
BRENDA BREWER:

Good morning, good afternoon, good evening, everyone. This is Brenda speaking. Welcome to the Business Constituency candidate and membership all on 21 April 2022 at 14:30 UTC.

This meeting is recorded. Kindly state your name when speaking for the record and have your phones and microphones on mute when not speaking. Attendance is taken from Zoom participation. Apologies received from Jordyn Buchanan. Please note the first 30 meetings of today's meeting is dedicated to the candidates' call. When finished, the BC membership call will begin.

I will now turn the call over to BC Chair, Mason Cole, for opening remarks. Thank you.

MASON COLE:

Thank you, Brenda. Good morning, good afternoon, good evening, everybody. Mason Cole here, Chair of the BC. We don't have very much in terms of critical mass in terms of membership today, but I'm hoping that people will join over time. I recognize it's a bit earlier for our normal call, so hopefully we'll have other colleagues joining shortly.

So the agenda is before you on the screen as presented by Brenda. Are there any updates or amendments to the agenda as presented?

Okay, I don't see any hands. All right, very good. So we have 90 minutes today for our candidate statements and members' questions, plus our regular agenda. So we're going to dive right in. And allow me, if I may,

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first to turn the floor over to Lawrence, and then we will move to the policy review by Steve.

Tim, I understand you have a time constraint today, so you're going to be going first under the policy review. Correct?

TIM SMITH: That's correct. And thanks for commenting on that. I appreciate it.

MASON COLE: No problem. No problem at all. Okay, very good.

Lawrence, are you on the line? Are you ready to take over?

LAWRENCE OLAWALE-ROBERTS: Yes, I am. Thank you, Chair.

MASON COLE: Thank you.

LAWRENCE OLAWALE-ROBERTS: Yeah. Thank you. So, good day, everybody, and welcome to today's candidates' call. We are currently in the process of concluding the process of filling a councilor seat for the BC, which is currently filled by Mark, who has done a very wonderful job so far. At the end of the nomination period, only one valid nomination came in, and that's renominating Mark for a second term as a BC councilor. Today, we'll have an opportunity to hear from him with regards to himself and his

work around what he has done, especially since he is a sitting councilor, and, basically, he'll talk to us also about his motivation to continue in office. The BC members here present will now have an opportunity to also ask questions as they deem fit.

We also had two members who are currently termed off the NomCom for the small business seat and the large business seat. And at the end of the nomination period, we had Vivek duly nominated for the small seat, and Jordyn for the large business seat.

So at this point, we will give about three to five minutes to each of the candidates, starting from Mark, and then we will get to Vivek and proceed with other duties with regards to the candidates' call.

So, Mark, I would like to yield the floor to you. Just take about three to five minutes or thereabouts to speak to your interest and motivation for continuing as a councilor. Thank you.

[MASON COLE]:

Lawrence, I think Mark is not on the line yet, so we might want to proceed with Vivek first, if that's okay.

LAWRENCE OLAWALE-ROBERTS:

My apologies. I couldn't see it from my phone here. So, yes, let's hear from you, Vivek, and then we will present the other candidates through the candidate statements. So, Vivek, please kindly take the floor.

VIVEK GOYAL:

Thank you, Lawrence. And thank you, all the members of the BC, friends, and colleagues. I'm very grateful for the nomination and the support I've received. I know I haven't been very long with the BC, but it has been a learning opportunity and a growing opportunity as well.

A little bit about me. I have a background in technology. I was trained in computer engineering. I worked as a management consultant across southeast Asia and the USA as well. Currently, I run my own business, which provides online brand protection. So this is to brands and companies in south Asia and the southeast Asian region. I have been going on for about five years now and have firsthand knowledge about the brand abuse which happens in the Internet space and the impact it has on not only the brands and the businesses but also the [EULA] consumers who are accessing Internet and fall prey to these kinds of scams.

I'm very interested in DNS abuse mitigation and what BC is doing in preventing and basically asking ICANN to stand up and take accountability and the other members in the whole domain name supply chain to take accountability for what is happening in DNS abuse. And with the support from BC members, I look forward to presenting to you from the NomCom's small seat to basically select members who appreciate the stance that the BC is taking and have knowledge and the experience to [inaudible] of all that has happened and support us as we move forward and help make the Internet a more secure and safe place for businesses.

Thank you. I can get questions now and I can take questions later.

LAWRENCE OLAWALE-ROBERTS: Thank you very much, Vivek, for that wonderful introduction. Before we open the floor for questions, I will just kindly ask that Brenda should help with the candidate statements for Mark and for Jordyn.

BRENDA BREWER: Thank you very much, Lawrence. I am prepared to share Jordyn's candidate statement. So I will read that first.

And from Jordyn Buchanan, "I would be honored by the opportunity to serve as the BC's large business NomCom representative. I have been involved with ICANN since the late '90s, and I am a firm believer in both its mission and the critical role that the NomCom plays in identifying and appointing well-qualified people for key leadership roles across the organization. I have a keen interest in both policy and technology, and this is reflected in the roles I have had in ICANN across the years.

"I was a member of the GNSO Council in the days before the GNSO and subsequently have served in leadership positions on numerous topics, including chairing the Deletes Task Force and the WHOIS Task Force and leading the Competition and Consumer Choice Sub-Team of the new gTLD CCT Review. On the technical front, I was a member of the Technical Steering Group that developed the Add Grace Period, a member of the Registry Service Technical Evaluation Panel, co-wrote a key paper on the name collision, and was a contributor to the development of the Extensible Provisioning Protocol (EPP). I believe this experience within ICANN and other industry groups gives me a strong insight into the type of leaders that the NomCom should be appointing."

“Outside of ICANN, I have spent the last 16 years at Google as a technical and business leader. I started at the company as the New York lead for Google’s site reliability organization and subsequently ran Google’s world-leading storage infrastructure team. I launched Google’s domain name businesses, both Google Domains and Google Registry, before transitioning into a role focused on cloud strategy. I’ve spent most of the past five years working directly for Google’s CIO, driving our own transition to cloud. And in the process, I’ve had the chance to work with CIOs and other leaders from Fortune 500 and Global 100 corporations to help”—I believe he means “help develop”—“their own transitions to cloud technology. Most recently, I’ve also taken on the responsibility to ensuring that Google’s developers could remain productive and thrive during the transition to remote work and current return to a hybrid remote/in-office model. Prior to Google, I worked at multiple Internet startups.”

