

Avri Doria:

Why don't we get started with the review of the agenda, so if we can mark the recording as the start point. I'll walk through the agenda and then we can do the roll call. So, the agenda has first a response to the Applicant Support Program review and tomorrow and basically there's two aspects to that. One is a decision on whether we do wish to comment beyond the comments that was submitted with ALACs approval that was more pertinent to the preliminary and whether we want to add something else that deals with the stuff that they actually put out.

And then also Kirk sent by and then it went public shortly there after as part as the board minute stuff, a write up on the applicant support and the SARP, that we should probably at least touch on. Then I'll turn it over to Dev for a section on the objection process proposal. Two PDFs have been sent out. One of them with basically a flowchart of the process and then one of them with notes that pertain to that. I'm sure not many people have had time to read that yet, especially those of us on the sleepy side of the world where today is just starting as oppose to long over.

And then there's a quick update on any new gTLD program issues where I'll basically talk about what I've seen and other people can mention and we can start looking at that. Then there's a look at the pending action items not yet covered in the meeting and there was basically two, the setup of two different things on the wiki page and we'll just get into the work that's been done there quickly and point to some work that Cheryl's done. Anything that needs to be changed or added or whatever to this agenda?

Okay, I'm hearing nothing. So, is there anything else that needs to be discussed at the end on the any other business section that I didn't include in the agenda? If not, okay, then we'll run with this agenda. Can I ask if Gisella or someone else to do a role call?

Gisella Gruber:

Okay, good morning, good afternoon, good evening to everyone. On today's new gTLD call on Monday the 9th of January we have

Avri Doria, Cheryl Langdon-Orr, Cintra Sooknanan, Jose Arce, Tijani Ben Jemaa, Sebastien Bachollet, Alan Greenberg, Rafik Damak, Hong Xue, Dev Anand Teelucksingh, Yaovi Atohou. Apologies today from Olivier Crepin-Leblond. Staff today on the call we have Heidi Ullrich, Silvia Vivanco, Matt Ashtiani, and myself Gisella Gruber. If I can also please remind everyone to state their names when speaking for transcript purposes, thank you. Over to you Avri.

Avri Doria:

Okay, thank you and of course let me do something I neglected to do. I forgot that we're just coming back from interval where a lot of people celebrated holidays or welcomed in the new year or did whatever people do at this time of year and so I wanted to welcome you all back. Okay, so moving on. I just switched the screen, hopefully people see. So, if on the wiki as well as here, but basically I took two things, I'm pretty much proud of myself. One, I submitted the document that had been approved by ALAC that we had recommended to ALAC.

It's to the comments area for the Applicant Support Program review that ends tomorrow. I just wanted to make sure that we're somewhere. I have part of this problem, is that I work through the interval and therefore just inpatients got to me and I couldn't see it posted anywhere, so I wanted to make sure it was posted at least somewhere. So I posted to the comments, however some of those comments I believe have been slightly overtaken by events.

In case anybody wondered what the acronym OBE was in my email I did not mean any rewards that kings and queens give to people. And so for example one of the things that we'll discuss is that one of the items in the ALAC statement included that the SARP looked like it was being setup as one of those professional dispute resolution processes. However with the other documents that was just received and was reviewed by the board, it now looks like they've come back to a model that is the one that the JAS Working Group suggested.

So I dropped that from the write up. We ordered the things on the note in terms of putting the issue of specificity of criteria upfront with the outreach second, thinking that those were probably the most important of the two issues. The application of the two million, while that's a huge deal I guess there's a part of me that thinks the likely hood that that's going to change at this point and so perhaps I'm just being pragmatic in putting that third. And then the foundation which has more time even though I think, and I think we think, it needs to be done sooner rather late, so I resorted the issues.

The other thing I did and what you see on the screen is the green is text that I added and so that's new content that I would definitely think needs to be discussed. The blue is, and unfortunately, I cut in Tijani's stuff and then I made a mistake and didn't capitalize it, but I did change a little bit of the wording. I hope he'll forgive me. So there's those changes, there's a sentence at the end of the application change. The other change, that I went all the way through it, is in the previous document we had written ALAC advises that kind of construction.

