kind of professional policy support staff not just the...

((Crosstalk))

Marilyn Cade: Not just the - not just the policy staff that support the Council but that the policy development work that is done broadly within the SG is actually - and we'll be talking more about this - but I think it is a topic that, you know, we'd like to come back and - after we go through a discussion with others and think about if we are going to strengthen the policy development process from Africa, from Latin America, from the AMENA region, etcetera, right.

And also bring in a large number of brands to participate across ICANN, not just in the GNSO but across ICANN, there is really a category of work that is generically distributed into the constituencies not just our elected councilors who are, you know, this is much - I think this work is much before then and potentially the support to the elected officers.

So we haven't gone through it; it has been on the chair's list. There's been some interest in it from the NPOC and from the NCUC. But it would expect it to be coming further - to have further discussion about it in the CSG meeting tomorrow. So that might be just an opportunity to give you a heads up.

David Olive: Great. And we'd like to hear what details you have, what you see it doing for the constituency or stakeholder groups.

Marilyn Cade: Let me thank you. And we will be seeing you - I think you'll be joining the CSG tomorrow probably and Fadi's - and perhaps at other times?

David Olive: I'm sorry, in our policy webinars we have the listing of our - are you talking about the policy staff or generally?

John Berard: (Unintelligible).

David Olive: Yeah, I can bring the policy staff. It's attached to our Webinars for - before each ICANN meeting, who they are, what they do and things like that, yeah, I can get that for you.

Marilyn Cade: David, thank you. Let me ask all of you to join me in thanking David.

Man: Hello?

Marilyn Cade: So we're moving to our next speaker and that is Rob Hogarth. And let me just - I think most of you know Rob. I know we're running tight on time so I'm going to ask him to kick off with a - and the purpose of our talking with Rob there's really two things you should know about Rob; he is really the go-to guy in helping to figure out what is going on in some of the places at ICANN you might not know exactly who to ask a question of, he can be very, very invaluable in helping us to figure out who we go to and ask questions of.

He's been invaluably helpful to the BC in support of the development of the toolkit and so of course we'll want more on that front as well. But today he's here to talk to us about the GNSO review and the policy review, the interrelated parts of those. And if you do have PowerPoints that we should send out later we can do that but mostly we wanted to just have a dialogue.

And let me real quickly have people tell you who's on the phone and then who's in the room, Rob. So who's on the phone?

James Baskin: Well this is Jim Baskin. I have to get off, it's 12:38 and I have an early morning meeting.

Rob Hogarth: I'm not offended, Jim, in any way, shape or form.

Andy Abrams: Hi, this is Andy Abrams. I'm on the phone as well.

Mark Sloan: And Mark Sloan is on the phone as well.

Ron Andruff: Hi, Rob, Ron Andruff here.

Marilyn Cade: And I...

Benedetta Rossi: Benedetta Rossi, BC Secretariat.

Marilyn Cade: Hi, Bennie. Is Susan still on?

Benedetta Rossi: No, Susan has disconnected. We have Angie Graves as well.

Marilyn Cade: Welcome, Angie.

Benedetta Rossi: And Andy Abrams.

Marilyn Cade: And we have Andy, yes. And real quickly in the room. And, Gabriella as well. Welcome, Gabby. Just quickly around the room.

Jimson Olufuye: Yeah, Jimson Olufuye, Chair of (unintelligible) Alliance.

Elisa Cooper: Elisa Cooper, CSG liaison and Thompson Reuters.

Marie Pattullo: Marie Pattullo from AIM, European brands association.

Steve DelBianco: Steve DelBianco, NetChoice.

Bryce Coughlin: Bryce Coughlin, Fox Entertainment News Corp.

Michael Castello: Michael Castello, CCIN.

Chris Chaplow: Chris Chaplow, BC Vice Chair Finance and Operations.

Liz Sweezey: Liz Sweezey, FairWinds Partners.

Lanre Ajayi: Lanre Ajayi, NonComm appointee.

Marilyn Cade: And John Berard in absentia who'll be right back in.

Angie Graves: Angie Graves, Web Group Incorporated. I thought I heard my name but I'll say it again.

((Crosstalk))

Rob Hogarth: Thank you, everybody. Yeah, I view this in the same way I think as Marilyn did, as more of a conversation (unintelligible). I presented a set of slides to the GNSO Council a couple of weeks ago and that presentation, I think, garnered a lot of additional interest in sort of what's going on with the GNSO review and things like that.

                  For some of you new to the GNSO or to the BC a lot of the review process many folks view it sort of inside baseball. But it's got a very important component to it in terms of how ICANN is organized, how the work gets done

as much as what work does get done. And so how are the things organized, how it fits together, how different things go on are very important to the ICANN processes.

What I'm going to talk about in 15 minutes or so, maybe less, is just three major components: First, just talking generally about the framework of independent reviews; secondly, talking about the GNSO and how the review of the GNSO will fit into that overall context and sort of what some of the implementation issues might be and then, third, talking a little bit more about some of the impacts of that review individually on the BC in particular.

In terms of an overall context ICANN is an organization that is constantly reviewing itself. I mean, it's baked into the bylaws that on regular cycles the various structures, groups, organizations within ICANN, get reviewed. The current cycle is five years. The last time the GNSO went through a review was, surprise, about five years ago so we're coming up on the next one.

In the last general review every SO and AC in ICANN got reviewed, the Board got reviewed, the Nominating Committee got reviewed, various other pieces and bodies of the organization got reviewed.

And the overall theme or assessment that the Board made of that effort was that each review seemed to operate in its own way with its own culture, with different approaches, different reviewers. And so there wasn't a measure of consistency from a Board perspective that they wanted to see.

And primarily there were three areas where the Board wanted to see some improvement. They wanted to see more efficiency and effectiveness. They wanted to see more transparency. And they wanted to see more objectivity. And so there was really that sense - they couldn't articulate it back around the

timeframe for those of you have attended ICANN meetings for some time - back at the Cartagena meeting so about 2010 or so.

The Chair of the Structural Improvements Committee of the Board, Ray Plzak, announced that the Board would be looking at this new sort of approach. How could improvements be (unintelligible) to the independent review process.

And basically Ray put his head together with members of the staff, with David, with me and others, and just said let's start thinking through how we might make this a more objective, open, transparent, efficient process.

And he said, well, since you all happen to be working on the GNSO review right now why don't we use that as a test case? Let's use that as sort of a model or a framework for how we might do all of the reviews in ICANN.

And so we embarked upon an effort particularly in the context of the ongoing review of the GNSO at the time to try to look at those factors and different pieces that were applicable to the GNSO that might be spread and applicable to other groups and organizations.

And over a period of about 18 months the Structural Improvements Committee in its various forms, because this took some period of time, so the Structural Improvements Committee members at the beginning of the process weren't necessarily the members at the end of the process...

((Crosstalk))

Rob Hogarth: Yes, well Board members on the Structural Improvements Committee. And so recently the group became comfortable enough to say it's now time to share

our work product, our views, with the broader community. We've come up with these concepts. Do you all think it's going to work?

And so at the Toronto meeting Ray scheduled a number of rather short notice, I think, but individual meetings with various community leaders particularly just within the GNSO but also with the ccNSO, with the At Large Advisory Committee and others.

And the concept there was just to say, hey, here's the concept, here's the idea, what do you think of it? And there were generally positive feedback because it was a very broad general framework. And I'm more than happy to share the slides.

You saw that I had my old slides here and they haven't been updated from Toronto but basically just what we call the martini-glass set of slides. And I'll share them with Marilyn and she can circulate them. All right, just - because Steve's looking curious.

This was - I apologize for those of you not here in person but I'm basically showing a picture of what looks like a martini glass with three big ice cubes or olives in it just emphasizing those three major pieces talking about efficiency, transparency and effectiveness. I'll pause for a moment because Mr. DelBianco looks like he has a question and we can, you know, get some interjection from anyone on the line as well.

Steve DelBianco: Hey, Rob, Steve. Appreciate the idea of efficiency, transparency and objectiveness. But the bylaws that you're operating under had more fundamental sort of requirements. The requirements are that the Board would direct criteria and standards by which you would - we would evaluate whether

an organization has a continuing purpose but more importantly whether any change in structure or operations is desirable to improve its effectiveness.

And if there were ever objectivity needed it is what is meant by effectiveness? Is it in the eyes of the SO or is in the eyes of staff or contract parties? What is effectiveness? We need to define that before we can even pretend to be objective about fulfilling the bylaws. That's our constitution, the bylaws.

And at the front of that it says the Board, pursuant to what the Board says or its standards and criteria; has the Board ever defined standards and criteria for things like effectiveness in a review?