“I believe that my background, both within ICANN and as a leader at a large technology business, give me not only insights into the types of experience needed to help ICANN thrive but also provides me with the social network and credibility to help identify and recruit potential targets for these key positions. ICANN is all about the people willing to volunteer their time to support the organization’s mission, and I will be committed to finding exceptional candidates for these roles.”

“Feel free to contact me if you have any additional questions.” Signed,
Jordyn.

LAWRENCE OLAWALE-ROBERTS: Thank you very much for that, Brenda. And that was the candidate statement for Jordyn. He is a candidate for the large business seat on NomCom.

Brenda, do you need some more time to get Mark's on, or do we go ahead with any questions that members might have for both candidates?

BRENDA BREWER: I have located Mark's statement.

LAWRENCE OLAWALE-ROBERTS: Thank you.

BRENDA BREWER: So I will read [Mark's] first. One moment. This is Mark Datysgeld's statement of interest for the position of GNSO councilor for the BC.

"Representing the BC on the GNSO Council has been one of the greatest experiences I've had since joining ICANN. This challenging task has allowed me to have much greater impact in the representation of the interests of the business community while also continuing to develop international relation skills at the highest level."

"I am currently deeply involved in the subject of combatting DNS abuse, having been a persistent advocate of including that theme in the GNSO[-C's] discussions and now co-chairing the small team performing the assessment and scoping of the issue. I believe we've had a lot of

success in this task so far and I'm looking forward to being able to continue leading this effort. I have also kept up with my other areas of focus within ICANN, such as developing research related to universal acceptance and IDNs, a subject that will be quite relevant to the upcoming round of new gTLDs. I look forward to continuing to serve this incredible community." Signed, Mark W. Datysgeld. Thank you.

LAWRENCE OLAWALE-ROBERTS: Thank you very much, Brenda. Thanks for being there all the time to help with tasks of this nature.

So Jordyn has indicated that he is traveling, and he hopes to join the call at about 15:00 UTC or thereafter. And he will be happy to take questions then.

So right now we'll just take all the questions. And if there's any of the questions that a candidate not here needs to respond to, we will try and manage to see how we can see how we can fit in their response before the end of today's call.

Okay, I see Steve's hand. Please, Steve, you have the floor.

STEVE DELBIANCO: Thank you, Lawrence.

So, Brenda, if I just summarize the question—this one is for Mark Datysgeld—it would say, based on Mark's experience in the council, how does believe the BC will secure allies to vote with us on council on

priorities like DNS abuse? So, again, it was, how does Mark believe he can secure allies on the council for critical BC issues such as DNS abuse?

LAWRENCE OLAWALE-ROBERTS: Thank you, Steve.

STEVE DELBIANCO: And then I have questions for Vivek and for Jordyn. It's the same question for each. And it would be, could you describe, based on your perspective as small business or large, the ideal business candidate for a NomCom seat in terms of the general characteristics and experience of that person?

VIVEK GOYAL: Sure. May I answer that right now?

LAWRENCE OLAWALE-ROBERTS: Please go ahead.

VIVEK GOYAL: Thank you, Steve, for the question. Very relevant. For me, I think—this is based on my understanding and what I have seen so far—generally, people who are appointed to leadership positions in ICANN or other places in ICANN tend to have a bend more towards the educational side, and generally the business side is not well represented.

So my approach in the NomCom would be to look for candidates who have either been part of businesses, taking leadership positions in businesses, who are either facing challenges working with the Internet or are actively trying to work towards solving those challenges with the Internet. Basically, they've had experience or have had problems with their businesses related to the Internet and can appreciate the challenges that other businesses or other businesspeople are facing the same and are more empathetic towards those challenges and looking and working towards a solution which can benefit all of us.

LAWRENCE OLAWALE-ROBERTS: Thank you, Vivek.

Steve, do you have a follow-up question?

STEVE DELBIANCO: That's all. Thank you.

LAWRENCE OLAWALE-ROBERTS: Great.

VIVEK GOYAL: Thank you.

LAWRENCE OLAWALE-ROBERTS: Thank you very much.

So, members, the floor is open for questions for Vivek (for the small seat), Jordyn (for the large NomCom seat), and for Mark, returning as a councilor. Where you would want to take the floor, please just indicate by raising your hands, and we will yield the floor to you. Or you could also type in your questions in the chat, and we will do well to recognize you for that.

So while we're waiting—I still don't see any hands up yet—my questions to both Vivek and Jordyn, who are going for the NomCom seats, will be on the fact that, over the last couple of months, if not going into years, we've seen a lot of interest within the community with regards to the BC being the only constituency having two seats. So how do you intend to justify the BC holding on to these two seats? And how do you intend to help the BC derive value from having the both of you serving on the NomCom?

VIVEK GOYAL:

Lawrence, thank you for the question. I think the simplest answer I can give to this is by doing more than expected from a volunteer in this position and really working hard to show that we bring absolute value to this seat and can aptly represent the interest of the BC, especially given the different sizes of business when it comes to small business and big businesses. I think it will be very relevant that we bring in the ideas and the experience that we have had. Speaking on behalf of Jordyn, I think, having heard his statement, that it is very important to have two seats because, with the business community being so large, it is very relevant that we bring in those experiences from different perspectives.

LAWRENCE OLAWALE-ROBERTS: Thank you very much.

Members, does anyone have a question?

Otherwise, seeing that we have just about eight minutes left on the call, I would like to ask Vivek if he has any additional statements to add or if he has any questions for those of us who are here also.

VIVEK GOYAL:

I just want to thank all the BC members once again for their support, encouragement, and confidence they have shown in me to take up this important position. And I'll do my very best to justify that confidence. Thank you.