In this one I basically put it more in, this working group request that the board do something and request that this will be a comment from us into the program. So, those are the changes I made. We'll go to questions and then I want to open up the floor to the questions of do we think it's necessary to send in a statement from this group at this time, along these lines, and if so what about the changes and three, is there anything else that needs to be added. Okay, I see Tijani has his hand up, Tijani please.

Tijani Ben Jemaa:

Thank you Avri. So for the first question, yes, we need to submit this comment. I think it's very important and I think as much as we submit comments these comments will be better looked at. A second point for the changes you made I support it. I fully support it and I added this small point that you put here on the screen and it's special for me and not just that, I will be obliged to leave very

soon now. So if there is a discussion about important points please make it now, thank you.

Avri Doria:

Okay, thank you. I don't see any other hands yet, so let me raise a question I have with your additional sentence which is the blue one at the end of the lack of specificity. One question I have and I did, Evan pay attention, I'll read it for anybody who's not looking. For support applicants who meet the threshold for funding and are not selected because the funds are not sufficient to cover all the qualifying applicants they should be refunded and kept us having a priority for the next round of support programs.

The question I would expect to come back is that will be in two years, maybe three, are how do we know that their financial situation, etcetera, is still the same. So, are we saying that they don't have to go through another application at that time, what are we specifically asking for and I wonder if you can address that.

Tijani Ben Jemaa:

Is the question just to me or to the whole group?

Avri Doria:

It would be to you since you contributed, but obviously it's to everyone in terms of how we want to proceed.

Tijani Ben Jemaa:

Okay, this addition is specifically made to ensure that people who met the criteria will be guaranteed that in the upcoming rounds they will be considered as a priority. I don't know when the next round will happen, but in anytime I think we have to preserve their right to have the priority. You will tell me in their natural situation will evolve. I say that they have to pass the criteria again, but if they pass the criteria they will have the priority.

Avri Doria:

Okay, I understand. So perhaps would it be reasonable to add something to this saying, you know, having priority in the next round of support program as long as they meet the criteria at that time?

Tijani Ben Jemaa:

Yes, okay.

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- Avri Doria: That will be okay?
- Tijani Ben Jemaa: Yes.
- Avri Doria: Do other people have an opinion?
- Andrew Mack: Avri this is Andrew. I'm sorry I'm not following this particular piece. Are we suggesting a look back after some period of time and if so do we have enough resource to make that happen?
- Avri Doria: No I don't think so. What I understand, and Tijani will correct me if I get it wrong, what we're saying is the program as it's written now you can have and meet the criteria but still not get money because there's insufficient funds. In that case that you are one of the people that passes and there is insufficient funds for you this time that in the next round when there is a Applicant Support Program again, that assuming that they meet the criteria for a new gTLD and funding in that new program, that they be at the top of the list.
- Andrew Mack: Okay, so that I understand it correctly, that assumes that there will be some look back because over the course of two or three years people conditions changes, right?
- Avri Doria: Right and that's why we're adding the phrase, "As long as they meet the criteria at that time."
- Andrew Mack: So, just to try to complete the sentence to what Tijani's putting in, are we suggesting that they need to resubmit or we need to reevaluate and if so is there a short form version of that and is there any additional cost in it?
- Avri Doria: Why I would think that would be premature at this point, but what do others think? I see Alan has his hand up.
- Alan Greenberg: Thank you. I think we need to look at the implication of this. The implication is that if I get enough points, perhaps just barely enough points, and there is not sufficient money to fund me that in the second round I will potentially get priority over someone who
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has a lot more points than I do because I was a holdover from the first round and that's the implication and is that what we want to do is really my question?

Avri Doria: Is that what we want to suggest? Yes, that's --

Alan Greenberg: I mean that's the implication of what Tijani is suggesting. I'm sort of on the fence. I'm not sure you know. At one level they were disadvantaged because we ran out of money and they would have been funded if we had an infinite amount of money. On the other hand we're now going to give them the money over someone who may be significantly more deserving.

Avri Doria: Okay, any other comments on this?

Yaovi Atohoun: Yaovi Atohoun, I want to talk.

Avri Doria: Okay, who is this please?

Yaovi Atohoun: Yaovi [inaudible 14:42].

Avri Doria: Okay yeah, please go ahead.