Rob Hogarth: Those are some very excellent questions in terms of our focus. That's right. And I think that's part of what inspired the Board inquiry because the sense was twofold; one, you know, is the process itself - the review process - working and effective? And the other piece is how are the individual evaluations being made on an SO or AC basis, right?

Because the issue is do you measure effectiveness as written large or do you measure effectiveness as it applies to each individual SO or AC? Those are some good questions.

Steve DelBianco: But it's so in keeping with a 21st Century organization that when we have a question about a process rather than go back to what the constitution said the process was supposed to do we invent a new initiative to improve the process without looking back at first principles of what it was.

It says, "The Board shall direct criteria and standards." And you're supposed to look at effectiveness. I would have invited that sort of an inquiry under those things. It may be that one of the three olives in the martini glass - in the

objectivity part, the third olive, it's possible that if the Board predefines effectiveness in (who) eyes and what are the standards of effectiveness? There's a chance that we could actually meet in the middle on this.

Rob Hogarth: That's good feedback, thanks. And I'm sure the Board members will want to hear that to the extent this is getting shared more broadly now in this timeframe.

Two pieces there, I think, that are applicable to this conversation. One is when the Board has looked at the concepts and when we came up with a structure for the potential criteria and things like that the fundamental thing that we were asked to look at is the Board principles that are in the bylaws; transparency, openness, accountability, representativeness.

Those are fundamental ICANN precepts. And that's what drove a lot of the work that we were doing in terms of creating individual criteria. Now...

Man: (Unintelligible).

Rob Hogarth: Well, yeah, because then the next question becomes, all right, here's the bylaw principles, are you effective in terms of meeting those principles? Are you accomplishing what you need to do which is your mission as an organization? Those are all very valid questions. And the questions may be different for each SO or AC depending upon what its mission or purpose or objectivity is in terms of where it sits.

Now again, we took it from the perspective of what had already transpired with the GNSO review that began in 2006, 2007 because that's what we had to essentially work with and look back to.

And it's important to note that when the Board looked at this the concept in part of this new framework is to look at each individual SO and AC in two ways; one, a macro view, you know, looking at the mission and purpose of the group. So I think this goes to your effectiveness point.

Looking to see how the organization is structured. Looking to see how it responds well to environmental changes in terms of how did the industry change and are the structures modifiable or scalable and how do those change?

And the other piece was the micro part. That was the part that I played the most role in which was essentially taking - yeah, charters and membership and elections and things like that. And so the concept is sort of these two points; one where the Board is saying we want to certainly continue to evaluate these micro components.

And we will use some outside auditor - we called them in the past, independent reviewers - to do that work. You know, they'll come in we hope with an objective set of criteria. They'll look at the organization.

((Crosstalk))

Rob Hogarth: Correct, exactly. Exactly.

((Crosstalk))

Rob Hogarth: Up until now and in the past round of reviews that didn't really exist.

Steve DelBianco: (Unintelligible).

Rob Hogarth: Yeah, yeah. Oh, you know, I'm sorry, Steve was not on his microphone. So, yeah, there's that concept of looking at the criteria and the objective criteria as structured and set up by the Board built on the bylaw principles of transparency, fairness, openness, representativeness so the concept that there is some structure building blocks there.

                 The other piece, of course, from the macro end is an inquiry of the Board conducted, I mean, just in terms of internal thinking and the rest would say who would do that? Who would do that macro review?

                 And the concept in this framework was really to get a group of members of the community to centrally play that role. They would have to be independent of the group that's being reviewed but that they would, you know, either become part of a pool or, you know, apply to do the GNSO review but have some group of people who are not a part of the group being reviewed to play that role.

                 That hasn't been fully fleshed out yet I don't think but more...

((Crosstalk))

Steve DelBianco: ...add the revenge review as that groups to review the others.

Rob Hogarth: Well there's also that people in glass houses review so that's...

((Crosstalk))

Marilyn Cade: Rob, on that - it's Marilyn. On that point so is this modeled after the formulation of the review team - on the AOC review teams where there is a group of representatives who come together? Is that what the thinking is? Or...

Rob Hogarth: There is an element of that as part of some of the initial sort of, I think, brainstorming that the Board members did with the review staff was to look at that as one potential model.

I think there have been discussions that - in some of the (dates) as to whether that's effective. Again, how do you create that group? How are they decided? How do they make decisions? Who writes the reports? What do you do with the report once it's done?

You know, because in the past you would eventually have an independent reviewer making recommendations to the Board and then a Board committee would take those recommendations and decide what to do with them. And so those, I think, are still questions that need to be asked.

Based on Steve's questions, based on Marilyn's questions you might note that there are still some areas that still have to be resolved here. Jimson, yes, sir.

Jimson Olufuye: (Unintelligible). Thank you very much, Rob. Well if you'll permit me to go micro (unintelligible) review process (unintelligible) review or (unintelligible) policy review behind GNSO, Board and what have you? What is the present situation on the states of the remuneration policy review for Board members?

Because I read in an article - and I think when the review process is going on there should be focus on that.

Rob Hogarth: Yeah, that's not a part of the discussion so far with respect to the GNSO or the micro components. There is a financial piece but that's more focused on does the group charge dues, you know, what sort of resources does ICANN provide? How are the records kept? So it's not so much the policy of saying

should certain individuals or groups be compensated or there be some point of remuneration for their activities.

You know, that hasn't been part of the discussions either in terms of even the review working group, you know, would folks be compensated in some way; that has not come up so far.

Liz Sweezey: Hi, Liz. A quick question; this idea of having the SOs and the ACs review each other; I think that's really interesting. I think that kind of goes back to what Steve was saying in terms of there would be a need for detailed criteria before one, right, I mean, does that make sense?

I mean, if there wasn't a certain - if there's not good criteria then there's not, I mean, there can't be a fair review. (Are you pointing) to something on there.

Rob Hogarth: I'm referring to some notes that are on the slide presentation that I made that I did not read through but in a smaller group like this we can. Let me give you an example because we have set that out. And, by the way, the - sort of the conclusion of the overall presentation is, hi, we have a wiki page in which all this is sitting; go to this link, please comment, give us your feedback. So all this exists in some form, some in more detail than others.

But just to give you an example: Section 1, purpose, evaluative questions. Note that in the macro sense we're looking at more subjective, evaluative sort of concepts as opposed to the micro criteria which would be much more objective.

Do you hold meetings? Do you announce the meetings ahead of time? How many meetings do you have? Do you publish your minutes or things like that. Those types of things are very objective. You can say yes or no.

But in the macro pieces, as you pointed out, gee, how do you get to some more detail there? Here's some examples of some potential questions. Section 1, purpose. Has the SO been effective in achieving its principle mission as defined in its charter or bylaw? Are there any internal/external factors that have contributed to or inhibited it - excuse me - inhibited the achievement of the SO's mission?

Have the SO's initiatives remained constant with mission and purpose? Does the SO have a continuing purpose in the ICANN structure? Does the mission purpose of this SO need to be revised or amended in any way that would enhance its effectiveness within ICANN?

And finally, and by the way, these are just draft, you know, concepts, has the SO been effective in achieving its key objectives/goals during the period being reviewed?

So again if that gives you a sense it's these broader concepts that in some way, shape or form, colleagues or folks who are in similar situations from other SO or ACs, would join to help discuss and evaluate. How would that be done? That hasn't been determined yet either. Interviews, discussions, looking back at past documents.

As you can get a sense there's still room for a lot of input here that hasn't been decided. And we also have to balance that in some of the discussions you were just having with David, which is, okay, how do we become more effective? Are we just spending all of our time reviewing ourselves? How much time and attention do we need to resolve to, you know, fix this so that we can get our other substantive work done?

And so I think those are some of the issues that Board members, Structural Improvements Committee in particular, is looking at when a number of you who are here for the week, have the opportunity to - in the Board session on Wednesday may want to raise that issue. and I think Ray's going to be sitting in on that session.

Marilyn Cade: You know, I lived - it's Marilyn - I lived through the first review of the GNSO Policy Council, which was a self review which we did; we made recommendations with no staff support. We made recommendations for improvements. And it all became stymied when ICANN decided to hire someone to do another review.

So we spent huge amounts of duplicate work and time. We postponed a number of improvements that would have dramatically helped the policy process at the time. We went through a - two major amounts of group-grope on the review of the GNSO that ate up resources and I think really diverted the - some of the important work.

So I am concerned about two things. I also do not consider it feasible that people really will be objective in their review of each other. And all I have to do is read the transcripts or listen to the negative and hostile comments made by certain parties about the unfair competition from ccTLDs toward Gs to just cringe when I think about having that kind of review.

I also have to say I really can't figure out how the GAC is going to respond to being reviewed by a group of their non-peers. So I, you know...

Man: (Unintelligible).

