ELISA BUSETTO: Good morning, good afternoon, good evening. Welcome to the first meeting of the Rights Protection Mechanisms Implementation Review Team on 13th of December, 2022 at 1600 UTC. If you are only on the audio bridge, could you please let yourself be known now?

Thank you. Hearing no names, I would like to remind all participants to please state your name before speaking for transcription purposes, and to please keep your phones and microphones on mute when not speaking to avoid any background noise. Please note that there will be a roll call as part of the introduction. As a reminder, those who take part in ICANN multistakeholder model are to comply with the Expected Standards of Behavior. With this, I will turn it over to Lars to begin.

LARS HOFFMAN: Thank you, Lisa. Good morning, good afternoon, good evening, everyone. I think we are looking at Antonietta's screen. If you would go on slide 4 there, just an overview of the agenda. Working off the IRT today with a new team, not many of us have worked on IRTs before, so we end up with the adventure with you together. We've done some pre-work though, so we hope we are prepared enough to get this underway and work efficiently with you over the course of the next few months to get the recommendations implemented.

Today is really just a kickoff meeting, so we're going to do a quick introduction in a minute, look at the board resolution, talk a little bit about the process itself, for those of you who also have not been involved maybe with an IRT or just a refresh. Give a brief overview of

the implementation plan and timeline that we put together; we'll share that obviously with the team as well. My colleague, Antonietta, will do that and then look at next steps, resources, and any other business.

If there is any concern, so you want to raise anything, obviously raise your hand, put it in chat, or just interrupt me. With that quick introduction, I am going to do this in the order that is on here, Antonietta Mangiacotti, she's a Policy Research Manager leading the project. Ariel Liang is from the Policy Support team; she supported the PDP and is working here as a subject matter expert.

We have Elisa Busetto you just heard giving introduction, she is a Policy Research Coordinator supporting the work of the IRT. The same is true for Leon Grundmann will also support the work here, has not been involved with the PDP, and Elisa joined this summer ICANN.

And we have Julie Hedlund, who also is from the policy team and acting here as an SME because she was closely involved in the PDP. And Valarie Heng, our colleague who's based in the Singapore office will help us with the implementation work. Then, last but not least, myself, Lars Hoffman. I'll do a little bit of joining the calls, do a little bit of coordination and support Antonietta any way I can in this work.

With that, we have this next slide and there's an overview of those members who have signed up for the group. I think usually we do a normal roll call at the beginning of the call. I thought for today, just very quickly for those of you who can speak, maybe put your hands up to quickly introduce yourselves if you want to say a few words, and maybe share whether you have any experience with the

recommendation, with the work of the PDP that produce the recommendations, that would be great.

I know we obviously have John McElwaine on who is the GNSO council liaison, you can see that there in bold at the top right of the second column. I don't know if anyone else has been involved or know John has, I think he may have too with anyone who's been involved in the PDP would be good to hear. John, I see your hand is up. Please, go ahead.

JOHN MCELWAINE: Thank you, and apologies that I'm having to do this call on my phone. I'm actually travelled to Los Angeles for the GNSO Council stream of planning session and doing this from my hotel room. But I just wanted to raise my hand to kick all of this off and let people know a little bit about what my role is. As the GNSO Council's Liaison to this IRT, I'm really going to be here to listen and to help solve any problems. If we have any issues in the IRT to help solve that, work with the leadership of the IRT to help move the work forward on schedule.

In that regard, please feel free to call or email me, open door policy to help get the work of this group done. I was also the liaison to Phase 1 RPM working group, so very familiar with this work stream and all of the discussions that have gone on and the great work that was ultimately put in place to come up with a good number of consensus recommendations. With that, I'll turn it over to the rest of the group to chime in. Thanks.

LARS HOFFMAN: Thank you, John, and safe travels. Just waiting for anyone else who wants to introduce themselves. Michael, please go ahead.

MICHAEL: Thank you, Lars. My name is Michael Orugo [ph.] from Uganda, asking you to be [inaudible – 00:06:25] to see how I can make a contribution. Thank you.

LARS HOFFMAN: Thanks, Michael. Griffin?

GRIFFIN BARNETT: Thanks, Lars. Hi, everyone. I'm Griffin Barnett, I'm a member of the Intellectual Property Constituency, I've been involved in ICANN matters since about 2013 and was a participant in the RPM review, PDP Phase 1 from the beginning, so very familiar with the recommendations and look forward to helping out with this implementation work, thanks.

LARS HOFFMAN: Thank you, Griffin. Jason, please.