Yaovi Atohoun: Thank you very much. This is just a question of qualifications. Maybe we deal at time and maybe because of the format that's not available if the next program have to wait for maybe two or three years have not and it's going to be in the [inaudible 15:12]. So I think for this we have to be more than a year because at this time I can be eligible but in two or three years I think we need more qualified [inaudible 15:28] and maybe a month some are incorrect. So, it's very important for me to [inaudible 15:34].

I know upon submission that I don't think it never intended two years and other people who may be more qualified than me in two or three years. So, we need [inaudible 15:46] more attention to that, thank you. [inaudible 15:50].

Avri Doria: Okay, thank you. Listening first of all I would suggest another perhaps change and as supposed to kept as having a priority should

basically and be given priority and then that actually leaves it fairly open as to if they apply. And that's obviously an issue they actually apply and if they use the condition then perhaps being giving priority is just being given an extra point or an extra two points assuming the same type of methodology.

But that really leaves it open as a discussion for later, but basically just mark because trying to get into a firm definition of what we want in the next program is probably extremely difficult. But just if we say they should be given priority and leave it open as to what that means until the next round perhaps, you know, I'm not sure it's actually going to change anything in this one but it's a good thing to have said. What do people think? Okay, Alan.

Alan Greenberg: Yeah, I think that's good because, again, the implication of what was suggested is that if we end up having enough money in this round for 10 people and we get 30 who have priority, the 30 who passed the criteria, we would have 20 carried over. We could well be in the situation where if we gave them absolute priority that no new applicants can even come through depending on how much money there is for the second round and I don't think we want a situation like that. So keeping --

Avri Doria: Whereas if they got an extra point --

Alan Greenberg: Pardon me?

Avri Doria: I'm sorry.

Alan Greenberg: I didn't understand what you said.

Avri Doria: I thought you were done and therefore I spoke.

Alan Greenberg: Okay, no. Anyway, so I think giving them priority and keeping it vague and then when we prepare for the second round evaluate exactly what that means based on the reality of how much money is available for the second round and how many carryovers there

were. I think that would put us in a much better position to do reasonable things then, thank you.

Avri Doria: Thank you. Tijani having put in that recommended change are you comfortable with it which as it now would read, "Support applicants who meet the threshold for funding and are not selected because the funds are not sufficient to cover all qualified applicants. They should be refunded and given priority for the next round Support Program as long as they meet the criteria established for that program." Does that still meet your need there? Are you still with us? Okay in the meantime I see Andrew has raised his hand, Andrew please. Are you mute Andrew? I don't hear anyone. Did I just hear Tijani?

Tijani Ben Jemaa: Yes, I said that it was excellent.

Avri Doria: Okay, thank you. I didn't hear you before.

Tijani Ben Jemaa: Okay.

Avri Doria: Okay, thank you. Okay Andrew you still have your hand up.

Andrew Mack: I do, can you hear me?

Avri Doria: Now I can.

Andrew Mack: Okay, thanks. Two things, first of all I do see Alan's concern about a slippery slope in the sense that the way that it's written right now it suggests to me that it makes every bit of sense to try to get in, in the first round regardless, almost regardless of the quality of your application as long as you pass and I think that is potentially a problem. The other thing is that when we talk about giving priority in the second round what exactly would that mean operationally?

I know that may be putting cart before the horse, but I think if we put a little bit more specificity around that otherwise we're just kicking the can down the road and I think that will end up coming back to being just problematic in the future.

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- Avri Doria: As I said [inaudible 20:06] all I wouldn't be very uncomfortable and okay Alan you have your hand up, please respond.
- Alan Greenberg: Yeah, I was going to answer that. In my mind it could be as little as we give anyone who was carried over from the last round an extra two points which may push them up higher than they would otherwise be, but we're not saying exactly what it is. But it could be something like that, not absolute priority at the top of the list and that's the way I'm interpreting it right now, thank you.
- Avri Doria: Okay, so is there anyone who objects to this sentence being in there? And by the way, what I'm planning to do with this, assuming no one objects to there being another statement, is after this meeting putting it out for a 24 hour comment within the working group and then I'll just make sure that we take in and discuss any changes on the list and would submit it in time tomorrow night to make this headline.
- Okay, I see one agreement. Can we go back to some of the other sections that I contributed just to make sure that they work for people? For example, does anyone object or wish to discuss the resorting I did of issues and putting this as the first issue and the others? Are there any objections to that we need to discuss?
- Okay, I see none. I'll move on to the next.
- In that first lack of specificity on the criteria I did add a couple of sentences before the one we just discussed which is, and I'll read it out loud, "One possible adjustment the working group recommends to the process is that applicants who meet the financial needs score but do not meet the other criteria are disqualified from both aid and further participation in the rounds but remain eligible for a refund. It is certainly unjust to fine an applicant for aid \$138,000 because the SARP decides the applicant is not financially capable of handling the rest of the cost involved in applying or running a gTLD."