Marilyn Cade: Maybe we could fund ourselves by charging money for that. But, I mean, just a few of my off the top concerns, I also think that the independent reviewers have done real work that the community doesn't have time to do if we're going to govern ourselves and develop policy and expand outreach and participation and deal with the implementation of new gTLDs.

You know, but, you know, maybe I'm just, you know, feeling overwhelmed myself here. But I see Elisa and then Chris and then Lanre.

Elisa Cooper: This is Elisa. Yeah, I totally concur. I feel like we're overwhelmed with this sort of work when we don't have enough time or bandwidth to even understand, you know, all of the reports and all of the policy development and all the potential development. And it seems overwhelming. And I really - I do agree with Marilyn on that.

Lanre Ajayi: Yes, as a follow up to what Marilyn just said I'm just wondering why we have to absorb the review to (unintelligible), the macro review, the macro elements to (unintelligible) and the macro not...

((Crosstalk))

Lanre Ajayi: So (unintelligible) the macro elements and not for the micro? I believe everything should be (unintelligible) so that we can pay attention to our core activities.

((Crosstalk))

Chris Chaplow: Thanks, Chris Chaplow here, Rob. I was on the prep call, actually, for this intercessional the past week ago. And my ears pricked up when Kristina Rosette admitted that you frightened her to death by speaking to the Council.

So I read the Council transcript and (unintelligible) and kept an interest in this subject. So I think at least here in the BC we're not frightened to death and we'll take it in our stride.

There was mention of a wiki. Perhaps you could help us find that? Is that up and running? Yeah, and give us a link to that.

Rob Hogarth: Certainly, yes. I will share that I had a conversation with Kristina last week and she was decidedly less panicked. And I think these types of discussions are important for that because the Council presentation was all of about 10 minutes and so it's much more helpful to have more detailed conversations like this.

So, yes, I will share with you the wiki address. It was in the materials that I shared with the Council. I'll make sure that you have that so you guys can just take a look at things and I hope not get...

((Crosstalk))

Marilyn Cade: Rob, if you'll just send it to me and Bennie we can post it for the members.

Rob Hogarth: Elisa made a really good comment, and echoing your view, Marilyn, and that is timing and issues. I think one of the opportunities for a review is that sort of feedback where it comes back and in particular this took place I think over the last three, four, years since I've been at ICANN there's just this sense that's expressed at ICANN public meetings and in other forums that, my goodness, there's already too much going on.

There's burnout, there's overload, there's difficulty in us being able to get the basic fundamental substantive work done let alone all the administrative work.

And some of the topics you were just mentioning to David Olive with me sitting there was this concept of resources and how does this get supported if the Board believes this is something that's important, if, in fact, this is part of the organization's DNA and needs to be done then where indeed the resources come from.

And as part of those discussions there needs to be that sort of feedback whether it's in preparing for what this framework looks like and in a particular review as well.

Marilyn Cade: Rob, when we were asked as chairs to send letters to the Chair of the Board about the timing of the impact of new gTLDs, we did that. All of did that and the overwhelming position taken by the respondents was wait till the new players get on board before you rebuild the battleship so to speak. And please don't move their deck chairs until they know they have a deck chair.

I mean really there was some pretty strong comments about waiting until people were able to get integrated. Liz is here, Elisa, others who are very aware of - Marie - of the interest and concerns about bringing new players in. So that letter went to feed and then we had a discussion at an open meeting consultation with the board and we all reinforced that concern.

So I'm thinking was that information taken - I mean that to us is a public comment and we all sent letters to the board chair. Is that taken into account in the timing of the macro maybe?

Rob Hogarth: Yes let's move to timing in a little bit because I'm very conscious of staying to your agenda. In terms - timing is different from the framework. So let's acknowledge we're moving the framework over to the side. Now we're talking about timing.

The bylaws say five years and regular. Now you and I, I think, actually had an exchange about the timing of this. The way the board set it up is that it is periodic, regular reviews. Five years is the standards in the bylaws. If you were very strict - so if you were very strict about how the process runs, you would count five years from the data of delivery of the previous set of recommendations by the board committee to the board. That would be February 13, 2013.

But I think there's recognition on the part of the board particularly given some of the feedback that Marilyn has provided and the rest that says that that time table is going to be a little bit longer. It still needs to start in the calendar year 2013, but there's flexibility. That's the best way I could describe it.

I'm not the decision maker, just you know, (unintelligible).

Steve DelBianco: In starting my TLD and keeping with your notions, starting could be the board doing what the bylaws said they were supposed to do of defining the criteria and standards and defining what effectiveness is.

Rob Hogarth: That's right.

Steve DelBianco: If you start that in 2013 I'll be amazed that it gets done by the end of 2014.

Rob Hogarth: You make a very good point that timing and starting is subject to interpretation as well. One of the thoughts in terms of - precisely what the SIC has been considering is in the presentation that I made there's also a cycle that shows how all the five years work.

And they typically start with hiring the reviewer. And then you see the whole review cycle take place. Hiring the reviewer, conducting the review, implementing the review, living the life of this reviewed and new change structure for two or three years. Then re-evaluating the criteria and starting the process over.

What I believe have been public statements by the SIC chair is we - this is the first time we've been going through this new cycle. So we can actually start the cycle just as you suggested. Let's look at tweaking the criteria first before we hire the reviewer and then begin that process. So the bottom line is I think there is flexibility. I think members of the board have heard the points of view in that regard.

Yes?

Marilyn Cade   Christine is coming back in to join us. So let's take one more question and then more - and Rob, we'll be talking to him more at dinner tonight.

Rob Hogarth: That'd be great. And, you know, (unintelligible) is much more important than mine right now.

Steve DelBianco: Maybe we can cover it at dinner tonight. But when the board looked back at the review we did on GNSO five years ago, have they ever asked whether the review resulted in changes - improvements as they were that actually increased the effectiveness of the SO?

Did we look back at the review to say, "I wonder if this actually improved the effectiveness like it was supposed to?"

Rob Hogarth: I think that's part - here's non-responsive answer. Part of the review is to assess whether the organization has changed to become more effective.

Yes I mean and also look more broadly -- and many of your compatriots on the GNSO Council have echoed this and a lot of the councilors turned over -- but I think when the board declared the last review was over and had been implemented, there was just a big sigh of relief. And not really that sort of sense now let's do an analysis of how effective it's been. I think folks go through that.

Thank you.

Marilyn Cade: Rob (unintelligible), but one of the things that came out -- and we need to wrap here -- one of the things that came out of review was the toolkit. And, you know, I do think that we will be able to point to how the toolkit has made us more effective and more relevant, et cetera, et cetera.

I think we're probably one of the biggest users -- I'm looking at Glen -- but I think we're probably the biggest user of the toolkit services and we're big proponents of it. So, you know, I think we need to take this further - discussion and we'll take it up with GSG again. But if you'll send us both the Wiki and maybe the PowerPoint you used.

I'm on the being scared to death side though.

Rob Hogarth: And remote participation is near and dear to my heart. I didn't know if you wanted to ask anyone on the phone if they had been questioned before we adjourn.

Marilyn Cade: Remote participation is near and dear to your heart. And so let's see if anybody on the phone does have a question about this. I think Ron Andruff is also the chair of the GNSO Council's SGI or whatever it's called - SCI maybe.

So does anyone want to ask Rob a question?

Does this mean you're scared to death too?

Ron Andruff: Rob, this is Ron Andruff.

Rob Hogarth: Hey Ron.

Ron Andruff: So I'm sorry; you've been going on for a few minutes. I'm just trying to understand from a timing perspective these are things that we're now looking at or is this now going to blossom out into a full review in the coming months?

Rob Hogarth: Thanks for the question Ron. No these are still under review. You know, that's one of the reasons for my outreach to - well number one for (Ray's) outreach into Toronto, for my outreach to the council which unfortunately that got put off for two or three meetings and for this discussion now.

It's a recognition that this - you know, the train is moving. I wouldn't say it's, you know, going 60 miles an hour. But it's something that's continuing to gain input and there's a sense on the part of the board that they are going to start a new cycle and they want to have the structure and framework.

And so, you know, to the extent that panic has been inspired; that's in some respect a good thing in that it will drive a few comments and I think to that

extent that we can utilize this transcript and other information that that would be very helpful.

Yes. Great.

Marilyn Cade: Rob, I want to thank you. We'll be looking forward to seeing more review and we are going to talk about the toolkit over the next couple of days. And our goals on expanding it and enhancing it and strengthening it and broadening it. So I'll just give you a heads up.

Rob Hogarth: Well no and I appreciate that. I mean one of the meeting planners you know that the purpose of the session; one is for Glen and I just to talk with you and it's somewhat, you know, 30 minutes now, but at least to get some overall feedback about toolkit elements that are working, that are not.