JASON SCHAEFFER: Hello, good morning, good afternoon, good evening as we like to say here. I'm Jason Schaeffer, I also participated in the first working group phase, very familiar with what transpired there and what we came up with as a consensus to try to move this forward. I was also chair of some sub-groups and involved in working to make sure that both sides

of the issues were heard, and we came to some good resolution, I think, in the end. So, happy to participate here and help staff and everyone else get this forward for implementation, so thank you.

LARS HOFFMAN: Thank you, Jason. Good, I see no additional hands for the time being. If there's anybody else who would like to introduce themselves, you may put that in the chat or raise your hand, obviously. The only other thing I will say is that I don't believe for IRTs there is a requirement for an SOI, a statement of interest. We have added the members of this working group that volunteered to the Wiki and have linked to an SOI if it was already in existence on the Wiki through the GNSO, most likely. If there's anybody else who would like to fill in an SOI, a statement of interest, please do so. Let us know if you do not know how to do it, contact us and we'll help you. But there is no obligation for this group, for the time being. I hope that is helpful.

With that, I'm going to move to the next slide if that is okay. Just a quick look at the board resolution which passed January this year, just about this year still. The board adopted 35 recommendations that were contained in the final report, and they noted in the resolution to possibly divide the implementation into different categories. Jeff, I note your note in the chat. Jeff Newman is part of the group as well, I personally have never heard of him, so I hope he's not a troublemaker, that's what I'm saying.

Then, there's four buckets here -- thanks, Bart.   First one is, recommendations that call for updates to existing operational practices

or documentations concerning right protection mechanisms, RPMs, 16 that fall under those.

The second bucket, if you want, are recommendations that essentially maintain the status quo, so kind of maintaining the Phase 1 RPMs as they were implemented in the 2012 UGTT program. Of 35, 9 fall under that. Then, recommendations that require substantial resourcing for a number of different stakeholders, 6 fall under that category according to the board.

Then, essentially a full recommendation that affect subsequent rounds of new gTLDs. These, 4 of them there are, and the expectation there is that this group will likely not deal with that implementation, but that they will be transferred over to the IRT for the SubProfiler report that comes into place. I hope that makes sense. I'm going to pause briefly for questions. Otherwise, I'm going to move on. These are all obviously documented at the bottom of the resolution as pointed out, thank you.

These are just a couple of roles and responsibilities. I threatened you with that in the beginning for those of you who have not been maybe involved with IRTs in the past. This is the IPT, this is the Implementation Program, the internal team that is going to be working on this for the foreseeable future. The role here is obviously assisting project planning, policy language drafting that will then be shared with the IRT. The project manager, Antonietta in this case, is leading the IPT and the implementation review team, this group as well, to help finalize and implement the policy recommendations or finalize policy language, I should say, to implement the recommendations.

We design and build, and have done that, an implementation plan, share for that for discussion with the IRT as well.

Set expectations and deadlines for the IRT work, and obviously gather and take onboard feedback that is received on any implementation material. Providing status updates, consultation obviously, with this group. Conduct the appropriate outreach. Also, maybe through the wider community, possibly during the ICANN meetings, we can discuss that as we approach Cancun and maybe in the summer our Washington, D.C. meetings.

And the internal team will obviously also schedule the IRT meetings, distribute agenda and do all the logistical fun stuff. We'll also be sure to publish anything that we do on the IRT Wiki space. I don't know, Elisa or Leon, whether you might be able to quickly post a link to the Wiki space in the chat in a moment, so people have that handy, we'll do that.

I'm seeing the note here from Elisa, from my colleague, in the chat as well. For some of you who might be new to the zoom team, there's an ICANN policy that anyone can join, but first and last name for record purposes should be displayed in the Zoom room, so if you've joined the Zoom room, would you just please rename yourselves with first and last name, if at all possible, that would be very helpful. Leon just posted the link for the Wiki page for this group. The next slide, please. Oh, I had a hand there from Paul? Maybe not. Okay.

On this slide here, implementation review team, that is this team, it's convened by the counsel, or at the very least, the counsel suggested or indicated there was a resolution that IRT should be formed to help with

the implementation and supporting ICANN.org in that work. It usually consists of volunteers who are involved in the PDP. We've heard from a couple of you on the introduction here, and obviously members should have at least some technical relevant subject matter understanding of the recommendations but again, it's not necessity. It's sometimes good to hear outside and untainted views.

The IRT, I think this comes from the consensus policy implementation framework. It's expected to serve as a resource to staff on the development of implementation details to ensure, John noted that as well, that implementation conforms to the intent of the recommendations. Obviously not a forum to opening or revisiting policy discussions, the recommendations have been approved by the counsel and the board, so we are here "just to implement them."