It will also seem inappropriate to fine an applicant because it fails the admittedly subjective public interest criteria." So on that paragraph are there any comments? So that's recommending a change because one of the problems that was brought up is that \$45,000 or \$47,000 is a lot of money for someone to invest in a process that's very subjective. And understanding that this is the mechanism that they put in for understanding that if they keep that to think it just seems wrong.

At least it seems wrong to me while I was writing and it seems wrong from what I've read of what some other people have said and written in other places, that people should lose their money because of that. However if someone who isn't needy applies for it well then that may make sense, so I don't know. Is this the sentence that is in agreeing with the corrections for the admittedly subjective public interest criteria correction? I see two hands now, Alan and then Andrew. Alan?

Alan Greenberg:

Thank you. I certainly agree with the first part. I think saying you're too poor so we're taking your \$47,000 just doesn't wash at all. On the other hand I'm not sure about the public interest one. I might accept it. I don't remember the exact number of points associated with the public interest. I might say if you write zero in it or something like that maybe, I'm not sure I would want to remove that one completely from the anti-gaming process.

Avri Doria:

Okay thank you.

Alan Greenberg:

Thank you.

Avri Doria:

Andrew?

Andrew Mack:

Sorry, I'm just trying to understand the way that this is written. So, I agree completely with Alan and to say that you're too poor and therefore we're going to take your money seems like a double whammy in a certain sense. So, I agree that doesn't seem to make

sense. Does it also work that if we say you're too rich that we're going to take your money? I'm a little unclear about that.

Avri Doria: The way I wrote is that it leaves open that, yes, if you're too rich then it's your gaming and yeah, you forfeit your money.

Andrew Mack: Well, the reason I mentioned this is not to try to open the door for people who wouldn't be appropriate, but rather that when we're working on the JASs we had a lot of questions about how to determine the criteria. For example, which part of an organizations resources do you count and things like that and this was an issue that we knew we're going to have to do more work on and I'm just wondering can we do this in absence of some sort of a definition. I'm thinking of like the local branch of an NGO which has an international connection or things like that. I don't have a particular example in my mind that is strong, but I can see that being a bit of a challenge. Does that make sense?

Avri Doria: It makes sense. I think that goes partly to the other issue of the lack of specificity of criteria which is something we still think something needs to be done, but I think that is something where that work sort of carries over to this group of people that's going to work with the SARP in defining criteria. So I think you're right that the criteria are still fuzzy, but I also do and again it's me trying to be pragmatic. I would be surprised if they were willing to take out the, "Every one get's a refund," because then it really does open up the door to everyone.

Andrew Mack: I agree. I completely agree and so I'm wondering whether there might be maybe a way around this, that effectively if there was a question of gaming that some part of the money couldn't be refunded.

Avri Doria: Okay.

Andrew Mack: I've been trying to brainstorm here, that's all.

