

**NCPH Intersessional meeting, January 29th 2013  
New Gtld Briefing session 16:00 Local time**

Man: And now I'll turn the floor over to Kristine, new gTLD.

Kristine Dorrain: Good afternoon. I think we're going to take a minute or two to get the slides up and running. Thank you so much for having me here today, I appreciate it. As some of you may know I've been - I was hired as the general manager of the new gTLD program and my scope has been expanded to include gTLD, DNS operations.

So my latest title -- although I don't have business cards which reflect it -- is Vice President of gTLD Operations.

So what I'm going to go through today are just a handful of slides about the status of the new gTLD program. For those of you who are already active and participate in keeping track of the program through my monthly webinars, you're recognize these slides so I will be brief. I won't take up a lot of time to discuss the status.

But then - so I'll spend maybe 15 to 20 minutes presenting status and then we'll be - I'll be taking questions.

Man: (Unintelligible).

Kristine Dorrain: How are the sessions going? Oh, good, good. You know, I'll give you all just to introduce myself a little bit -- I started with ICANN on October 1 so this

Friday will be four months. I come from the corporate world. I spent money many years doing large scale distance and implementation custom software development as well as operations aspects of it.

I've had my own companies so as having my own trademarks and rights I can appreciate where a lot of the interest in these non-contracted parties group is coming from and your perspective.

The program is a challenging one to have taken responsibility for midstream. You know, the horse is out of the gate for some nine months before I started with the program and we've certainly had our share of challenges. And my focus in my first 90 days has really been to focus on the evaluation, to stabilize the new gTLD program from an operational perspective.

Really just the basic blocking and tackling of the evaluation processing, I mean, that's the greatest charge that I have for the program. And doing that in a very - it's a very different model that I am working within.

I am so new to ICANN. I've had to learn how to navigate what can and can't be said. What I've learned is that there are a couple of guiding principles around the program. This guiding principle of consistent communication to all applicants as well as to the community is paramount to the program.

And that's not something that I was accustomed to in my previous world. In talking with customers I was able to modulate my communications with any given customer group whether I was talking to a board or executives or staff while I was in the midst of executing any sort of system implementation or project.

But for the new gTLD program it is quite different because we have this goal of consistent communications so we don't share information exclusively with an applicant or a smaller set of applicants. So we've opted for these webinars. I've inherited, took over the webinars in November and that is really

the effort to - I'm using that as the place where I start from with consistent communications.

Now I recognize the world is - and the community and the applicants and probably many of you are not always thrilled with the messages I'm delivering. It's never fun to - and enjoyable to deliver bad news. So I expect to take the criticism and responsibility for the challenges that the program faces.

But we're really using those monthly webinars as the nexus for consistent communications to all parties for public information for the month. So that starts from - the basis for those webinars is that a few days prior to that I present status to the new gTLD board committee.

Based on those discussions and their approval we come up with a publicly available, publicly digestible set of information. And that's what is then shared as part of the monthly webinar.

So we're about two and a half weeks since that latest webinar but I have not yet presented my newest monthly update for the month of February to the board. That'll be - I'll be doing that on Saturday morning.

So I apologize, these slides may be a bit stale for some of you that have seen it so I'll go through that quickly.

So we'll talk about initial evaluation. We are in the peak of initial evaluation. We'll talk about clarifying questions -- CQs as we call them -- so I apologize, I'm sure I'll throw out CQ a lot.

We'll talk about the initial evaluation timeline. I've got some metrics on the customer service center. I'm working diligently to approve the operational aspects of this customer service team. And then some of the other project status on some of the other projects and what's going on here.

So initial evaluation - - here you see each of the panels, each of the aspects of initial evaluation which are ongoing. And at my last monthly webinar the focus and much discussion was about the string contention -- string similarity panel results and contentions that's not being published until March 1.

And as I said, maybe this goes - comes across better in person. That is the date I can commit to now. I hope to beat that date. I hope that we will be able to get results out sooner than March 1 but that is the date we are working towards.