The IRT also works with staff to develop and draft and finalize contents as policy language, noting that the language if and when finalized with this group will also go out for public comment so the wider community will be involved there as well.

And obviously provide feedback to certain deadlines if requested by staff and operating under the usual transparency and requirements that apply to most of ICANN, all of ICANN's work, we have the IRT principles and guidelines linked here as well. Maybe we can add that to the chat as well if we have a moment, that would be great. The next slide, please.

Just a couple of points on the activities, how we want to kind of structure the work here, I think being as efficient as possible with this is

probably in everybody's interest. So, as a principle, we thought that staff in line with the CPIF referenced just a second ago, will kind of draft material to kind of kick off the discussion, we'll share that with the group as soon as we can so you don't have to necessarily review that on the call, but we can enter substantial discussions during the calls.

The calls are also then there to obviously clarify and improve the language, making sure it's consistent with the intent and/or the wording of the recommendations. Any, I noted already, any implementation materials that we finalize in this group will be posted for public comment. We obviously won't do this bit by bit; we can have one big public comment at some point. Obviously, in consultation with you guys, we'll adjust proposed language based on public comments and also input from this group. And then, eventually, once the work is completed, I'm expecting end of January 2023, the final product is then published and announced to the public and to relevant stakeholders as well, obviously.

Good. The next slide, and I think I'm going to pass it over to you, Antonietta, is that right?

ANTONIETTA MANGIACOTTI: That is right, thank you, Lars. Just give me a moment to switch to the implementation plan. I hope you can all see this okay. I am Antonietta Mangiacotti, also on the IPT, and I will be covering the implementation plan that we drafted for the recommendations coming out of the RPM PDP to review all RPMs.

EN

Just quickly as background, as many of you may know, the phase one of the PDP looked at the RPMs that are applicable to detail these launched under the 2012 Reach TLD Program, and these right protection mechanisms, they were created to mitigate potential risks and costs to right holders that could arise with expansion of the gTLD name space. The RPMs that were included in that phase one PDP were the trademark post allegation dispute resolution procedure, the sunrise and trademark plains that are available through the clearing house, and the uniform rapid suspension dispute resolution procedure.

As we covered earlier, the working group put forth 35 recommendations, they were adopted by the counsel in January of last year, and then by the board in January of this year, and then the board directed a tiered approach for their implementation which was based on staffing, resourcing and timing.

In terms of what's covered in this plan, it includes 22 out of the 35 approved recommendations that came out of the PDP, and it proposes a phase approach for the implementation of the 22 recommendations with a more straightforward to implement recommendations going first, and those that would require more, they're more complex, they require more time, those would be implemented afterwards, according to level of effort.

Regarding the remaining 13 recommendations, the work supplement those, it would be included to the work-related to the subsequent round new TLDs, so 9 out of those 13 recommendations that recommend a status quo, or the rules that were applied in the 2012

round, so it would involve documenting how the status quo would be maintained in the next expansion.

And then, there are also 4 recommendations that affect the next round that call for changes to the guidebook or the base registry agreement. Again, that would be incorporated into the future work of the SubPro IRT when those recommendations are adopted by the board.

Back to the 22 that are covered in this plan, we divided them into five groups, implementation groups. There are 15 recommendations that relate to updating existing procedural documents, like the URLs rules as procedure. There are four recommendations that call to develop educational materials to help users of the RPMs. There is also one recommendation for those involved in the URS process, so ICANN registries, registrars, URS providers to ensure there is contact details that are up to date, and there is one overarching data collection recommendation, so we have implementation of that listed here as well.

Lastly also, there's one recommendation to create a new compliance mechanism for users of the URS to be able to have an avenue to make complaints about, for instance, a URS providers' conduct or performance.

In terms of how we propose to tackle implementation of these, the ones, the 15 recommendations in the first bucket, we identified those as being more straightforward to implement, compared to the others and how we propose undertaking that work would be to, we take the lead, the team will take the lead on revising the impacted procedural

documents and then sharing a redline version with the IRT for discussion and input.

So, we estimate that implementing these 15 recommendations would take at least six months, if not longer, once the actual implementation work with the IRT kicks off. Then, for the recommendations in the remaining groups, we estimate those taking a bit a longer, at least a year, they're a bit more complex and require the involvement of multiple stakeholders. And so, those would not be implemented right away, we would take a look at implementing those once the recommendations in the first group, the implementation of those is completed.