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- Avri Doria: Okay, so there's really two issues. One is do we want to refine the issue of you're still eligible for a partial refund even if you're too rich and two, do we want to leave in, still getting a refund if you don't meet the public interest criteria. Okay Alan. Andrew you still have your hand up, but Alan your hand is up anew, so Alan.
- Alan Greenberg: Yeah, just one thought. Remember there are two aspects of the anti-gaming. One is the refund, the other is you are locked out of this round altogether and I think, although I'm not 100-percent sure of this, we have made public what string you were applying for.
- Avri Doria: Right and so we're not recommending --
- Alan Greenberg: Someone who really wants a gTLD is not going to try to game it if they're likely to be rejected because they are being definitively locked out of this whole round which may be their only one in god knows how many years. And other people are told what gTLD it is, so they may get into the next rounds themselves with that one. So, even if we give a refund there's still a penalty associated with gaming.
- Avri Doria: So, are you making a recommendation that --
- Alan Greenberg: I'm just saying that we don't need to overreact too much about taking away the gaming rules because it's not the only rule there is and the other one maybe for someone who really wants a gTLD and thinks they're going to get rich on it there's a larger penalty then just the \$47,000.
- Avri Doria: Okay, what are you recommending we change?
- Alan Greenberg: I'm not sure I'm recommending anything. I'm just saying we don't have to be over-scrupulous on the refund part. We can be a bit more generous on that because there is the other aspect. I'm perhaps arguing against my first point.
- Avri Doria: Oh, okay.
- Andrew Mack: What it does do is it gives us the ability to be a little bit fuzzy on --
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- Avri Doria: This is Andrew again?
- Andrew Mack: I said what it does do is --
- Avri Doria: Yeah, but I'm trying to confirm. This is Andrew speaking again?
- Andrew Mack: Yeah, I'm sorry. My apologies, yes, Andrew speaking again. What I think it does do is give us the ability to push the exact final decision on penalties for gaming down the road because we do have that one penalty already in place because that makes sense and that will give the group that is looking or more specificity in the rules time. So, have a definition of time to try to put that together.
- Avri Doria: So, is there objection and we can discuss the wording further. I will update wording again at the end of this meeting, but is there objection to leaving this as written or does somebody want me to make a change and if they want me to make a change please submit text to the list. Does anyone object to it though at this point, that those two sentences and two to thoughts are in there? Alan is your hand up anew?
- Alan Greenberg: Yeah, I will submit some text. I think it makes sense to say the group believes you should relax this criteria and put in there the point I raised in my last intervention, that there still is a very significant penalty and therefore we can afford to be a little bit more generous. So, I'll try to provide some wording.
- Avri Doria: Okay and then so I'll leave it in there for now and correct it as I said admittedly subjective and then we'll look at your new text on the list as a substitute for this. Any other issue on this issue? Okay because I am running a little over where I wanted on the timing, but I wanted to make sure that this gets done if we're doing it. The next change that I put in that has some significance was the At Large New gTLD Working Group request that the board gives further consideration of the use of reserve funds as a funding
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source for the Applicant Support Program and basically put that in as a thing.

Does anyone object to that or anyone have any comments at all on that? Does anyone object to that statement being in there as it's written? So, I'll leave that at the moment. Of course people should still comment on the list between now and the end of the submission time if there's a problem with it. And then the other only change I made were really just phrasing things, certainly changing Application Support Programs and basically making the Outreach Program statement much more specific about the outreach of the Support Program.

You know at the moment the only thing that's mentioned is they will advertise it, whatever that means, and so basically saying it's important that the staff work with a group of JAS volunteers to develop an Outreach program for this. So, that was a change. Anyone have any comment or objection to that particular change? Okay, I see no hands. So, that was basically it for the changes other than Tijani suggestion I've received no text. I see a comment from Sebastien saying additional reserve funds as the \$2 million is already coming from reserve fund.

And I guess the suggestion here and perhaps the sentence needs to be made more clear is that gives consideration to use of reserve funds coming in as part of application fees.

Alan Greenberg: Yeah, the fact that the board may have taken the current \$2 million from reserve funds is not something that we're even privy to I don't believe.

Avri Doria: But I could add the use of reserve funds that will come in as part of application fees to make it explicit as a funding source. No?

Alan Greenberg: You're talking about the application fees that are destined, the \$25,000 that are destined for the reserve fund.

Avri Doria: Right.