LAWRENCE OLAWALE-ROBERTS: Great.

So before I yield the floor back to Mason, anyone still have any questions for any of the three candidates?

So while I'm waiting, just in case anyone pops into my mind, for the remaining part of this process, we'll be sending out ballots to primary representatives of all the BC member companies from tomorrow. And we'll have two weeks with which the primary contacts will have to put in their votes for all the three candidates. And by the end of this process, we hope that we will have standing elected candidates for councilors for the small business seat and for the large NomCom

business seat. We want to again use this opportunity to thank everyone who has been actively involved in this process, nominating incredible candidates. And for those nominees who have also put themselves forward, we are very grateful for the sacrifice and the time that you have been putting into volunteering—your time and resources for the tasks that we have. All the three positions impact ICANN widely. It's not just BC positions. They are not just positions that impact the BC, but there will be lots of interactions with the wider ICANN community. And we are very confident that the candidates that we have who are putting themselves forward will do a very good job in this particular regard.

Not seeing any hands, I will now yield the floor back to the BC Chair, Mason Cole, to conduct the rest of this meeting. Thank you very much.

MASON COLE: Lawrence, thank you very much for conducting that part of the discussion. Very useful.

What I might suggest, Lawrence and Steve, with your agreement, is that we go to Tim's CSG report before Jordyn joins us to talk about his position on the NomCom. And then we can come back to the policy report. Would that be agreeable?

LAWRENCE OLAWALE-ROBERTS: That would be good.

MASON COLE: Okay.

Steve, let me give the floor over to you to do the CSG report, and then, as soon as Jordyn joins on, I'll turn it back over to Lawrence.

STEVE DELBIANCO:

Sure, Mason. I'll put up the policy calendar and scroll immediately to Tim Smith's section of the policy calendar, Channel 3 on CSG. And, Tim, I have your report on the screen and can scroll on as you want to walk through it and take questions.

TIM SMITH:

Okay. Well, thanks very much, Steve. And thanks. I feel like you're giving me more time to get to my next meeting, my next appointment, than I really needed, but I truly appreciate that.

No need to scroll, I don't think, Steve. Most of this report actually deals with one issue, and that's the planning prioritization framework project pilot. Sorry for that. No acronym so far on that. And as I reported at the last meeting, that project has now kicked off, effective April 1st. And they've now had three meetings. The most recent one was on April 19th, just two days ago.

Following the first meeting, they were evaluating 54 recommendations that had not been implemented for ATRT2, CCT, SSR2, and RDS WHOIS 2. So there were 54 recommendations. It turned out that nine of those were, as they declare, either not applicable or not yet applicable for prioritization. So those will be down the road.

So that left 45 recommendations to be evaluated. And in the meeting of April 13th, there were several that were done, with three

recommendations that had arrived at consensus and one that was pending for consensus. So that was that.

What I did in preparation for today was actually look at the Zoom recording of the April 19th meeting. So I can report to you now that 19 of the recommendations, out of 45, have now been reviewed and are almost completed. There is still some discussion to take on a couple of them. And that means there are 26 recommendations that remain.

So there's still a lot of work to be done. And apparently the meeting of April 26th is the meeting at which the group hopes to conclude those 26 recommendations and to circle back on ones that have not achieved consensus. So there's still some work to be done there. And the plan actually is, for May 3rd, to have what their Lessons Learned and Wrap-Up session. So there's been a lot going on.

In my review of the recording, there's great collegiality and there's good discussion that's going on on the subject. Of course, we're being represented by Susan Payne of IPC, and I think she's doing a good job on our behalf.

So I won't go into a lot more detail other than that. I will note, as it says here in the calendar, there is a link to the workspace, where you can watch the recordings if you want. Or you can see the recommendations and how they're ranked by the group. So far, only one recommendation has been changed. They've really only gone through the top priorities—the P1s—and just started on the P2s. and this on a scale of urgency and importance.

And so the only one to be downgraded so far is the CCT Rec 7 (collect domain usage data to better understand the implications of parked domains). And that is downgraded but temporarily, I would say. It's downgraded because it was seen to be something that may be nice to have rather than important to have or vital to have. But with so many more recommendations still to be reviewed, it's hard to say where that will ultimately land. So that's one of the items that will be circled back on.

So, other than that—I will take any questions—just to note down in the calendar here in my report, there is a CSG membership call that'll be on May 10th at 16:00 UTC. And by that time, we will have more details on the prioritization pilot and other relevant issues to the CSG. And then, in preparation for that and in preparation for ICANN74, the CSG ExComm is also meeting on April 27th at 14:00 UTC. And that is that.

And, Steve, I see you have your hand up.

STEVE DELBIANCO:

Thanks, Tim. With respect to the prioritization of implementing prior recommendations, I would ask you, are you detecting that anyone involved is suggesting that we ought to defer future reviews since there's such a backlog of prior review recommendations? I view that as an excuse, if that's not clear from the tone of my voice. I don't want to give an excuse to not do new reviews because reviews by the community was the key way that we enforce accountability on Org and Board, especially after the IANA transition. So is anybody using the

backlog as an excuse to say we ought to defer future reviews that are already scheduled? Thanks.

TIM SMITH:

Thanks for that. Having just seen the one recording, that certainly did not come up at all. What did come up is the fact that there are a lot of recommendations here that have not yet been implemented. And how are we going to deal with all of that? Because, clearly, I think there were twelve that were considered P1s, and then there's a sliding scale down to P4. So not all of them are going to be tackled in FY23 or FY24, I don't think, but the comment from Org staff was that nothing was going to fall off the list from what was existing there already.

So the question of, "Does this long list preclude any future reviews?" has not been raised to my knowledge yet. But certainly I can go back to Susan, who represents us, and see if that did come up in a previous meeting.

STEVE DELBIANCO:

Thanks, Tim.

Any other questions for Tim on the CSG work?

And, Tim, I'm glad that Susan Payne is representing the Commercial Stakeholders Group ably, but we consider it a loss that the IPC, BC, and ISPs had to have only one representative when in fact we are three very distinct constituencies. So we always want to note that persistently but politely: it doesn't make any sense to force our three constituencies to have only one rep.