The other piece -- that's (David's) session -- is needs and desires. And so you've given him a preview of some of that that he's going to hear on a much broader scale.

Thank you.

Marilyn Cade: The microphone - we're just shuffling over a little. Christine and (Karen) are coming in to join us and we'll be moving quickly into the discussion with them.

I'm not doing big introductions of the staff, but I will ask Christine to just sort of give you her new title and role. And if you haven't watched her debut on the home page and the video she's done, then I'll refer you to that for future reference.

And we're just being joined now. Welcome guys - gals I should say. (Karen), thank you. And Christine.

Woman: Hello.

Marilyn Cade: Hi. Thank you and thank you for being flexible on the time. We're really delighted to have a chance to ask both of you to join us.

This is sort of an expanded group of the executive committee of the BC with some additional colleagues and some of our members. And as I mentioned to you what we want to talk about is our role as one of your customers. The business users will be the users of the RPM's. And leaving aside what the RPM's are we're big consumers of whatever the RPM's are and of the need to have accurate information about timing, planning and information that decodes some of the things that are happening.

So I thought it would be a great opportunity for us to sort of have a dialogue with you. So here you have a number of our association. Marie is with AIM, the European Brands Association. I think you know Elisa who is with MarkMonitor and one of our officers. Jimson Olufuye who is with AfICTA and also Lanre who is one of the councilors but also a board member of AfICTA. (Michael Costello) and John Berard.

And on the phone we have (Andy Ames) from Google. We have (Mark Sloan) from Wells Fargo. We have Ron Andruff, RNA Partners and we have (Angie) from WEB Group. And we have (Gabby) from (E-Instituto).

I think I've pretty much gotten everybody. So you've got a real range, all the way from small business, regional focus from Africa and from Latin America and big business and global business - global companies that are spread across

the globe. But also in some cases concentrated with a focus in Europe. And we're very interested in how much we can get you to do for us.

Christine Willett: This is Christine Willett. Thank you so much for having us. I'm very much hoping to hear from all of you the types of things you're looking for from us. As you know I've been managing the new gTLD program since all of October 1 now and my role has been expanded to take on gTLD operations in the new world here - about to move into.

I know Karen Lentz is here. I'll let her introduce herself.

Karen Lentz: Thank you Christine. I'll just add, you know, thanks for having us. It's good to have an opportunity to chat with all of you.

In terms of, you know, this important and particular business uses of the vice protection mechanisms; you know, certainly it's always been in vision. But there are some very significant use cases for different types of users. You know, to try to characterize business as monolithic is challenging. So, you know, we've tried to sort of back order categorize the - you know, sort of broad user types that we know of.

But certainly if you have - and I'm just going to, you know, say in particular as users where more education or outreach is helpful if you have, you know, suggestions of events or groups or, you know, venues, that would make sense, you know, for us to work with. And so we're happy to have those.

Marilyn Cade: I'm sure we will have some of those and (unintelligible) is with us from Fairwinds Partners. I'm sure we will have some of those. We're talking about doing an event on March the 4th in Europe that will be co-organized. That won't be the only one.

I'm sure we'll have that, but I think it's got to be more than that in the sense that we can't touch the millions of businesses as users by expecting them to travel. That's not how they work. And so I'm going to ask - maybe I'll focus on Marie for a minute about your understanding of the kinds of interest and concerns that are on the minds of some of your big companies. And then maybe go to Elisa and then go to Liz if I can.

Marie Pattullo: Thank you Marilyn; this is Marie. Gosh, where to start? We - I should start by explaining to you my company. So in essence if you're going to supermarket and buy something with a brand on it, that's the easiest way to describe us.

So we go from the likes of Unilever, Coca Cola, (unintelligible) who make branded yogurt and Bavaria. And consumer goods in Europe. So I don't need to explain to you why our members are so concerned about what's going forward at the moment.

Right now in the current situation we have, we already have the impossible situation of being able to protect our names in every possible second level. And we don't want to. What we are faced with, however, is consumers tapping in very well-known yogurt, very well-known game and being taken to inappropriate content, to adult content. You know all of this, but this is the main concern that they have; this roll out of consumer fraud and consumer deception.

Now in the real world they can't afford to protect everything -- they can't. In the new world of new competition within new gTLDs, competition good, competition on life supports without which we wouldn't exist. But this competition to an extent is based on cannibalization in that we are being asked to pay for it and to send things that we did not build or want purely to protect

our consumers from something that they sure as hell don't want which is why we need to work with you.

And I would backup what Marilyn was saying; it's not just business we need to get to. It's users. And by users I mean our children, our nephews, our mothers with have different kinds of keyboards.

So is that enough for you now? Yes I'm being ordered out.

Karen Lentz: So I would also add, practically speaking, companies are very concerned about what is coming in terms of the Trademark Clearinghouse. So they're getting ready; they're trying to identify what they want to submit to Clearinghouse. There's a lot of questions still about exactly what they should be submitting.

I think there was some concern and some discussion about the fact that some registries are going to have special jurisdictional requirements for trademarks in order to qualify for sunrise periods. So, you know, we've got companies saying , "Oh my God. I've got 400 trademarks for one brand. Am I going to have to submit all 400 trademarks to be - you know, because I don't know what I'm going to need in order to qualify for registration."

You know, I think those are the core - you know, I'm guessing really this corner case where you're going to have those special jurisdictional requirements. But it's something that (unintelligible) are thinking about because they're trying to get ready because the thing is supposed to open up in whatever, six or so weeks. So that's the first thing they're thinking about. Obviously we need to get those dates. Everything's finalized.

The next piece is sort of managing just this flood of new registries that are going to be coming out on the market in terms of where should they be registering. Clearly I agree with everything that Marie said; you're not going to be able to register every variation, every type of plat, every misspelling to protect themselves. They're not going to do that. They're definitely going to implement some kind of policing.

They realize that the claim service isn't really going to solve their problem. But at any rate, you know, they are very concerned about how they're going to manage that. And I know that one thing Fadi mentioned was that he was going to have some sort of a - I don't want to say portal, but some place where we were going to be able to see what all the specific eligibility requirements, what the timing looked like.

So, you know, there was more information out there that could be provided to business users to help them understand that, you know, there will be some effort to simplify the complexity. I think that would be helpful.

The other thing I think business is very concerned with and would really like to see and I know there is some notion of it on their Web site, but it's really a timeline. Like I know you've got that timeline thing or whatever and you have to like scroll - I didn't even know it was there to be honest until one of my colleagues mentioned it. If you drag over to the right you could scroll.

Anyway, like just having a timeline, you know, that they could print out and that they could share. That's something I think that businesses are very concerned with. I think those are the primary things right now that they're thinking about.

Liz Sweezey: This is Liz from Fairwinds - we work with large companies to (unintelligible). We help them with applications. We're going to be helping them on an ongoing basis to help get their brands, launch their registry, et cetera.

For applicants and non-applicants alike -- so all brand owners I think in addition to what the other two mentioned before -- is the fact - timeline is a big deal. The fact that pricing just came out, little troubling. Pricing is obviously a huge deal. You mentioned, you know, some hundred trademarks for one brand. And that's a big problem.

It's going to be very expensive and again what Marie said is that this is something that they did not want and they didn't plan for, you know, years in advance. It's going to be very expensive especially if it's coming out of a trademark budget. I don't know if you're familiar with a lot of big corporations, but trademark budgets are rather small in comparison to other budgets within a company.

So anyway, I those are in addition to what the other two ladies said. I think that the fact that pricing just came out is a little bit troublesome and that the lack of a clear timeline (unintelligible). But I think it's very important that ICANN stick with a timeline.

Marilyn Cade: Elisa and then I think Jimson has a comment. And then I want to talk about this.

Elisa Cooper: One other big question I keep getting asked and that is -- and I know there's not an easy way to identify this and I could probably go through all my hundred plus applications myself -- but this whole question about the generic terms that are being applied for that are sort of single registrant type TLDs; there's still a lot of concern about that, you know, where companies could

potentially be locked out. That's a concern that I've heard from a number of companies actually.

So any guidance, you know, about - and I know that, you know, there was some GAC warnings and other things being discussed. I'm aware of that, but any kind of guidance on that would be - probably well-received.

Marilyn Cade: So can I just - look at it - we're almost two minutes late. Do you want to come back in 15?

Margie Milam: Sure.

Marilyn Cade: Thank you Margie. Let me just make sure that - Elisa, when you were just speaking, were you also referring to the publication of contention sets in here?

Elisa Cooper: Yes. I mean no I wasn't, but yes. Yes that's also a concern because as you know the objection window is closing in the near future here. And knowing what their contention sets are is pretty critical potentially for people in terms of whether or not they would go ahead and file.