Yes, it's - the string similarity effort is very much - it's all being done at once. It's not possible to release them in part. I have no - I don't have contention sets. I have no information so I get - I have questions all the time but I have no further information on who's in a contention set.

So I'll be taking questions at the end so we can address these things.

DNS stability preliminary panel results are in on the majority of those applications. The geographic names -- again, not - the majority of applications weren't geographic names so they sailed through that panel. We have a number of applications who have been 17 by the support which have been issues clarifying questions and they're - we're waiting for those responses.

The financial and technical apps and operations panels are working in tandem really. Those are being performed by our three panel firm -- Ernst & Young, KPMG, JAS -- those have all been publicized. And the clarifying questions --CQs -- started to be released on January 15.

So we don't have anything completed yet but that's in that CQ process meaning that we're - as of this date we were working on issuing those clarifying questions.

Finally registry services -- we had preliminary results on 205 applications -- 743 application awaiting clarifying questions. So that gives you a little bit of an insight as to the percentage of applications receiving clarifying questions. Well over 80% of all applications will be receiving CQs.

That far exceeds what was anticipated -- as I'm told, I wasn't here -- when the program was initiated. But it far exceeds what was contemplated. I'm actually expecting somewhere between 10,000 and 20,000 clarifying questions to be issued when all is said and done across all panels.

So we certainly have challenges. This is what my team is spending 14 hours a day, 70 hours a week easily on. But we'll diligently working to make the date that is committed in Toronto of March 23 to begin publishing the first initial evaluation results so that's still the goal and the target.

So clarifying questions -- just to expand on that -- the clarifying questions from the geographic names panel started to be released in November. We started to issue registry finance and as well as the technical and ops clarifying questions in January.

I mentioned over 80%. I think out of the couple hundred applications we're in excess of that -- we're well above that.

And then where - the scheduling working towards and I know I'll - when we don't meet this one week that will certainly be identified. But we're working to release clarifying questions for 100 applications every week and we're doing that based on the priority number.

We - with the prioritization draw -- which took up much time this winter -- we have increased the response time for clarifying questions from two weeks to four weeks. We have issues advisories, guidance to applicants on how to - what we feel will enable everyone to respond to the clarifying questions within this timeframe.

And we also took into account part of expanding the timeline for response from two weeks to four weeks also addressed the holidays -- not just the Christmas, New Years holidays here in the States -- but it was also to take into account things like Chinese New Year, Passover, Easter. We're going to be issuing - we're going to be in clarifying questions mode for five or six months so we wanted to take into account all of the global holidays. That was part of the factor there.

So this is it - the timeline. The clarifying questions will be released to applicants at this pace of about 100 per week and 18/10 weeks. Applicants respond to those clarifying questions. Again, at a pace of about 100 per week for - with a four week lag.

If applicants respond more quickly that data is getting back to the panels immediately. We don't hold it up. We're not holding anything back.

We then - the panels take three to four weeks to process those responses to the clarifying questions. Now since we're at over 80% and 10,000 plus questions it's, you know, getting them to stick to that three to four week. That delay is going to be a challenge but we're pushing them to keep that pace up.

It's - there you can see that that evaluation results starting at 30 per week and ramping to 100 -- it's really because our panels are going to be doing two things. It's because they're going to be issuing clarifying questions to 100 applicants per week and they're going to have to responding and processing the final results for applications that have already - applicants that have already responded.

So starting at 30 per week, ramping to 100 per week. That's going to enable the ICANN team to synthesize those results. Again, we're anticipating a couple of weeks to synthesize the results and publish them. Again, at a pace of 30 per week ramping to 100, again, 30 per week by the 23rd of March. I anticipate ramping to 100 per week -- my goal would be June.

This timeline takes us to publishing all initial evaluation results by the end of August. Given, you know, excluding unforeseen circumstances which seem to be the norm, this is the operational plan for the new gTLD program.

Here you see a slide -- some of the graphics are - seem to be hidden there -- we're talking about the customer service center. So we completed 13 withdraws. There were originally 1930 applications. We're - 13 withdraws. We have 1917 active applications, zero objections filed.