TIM SMITH: Agreed. Thanks, Steve. And to that point, you can go to the link that's here—anybody can—and take a look at anything from Row 23 onward. And if you see anything that would be coming up for next week, which is April 26, that you want us to comment on, please bring that forward. And I'll be doing that myself as well.

STEVE DELBIANCO: Thanks, Tim.

Any other questions?

Great. Thank you, Tim.

I'm going to scroll back to the top of the policy calendar. Since we last met, we have filed one comment. It's an excellent comment, a very substantive one, on the UDRP, or Uniform Domain Name Dispute Resolution Policy. We had Andy Abrams, who just joined the call, Zak, Marie, Vivek, and John Berard working on that. I did a minor edit. But it's an outstanding comment that we submitted earlier this week on the policy status report. And these are status reports that come out every several years on how the UDRP is being used and what improvements are appropriate. We were able to draw upon some prior BC comments on improving the mechanisms of the UDRP as well as to establish that we think it's valuable to indicate where we thought there were potential abuses and improvements. So thanks again to Andy, Zak, Marie, Vivek and John.

I'll scroll down to the open public comment periods. We have one on that closes early next week. It closed on Monday and it's on a study that was done of the root zone processes. For the most part, if you're running a TLD and you want to make a change to any of the attributes of your top-level domain, that is a change to the root zone information and has to get propagated to the multiple root servers. So the process itself is one that has to do with ensuring the security and stability of the root, but it should also be a process that implements the changes quickly for a TLD operator or registry operator who needs to have them implemented.

So it is an extensive comment, but it is not one that is as relevant to BC members who don't run TLDs. That is why I think the last three calls in a row I've suggested that Google, Microsoft, and Meta all operate TLDs, as does Amazon. So those companies would be the prime candidates to do a review of the process changes and give the BC some sense of whether you think we ought to support them. This doesn't have to be a lengthy drafted comment, but in the four days that remain, if Amazon, Google, and Microsoft would be willing, we'd really appreciate it. Otherwise, we will not file.

Any volunteers?

All right. So the next one up I'm going to turn to Drew Bennett for, who has joined the call. And, Drew, I will be able to bring up on the screen the comment that you recently sent over and let you summarize where we are. Let me know when you need to display the comment itself. Go ahead, Drew.

DREW BENNETT:

Thanks, Steve. Yeah, the latest was communications we ended up sending to one member of Parliament and two members of the commission—one the director general of DG Connect and then his deputy.

Are you bringing the comment up? I can't—there we go. Effectively, we sent an e-mail with some introductory text and then included the statement in bold at the top, reiterating our support for Article 23 and highlighting the fact that it needs to be strengthened, though. And we, the drafting team, through the many amendments that had been proposed by the different parties to the negotiations, selected, I believe, five amendments here, almost entirely from previously proposed text that we're supporting, these being the most likely tools at hand at this point for the negotiators to strengthen the article. We do have in red just two places where we wanted to include even stronger language that hadn't yet been proposed by the parties.

And these e-mail communications are designed to time with what could be the last round of negotiations and drafting of NIS2. And so we could see a finalization at the end of last week or at last a final kind of step in the process. We're [not] going to see a final text for a little while after, but we are at the end of the finalization of this legislation. And so these are the last communications for the BC to the officials involved.

And I think, as folks know, our position has been consistent throughout. None of what is here is a surprise and shouldn't be a surprise to anyone

else in ICANN. And at this point, we're just [inaudible] negotiations, and obviously, as we get some final text, we'll let everyone know.

But I just want to thank everyone who has been involved in this work. And there of course there will be a multi-year process of getting this written into the national laws. But we hopefully will come out with one mechanism to strengthen transparency and requirements around accuracy on the WHOIS.

STEVE DELBIANCO:

Thanks, Drew. Mason has got his hand up, but before I call on Mason, I wanted to acknowledge and thank you for what I think is a strategic decision you made a year ago to say the BC should provide its input, but then, at every juncture, where a new decision needs to be made, you're able to then recycle positions we've approved earlier and feed them into the people and process at just the right moment so they don't have to go back and dig up what it was the BC said a year ago. What do you know? It shows up in the inbox just at the time they need to make a decision on amendment language. So I appreciate the practicality and the strategic nature of how you've arranged those communications. It's a lesson I've learned well from you here. So thank you for that.

And, Mason, your hand is up.

DREW BENNETT:

Thank you. I just want to say I owe a lot of that to Ben Wallis, who kind of got us running that system and [inaudible].

MASON COLE: Thanks, Steve. Thanks, Drew. My question is just one for the benefit of the BC, which is, why has it important for us to lobby the European Union, the European Parliament, the European Commission directly on NIS2, and what do we hope to get out of it? I just want to reset that context for the BC so that everybody understand why we put so much work into NIS2? Could you just give an update, Drew?

DREW BENNETTT: Yeah. What I think we get out of it is in this bold text that you see on your screen. And I think folks will recognize in the amendments the potential for some actual laws and legal requirements to clarify what, since GDPR, many parties in ICANN have been determined to be legally unclear.

And then, in terms of ... What was the first part of your question, though, Mason?

MASON COLE: The question was, why was NIS2 so important to the BC, and why have we put so much work into it? What do we hope to achieve out of lobbying on NIS2 that we potentially couldn't achieve through ICANN channels?

DREW BENNETT: I think that's the objective in terms of legal requirements. And why lobbying? Why the European Union? The European Union is where the [inaudible] is happening. For a long time, lots of groups have lobbied

just to get something like this off the ground in the U.S. It hasn't happened.

And then I think, in terms of the strategy, we've even heard a great deal from ICANN in the last 18 months about engagement with policymakers and with government institutions. And maybe we take it with a grain salt, but ICANN's statement that ICANN Org wants to provide these organizations with the facts and their technical expertise on it ... The BC is doing the same thing, and we've been able to communicate to lawmakers the experience of businesses as users of the DNS when it comes to issues around lack of WHOIS access, transparency, and accuracy, and issues of DNS abuse. And so, in many ways, we're taking our lead from Org, who has said that we should be communicating the facts and technical expertise to these bodies as they're taking on decisions that will, in some ways, impact users of the DNS. And so I think it's a broader strategy outside of ICANN when it comes to policy change because, as ICANN itself has admitted, policy changes are coming from without as well.