Jimson Olufuye: Yes. Thank you. The question around small businesses; you know, in developing countries that do have trademarks with this regional authorities or national authorities. So how do you protect it? And also like to - in relation to that how (unintelligible) now protect the small businesses?

Marilyn Cade: You can reach small businesses. I will just say (unintelligible), you know, I think we can brainstorm some of the ideas that we can provide about how in the ICT world we have educated businesses about such changes as iPV6. Boy that was slow and long and hard. Very complex.

But there are other changes that have happened in the ICT world where we had been able to get the attention of small businesses by working through associations, groups like Fairwind Partners, MarkMonitor, AIM, others.

So talking about how we can help to partner with you to get the information out and to reach business I think is something we'd like to do. Maybe we don't get to that today, but we try to do more of it.

Steve and then I want to go to the microphone. And then I wave something at (Karen).

Steve DelBianco: Steve (unintelligible). Hi Christine. Thinking about what Elisa said, just about have you started to think about these generic keyword TLDs that wanted the operators closed and I mean a waiver from the code of conduct.

And that exemption from the code of conduct has some criteria in it and the BC talked about this in Toronto because the third test of whether the exemption will be granted to ICANN is whether it's within the public interest to let an applicant run a registry without allowing registrars to sell. And run a registry where they're allowed to own their own names at the second level.

And that sort of needs to get an exemption. And that the BC pioneered; the creation of that exemption for dot brands. And it was somewhat unanticipated. But it's also just as available to, you know, dot tires run by Goodyear to, you know, dot insurance run by a single insurance company. And that's the exclusionary concerns that Elisa brought up.

So it's going to be on your plate very soon Christine because we're going to have to define the criteria. And it's just not fair to these applicants to not know whether - what tests they have to meet to get through the public interest tests.

Especially if they know ahead of time they might not qualify. They might change their application to open or they might withdraw.

It'd be a lot easier if we can define this up front and the BC has talked about this for several years by saying what public interest needs to be defined in Toronto. And I can send you some of that if you haven't seen it. But in Toronto we really invited the board to - you know, the public comments to start to put some meat on the bones of the public interest tests.

And then I had a registrant themed item for you. The theme of your discussion here today, but from the standpoint of registrants and I'm certainly guilty as a serial entrepreneur and venture capitalist of being around a cocktail table drawing on napkins your business ideas. And one of the first things we do is I rush online to go buy a brilliant domain name for this crazy concept that just came up with. I just did it on last Monday.

It's an incredible service to a registrant to be told, "Heads up." Just, "Heads up." The string you're buying was adjudicated in the UDRP two years ago in the following countries because of infringement activities or to learn right away that this string is a close match to something that was infringed. The members of the trademark claims notices; you view them and the BC's comments particularly because we use those as a registrant service. It's a heads up to a registrar. They can go ahead and register, there's nothing that stops them.

They can register and they may want to constrain their activities to not step on the infringing activity or they may pick in a different name entirely. And it is so much better for the registrar to know early on in the register, build their business plan around it, get emotionally committed to a name and all you had

to do was do look-up in a database, you could of told me that. So I feel like it is a service to registrars and I invite you to look at it that way too.

Marilyn Cade: And let's go to the remote participants to be sure we haven't missed any of you. Some of our members are from regulated industries and although Traveler's is not on the phone with us and neither is the pharmaceutical association from Canada, I know Wells Fargo is. So we have banks, insurance companies, online pharmacies, entities who are from regulated industries have additional challenges that they are struggling with as well.

On the other hand they also have highly organized trade associations that are able to communicate information to them. So I think we've given you a lot of questions, we're here to say, gee we really need to work with you guys. But we're concerned that there could be thousands and thousands of angry, frustrated, alienated registrants and users who did not, you know, they're just not even aware even today I've seen figures of everything from less than 5% to less than 10% of the businesses are aware of this change.

Karen Lentz: I just echo that, I mean I talk to companies all the time that are still confused at the trademark clearinghouse, it's like the GPML that if they submit their market to the trademark clearinghouse that they will somehow be protected. I think it's, you know, I think we've been calling the right protection mechanism. The clearinghouse itself is not really an RPM right, the claim service I guess you could kind of - I mean it's after the fact, but at any rate there's still a lot of education to be done.

Marilyn Cade: Since your time is limited do you want to (unintelligible)?

Karen Lentz: Yes well just, you know, I think we certainly agree to the point about registrant, you know, the service is in line to be just, you know, serve that, you

know, both the (right holders) are providing them the (unintelligible) as well as the potential registrant who might be stumbling into something, so I think we share that.

The - and I, you know, (I'm not sure) I addressed everything, but on the - in terms of, you know, how ICANN can support the community as a source of information and I think that's something that's been heard, you know, pretty clearly before. One in terms of the planning so knowing, you know, what TLD launches are coming. And second is consistency of the information, I mean which is (why I brought) it up-to-date, do you want more to go? I'm getting, you know, emails from people from different, you know, so that's definitely not mine as something that we want to make sure it really servers everybody to have that, you know, sort of consistency and that.

Marilyn Cade: (Karen) before we leave, could you address the jurisdictional requirement around TMCH or the awareness - the TMCH's awareness of other trademark authorities in developing countries?

Karen Lentz: Yes so in terms of the jurisdictional requirements I think that, you know, the registries are intended to have some discretion about setting up requirements for their registering and what makes sense. I think that kind of goes to the point of having enough advance notice about, you know, this trademark or this registry (they only thing they accept) is from Japan or what have you, so that is known in advance and can be taken into account (as well as the) strategy.

Marilyn Cade: Yes, is that something that was required to be put into the application - their jurisdictional requirements?

Karen Lentz: Yes, so it asks for their - they should yes, if they, you know, there's Question 29 about the - that asks about the right to protection (I guess). It gives them

essential, you know, you've got to do this and that you can do extra things and if they are doing - proposing something beyond that then they aren't supposed to subscribe...

Marilyn Cade: They don't really have to subscribe to it though, right - if they're a standard TLD they can kind of do something different when it comes down to implementation?

Karen Lentz: Are you talking about they would write something in the application but when they launched it? So that's kind of a separate issue that that's being considered, we got (GAC advice) that address that specifically how do you hold, you know, in the absence of (community pieces)? How do you hold applicants to the (community) they made in their application? So that's yes...

Marilyn Cade: You got BC advice on that too.

Karen Lentz: Yes, yes.

Marilyn Cade: And we were thrilled to see that the GAC gave you similar advice, so to (Elisa)'s question what I saw was the response to the GAC said that they would be hearing from you on January (the 30th - like soon, I think now. Is that on target to the (specific) response to the GAC? Because it was - the commitment that I saw was in a letter that went through to the GAC and said, we heard you, we received your comments, this is when you're going to (receive) and one of them was (official).

Karen Lentz: Yes I believe the response to the GAC indicated that it was something that the Board would have on the agenda for their workshop this week. And then sorry before I have to run out, the question about the jurisdictions in developing

countries and what authorities are being worked with I guess, you know, if you have specific cases then I'd be interested to hear about it.

But generally, you know, what we've done is the Guidebook anticipates that, you know, the authority that issues trademark rights or processes registration in whatever jurisdiction is the authoritative source for that information, that's what the clearinghouse is going to refer to. And that's, you know, the clearinghouse is designed to serve users all over the globe -- it's, you know, any country that is issuing trademarks that should be accounted for on the list.

Man: I'd be interested in (given the vicinity) of the playing house, you know, the (architect) of whether it was really (unintelligible) going to see how it's going to (unintelligible) and what (are)?

Woman: We can try to do that.

Marilyn Cade: (Cory Town) I know you have to run, you (interact) when it happens?

Woman: It happens rather quickly.

Christine Willett: I can take that one, thank you (Karen), so yes your (S) is on target and a provider's been identified insomuch as - well we're working to establish the - formalize the relationship between ICANN and that provider insomuch as they are independent body. So yes I expect that to happen I believe in February is our date and I also (a date) on that to be able to formalize that relationship and then subsequently announce it, so.

Marilyn Cade: And two quick follow-ups on that, firstly do we have an agreed cost for it and secondly when will it be up and running?

Christine Willett: So the cost that we received from the provider - we have one identified

provider and (he needs) to work with multiple other providers to get them up

and running in the coming months. The cost were in line with the guidance

and the policies and they are (I think) yes. So yes those - I know there's much

- I guess there was much debate before I was here about whether any provider

could beat those target pricing and they have.

So we do have a provider there, we actually have multiple providers who

proposed within that price range, so I anticipate we'll be able to bring - and

our intention is to bring more than one provider so we have broad,

international support and coverage there. Let's see what else I can interact,

you know, I am new to this Internet community, I appreciate the opportunity

to engage with all of you. Not so long ago I was a registrant myself having

(nine) other companies.