I had a webinar this morning on the objections process. Change requests -- total submitted 424 as of this date 54 were approved. Those are both increased so next week I have another webinar -- my monthly status webinar will be going over the status on Tuesday.

Those numbers will both have increased significantly. We are - we had a backlog of change requests and we're working to catch up.

So in terms of cases we started to implement some metrics reporting in terms of customer service cases. This was -- I want to say effective the 9th or through the 9th or 11th of January -- we had 58 cases created month to date in January. We had resolved 686. I will take credit.

Really what it was is we closed out a lot of cases that we're around batching and the prioritization draw and managing all of the additional efforts of our interactions with applicants during - in support of the periodization draw. And we had 386 cases open. We're still about there.

And then the other two metrics give you a breakdown of open cases, closed cases over time. And then you can see the pie charts (unintelligible) the spread of those cases, the types of cases. I can't read that so.

There's some other projects -- trademark clearinghouse I know is of interest. Somewhere between the webinar and today I think that my slide got updated between what was posted on the webinar. This is how (Occrum) evidentially - what (Occrum) also spoke to in Amsterdam so there was no intention to change dates. I'm not trying to change any dates here.

Publishing the (TMCH) agreements the (Sunrise) and claims (SOW) in January. Then the validation system launch is in February -- it's still the date we're working towards. And then the (TMCH) database launch is an April date. So I'll be consistent in the future so those first quarter, second quarter I was publishing months on the webinar.

The (URF) is on target. I mentioned the other day we have identified a provider who's - for the (URF) who's going to be able to provide us service within the expected \$300 to \$500 target filing fee price range. We're formalizing - we're in the process of formalizing that relationship with that service provider. And once that's formalized we'll make an announcement. I expect that that will be happening in February.

The on an ongoing basis the intention is to have additional providers around the world, to have a global reach for support of the (URF) to our both - who are similarly able to meet the same fee expectations as well as provide the global support - international support to the community.

Then pre-delegation testing -- we are working on -- it's also on track. The team is here today. We're here to finalize the implementation plan for pre-delegation testing. So - well, should hope to have more milestones discussed about that project soon. And then by April we are still on track to have the pre-delegation testing service available and ready for us as we complete (IU) results.

And is that my last slide (Rob)? That's it. So for those of you who have already listened to the webinar, I apologize to rehash but I - (Rob) let me -



how are we taking questions? Are - will you be moderating? I'm happy to open it up to questions.

(Rob Hall): (Unintelligible).

Brian Winterfeldt: Brian Winterfeldt from the IPC. My question is -- is there going to be an opportunity for public consultation of the URS that Fahd has indicated in the past?

Kristine Dorrain: Public consultation on the implementation of URS. So that's - the public consultation on the implementation that's - it's a new concept to me (Rob). Is that a process? Public consultation, public comments on policy I understand. Can you help me out here?

(Rob Hall): I think you maybe want to ask Brian that. I'm sorry.

Brian Winterfeldt: So my question is -- are we going to have an opportunity as a community to give input and suggestions for how the URS is going to be implemented? There are a series of issues that the (unintelligible) property constituency has made and some of them were alluded to in public comments on the strawman proposal.

And we're wondering if we're going to have an opportunity to share those and give that feedback for what we'd like to see in the implementation phase of the URS.

Kristine Dorrain: So I think the issue is the implementation versus policy. So my understanding, my expectation is that the GNSO -- all of the parties with the multi-stakeholder model participate in the policy development process. And as that has gone through an implementation phase, implementation definition, through the guidebook the URS has defined.

I don't know how much more, I mean, we're well down the path that RFP has been issued for the URS provider, there's been discussion about that. The (TMCH) debate I think was supposed to be a strawman proposal opened lots of debates so I'm not intending to open that up for URS.

So we are - we're going down an implementation path, you know, maybe we can have a separate conversation and if I'm missing something I...