STEVE DELBIANCO:

Great. Thank you again, Drew. Thanks for the question, Mason.

Anyone else with a question for Drew Bennett on our NIS2 outreach?

Okay. Seeing none, I'll return to the policy calendar and pick it up with council. So on council, we have Marie and Mark. Neither is on the call at this point, so I'll kick this off. And I think that Mark just joined. Mark Datysgeld? Great. So, Mark, I'll kick off the Channel 2 discussion of council and then turn it over to you.

The previous council meeting was the 14th of April, and that was just last week. Marie was absent. Mark had Marie's proxy. And I listened to the call in the hopes that we could make some progress on this System for Standardized Access and Disclosure. It's called the SSAD. And while there were no votes taken on any resolutions at the last council meeting, there was a discussion of what next steps ought to be on the SSAD.

If you recall, Org came back with a multi-million-dollar proposal on an SSAD that would still not be an obligatory on the contract parties to consider and respond to our disclosure requests. It's one of the reasons that the BC and IPC reps all voted no on the SSAD, even before we saw the exorbitant costs of Org to implement it. And that is because we didn't believe that it in any way satisfied the need for legitimate access seekers to get disclosure.

So the small team that I participate on had come up with whatever it could find consensus upon from the GNSO community and the ALAC and GAC. And that ended up being a ticketing system, which would be one small component of the overall SSAD. And or a variety of reasons, it became the lowest common denominator that the small team could recommend. And they did recommend it to council.

So what council discussed, I think, continued to reveal a misunderstanding of what it is the ticketing system would accomplish. I have said many times that there'd be no obligation for people requesting WHOIS disclosure to use the ticketing system, and there would be no incentive to do so if using the ticketing system failed to get a result. And I said, for that reason, we could probably learn something

about the nature of who's requesting and what they're asking about, but we would not be able to measure the volume if the SSAD actually required the disclosure of the registrant information because that would be the ultimate incentive for people to use it.

So Steve Crocker and I ended up trying to correct the record on that—that there isn't going to be a significant learning with[out] volume—but we could build something that we can be useful because the centralized ticketing system would allow all of us to observe the requests that are coming in and whether and when there's a response given.

So at the end of it, I circulated this to the small team. And, Mark, I do hope you circulated it to council as well. But I suggested two things. I believe that the small team should meet again because we do not believe that we're going to get request volumes that would be meaningful. So I believe that the answer is to talk about other ways that we can ensure responses.

So I have picked up on the presentation that was given to the BC a couple of weeks ago by Michael Palage and his partners at InfoNetworks. They have had significant success with the Cyprus data protection authority on the TLD called dot-music, for whom they're trying to implement the very same authenticated identity solution that he presented to the BC. And if there's a lesson to be learned there, it might be that a European data protection authority could grant access to legitimate seekers of information if you can adequately describe how your system would safeguard the information and impose privacy requirements on the people that receive the information.

So I have invited InfoNetworks to share more about what they've learned from the Cyprus data protection authority to see whether ICANN Org could mimic that program with the entire European Data Protection Board. What InfoNetworks says is that it's more than just a proposal that you have to implement some of the system. They call it a reference implementation. And that becomes something that the European Data Protection Board would react to.

So this is a different approach than ICANN Org has used in the past[.] Since they haven't described in great detail what they're looking for, ICANN Org's inclination had been to say to the European Data Protection Board, "Tell us what we can do." And they're not forthcoming with an answer on that.

So I posted that to the small team. Mark, did it make its way to council? And they are discussing it with DNS abuse, and I appreciate that. But I have not seen any movement yet on where this is going next.

So I'll take questions for anybody on the small team and SSAD before I turn it over to Mark on DNS abuse.

Not seeing any hands up. I do see a 436 area code. If that is Jordyn Buchanan, would you let us know, please?

JORDYN BUCHANAN:

Yeah, I did just join. I don't know why I'm a 436 area code, but that's me.

STEVE DELBIANCO: Jordyn, this is Steve DelBianco. I know you dialed in because you're traveling today. Earlier, we compiled a handful of questions for the candidates that are seeking each of the three positions. You're the only candidate for the large business seat, and I know you have over two decades of ICANN experience.

But, Mason, is it okay if I asked Jordyn to give a few minutes' introduction and take a question or two?

MASON COLE: Yes, please, Steve. Thank you.

STEVE DELBIANCO: Go ahead, Jordyn. The floor is yours.

JORDYN BUCHANAN: Thanks. I apologize in advance. I'm traveling today, so I only have about ten more minutes to chat with folks. But I'm very pleased at the opportunity to chat with folks and answer any questions, including the ones that Steve has.

As Steve mentioned, I've been involved with ICANN for a long time in a lot of different capacities, both on the policymaking side and, at times, some of the technical fora as well and have definitely been in a lot of the types of leadership positions that the Nominating Committee identifies candidates for. I'm really passionate about ICANN's vision and really believe the volunteer community, including the leadership role that the Nominating Committee identifies, are really essential to the

success of ICANN. And I'm hoping that my participation in the NomCom can help identify some really high-quality candidates and help further ICANN's vision going forward.

And I'm happy to answer any questions.

MASON COLE:

Jordyn, it's Mason Cole, Chair of the BC. Thanks for joining the call today. It's good to have you on board.

So, Steve, I'll just manage the queue for a moment for Jordyn.

Are there any questions on behalf of the BC for Jordyn in his candidacy for this role on the NomCom?

STEVE DELBIANCO:

Jordyn, it's Steve DelBianco. The question I posed to Vivek and you earlier is, if you could draw upon your experience, both with ICANN and working in a large business, tell me what you think are the ideal characteristics of a candidate for a NomCom post that you'll use as you evaluate and recruit people for the positions.