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- Alan Greenberg: Yeah, if you can make that clear that would be fine. While I have the microphone, Avri is this document in the current form with all the colors or at least the changes implied by the colors available somewhere?
- Avri Doria: It was. There was a PDF sent out and I have just saved the copy that I was editing while we talked and it is available. I sent it in email, but it's in the At Large and it's comments clause on the clause. Let me just put in the place.
- Alan Greenberg: I just want to make sure that when I'm suggesting a change I'm suggesting it to the last version not an earlier one.
- Avri Doria: Right, the latest version is there and that's the one that I edited, but since I was editing while listening and talking I'm sure I added some of my trademark incoherencies.
- Alan Greenberg: Okay, so is that the URL you just posted?
- Avri Doria: Right.
- Alan Greenberg: Okay, thank you.
- Avri Doria: Okay, anything else on this at this point before we move on to other topics in the agenda? No? Okay, I'll take that. Alan is going to suggest some alternate text for the section that is currently in green or at least part of that and we can discuss that on the list and it's a process I'm going to use okay, that basically up until I guess tomorrow evening I think, well whatever the deadline is. I forget what is it 23:59 UTC or 23:59 Pacific, but whichever one of those deadlines and I'll pay attention to it and make sure that I submit something before that deadline. Does anyone object to that process?
- Andrew Mack: I presume this is going to be submitted on behalf of the working group.
- Avri Doria: On behalf of what?
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- Andrew Mack: Making it clear it's not an ALAC approved thing.
- Avri Doria: Exactly yes and in fact that's why I did the text and in reading it through anyone sees a place where I forgot to take out the ALAC nature substituting this working group please let me know or if you're editing please correct it yourself. I think I caught them all, but I never catch them all. Okay then I'll submit and obviously I will get rid of greenness and blueness and make it all black. Okay and the deadline is 23:59 UTC tomorrow, so that means it's rather early my time and I'll make sure I get it in on time. Okay, so please comment. So at the moment I think we have, looking at the time, it is already 2:40 UTC, if I understand 14:40 UTC now. So, we got less then 24 hours. Dev has just let us know.
- Gisella Gruber: Evan has a question.
- Avri Doria: Okay sorry, Evan?
- Evan Leibovitch: Hi there. First of all I'm sorry to come in a little late, but one question about whether or not this is sent in just by the working group or by ALAC itself. Number one, there is an executive meeting later on today, would you like me to bring it forward in trying to see if we can have this advanced by Olivier as opposed to by the working group and secondly I'd like to remind this is ALAC, we are not necessarily bound by public comment deadlines, but if Olivier asks to be able to spin something a little later that we as ALAC have a bylaw mandated ability to submit something later if we want. So, if it would help that, to give this full weight of ALAC, we have the ability to do so if you want to do that.
- Avri Doria: Can I put myself in the queuing and give an opinion on that. I think it will be important that this working group submit something. I think that if ALAC wants to take it and endorse it and send it as a correspondence to the board, it got posted on the board correspondence page, I think that would be wonderful and let that happen later. But I think getting this into the comments
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period when staff went to emphasize the comments it was in there, that in itself has value. I think adding the [39:41] of ALAC and especially if it could be taken to the extent of not only sending it to the board but sending a request to Diane to publish it on the boards correspondence page because ALAC saw it as that important, I think that would be glorious. I see a couple of checks. Anyone, a further comment to Evan's question? Okay Evan is that an okay answer?

Evan Leibovitch:

Yes it is.

Avri Doria:

Okay, thank you. Okay, so moving on then on the agenda and I'm going to plot that down on page because the agenda's showing on the other page. It's the new application support and I don't know. Basically one of the reasons I removed one of the paragraphs from what had been the ALAC response to the preliminary is because in that we had said wait a second, this look you're doing one of those same old dispute resolution things. In this case they're not. They opened it up further. They want to have a meeting and first of all it looks like their putting together something that resembles what the JAS Working Group recommended.

Two, they want to meet with the JAS Working Group representatives to discuss this further and how to move on with this. So, the few things that came out of it in my mind, were one, we didn't need to complain about it anymore because that does seem to be advice that's being taken. Two, we already have a group of four people that are working in that working group. I wanted to suggest that perhaps we wanted to add a few other people to it.

For example, I wanted to suggest that giving his great concern I'll vote that JAS Working Group member and a group member here on the financial criteria that Tijani be added to that group and wanted to see what people thought about that. And I don't know if Tijani is on the call anymore and I didn't ask him upfront about my putting his name up to do it, so if he's totally disinterested I'll have

to apologize to him. So, those were the points there. I don't know that we need to talk through that note at the moment though I'm certainly open to it.

I basically wanted to put it on the table, I'd like to get peoples opinions on the addition of at least one other person to that group and find out if there's other people who were on the JAS Working Group should be sent by ALAC to that group and if there were any comments that people wanted to make at this point on the proposal from the staff. So, as we close I'm happy to ask Tijani if he's able to join that. I see no hands. If there's nothing else to be said on this I will take the request to Tijani and ask him if he wants to join it. I will pass a message.