Claudio Di Gangi: It's Claudio Di Gangi from the intellectual property constituency. I don't know if this would be helpful but I understand there's like a manual -- and implementation manual that's being put together for the URS so in terms of that, for example, is that something that's going to be open for consultation or how's that going to work?

Kristine Dorrain: So in terms of an implementation manual that's a new term to me. There are certainly a set of guidelines and expectations that we expect every URS provider to meet. And I would imagine that those criteria for a URS provider would be something that we could certainly publish.

But to participate in the implementation, I guess my - I'd feeling like we're well down the road on implementation on this. We're, you know, working on - actively working on an agreement so I don't know how much more there is to collaborate on without affecting the timeline. You know, we're running at a pretty rapid pace here to make things happen.

(Rob Hall): Thank you, (Mark).

(Mark): I have the easiest question of the day. Will those slides be made available? I don't think they're on line. Could they be maybe sent around to everyone here?

Kristine Dorrain: So the webinar slides these are just a - I took out the front and back slides from the webinar -- those are online.

(Mark): Where?

Kristine Dorrain: But I have no rights - newgtlds.icann.org but there is - slash webinar.

(Mark): (Unintelligible) updated one of the slides?

Man: I think the point is that all of the presentations that we're making we are posting on the intercessional wiki page.

(Mark): Okay.

Man: This presentation will be posted for you to download and use.

(Rob Hall): Hold on, I've got Avri, (Alyssa), (Steve) and then (Hector).

Avri Doria: Hi. My next question is not about URS. I'm Avri Doria from the MPSG. My questions is -- can you explain to some degree what the problem is with creating contention sets? We sort of had a month from now horizon time on that for a while and - but I've never actually heard what the actual problem is with figuring them out. So I'm wondering if you could say something about that.

Kristine Dorrain: So the challenge on contention sets -- it's on of process. The working with - well we're working with many vendors across all of the panels doing the work of evaluation for the new gTLD program.

And in order to ensure that the results are going to be supportable by ICANN we need to insure that every evaluation panel is following a clearly defined, clearly documented process and that it's - we're in agreement on what that process is.

What I've said previously on the webinars and other conversations is that it's that process around the string similarity panel -- that the string similarity panel is following -- that we are still in discussions on.

So to insure that the - that process is documented and applied and executed consistently and that is the challenge around - it's not a contention set issue, it's a process issue.

So this - I know that there's no - there's not going to be a satisfactory answer. I, you know, I inherited this. But I take responsibility for it. I mean, it's still operating under my purview.

There are challenges - and again, this idea of fairness and equity to all applications. And if we didn't insure that a consistent process is followed with reviews insuring consistency, quality being embedded into the process, we would be remiss and we would not - ICANN would not be able to stand behind the results of the panel. So that is the process we're going through now.

(Rob Hall): (Alyssa).

(Alyssa): So I have a couple easy questions, I hope. The first one is -- I was relieved to see that the clarifying questions -- the response period was, you know, extended to four week -- but for some applicants who have many, many applications, if they start receiving those clarifying questions in groups -- and even the four weeks might be tough -- is there a way to - will there be a way to sort of ask for an extension to answer the questions?

My second question is around response time to the new gTLD at ICANN email address. So if we do have questions about the clarifying questions what is the expected response time if we use that email address?

And my final question is, you know, I understand that there are potentially questions on the technical section and given that there are really only, I think, maybe 50 or so different back end technical providers and maybe three that are primarily responsible for the bulk of the answers -- is there - was there any thought about sort of basically getting those issues resolved and sort of not asking the same questions over and over again?

Kristine Dorrain: Good question. First the four weeks window; we really spoke a lot about that four week window. And in the interest of fairness, we're going to abide by the four week window so that we can keep everyone - every application in priority order.

I will tell you we've gotten requests for extensions to that. My challenge is if we were to grant that, I would have to take an application out of priority order. I couldn't commit to handling and processing that application based on its priority.

So it's something we're still discussing, but right now we don't have a mechanism for that.