I was a user, I've got a 13-year-old daughter, concerns about what content she

sees on her iPhone or her Kindle or let alone, you know, at a desktop is of

concern. So I appreciate where you all are coming from, I mean that's the

world I've lived in my entire career -- really coming from the business aspects

of the world. Let's see, in terms of messaging, so communications and how we

share data, we certainly have areas to improve on. A timeline, I know you've

got a pretty picture in fact the attached pretty picture that I saw...

Marilyn Cade: Chris had the (unintelligible) timeline (unintelligible).

Christine Willett: I was quite impressed, I shared it with my teen -- Karen had a copy of that.

The timeline on the Web site is - it needs improvement and we're working on

that, so we're well aware of that. ICANN has also hired a Vice President, his

name is Chris Gift and I want to say his title is Online Customer Service or

Online Customer Integration, so he's really responsible for all of the online

tools, the customer is facing information, the micro site which I own and the content failure which could stand some improvement.

The portal so that there is broader awareness and a single resource for all interested parties to be able to access the upcoming registries of what these TLDs will look like, how they will operate, their (sunrise claim) periods, etc. So a portal is being discussed, I don't have a date for you, I know Fadi's very interested, something he's championing. There are a lot of challenges in us trying to represent, you know, what many other company's are doing is difficult. So we're working - we're in talks to figure out how we can make something like that happen.

Marilyn Cade: Christine can I just ask Liz or Marie to comment on what's your estimate - or (John) as well, what's your estimate of the lead time that big company needs to start planning, because I think that's one thing we're very anxious about. If people are already aware they may be - it may be one thing but, you know, where - what's your estimate of the lead time that - to address businesses that aren't prepared yet -- because a portal may be too late for them?

Liz Sweezey: Yes I think that's a - this is Liz, that's a really great question and I don't know if I have an answer for that. I think that like you mentioned - (Elise) mentioned (earlier mentioned) there are a lot of companies that are still trying to understand what this program is all about and what they have to each prepare.

So I think every company is in a different stage, you know, we have some clients who are chomping at the (bet), ready to go right now and ready to register their trademarks in the trademark clearinghouse. And there are some that don't even know what the trademark clearinghouse is, so I mean and

again I think that's, you know, one of the troublesome parts. And then I'll let Marie go and then I have a question. So does anyone else (unintelligible)?

Marie Pattullo: What are your - we have gone through a laundry list of things that you're working on right now, can you list your top three priorities and why they're your top three priorities? Thank you.

Christine Willett: I'm late to my next meeting so give me - yes let me see what I can do to address a couple of things.

Man: (Unintelligible).

Christine Willett: Oh okay, so...

Woman: And it's (not a worded) question, you're probably (unintelligible).

Christine Willett: No, no, no, no, no, no I'm not trying to deflect.

Woman: I know you have a lot.

Christine Willett: You know, I'm from Chicago, what you see is what you get. There is not a lot of extra, I haven't been completely indoctrinated into the ICANN mentality here so, you know, this is - I'm a straight shooter, this is who I am.

You know, timeline, you know, in terms of priority what I am working on every single day - execution of the program. We've got over 200 people on - its five continents doing evaluation work, so it's significant. Coordinating that work is - if we don't get that evaluation work done, you know, the program doesn't move forward and we all have issues, so I would say that is my Number 1 priority. My Number 2 priority is building out the operationalizing

the new gTLD program and by that I mean the people, the process, the technology - all aspects of having a robust organization to deliver this critical service.

Fadi made comments last week in Amsterdam about the, you know, they've got the timeline that we're on and in a perfect world, you know, we might be following a different timeline but, you know, this is - we have the schedule. You know, I took this job knowing that there was a schedule and it's very aggressive and a lot of updates and things we're committed to from a top-down planning methodology and, you know, my job is to make it happen and the rubber's meeting the road in a lot of areas.

And I completely appreciate it and I've taken plenty of floggings about timeline and stream similarity. And oh trust me I want to get this string similarity and contingent published more than anyone, so that, you know, meeting these dates, meeting these commitments is critical. The third priority really becoming part of the ICANN community and organization, I think in order to really effectively do my job I need to understand how the ICANN community on a larger scale operates, not just within these four walls.

So I appreciate the time to be able to participate and to get to know you and for you to get to know me. What else can I talk about? You know, the generic TLDs is something certainly being discussed and there's awareness of concerns there. You know, I'm in execution mode, I am distinctly outside of the policy realm and happy to stay there, so I'll let others make those very critical decisions.

In a timeline on all aspects of evaluation, trademark clearinghouse, you know, we need to be able to demonstrate that we're meeting our commitments and it's a challenge. It's a challenge every single day to execute in a way that we

are able to meet the deadlines and the milestones that some, you know, when the - some - not everything has been in place to do that optimally. So managing this aggressive schedule, you know, is keeping myself and my team working, you know, 14-plus hour days.

Marilyn Cade: Let me thank you for joining us, it's Marilyn and we will, you know, we really do want this to be an ongoing interaction and I think as we talk more about what we're seeing perhaps the point is we very much like to come back to you. And I think (Chris) gave you a copy of his - of the timeline, I'll just add - I think this is the week (that we see) the participants who are here, I thought you might like to see a little bit about them. And we will look forward to lots more engagement with you and to updating that timeline.

Christine Willett: Thank you all.

Marilyn Cade: Thank you for Christine.

Christine Willett: Thank you so much.

Woman: And...

Woman: Yes.

Woman: ...we've been joined by Margie Milam and Margie as many of you know is a former member of the community from the business sector. She was previously at MarkMonitor a number years ago and has been at ICANN now for sometime in the policy stack and has recently taken a new job but has graciously agreed to update us about one of our important topics and that is Whois.

Margie Milam: Yes hi everybody I think I know most of you - I've just taken the position as Senior Director of Strategic Initiatives reporting to Denise Michel who's Vice President of Strategic Initiatives. And that's (James Richardson) implemented this month and it's really exciting after four years on the policy side to now move over on the strategy side and help work on some of the key initiatives that Fadi has in mind for the, you know, for ICANN, one of them being Whois.

And so this is a perfect topic for me, especially because Whois is such a big, big priority of Fadi's and Denise and I are leading the effort the implement several resolutions to proceed. And so as some of you may know, we Board in November, passed resolution based upon the analysis of the Whois review team final report. And that resolution was essentially a two-part resolution, one part being a focus on the continued enforcement of existing policies.

And so when you look at that resolution, you'll see there's going to be a lot of activities and then hopefully you guys will be speaking to (Magie Serad) at some point on the compliance side to make sure that there's an ongoing effort to enforce the existing policy. So the second part of that resolution was something which was a diversion from the Whois review team report.

And essentially it was a call to step back for a moment and take a look at the Whois issue from a broad perspective to see whether, you know, it makes sense to keep fixing, you know, perhaps a broken model or a model that isn't exactly, you know, right for this - the current marketplace and to see whether we can come up with a better solution to the Whois issue. And in fact they call it now - the Board calls the new gTLD directory services, so that's the new terminology that the Board's adopted for dealing with the legacy Whois issue and that's the expert group approach that was launched after the Board resolution in November.

So I could talk a little bit about that and give you some background on what's going on with that. But essentially when the Board was looking at the issue of the Whois review team final report, it took public comments and as part of the public comment, the Board received input from the SSAC, the Security and Stability Advisory Committee that essentially said, you know, why are you, you know, looking at this problem that you haven't addressed some of the fundamental issues related of Whois such as what is the purpose of Whois and what is the data used for?

And so the SSAC - the Advisory Committee Report essentially called the Board to suggest that it really dig deep into what their purpose of Whois is. And then from that build a model that, you know, is appropriate for the purpose and for, you know, and all the use of the (access) that is required. So that is essentially what the second part of the Whois resolution of November and that this call for an expert group that Fadi has called for to try to bring people of different expertise from background together.

And see if he can solve this problem that's been around for obviously as a lot of you know, ten years in the community where there really hasn't been any movement in identifying a solution for some of the problems of access and data security and privacy and that's the goal of this expert group. And so Denise Michel is the Vice President that's basically been tasked with working on this expert group. We've identified a facilitator (Juan Claude Gabriel) who has worked in standard sitting in the past, he has some background with Fadi and prior RosettaNet experience.

And some of the work that they did in their prior job was to work on a standard platform in the outsourcing arena - I mean in sourcing for consumer electronic companies. And so that background of trying to deal with, you

know, competitors from different parts of an industry to come together and collaborate on a platform that (Claude) thought would be useful for this facilitator (John) to come into the Whois issue with a fresh mind and to try to really see if we can bring people together to solve an issue.

Man: Margie, just one quick question. When the -when they try to answer the question what the purpose of Whois is, are they being asked to ascertain what the purpose was when it was set up, what the purpose is today in a descriptive way or are they being asked to be normative about what it should be in the future? How is that question supposed to be answered?