JORDYN BUCHANAN:

I don't think there's an answer to that because obviously the Nominating Committee identifies candidates for a wide range of roles, and the skillsets and needs of each of those roles will be a little bit different. Someone serving on the Board probably needs a background

than someone serving on the GNSO or some of the other policymaking bodies, for example.

But certainly I think a couple of the real important aspects are a candidate that's committed to the cause and has the time, honestly, to ... We all know there's a tremendously large time investment to participate in various ICANN processes. And I think making sure the candidates understand that and are committed to it and can make that happen is certainly one vital element.

And then obviously there's looking for key qualifications. In case of, like, a Board member, looking for experience guiding large organizations as well as having some sensitivity to the needs of the really broad multi-stakeholder spectrum across ICANN is often a very difficult balancing act to understand the needs of all those issues. But certainly someone that understands business and the business needs in addition to the other types of stakeholders and the other types of communities that are present within ICANN is essential.

But it's hard to give a really firm answer, Steve, just because I think one of the key things the NomCom is doing is also looking at the types of experience and capabilities already present in the various groups and helping them make sure that those are complemented by new members as well. And so you'll be looking for different types of candidates depending on exactly what the role and the current skillset of that particular body is.

STEVE DELBIANCO: Thanks for that answer, Jordyn. I think it demonstrates that you know more about the NomCom before even being elected than candidates that we've put forth in the past. And I appreciate the experience you're going to bring to the role. Thank you.

MASON COLE: Thank you, Steve, for the question. Jordyn, thanks for the answer.

Other questions for Jordyn before we move forward?

LAWRENCE OLAWALE-ROBERTS: Yes. This is Lawrence, Chair.

MASON COLE: Go ahead, Lawrence, please.

LAWRENCE OLAWALE-ROBERTS: Welcome, Jordyn. And as Steve said, I definitely stand very impressed with your answers to the first question.

Another question that was posed to those of you running for NomCom was the fact that the BC is the only constituency that maintains two seats on the NomCom. And there has been a lot of pushback from the community about this particular occurrence. So as the BC representative to the NomCom, how would you help justify the fact that the BC has this seat? And what values would you push into the larger ICANN community through this opportunity?

JORDYN BUCHANAN:

It's very clear that the needs of large businesses as participants in the domain name ecosystem as well as the other functions that ICANN represents, like IP addresses, (but predominantly we end up talking about domain names as another practicality) ... But the needs of small businesses and big businesses look very different, even if you just look at the ways that they engage with [inaudible] registrars that use the types of domain portfolios they manage, etc., as well as the other needs, whether it comes to [inaudible] and so on.

And so I think certainly as someone who has worked at both startups as well as for a large company today, I certainly appreciate the difference of the perspectives of those types of [inaudible] and would certainly be happy to help to represent that difference of perspective to others and hopefully I think offer a very different perspective in terms of the types of recruitment and candidates that we each individually would be able to bring. I hope to be able to tap into my [inaudible] work of working at very large companies, potentially CIOs of very large organizations and people on their direct staff and so on.

But I think there's also a tremendous amount of innovators and people that are much closer to the day-to-day operations of what a typical small business domain name registrant [inaudible]. And you would expect that those sorts of candidates would be better identified by someone in a day-to-day job that more closely represents that role as well, I think, hopefully through the value of having [two seats], just by the types of candidates that we're able to identify, as well as by

representing, I think, slightly different perspectives on the needs of different types of businesses within ICANN.

LAWRENCE OLAWALE-ROBERTS: Thank you very much. I yield the floor back to Mason or Steve.

MASON COLE: Thank you, Lawrence.

Any other questions for Jordyn before he has to depart our company?

Okay. Jordyn, I don't see any other hands. Thank you very much for making time to join the BC. We're looking forward to your service on the NomCom. And we look forward to having you back at additional BC meetings for updates on NomCom progress. So if there's anything we can do for you to support you in the role, we're all here. And thanks again for volunteering your time to serve this important role.

JORDYN BUCHANAN: Yeah, definitely. Thanks, Mason. And thanks for the support from the entire constituency.

MASON COLE: Okay, thanks very much, Jordyn.

Okay, Steve, back to you, please.

STEVE DELBIANCO: Thanks, Mason. Item 6 for council. I'll turn to Mark Datysgeld. You're the co-lead of the DNS abuse small team on council. I have it displayed on the screen, Mark.

MARK DATYSGELD: Perfect. So the thing is making very quick progress. Some very interesting aspects are coming out. And I would flag, I would say, three elements that are think are quite important right now that are emerging from this process.

The first one is the idea of us having something akin to [microbeads]. This is something that originated from Graeme from the DNS Abuse Institute, and it has been taken very positively by the team—the idea of introducing smaller, self-contained processes that would enable us to make policy much faster because, as you all know, things like five years or seven years are words that come out of the mouth people when discussing PDPs, and that's definitely something we want to sidestep and find ways around. So this is an important aspect we have been looking towards.

Second is something that we have recently been discussing much more. I'm aware it's a concept that has existed longer, but I think that the European Union report was very instrumental in bringing to everyone's attention the differentiation between maliciously registered and compromised domains. And that has been a very defining moment in terms of this discussion because, in terms of malicious registrations, it does seem like the contracted parties feel much more obligation towards those. And these discussions have been advancing very well in

terms of them appearing to understand very clearly that this kind of registration, this type of case, is something that falls very within the remit of what they should be acting upon.

And this calls immediately for the next very important item, which is the concept that they are contractually bound to act upon a slew of matters that we know: malware, phishing, botnet. And they take [inaudible] time to respond to this. And this is largely because the contracts are very loose in terms of specifying this. They don't say you have 48 hours. They say you need to act periodically and as soon as possible and, I think, very weaselly terms like that.

So to [inaudible] reach out to Compliance, we're currently have sent a letter to Compliance and ... Well, they have to answer us. And talking with the contracted parties, we are coming to the conclusion that, definitely, there is room for improvement there and not necessarily by a PDP. It could very well be something that we could handle in potentially other ways. This is being explored.