That was question one. Question 2...

(Alyssa): So all ready we've got a question about - a clarifying question that came in and so we need to get an answer. And how long is that response time?

Kristine Dorrain: So the response time of the CSC has historically not been good. We are working diligently to get response time within three business days at the latest. And frankly, I want to see it much higher than that.

There are specific issues around the letters of credit, Question 50, where we have a process in place. We know there's going to be a high volume of those, so we are actively engaged there.

I will say, just to extend my response, we are encouraging applicants to respond to their clarifying questions and not to issue change requests to respond to clarifying questions.

So for (unintelligible) applicants who might have 100 applications and their first application, they receive two or three clarifying questions. If we were to then receive 100 change requests or 99 change requests or the rest of those applications, that what be problematic for us. So we're encouraging applicants rather than requesting changes, we will be encouraging them to respond to the clarifying questions as they're asked.

So which then segway to - for the backend providers, there are a limited set of them, and asking questions in groups was considered or working individually. Again, with the guiding principle of consistency, consistency application of all communications and not to inadvertently give some sort of favoritism or advantage to one applicant verses another, we are not working that way.

I anticipate those backend providers will be able to work with the applicants they're supporting to get any clarifying question responses worked out ahead of time. So hopefully that will ease the response time for a later application.

(Rob Hall): Steve is next. Then just so everyone knows where they are in the queues right now, after Steve DelBianco, we've got (Hector), (Inhaw) on the remote participation, and then Wolfgang.

And I want to get (Brian) next in case (unintelligible). If somebody else wants to ask their first question before (Brian) asks his fourth question, please, please raise your hand. Okay (Brian), you'll be next after Wolfgang.

Steve DelBianco: Kristine, Steve DelBianco, Business Constituency.

When you introduced yourself to this group, you said you had your own business so I had my own trademark rights. And you may be wondering why around the room there were some nods of acknowledgement but some looks of shock and awe from others in the room where that doesn't really identify you with the non-contract party house as much.

Instead it's more like what you said to us yesterday in our private meeting, the BC Meeting. Is that as a business owner you probably had customers and prospects, suppliers, employees and prospective employees all of whom needed to go to your Web site and rely upon the DNS to learn about your company.

Or what else you told us yesterday that as a business owner, you did things like e-commerce and as a customer you do e-commerce. You do email and you may even count on your email provider to care about your privacy of your emails. And you probably did some online banking where it really mattered not to be victimized by a fishing attack and to have a reliable access to the online bank.

You probably even maybe keep a social network account where again, privacy is paramount. And I think you also said yesterday that you're raising some kids who are at that age where they are online all the time.

And I think that's what you meant other than the fact that I care about trademark rights. This is the non-contract side of the house. We have differing views on those things, but are real concerns are with registrants and users of the Internet.

And so I really preferred your introduction yesterday to the one today.

Kristine Dorrain: You know what? I apologize. I spend a lot of time thinking about the Trademark Clearinghouse, so it's one of the many multiple rights protection mechanisms. So I absolutely agree; it's an aspect, understood.

(Rob Hall): Hector, you're next.

(Hector Manoff): Yes, I want to know more about this status of the conversation where the URS and providers who are - a little more information about this process.

Kristine Dorrain: So Olof Nordling from our Brussels Office is in charge of the URS process. He issued the RFP and coordinated the RFP responses and evaluation process. He is working with our legal team to build the URS agreement to formalize the agreement and relationship with the select URS provider.

He's also working with our legal department much like the UDRP providers today who we have a defined set of, I will call it criteria - there's probably a better word for it - a documentation of what the standard is for such a UDRP provider is.

We're looking to build something analogous for a URS provider using the same methodology, framework, translating it to the URS world. But it will be something similar to this standard that we would hold of existing UDRP provider to. We want to create something analogous for URS.

So that's, you know, the process is there's - Olof is responsible for this working with the internal departments within ICANN. And he has contacted and been in touch with all of the RFP responders who submitted for the URS, and will continue too. And we wish to engage with additional providers and get other providers ready to that same level so they can provide the same URS service.