I already passed a personal message to Kurt saying, "Yes of course I do believe that the group wants to see this go forward and wants to participate." I'm assuming that there's no objections from this group that we continue to participate in this process. I'm sure when the JAS Working Group has its meeting tomorrow they may make further suggestion and so on. So, is there any objection to proceeding as recommended? No?

Okay in which case I will proceed that way and what I'd like to do now is give Dev the floor. We don't have that much time. He's done an amazing amount of work. Dev the floor is yours. I'm going to bring in your flowchart now. Are you there, are you okay with that? Is Dev there?

Dev Anand Teelucksingh:

Yes.

Avri Doria:

Okay, I'm bringing in your flowchart now.

Dev Anand Teelucksingh:

Yeah, thanks Avri this is Dev. I'm sorry I was muted.

Avri Doria:

It will take just a second. I have to make the name shorter because it's longer than 50 characters, but I'll take care of that. So, please start talking and make an introduction and I'll get your --

Dev Anand Teelucksingh: Okay, thank you Avri. This is Dev Anand. Okay, well in the agenda they have links to the PDF, so you can open the PDFs directly. The first PDF was from notes I made regarding the ALAC objection process and just to summarize what the applicant guidebook stated as the process for objecting to a need sheet. You have the application will require the bottom up development of potential app objection, discussion and approval of objections at the RALO level, and a process for consideration and approval of the objection by the ALAC.

So there are four grounds for objections, string confusion, legal rights, limited public interest, and community objection. However you must have an objection of standing to actually file an objection and from a review of the applicant guidebook ALAC only had standing to object to a gTLD application on the limited public interest objection grounds or on community grounds if the ALAC or At Large was the community that was implicitly or explicitly targeted by the gTLD application.

However I did note that during the comment period anyone can submit comments on an application for the evaluation panel's consideration. The evaluation panels being the strength similarity, the DNS stability, geographic means, the technical operational capability panel, and the financial capability registry services and the community priority within 60 days from the day the application comments open. So, potentially ALAC could submit comments for consideration by those evaluation panels on a gTLD application. I also am putting some notes, an excerpt, from the applicant guidebook.

The text regarding limited public interest objections and I put some links to various instruments of containing instruments, our principles of international law for morality and public order. So, if you look at the flowchart, it's a four page flowchart. So, essentially when I can post the public portions of a gTLD application the notice was posted to all the RALOs, all the At Large for comment

and we probably should have a wiki page on the New gTLD applications to gather comments. And then the question box is has the deadline past for comments on the New gTLD application for the evaluation panel, the deadline being 60 days from the beginning of the application comment period.

So, the question is asked does the ALAC and all RALOs have comments about the gTLD application for the evaluation panels consideration. You will have 60 days, so you have to really get your comments in on that now first, before the objection which is you have until seven months. So, if there are any concerns at Ad-Hoc Working Group, draft comments, hold meetings, discussions, you know produces draft comments, notifies all the RALOs, and then we see comments.

And then that Ad-Hoc Working Group produces the final comments on the gTLD application for the evaluation panel considerations, so that's the first page. So, the second page. So, once the statement has been finalized the ALAC Chair can then vote to accept the final comments and when the voting period ends if ALAC accepts the final comments, and actually the yes or no didn't come out when I created the PDF, but if it was no then we lose and we can still submit comments independently as part of the public comment period on the website.

And if it is a yes then ALAC will then submit it to approved comments on the gTLD application for evaluation panel's consideration. So, scrolling down again and continuing on page three now and this is the regarding the objection process proper, does the ALAC or RALO have comments, concerns about any applied for gTLD string on limited public interest objection grounds. If there are no, absolutely not at all, well I guess the process is easy.

It just means that we lose and ALSs can then file public comments on the public interest objection grounds and hope that the independent judge can then act on them on the process end.

However if there are concerns raised the working group draft text regarding the validity of the public interest objection. That statement has to be 5000 words or 20 pages because that's what the objection process in the applicant guidebook says.

The same process, you know it holds meetings, discussions, produce draft text, so create the draft text and once the final text is produced you repeat because the idea is to have all the public objection statements. It should be drafted and finalized and ready for all the RALOs to review. So, if there were problems with concerns expressed about two or three gTLD strings then we repeat until we have statements for all of them.

