Channel 1. BC participation in ICANN Public Comment process:

ICANN Public Comment page is here. Selected comment opportunities below:

1. Draft report of expert working group (EWG) on next generation directory services (new WHOIS) (comments close 6-Sep).

Initial drafting was done by Laura Covington, Susan, Elisa, Stephane, J Scott, and Bill Smith (thru 5-Aug)

Then some compromise paragraphs from Marie Pattullo on 6-Aug.

I added draft language on commercial use of privacy/proxy services.

Then Marilyn, J. Scott, and David Fares added edits to the 9-Aug version (**1st attachment**) While the deadline is 6-Sep, we should finalize our comments ASAP since the EWG may begin reviewing comments later this week.

Note to Bill Smith: please share PayPal comments as soon as you are able.

- 2. Postponement of GNSO review (reply comments close 6-Sep)
- 3. Locking of domain name subject to UDRP proceeding (PDP), board recommendation (reply comments by 13-Sep).

No comments have yet been filed on this.

Elisa Cooper drafted a brief comment for member consideration. (**2nd attachment**). Marilyn Cade expressed interest in this subject on 8-Aug call.

4. Proposal to mitigate name collision risks from new gTLD delegations (initial comments by 27-Aug, reply closes 17-Sep)

Elisa volunteered for first draft (3rd attachment).

Other volunteers included J Scott, Marilyn, and Steve D.

5. Rights Protection Mechanism (RPM) requirements (initial comments by 27-Aug, reply closes 18-Sep)

Elisa volunteered for first draft (4th attachment).

Other volunteers included J Scott, Marilyn, and Steve D.

- 6. Charter amendment process for GNSO Structures (initial comments by 28-Aug, reply closes 18-Sep)
- 7. DNS Risk Management Framework Report (initial comments by 13-Sep)
 Board received a report from Westlake (<u>link</u>). Lots of process discussion, but at least they acknowledge that DNS is all about Availability, Consistency, and Integrity. (page 8)

Note: BC members are encouraged to submit individual / company comments. The BC selects topics on which to submit official positions based on member interest.

Geographic Indicator Debate

On 1-Aug a discussion thread was begun by J Scott Evans regarding the "Geographic Indicator Debate at Durban", including broader issue of GAC's role.

There is no firm deadline for this issue and ICANN has not posted GAC Advice for public comment.

We have offers to draft from J Scott Evans, Stephane, and Sarah Deutsch

Standardized Contract for URS Providers

Phil Corwin volunteered to draft a BC letter reiterating our position that URS and UDRP providers have standardized contracts. Phil contacted Mahmoud Lattouf and they should have a draft letter for member review this week.

Channel 2. Support for discussion and votes of our representatives on GNSO Council John Berard and Zahid Jamil, BC Councilors

Next Council telecon meeting is 5-Sep-2013, 15:00 UTC Agenda / motions not posted as of 26-Aug. GNSO Project list is here.

Channel 3. Supporting discussion/voting on matters before the Commercial Stakeholders Group (CSG)

Marilyn Cade, CSG Liaison

Channel 4. BC statements and responses during public meetings (outreach events, public forum, etc.)

What shall we do to stop the madness of allowing both singular and plural forms of the same TLD?

This is an issue on which the BC has been vocal since Beijing, along with advice from the GAC to "reconsider" the singular/plural decisions.

ICANN's New gTLD Program Committee "reconsidered" in its 25-Jun Resolution: "NGPC has determined that no changes are needed to the existing mechanisms in the Applicant Guidebook to address potential consumer confusion resulting from allowing singular and plural versions of the same string."

As many BC members have discussed on list, the Dispute Resolution panels are generally upholding the originally flawed findings of the experts. In one case, Dispute Resolution providers disagreed on the exact same string. (<u>link</u>)

There's been an impressive discussion on BC list. Question is, What can the BC do now?

This element of GAC Beijing advice was never posted for public comment, so we could insist upon that as a matter of process. Moreover, events indicate that experts and dispute resolution panels are not uniformly interpreting the Guidebook standard ("so nearly resembles another that it is likely to deceive or cause confusion.") So it's time to clarify the guidebook and re-do the string similarity evaluations. There's a limited class of strings at issue, and the same panels could act quickly once they receive clearer instructions.

Also, we could enlist ALAC support to ask GAC to reiterate its concern over user confusion among singular and plural forms of the same TLD. It was disappointing that GAC didn't mention singular/plural in its Durban Advice, but events now vindicate the GAC's original concern about consumer confusion.