(Rob Hall): Thank you. I'm going to read (Inhaw)'s question. And then I see down - I'm trying to capture (Kathy) and Steve in the queue. So (Inhaw), I'm going to read your question. And I know Kristine, and you typed your question before (Inhaw), but (Inhaw) had her hand raised first so I'm going to do that.



And then after (Inhaw) it will be Wolfgang.

(Inhaw) says, "My question is regarding the CQ issued by the background screening panel via CRM to certain clients asking for more information on board members/executives. If providing such additional information is prohibited in the applicant's jurisdiction/policy, is there a way to contact the panel to work out an alternative response?"

Thank you (Inhaw).

Kristine Dorrain: That's interesting, I hadn't heard that previously.

So yes, we are issuing it. We are not calling them clarifying questions, but we are going back to applicants in those situations where we need more information to perform a complete background screening.

Sometimes it's because we received limited data in the first place, sometimes it's because we - through a search of public record we found that something has changed, so we're going back to make sure we have the correct information.

In this situation, it sounds as though limited information was likely provided due to some jurisdictional restrictions. So I would encourage that applicant to simply respond to the CSC with that information. And we would certainly want to work that through.

We are asking for everyone with information, we're asking that these background screening questions be responded to within two weeks so that we can again, keep on track and keep up with the pace of the program.

But you know, we would - it's not the - it's a separate process. It's not the panel, it's not a clarifying question, it's the four-week timeframe window does

not apply as per the guidebook. This is simply another set of information we're trying to gather from applicants.

So it is two separate processes, I want to clarify.

(Rob Hall): Thank you. I want to clarify the queue just real briefly because we're in the last 15 minutes of this session. I've got Wolfgang, Brian, Kristin - I'm sorry - Kristina whose question I'm going to read on line, Kathy and then Steve, and then Tony and Marilyn.

After Marilyn, we're not guaranteed, but I'll continue the queue just based upon the timing that we have available to us. Thanks.

Wolfgang?

Wolfgang Kleinwachter: Okay, thanks very much. I'm Wolfgang Kleinwachter. I have two questions.

One is, you know, we saw a lot of early warnings from governments. Can you speak a little bit about your communication with governments or did you talk directly to the Government Advisory Committee?

And how you deal with, you know, early warnings or whatever from governments which are not member of the Governmental Advisory Committee as Saudi Arabia which is not member of the Governmental Advisory Committee but has expressed some concerns?

And my second question goes to Google and the community. You know, there are a lot of concerns with what Google will do with the 100 applications, whether they will offer it for free, whether there's half effects on the domain name market, and there's a plan that they - Google wants to create a new domain name association. Do you have any talks to Google and I would be interested, you know, to get some more information about this. Thank you.

Kristine Dorrain: So first on the GAC early warnings, GAC did not consult ICANN staff on early warnings. We were sitting in the office late one night waiting for the early warnings to come out. So we downloaded them with everyone else.

We're not involved - staff is not engaged with the GAC to discuss early warnings. We anticipate that applicants will be revising their applications to address concerns from early warnings.

There's all ready been withdrawals and we anticipate more activity. But, you know, that's between the applicant and the GAK. So the program and staff, we're not getting in the middle of that activity.

The second question about Google; so yes, I've read some things. I don't have any commentary on that association - potential association. I think there are a lot of discussions in Amsterdam; I wasn't in Amsterdam. It's something I think Cyrus is going to have to take on as part of the industry engagement work.

But I don't...

(Cyrus Namazi): So from what we know, Google is undertaking starting an industry trade association. The genesis for which is to actually promote the new DNS industry that's unfolding.

We don't really know much more than that except that they actually held a forum in Amsterdam at the same time that we had our industry presentations in the two days that we were there. And beyond that, there's some exchanges of information going on.

But this evening I'll be at the social event. If you'd like I'll give you my card and I can put you in touch with the Google people, and it's probably the best way to get information about it.