And I would [hope] on a final point, which is that the matter of accuracy has popped up. It has been discussed a very short amount of time ago. And I think that the perspective that's emerging from that is that whatever consensus comes out of the Accuracy Scoping Team will be what will be followed in these matters. There will be no effort to duplicate this work. So that battle probably has to be fought within that particular team. There is no interest in looking at these matters from this side of the equation. So it's probably better to focus on that within that team.

So this would be my general overlook of where we are right now. I think it's very promising. Some interesting developments. If you have any questions, please feel free to ask. Thank you, everyone.

STEVE DELBIANCO:

Thank you, Mark. And you realized that there were eight or nine BC members that had self-selected for the DNS Abuse Working Group that Mason had set up a little over a year ago. We can reconvene at any moment. Brenda will set up a call and we could walk through with you the specific recommendations in the draft workplan anytime you want to attack the DNS abuse question in more detail.

Let me move on to the next item. The next council meeting is not until the 19th of May. We don't have an agenda yet. We won't until the 9th of May. But it's fairly certain that at least two of the topics are listed in the calendar that I put there for you. The first is there was a draft motion circulated at the last meeting on the final report that came out of a PDP on curative rights protections for international governmental organizations. Jay Chapman represents the BC there, and both Zak and Andy, who are on the call, participated in trying to make sure that those recommendations reflected BC concerns. I took at a peek at the draft motion. And the motion is to approval your final report and forward it to the Board for implementation.

Zak and Andy, I know you are on the call. Is there anything in particular you think should cause our councilors to comment on or vote in any way other than yes when that motion comes up?

ZAK MUSCOVITCH: Steve, it's Zak Muscovitch. No, I think that the [councilors] [inaudible] of the BC should vote to support it. Thank you.

ANDY ABRAMS: This is Andy Abrams. I agree. Yeah, thankfully we talked Jay after the last meeting and reported the latest proposal, which basically incorporates what we proposed. So we're very pleased with that and we encouraged them to vote yes.

STEVE DELBIANCO: Fantastic. Thanks for your work on that, Andy and Zak and Jay.

Next item that I'm pretty sure that is going to come up is something we discussed last Thursday on the council call. And this is an effort where Org and the Board are trying to get the GAC to work with GNSO on what to do about closed generics in the next round of gTLDs. And they have a framing paper to frame the question.

So during the council meeting, Mark clarified the BC's position on closed generics. So a closed generic would be a new top-level domain for a generic dictionary word, like, for instance, "laptop" (dot-laptop). And if a single company decided to bid for and try to obtain dot-laptop and run it as a closed TLD, meaning that they alone determine who gets second-level domains, the BC is concerned that that creates consumer confusion and potential for deception.

Let me give an example. If a laptop company—let's say it were a single company that makes laptop computers—was to put up a domain called seach.laptops or ranking.laptops or best.laptops and they populate

those domains with content, that might lead a consumer to believe that it's an open TLD and that anybody's laptop could be independently verified or described and ranked when in fact it might not be. There might be bias in the search.laptop and bias in the results that show up under rankings.

And we believe that there's a potential for consumer confusion if a single competitor happens to run a TLD for a generic word where other competitors are unable to participate. We are making this, say, a competition authority issue. Competition authorities could act on it anytime. It's mostly the BC reiterating the position we had a decade ago, where the BC was concerned about closed generics at the time, like dot-pets or dot-hotels. There were a handful of them, many of which have been implemented but implemented as open, not closed generics. I know that was a decision that Amazon and Google had reached after they had secured a number of the dictionary words.

So the BC at some point soon will need to revisit what our position is on closed generics in the next round of gTLDs.

Mark, as soon as you get any word about the agenda for the May 19th meeting, if this is going to be on there, we're going to need to move quickly to make sure the BC understands our previous positions and whether we want them changed.

Are there are any questions or comments on our closed generics position?

Okay, I don't see any.

So, Zak, is there anything you and Arinola want to update us on on the Transfer Policy Working Group. Anything happen in the last two weeks?

ZAK MUSCOVITCH:

Thank you, Steve. Yes. Arinola and I have been diligently participating, and there is a small update to advise upon.

If you recall, our feedback to the working group was that, when it came to post-creation locks, the longer the lock, the better, largely for brand enforcement purposes. And in our comment, we said 60 days, which is the current law, is good. The longer, the better. But perhaps we could agree on 30 days as a happy medium. Originally the working group was contemplating a much short post-creation lock of ten days, and it seems to me that the working group's views have evolved and it's moving towards 30 days. And so I would expect that the 30-day lock is the one that's going to arrive at for post-creation.

And then when it comes to a change of registrant lock, that 30 days will probably filter through as a lock period for a change of registry. It remains to be seen what the actual terms of that lock will be; whether you can opt out of it, as the BC suggested as is the case now. We'll have more updates on that as this working group progresses.

And shortly we're all going to called upon to participate in drafting a comment on the working group's interim report. So you'll hear about that shortly as well. Thank you.

STEVE DELBIANCO: Thank you, Zak. Not seeing any questions, so I was going to forward it to the ... Let's see if Susan is with us. She's not.

Let me go to Tola. Anything on the Registration Data Accuracy Working Group?

Not seeing him on the line.

And finally, Arinola, who is with us today. The Council Standing Committee—what is the update on where you are right now?

ARINOLA AKINYEMI: Good day, everyone. Thank you, Steve. Currently, we're still working on the charter review. There have been a few more updates with respect to specifying broadly what the chair of the council would be doing so as not to be vague and ambiguous about it.

Also, we have a few [ideas] with respect to the duties of the SSC as a whole and then a [inaudible] of reference to some documents that were developed during the first [inaudible]. I believe Susan was the chair at that point in time.

Apart from that, there's nothing.

STEVE DELBIANCO: Thank you, Arinola.

All right. Mason, that's it for the policy calendar. I'll take that down and turn it back over to you.

MASON COLE: Thank you very much, Steve. Excellent update as always. So thank you.

We have 22 minutes to go. Lawrence, may I turn the floor over to you for an administrative update, please?