In terms of recommendations and estimated timeframes that we expect there is implementation steps to take, so just quickly, this plan is broken down as you see into the various implementation categories, and we structured it by listing out the recommendations along with a summary of the scope of each recommendation, as well as, for instance, in the first category you'll see the procedural documents that relate to each bucket of recommendation based on the type of procedural documents. You'll have the URS materials impacted and the recommendations relating to those, as well as the RPM requirement document, which requires updating as well. The TM PDDRP rules and the trademark clearing house framework agreement.

As I mentioned, we thought we would take the lead on updating the procedural documents, you know, take about a week or a couple of weeks to do that. We would then share the redlines document with the IRT, prior to the call to then discuss the changes that we made. During

the call, obviously I wouldn't be able to get through all of them, so in between, staff would update the documents if needed based on IRT discussion and continue to make new revisions to those procedural documents in line with the recommendations, and again, those would then be discussed on the next calls and so on and so forth in terms of working with the IRT to make changes to these documents.

Then, as was mentioned earlier, once we've made all the revisions and agreed to them, we would publish them for comment. In the remaining pages of this plan, again, it follows the same structure as what I just covered, but for the remaining categories 2 to 5, the difference is that you'll see that the timeline is TBD in terms of date. That's something that we hope to discuss with the IRT once we get closer to being able to actually implement these recommendations in categories 2 to 5, but the goal is now that we hope to focus on the first one and actually kick off the implementation of work.

And, as was also mentioned, we'll share this plan with you all after the call, so you can review. But in the meantime, if you have any questions, please let us know, as well if there's anything I've missed also, please let me know. I think that's all I have, thank you.

LARS HOFFMAN: Thank you, Antonietta.   Remind me, is the document already on the Wiki page? Obviously, we can have this after the call.

ANTONIETTA MANGIACOTTI: I'm not 100 percent sure about that, but I know I will share it after the call, and if it's not, we will definitely post it on the Wiki page.

LARS HOFFMAN: Thank you so much, very good. It's on the Wiki, thank you Elisa, we'll post that after the call right away for everybody to consult. If you could go back to the slide.

Thank you. First bullet point, circulate the implementation plan which includes timeframes and description of the issues, as Antonietta kindly walked us through that. We'll then update the first set of impacted procedural documents in accordance with the recommendations, that's fancy-speak for "we'll give you a redline," and make sure you take a look at that.

In fact, that's the third bullet there, already. And then, the fourth bullet here is our next meeting, so we had some trouble. I'm not going to tell you a story, but getting this on the books, for obvious reasons close to the holidays, and some of us have been involved with something called the SubPro ODP, I don't know if you've heard about that. Anyways, so it's been a ride. Insert adjective of your choice.

We will do another doodling, I'm afraid of that. I'm afraid about that, I'm sorry about that, for a permanent slot. We're thinking of having this once a month. I don't know what people think, if that is too much or too little. We can obviously adjust all of that, but we'll send out a doodle I think before the holidays. We keep it over the holidays, send reminder in the new year, and probably plan a meeting, the first

meeting here at the end of January. We will, you see that on this slide, share materials before that.

So, we're working on the redline of that language and share that with the group. The idea is that you review the materials, and we can walk through that on the call with the anticipation or with the understanding that you had a chance to look at the material all ready and can provide feedback. Obviously, always on list as well, but also on the call for obvious reasons.

We have not looked too much into -- well, I haven't anyways, into the geographic dispersion of this group, so I don't know whether we're going to have a fixed call or whether we're going to have to rotate, we'll figure that out as well. Those of you who've been around ICANN know that this is the fun times of finding a meeting time for a new group, we'll settle it eventually. Any questions on this or anything else?

Very good. I think that brings us to any other business, is that right? Is there anything on this, thank you Antonietta, no, just the links to the Wiki page, we posted that into the chat as well. And I think links to these documents will be available as well. The slide link from today obviously is going to be posted on the meeting page as well, as will be the recording.

With that, next slide, any other business? I don't think there's anything from us, Elisa, Antonietta, Leon? No. Anything from the group that you'd like to know or want to add? Very good. That leaves me finishing the call early. I'd hoped so much, but we still scheduled for the full hour

to be sure. For those of you in or travelling to L.A. for the GSO SPS, have a fruitful and productive week.

Everyone else, have a lovely holiday season, and we'll see each other in the new year. We'll be in touch with materials as we said, in the run up to the next meeting, as well as another doodle board. With that, thank you, and end the recording, please.

ELISA BUSETTO: Thank you, I will end the recording.

[END OF TRANSCRIPTION]