And then when you go to the fourth page all five RALOs will then vote on the objection statements to the gTLD applications and once the votes by the five RALOs are published, if more than three RALOs, I should say, voted on advice to ALAC to consider the objection statement to the gTLD application. So the idea is that the RALOs are essentially giving regional advice to the ALAC to file the objection. That's how I anticipate it to work. So, once more than RALOs have voted yes to send advice to ALAC to consider the objection statement.

Then the ALAC Chair starts the vote and if the vote is yes then ALAC will notify ICANN to ensure that ICANN be ready to [inaudible 53:28] the objection fallacies and in coordination with ICANN file the objection according to the prescribed form to the appropriate dispute resolution service provider. If there's not enough RALO support or the ALAC support no then the RALOs and ALSs can still file comments on the comment website and hope that they can be picked after the fund by the independent objector.

And the left end in a question mark because the actual dispute resolution process you have to monitor it because it's a lot of steps. The applicant has an opportunity to respond then the panels convene and then we ask additional questions and so forth, so we

will have to be monitoring it. It's not once you file the objection that's the end. It's monitoring the objection process, but that's it.

Avri Doria:

Okay, thank you. I think this is really grand. What I would like to do is put this on the agenda for our next meeting as the first and dominant issue. I like people to start discussing it on the list. I had a couple of comments. I'll take some to the list, but Hong has her hand up noting that we have two minutes left, Hong please.

Hong Xue:

Well thank you. I'll try to use my two minutes well. The process is very good. The full job is a wonderful work, so thank you for your effort. For the process I do have a question here. I note that page one and two is actually about the comments to evaluation panels and page three and four is actually about objections. I do understand the logic on say once the applications are published and the At Large community adds some comments we submit it to ICANN and the comments was not really taken into account during evaluation, as a result we file a objection.

Logically that's correct, but if we read the application guide book carefully we can see that the evaluation panels, six panels, they do not take care of the limited public interest issues thereabout initial evaluation. So actually these two processes, the comment to evaluation panel and objections are two procedures, they're parallel to each other and may not be connecting to each other. This is one issue about the process for substance I understand. Dev is very right that the [inaudible 56:39] is standing for each category of objections, so we do have limitation to file application.

For the two categories Dev has highlighted one is for community objections and another one is limited public interest. For the limited public interest I remember the At Large community has been very critical because of the potential implication of free speech. So, I guess if we do file application we may need to set a very high bar to prevent this negative effect. On the contrary I do suggest we see the potential for the community objection. I understand that if we are not an established institution of that

specific community base, gTLD application, we do not have the standing to file objections.

But it is possible for At Large community and for ALAC or RALOs to be the kind of agent to provide help for the small community that's not responsive to file objections. Is it possible we work as an agent? This is kind of an objection support. Probably we need to open up the mind. We're not appointed by ICANN as independent objector, this is something, Evan can prove that, we've been asking for, for a very long time and we don't know whether the independent objector can fulfill this task satisfactory so I suggest the committee think about this.

Gisella Gruber: Thanks, go back to you Avri.

Avri Doria: All right thank you. I see Alan has his hand up. We are now two minutes passed the hour. I would like to suggest that, and I'll leave my comments out also, that we take this one to the list because I think there's a lot of good points here and I'm wondering if Hong you will be willing to start the discussion further on the list so we don't lose these points and the people start talking about them. Alan did you want to make a quick last comment because really we're over time.

Alan Greenberg: A very quick comment in response to part of what Hong said.

Avri Doria: Can we give it to the list?

Alan Greenberg: Yeah, just one sentence and I'll make it fully to the list. The comment process and the objection process are two separate things, but we are one group of people and one set of RALOs and I think it makes complete sense to merge the process from our point of view into a single string because resource is limited. So, I think Dev has done an excellent job from that perspective here, thank you.

Avri Doria: Okay, thank you. I'm told by Cheryl that we take it not only to the list but we take it to the Wiki as well, of course that's always an

option. I thank you all. The other thing I was going to mention was that Cheryl did start to work one of the action items. If you go to the action item, click on it and go down. The wiki pages were built, Cheryl has started populating the history one, read it and we'll talk about it in the next meeting. I'll put it on the agenda. Thank you all and please let's continue to work on the list, on the wikis, in the chat, anywhere people are comfortable and I'll talk to you next time. Thank you very much.