Margie Milam: There's no charter at this point. I mean they're really - we're at the very beginning stage of identifying the members of the group. So that's really (Jean-Francois)' you know, approach. But I don't think it's going to be something that - this is what it was in the past. It's, you know, I think it's going to be an (unintelligible).

                My personal view is that it would be, you know, what is the need today, what is it used for today and how is the best way to deliver that data and what types of protocols and security standards should there be. At least that's my interpretation of the Board resolution. But it's not necessarily looking at the past but actually looking at the current and, you know. Yeah, it's how it's used and how it's expected to be used if there's an indication that it may be changing.

                You know, so that's the, you know, that's the project and it's a fairly aggressive project because as part of the Board resolution, the Board also calls for an issue report. And with the idea being that should this expert group come up with the straw man's model of what the, you know, the next generation of

goods and services - yeah, I know. We'll call it the next generation model of directory services.

You know, the next step is to take that to the community and to go through the community processes to see, you know, to kick off the PDP that the Board has asked for in order to, you know, further evaluate the model.

Man: Just to let's build on the shoulders of the hard word before; the BC among other groups help to drive through some studies of Whois. And they're really very much descriptive studies of the nature of how it's used today. Whether Reveal and Relay are being used and how it's being abused. All those studies will have put in cycle to the extent that those can be given to the expert group even if it's just a charter for the study because the results aren't in.

Then we'll understand that we did try to understand how Whois is being used and abused today. And all that body of knowledge, that fact based knowledge should be an excellent foundation for the expert group. But if the expert group tries to go first thing what they think it ought to be, they will have missed the chance to answer how it is being used today.

Margie Milam: Yeah. And that's part of the work that (Denise) and I are doing in preparation for the - and deliberations of the expert group. And certainly identify those pieces of community work that's already taken place because there's been a tremendous amount of work, you know, or under way that can be, you know, to be - to share that information so they have some raw data to be able to, you know, come up with some of the proposed solutions for this issue.

Marilyn Cade: I'm sorry. I had to step out for a minute and I guess I - and maybe you already spoke about this but if not, I'd like us to address it. And that is the stand - the

BC's official position is that review team recommendations have unique standing. Did you...

Man: The affirmation of commitment.

Marilyn Cade: ...from the affirmation of commitment. And have you - did you address that...

Man: (Unintelligible).

Marilyn Cade: I think we need to talk about that with you a little bit because we've taken the position that the affirmation of commitment, which is an agreement signed by ICANN with the Department of Commerce made certain changes in the standing of ICANN in terms of more flexibility, more internationalization, et cetera.

                But it also established these mandated review teams - review processes, sorry. And Whois as you know was written into the original founding documents of ICANN. I would know since I put those words in there.

                And, you know, I think this community's very committed to the idea that the review team recommendations have unique standing because of the nature of what the review teams were set up to do. And the recommendations should be treated as required to mandate, not optional to mandate.

                So I think there's been some anxiety in some of our community that there's a re- thinking or that the SSAC recommendations may have taken the - have overridden some of the priority concern about those recommendations.

                I don't know if you can address it in detail now but I think it is something that we very much want to be sure, you know. It would be unfortunate if this

expert group got formed and began working and this significant expectation from a broad set of the community including the GAC about the unique standing of review team recommendations was somehow impaired the implementation of those recommendations.

It's my understanding the GAC considers that the GAC has the same view that the BC does on the unique standing of review team recommendations.

Margie Milam: And I think that's consistent with what the Board recommendations were because the first part was to force the existing policies based on the Whois Review Team report recommendations.

And so I think there was a little bit of confusion in the way that the resolution was written and the rationale because if you really link to the - it's called an action plan in the resolution and I don't know if very many of you have actually had a chance to look at it.

It's a really detailed document that goes item by item on Whois Review Team recommendations and shows how each one of them is to be implemented. And so I don't see that the expert group is doing something that would be contrary to the Whois Review Team recommendations.

The one thing I can say about the Whois Review Team report is that it was based on existing policy. So the whole analysis was, you know, here's the existing policy and how can, you know, you know, how can it be enforced.

And they were actually - it was out of scope for them to consider policy changes. At least that was - and that's part of the limitations of the final report. And then SSAC essentially pointed that out. They said well, you have, you

know, really you haven't focused - you're not solving the problem if all you're doing is taking on just the Whois Review Team final report recommendations.

So it is a two-pronged approach but as part of the work of the expert group, I mean certainly, you know, issues of accuracy and access, those things are things that are to, you know, to be looked at. I would be very surprised if the - what comes out of that is going to contradict the themes or the, you know, the recommendations of the Whois Review Team final report.

You know, and that - and the report is actually required reading for the expert group. That's part of the work that (Denise) and I are doing is identifying what are those critical documents for over ten years of looking at this issue that should be, you know, that they all need to be, you know, aware of and fully understand as to the work progresses.

Man: And when you give them that report, please just paste the Paragraph 9.31 from the affirmation because the final - the affirmation paragraph on the Whois - the final sentence is quote, the Board will take action within six months of receipt of the recommendations.

So it makes sense to call the Board's work an action plan, right, because they're taking action. But a lot of us were confused at the notion of just following the affirmation to take action on the recommendation. Some of the recommendations get sort of...

((Crosstalk))

Man: ...while we get experts to tell us the purpose of Whois. I'm comforted to hear that experts will ascertain the current purpose, not their own vision of what it ought to be. But it did feel like action plan got interrupted by...

Margie Milam: Yeah. We - internally we don't see it that way. I mean and so things like for example, the - if you look at the Whois Review Team final report, outreach. Okay, we're working on the outreach. The portal - that centralized InterNIC portal that's being scoped.

I mean so a lot of the things that you think of in the final report are being done simultaneously as the expert group does its work because that is - the mandate is to do these in parallel paths, you know. Continue enforcing the existing recommendations and that means following the Whois Review Team's final report recommendations as, you know, described in the Board action plan. And then separately this expert group, you know, as a path forward.

And so if you, you know, when you talk to (Maggie), please ask her about that because she can certainly give you a lot more details on all the extra work she's now doing on Whois, you know, in order to make sure that we can report to the community and to the Board that the resolution is being, you know, implemented and acted upon.

Susan Kawaguchi:Margie, this is Susan from Facebook. And I was wondering what work - ongoing work or what's been started on the accuracy recommendation. When I talked to - we had a call - the Whois Review Team alumni had a call a few weeks ago with Fadi and (Maggie) and (Denise), several ICANN people.

And, you know, yes there's something put - seem to be moving forward in compliance but nothing that really addressed inaccuracy. So has anything changed on that front?

Margie Milam: I think on the accuracy side and I believe we are scoping out the - in one of the recommendations that relates to proactively identifying inaccurate records.

Susan you might recall that one. And I'm aware that internally we're looking at different online tools and possibilities that we're doing that. So that's definitely being scoped as something that we'll specifically look with accuracy.

I can't remember all, you know, item by item all of the accuracy issues but I do know that - staff taking it very seriously in trying to, you know, implement the Board resolution.

Susan Kawaguchi: Okay. And then my second question was how soon do you think this expert team will be, you know, put together and start working because, you know, we're already a couple months into this now.

Margie Milam: Yes. We are expecting to announce the members shortly meaning in the next week or so because we - in the resolution you'll see that it's a very aggressive timeline and they want it to be done in 90 days. And I believe the PDP the recommendation was to try to get that done in a year. And we all know how difficult that is in current processes.

So the expectation is that there would be several face-to-face meetings and reports in Beijing on progress because we understand the timeline to get to Beijing. And so it would be a very concentrated effort in a short amount of time to see how much we can accomplish by then. So look, yeah, like I said, (you'll have) an announcement I think in the next week or so.

Susan Kawaguchi: Okay. Thank you.

Marilyn Cade: Do we have other - it's Marilyn. Do we have other question for Margie before we ask her to tell us more about her new job?

Woman: So how would I have found out about like this work that's being done? So the various pieces that are currently, you know, under way. Where would I have found out about (this)? Like how could I have - how could I have known about it because I didn't know about it?

Margie Milam: The expert group or the aspect of enforcing the current policy?

Woman: Yeah. The work that's being done relative to the Whois Policy Review Team recommendations.

Margie Milam: Sure. Sure. I mean there's the resolution and then there's the action plan, which has the spreadsheet of activities per, you know, per recommendation in the report.

And so, you know, it's only - I think the resolution was November 8, you know. So we haven't had a formal communication I think in part from what you may have heard in, you know, in different groups like this or I'm not sure if they covered it in the registry, registrar stakeholder group last week. I wasn't...