(David): And that was just (Cyrus Namazi) who was just speaking. Thank you.

Next question is from Brian Winterfeldt.

Brian Winterfeldt: Hi, Brian Winterfeldt from IPC. My question is about Trademark Clearinghouse implementation. With the straw man solution and the limited preventative registrations, what are next steps for ICANN with respect to implementation?

Kristine Dorrain: So we're moving forward on implementation of the Trademark Clearinghouse as described in the guidebook and the right protection mechanisms of the TMCH described therein.

The straw man is part of a larger policy discussion. But from an implementation standpoint, I'm not getting involved in that.

Once the policy debate is completed, if there are any changes to right protection mechanisms, I'll be working, you know, staff will be working to implement those changes. But at this point, we're implementing things - everything strictly as described in the guidebook.

And there's an ongoing group who's been discussing the sunrise and claims, details, specifications, so staff has been working on that with various parties to finalize those specifications. I believe that those were made public in the last month. So that's the basis for our implementation; we're not implementing anything new at this time - this - on our current timeline.

(David): Thank you. (Rob) has a question from online from Kristina Rosette.

(Rob Hall): Thank you (David). Kristina has been very gracious to list a number of questions. Kristina, I'm just going to read your first one and then I'll pass on

the others to our Kristine in the room to potentially follow-up with - throughout whatever the procedures are to do that.

The question one from Kristina, "In his December 19 update to the GNSO Counsel, Olof Nordling stated that, 'We are looking into the details of the URS text and working on developing an additional rules document.' Does that document exist and will the community have the opportunity to review and comment on it before it is finalized?"

Kristine Dorrain: You know, I don't have information on that. I'd have to check and get back to you.

(Rob Hall): In that case, I'll ask Kristina's second question since that was such a fast answer.

"The owner of U.S. trademark registration that covers one class of goods or services, shoes for example, pays the U.S. PTO \$325 for the U.S. PTO to make a substantive determination of whether that mark is entitled to registration. The resulting registration is valid for ten years.

That same trademark owner will pay the TMCH almost five times that amount to keep her registration in the TMCH for ten years. The discrepancies are similar for many other countries.

"Why is there such a huge "markup?" Does the TMCH contract contain a provision that allows ICANN to later adjust the fees to account for such a huge markup?"

Thank you Kristina.

Kristine Dorrain: So the fees of the Trademark Clearinghouse for flat fee costs of providing the Trademark Clearinghouse service, the - we spend a great deal of time working with the providers supporting the Trademark Clearinghouse, Deloitte

and IBM, to structure the agreements. And this was really at Fadi's direction. To structure the agreements such that we have the opportunity for some free market competitions on the registration of marks within the TMCH down the road.

So although we have one validation provider now, the agreement is structured in a way that allows for additional providers down the road.

The pricing really reflects the cost the TMCH registrations globally, not skewed or pricing favoring the North American registration verses registrations in another part of the world that are more difficult and challenging to validate. So the cost is consistent across regions.

Kathy Kleinman: Thank you for the opportunity. Questions; when you said that the URS is going through - the agreements with URS providers are going to be similar to those with UDRP. That sounds like an accreditation model.

In the FIT which you probably know is a group that came up with the GNSO that looked at kind of URS principles across all the stakeholder groups, we talked about concepts that we really wanted and I can show you where it is in our report. That the idea that the URS should be under contract to ICANN, it makes much closer affiliation as you see with the Trademark Clearinghouse.

You can have very clear specifications, very clear monitoring and very clear follow-up if somebody's not doing what you wanted. And there's an awful lot of rights and responsibilities and balances in URS and a lot of things people built into it including rotation of (unintelligible), a lot of fairness and balance. And we were relying on contracts to protect that.

And if it's accreditation, that may not be consistent with the direction of the community. Just thought I would flag that.

Kristine Dorrain: So I apologize if I gave the impression that it was an accreditation model. That's not my understanding or - my understanding or specifications whatsoever.

Formalizing the relationship in some sort of legal agreement, I would consider it to be a contract. But we are, you know.