LAWRENCE OLAWALE-ROBERTS: Thank you very much, Mason. Thanks again. So I'm going to start my report with updates around ICANN74 and preparations ongoing. As we all know, the registration portal is open, and members are encouraged to put in their registrations for ICANN74, which is going to be a hybrid event.

Based on feelers that we are getting, we are also encouraging that every BC member who will be physically there in person should kindly indicate this on the BC's private list. This is very important to ensure that we are able to make adequate arrangements to ensure every member, especially from the BC, is able to get into all the halls that are important to the CSG and to our interests as there might be constraints around the number of persons fitted into each meeting location. This will help us in our ability to support our members in terms of participation in each of the sessions that will be ongoing: the plenaries and co. So, please, if you are making plans to be there physically and you're a member of the BC, please let us know so that we can aggregate those details together.

We do not have any new members in today's meeting or membership in terms of company strengths. It still stands six to five members. And we are still encouraging members to do some direct outreach of their own,

speaking to colleagues in other companies that fit the mandate and the remit of the BC and inviting them to join us, especially as we progress towards the beginning of another financial year. So it's talking about that.

So the next item is our plans for the ICANN74 newsletter. Since ICANN74 will be a physical meeting, the trend had always been that we would have hard copies of our newsletters printed, but ICANN came out with a timeline to have this done, which gives us just about two weeks from today to have our submission made to ICANN. At the close of the call that we initiated two weeks back, we only have one article that has been submitted. At least I know the Communications Committee has had some discussions about that.

So we will be extending the call for articles for another week and really are calling on members of interest. You might have an article that you have published in another platform but is very relevant to the industry and to business. You might want to restructure that and share it with myself or Brenda and see how we can fit that into the ICANN74 newsletter. So based on that, the only update and change to our timeline is extending the call for articles by a week to close now on the 27th. And while we have articles coming in concurrently, we would definitely send them to the designer to help ensure that we can keep to the timeline. Where this doesn't work would just mean that we wouldn't have hard copies, but we definitely will have a BC/ICANN74 newsletter.

The next item to report on is BC's social media handles. And I will be yielding the floor for about five minutes to the chair of the

Communications Committee of the BC, Vivek, who would want to give a brief update on what they have been up to and have a call to make for the BC membership. Vivek, would you want to take the floor now?

VIVEK GOYAL:

Hey, Lawrence. Thank you. I just wanted all BC members know that we have created and activated social media handles on Facebook, Twitter, as well as LinkedIn. Shortly after the call, I'll circulate an e-mail with those handles, requesting all BC members to please subscribe to those handles so you can receive updates that are posted by the BC comm team. And like any communication team, we need content. So if you have something you think will go very well on the BC comms channels, please share it with us. We'll review it, share it with ExComm and, if approved, we'll share it with the BC. So, if you want to be part of the BC comms committee and you have some experience in managing social media handles or content creation, we would really request your assistance in managing the BC channels.

With that, thank you. And I look forward to all the BC members subscribing to the BC channels. Thank you. Thank you, Lawrence.

LAWRENCE OLAWALE-ROBERTS: Thank you very much, Vivek and the rest of the communications team, for the wonderful work that you're doing. We really appreciate the hours you're putting into helping to improve our communications, especially to stakeholders outside the Business Constituency.

The BC's ICANN Learn cost project is still ongoing. We're waiting to hear from staff. And our belief is that we'll be able to at least have our cause go live in the months ahead, if not before the end of the current financial year, right in the beginning of the current financial year. We expect that we will have a dedicated BC cause on ICANN Learn.

A few invoices are still open for FY22, and we want to encourage BC members who are yet to close out their invoices to work with us to ensure that this is done.

Aside from this, in about a week from now, invoices for the current financial year, FY23, will begin to be circulated to all the primary representatives' e-mail accounts. Please watch out for these e-mails by the middle of May. Apparently, as a primary representative, you do not receive an e-mail with your invoice. You definitely will have cause to contact the invoicing secretariat, myself, or Brenda to help troubleshoot to find out what the issues are. And we want to encourage that, as soon as you receive the invoices, you kindly treat them and get them out of the way. This would, aside from helping with the cashflow of the BC, also help you maintain a status that is eligible to run for elections and also to vote when seats are open for BC elections.

Currently, we just had a candidates call. Many thanks to everyone who participated in that process. At the end of the nominations, we had Mark going to be reelected for the council seat, Vivek for the small business seat, and Jordyn for the large business seat for NomCom. By our timelines, tomorrow you're due to receive ballots. Primary representatives will receive ballots. And the election would run for two weeks. So the election will be running for a week, and by the 29th of

April, we'll expect to announce on the BC private list the results of the votes and have the candidates take their seats after the ICANN75 AGM.

The next BC meeting is due for the 5th of May, 15:00 UTC (Thursday).

And at this point, I would want to take any questions. If you don't have any, I would yield the floor back to Chair Mason. Questions, please?

Okay. Not seeing any hands. I yield the floor back to Mason. Thank you.

MASON COLE:

Thank you, Lawrence. Comprehensive update as always. So thank you very much.

All right, folks. We have seven minutes left to go in our meeting. Thanks for staying for an extra half-hour today for the candidates' call. We're through Item #4 on the agenda. I'll now move to Item 5, which is Any Other Business.

Before we open the floor to any other business, I would like to wish our colleague Cole Quinn a happy birthday today. So everybody take a comment and wish Cole a happy birthday. Cole, I hope you enjoy your day.

COLE QUINN:

Aww, you guys. Thank you.

MASON COLE:

Very good.

On that happy note, is there any other business to discuss for the BC today?

All right. The queue looks clear. And just as Lawrence said, our next meeting is Thursday, the 5th of May, at our regular time. And then I'll just alert everybody to start preparing for ICANN74, which is going to be here before we know it. That's going to be in mid-June. So we have some preparatory work to do before that. But in the meantime, please keep up all the good work. And we'll see you on the 5th of May, if not sooner. And if there's nothing else, then the BC is adjourned for the day. Thanks, everybody.

[END OF TRANSCRIPTION]