Marilyn Cade: Margie, just as an example. It's Marilyn. So when the review team report came out, there was this big spreadsheet that I think we did all see. But I think the - it's the gap after - so the - right. I mean I think...

((Crosstalk))

Woman: ...what I asked.

Marilyn Cade: Yeah.

Woman: Like should I - was this information some place that I should have been looking and I just didn't see it? Or...

Marilyn Cade: We haven't...

Woman: ...has it not really...

Marilyn Cade: ...seen it.

Woman: ...been out there yet?

Margie Milam: Yeah, no. A lot of the implementation stuff I'm talking about is fairly new and if you can imagine, you know, Fadi came on board and (Denise) switched roles, I switched roles. So there's been a lot of change in - recently in the way some of these projects have been managed.

And so we have not made an official communication other than the announcement of the expert group. But that only deals with that side of the resolution, which is the new work going forward and doesn't deal with the past work.

And so the question is, you know, if it would be useful for the community to hear something, you know, as part of some of the communication we do before Beijing, I could certainly, you know, work on that and, you know, have a more official, you know, description of what's going on.

Woman: All right.

Marilyn Cade: It's Marilyn. I think it would be but I'm also going to turn to some of the folks in this room and sort of say I think what's happening right now is that there's

an assumption that there can be a policy update Webinar held on the same day at two different times. And that the community is somehow using that to keep up to date on what is happening in policy implementation.

I don't think that is actually being used by very many people from the business community. I haven't looked at the attendance on the policy Webinars recently but - and it's not that they're not announced but I just, you know, I'm not sure that we're finding that mechanism a really effective way to keep up to date.

And when you go to the briefing it's sort of like drinking from a fire hose. There are eight to ten PowerPoints per staff person. They talk really, really fast. And then your time's up. And this is not a criticism because our tolerance of how much time we have is also low, right.

But I'm just wondering Margie, you know, maybe it's something we should talk more about within the BC of what is a more effective way for us to be able to, you know, to know how the piece parts are fitting together and what the interactive trail is. Because it's important as Whois is to us, I think it is hard to find how the studies are progressing, how the expert group, you know, it seems disconnected to an outsider.

And that's not a criticism. It's just - but I think it - I think it's something for us to think about ourselves is - right Elisa.

Elisa Cooper: Yeah. I mean I think that was actually one of the recommendations in the Whois Review Team final report. Susan, isn't that right like there was supposed to be some kind of culminating report that would sort of describe everything around Whois including any other work that wasn't part of one of the recommendations. Is that - Susan, am I making that up?

((Crosstalk))

Susan Kawaguchi: It was we had asked for a report - a status report basically about three months out.

Elisa Cooper: Yeah.

Susan Kawaguchi: And, you know, we've not seen that at all.

Margie Milam: Okay. I'll take that back...

((Crosstalk))

Susan Kawaguchi: I've never seen anything written, you know, I just as a former review team member have heard discussions on two different calls and that was about it.

Margie Milam: Okay. Okay. I'll look into that because obviously that sounds like it's something that's important. And what mechanism would be useful for you guys and us, a specific Webinar and just that, a Web page, a Wiki, I mean, you know, maybe you guys can collaborate and think of, you know, what's the best way to get that information out there.

Elisa Cooper: I think that - sorry to interrupt. I think that Wikis are great. I think that also different types of communications been really helpful too. So I know with the gTLD program we've had videos, Webinars, you know, updates on the Web site. Now what, you know, again, the effectiveness of those and the consistency is - it could definitely be improved. But, you know, I think different, you know, a variety of...

Susan Kawaguchi: Fact sheets.

Elisa Cooper: ...yeah. Fact sheets are great.

Marilyn Cade: But, you know, when you think about the - having to send an update on Whois into associations, into big businesses, into ad hoc groups, into government organizations telling them to watch a YouTube video or go to a Wiki is kind of like (unintelligible).

But if you can get them started with a fact sheet that's updating them and then here are the links, sometimes, you know, that might be - but I - but maybe we can talk more about what we think. I see you and then (unintelligible).

Man: Some of my members have asked me, so look. On these new gTLDs, are they going to be required to maintain Whois and is it going to be more accurate than before and will those proxy and privacy have to really relay the information. And I can't just refer them to a YouTube video or Wiki. I need to answer that question more definitively.

And so in addition to what you're building, which you should build these general information sites, I'm pretty sure that if we put questions to you, you'll find a way to get it to the right person to get us an answer. Highly pointed questions like that because that's even more easy for you to answer specific questions.

Man: Just to support the idea of the (preparation) of fact sheets, (unintelligible). We already developing (unintelligible) narrow band. They (unintelligible).

Woman: (Unintelligible).

Marilyn Cade: So Margie, thank you. Now do you want to say a couple more words about your new job so that we'll know to confirm you calendar for Beijing?

Margie Milam: So (Denise)'s portfolio of things is very large and as you can imagine when (Kurt) stepped aside, there's a lot of projects that needed to be get - divided among many execs. And so the ones that we're focused on are primarily the - she's in charge of the affirmation of, you know, any affirmation work. So any AOC work.

IDNs is a very big push for us right now and so we're managing the IDN related work, the variant work. Whois. RAA continues to be, you know, one of my largest projects. And then whatever else Fadi has that he needs, you know. I mean she has a lot of things on her plate, (Denise). And I'm slowly transitioning. I still have some policy related duties to do. So I still have to write up the issue report on Whois for example.

So there's still some policy stuff that I'm going to do because I'm subject matter expert so it makes it more, you know, appropriate for me to handle. And then Marika is now the GNSO lead, yeah, once, you know, made that transition.

So that's essentially, you know, that's essentially it. And it's really up to, you know, whatever projects Fadi has. A lot of Board support issues. So, you know, the Board Variants Working Group, the Structural Improvements Committee, a lot of the evolving - the stakeholder model is going to fall onto (Denise)'s shoulders.

So, you know, the GNSO reviews will be in (Denise)'s - in our - yes. To the extent that it's issues that we relate to. So like, you know, some of the more technical stuff, no. But if it's specific to things that the - that are sort of quasi

policy. You've heard, you know, (unintelligible), which isn't involved in the policy. So aspects of it. So like the TMCH for example will help sort those issues out. IGOs, you know, those kinds of things, yeah.

Man: Has the Board GNSO Committee, has it asked your support for these - defining the exemption criteria for getting the exemption from the code of conduct that, you know, the so-called public interest testing get rid of them?

Margie Milam: No. We haven't been involved in that. But, you know, it's possible. I mean, you know, as we get more introduced to the committee and the issues that they come up with, you know, it will be either, you know, on (Kristine)'s side or (Denise)'s side in sorting out some of these issues.

                  And then obviously with the expertise of, you know, (Francesco) for IDN issues, Karen Lens for some of the, you know, the operating guidebook issues. So that's the, you know, it'll be spread around among those staff people.

Marilyn Cade: I have a question. It's Marilyn. But before I ask it, let me go to the phone and see if anyone wants to ask a follow up question of Margie. Well my question might spark some further thoughts.

                  And that is you said that evolving the stakeholder model. So we're going to have an opportunity to hear from Fadi from - and the sessions are transcribed and recorded. So - and also have dial in. So we'll hear from Fadi, we'll hear from (Terek), we'll hear from (Sally).

                  I think evolving the stakeholder model is very important to us for not only broadening and deepening and strengthening the influence of business, the voice of business users and ICANN but also because without business support, ICANN will not continue to function at all.

As interesting and important as contracted parties are, it is business users who influence governments. And an unhappy group of governments are going divert us from focusing on the things we need to do. So nothing gets done when you're dealing with unhappy governments, as any businessperson who deals with unhappy governments know.

You spend all your time explaining as opposed to doing, right. So I think this idea of evolving the stakeholder model and understanding what it means to help us build and strengthen the stakeholder model is going to be something we're really interested in spending more time thinking about and talking about.

So perhaps that's something we should put on our agenda to come back and follow up with you after we have more CSG conversation.

Margie Milam: Excellent. Look forward to it. Thank you.

Marilyn Cade: Guys, I'm passing around a sheet. If you need parking validation, would you write your name here and (Glen) will help us out with (Suzie David)'s staff person will get that taken care of. The three that I think need it are (Bryce) and - no, you're okay. (Michael) and (Steve) and no you don't get a free card out of it Marie.

We're going to go into the next phase of our meeting, which is to try to figure out what it is we're going to do over the next two days and take comments on this. But it looks like (Glen) we just need two - we just give - just two validations. Yeah.

Benedetta Rossi: Hello. Excuse me, this is (Bennie) speaking.

Marilyn Cade: Yes (Bennie).

Benedetta Rossi: Do you need me to stop the first transcript and start the - should close one?

Marilyn Cade: Yes please.

Benedetta Rossi: Okay. Thank you.

END