Kathy Kleinman: Okay, I just hear formalizing the agreement.

Kristine Dorrain: So I - please don't take it as an accreditation. That was not the intention.

Kathy Kleinman: Okay and quick follow-up question. What kind of public input do you need now that the Trademark Clearinghouse and URS are underway with implementation? What kind of ongoing input do you need from kind of the group that helped create a lot of these rules, principles, ideas, institutions to help with the implementation?

Kristine Dorrain: So I would anticipate that as we will allow and launch the customer phase and portion of the TNCH, the registration portion, I'm sure we will be getting feedback on the user interface. I'd be looking for any suggestions and recommendations on how to improve service.

We spent a great deal of time working with Deloitte and IBM to define SLAs, to make sure that the expectations for the community as a whole were reflected. And as we roll this out and we begin to use this system and this service of validation, we will certainly welcome feedback on opportunities to improve the way service is being delivered, the user interface, reporting tools, etcetera.

Kathy Kleinman: Thank you.

(David): Thank you. Steve Metalitz.

Steven Metalitz: Thank you. Steve Metalitz with the IPC. Kristine, one thing I'm getting from your presentation is that the clarifying questions are playing a bigger role than some people might have anticipated; at least they're more common.

And I wonder, are those clarifying questions and those answers to those clarifying questions being made public, at least to the extent that they're seeking clarification of parts of the application that were originally public?

Kristine Dorrain: Great question. Yes, they are playing a much larger role. From what I understand, no one previously anticipated this volume of questions.

We are working, and the intention is, as the clarification question responses come back to public questions, then the anticipation is to make those public.

The challenge however, it's not a simple answer, it's not a clear-cut solution, because sometimes the response is it's a broader response and parts of it might be public information and parts of it might be not. So we're working through that, but I think in general the applicants understand that certain questions are public, made public the responses - to certain questions are made public and others are not. So that is what we're working towards.

But with 10,000 plus clarifying question responses coming in, the efforts to keep our systems up-to-date is significant. So I don't have a timeline and a turnover on those as of yet, but that is the intention.

(David): Tony Harris and then Marilyn is the last one on that.

Marilyn Cade: Thank you. I'm sure that all of us, even those that are not applicants, would join Tony in thanking you Kristine, for the hard work that you and your team are doing.

Yesterday in a discussion that the Business Constituency had with you and Karen, we pointed out that the customers of the RPMs are actually the



trademark holders and the registrants and the users. And there are NGOs in the room as well who are applicants or who are going to be RPM users in one way or another.

I think - I'm not sure that was originally anticipated in the design of the services that ICANN needs to provide. That they will also need to be able to take customer service calls from the users of the RPMs, not just assume that URS providers takes them or the Trademark Clearinghouse providers takes them. But some amount of the questions and concerns, particularly if the system isn't working accurately, is going to come into ICANN.

Have you had even a nana second to think about how you may be able to document that kind of information and make sure it's maintained so that when the study is done of the effectiveness of the RPMs which is a required study, you are able to factor in that customer service experience feedback that in essence will be gathered by ICANN staff and possibly also by the URS provider and the TM provider, etcetera?

Kristine Dorrain: So if I could restate. One; first question one is do I anticipate providing customer service to this extended community? And two; would the results of that customer support be factored into a study?

On the latter, I truly have not put thought into that. But I will tell you on the former, yes; any user of the rights protection mechanisms would be a customer of ICANN. And although the customer service center for the gTLD program was established particular for servicing applicants within the community, we're all ready servicing anyone who emails us. So we are interacting with broader segments of the community.

However, it is also Fadi's vision that the Customer Service Center under my remit will expand to service contracted parties, non-contracted parties, anyone who has an interest and wants to get in touch with ICANN.

So it's not happening tomorrow, but it will evolve. And as we define the services in the operations, it will be certainly be part of our scope.

Thank you all for having me. I appreciate it.

(David): Thanks for joining us.

Coordinator: This concludes today's conference. You may disconnect.

END