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NATHALIE PEREGRINE: Good morning, good afternoon, good evening. This is the New gTLD Review Group call on the 25<sup>th</sup> of February, 2013. On the call today we have Yrjö Länispuro, Dev Anand Teelucksingh, Olivier Crépin-Leblond, Adela Danciu, Fatimata Seye Sylla and Kenny Huang. We have an apology from Seth Reiss.

From staff we have Silvia Vivanco and myself, Nathalie Peregrine. I would like to remind all participants to please state their names before speaking for transcription purposes. The recording and transcript of this call will be available within the next 24-48 hours and staff will be taking action items only and will put them on the Wiki after the call. Thank you for that and over to you, Dev.

DEV ANAND TEELUCKSINGH: Okay, thank you very much Nathalie, and well good morning, good afternoon, good evening everyone. My name is Dev Anand Teelucksingh. This is the Review Group call for the 25<sup>th</sup> of February.

One of the standing items that's in all Review Group calls is the review of any Review Group member's statement of interest where anyone can make a declaration of any potential conflicts of interest or statements of interest regarding any of the new gTLD applicants that we are considering. So are there any, does anybody have any updates to their statements of interest or to their potential conflicts of interest they wish to inform the Review Group about? Going once, going twice... Okay.

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*Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.*

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Okay, thanks everyone. And this is from our last call on Friday, the 22<sup>nd</sup> of February, and on that call we decided that the generic draft statement for the five applications for .health, and I'm counting the IDN application, needed further refinements in order to be considered ready to be duplicated as a separate objection statement for RALO review. My ultimate deadline was to say that these statements have to be in a form ready to be ready today, and that's what we plan to do on this call.

Several penholders were assigned to update the generic statement and I asked Review Group members to review the Google Doc and well, assist the penholders. And I would like to just thank the penholders who have been really working hard over the weekend – Justine Chew, Adela Danciu, and Seth Reiss. And they've been drafting, and I noticed comments in the Google Doc that people had – Garth Bruen, Fatimata and Eduardo – have been making comments on the Google Doc.

So this mid-morning I started separating the statements into separate objection statements. You will find these objection statements on the Wiki page for this call. I will just post the link there. So the decision we have to make is obviously review these documents and well decide whether the Review Group will approve these for release. So just a reminder of what has to happen here, there are five objection statements because there are four applications for .health and an application for an IDN string called .jiànkāng which I hope I'm pronouncing correctly, but it's from the applicant Stable Tone Limited.

And there's been some discussion as to whether does .jiànkāng, does the IDN translate into "healthy" or "health," and some of the feedback we have gotten is that the two characters used in the IDN application

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can be used as both a noun and an adjective. So that's why it was included as part of the original objection statement, because the objection comment included, also targeted this application.

So I should say that.... Sorry about that. So one other thing I did, there were two more comments that were received by the Review Group. One was a comment by Antoine in terms of the response to Garth who was reading a question in regards to why is IMIA only focusing on .health and not other terms that have been applied for, such as .medical, .healthcare, .doctor, .dentist and so forth. Antoine has posted a response onto the Review Group mailing list.

I believe there was also a comment from one of the applicants, dotHealth Limited that was sent to, I think it was sent to Adela and the rest of the Review Group. But well, it was a fairly lengthy comment but again, my thinking – and again, others tend to agree – that we are essentially trying to draft the statements based on the evidence that we got and the comments that we got as of the time we decided to draft the statement. We should probably not really consider these but make these statements fully available for RALO review if we decide to release the statements.

Whoo, right – so does anybody have any questions, comments, observations? Going once, going twice... Ah Adela, go ahead.

FATIMATA SEYE SYLLA:

This is Fatimata.

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DEV ANAND TEELUCKSINGH: Oh, sorry Fatimata. Please go ahead.

FATIMATA SEYE SYLLA: This is regarding Garth's comment on .health and also the question he's asking, why are they only focusing on .health? And for me, the answer is quite clear that we did not get any comments on the others, on the other strings. So was our mission to look around and see what is wrong or right and then make recommendations to ALAC or wait for the comments and review them, and make recommendations?

DEV ANAND TEELUCKSINGH: Okay, this is Dev. Thanks, Fatimata. Just to clarify, I mean there's only two real outcomes that could happen. One, we agree to release the statements as they are – and I hope persons have been reading the statements over the weekend and looking at the final one right now. If we agree that those statements are ready for RALO review what happens is we then submit that to the RALOs, the five applications – the objection statements on community grounds pertaining to these five applications; and then the RALOs have about a week to tell ALAC whether they approve or disapprove and then the ALAC then has to consider the advice of the RALOs.

So do you follow, Fatimata?

FATIMATA SEYE SYLLA: Yes. I think I made the suggestion of adding the five applications, and I agree with the drafting when I made my comments, so-

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DEV ANAND TEELUCKSINGH: Okay, so just to be clear – this is Dev again, sorry – that you think that all the five statements should go out including the IDN one to the RALOs for review.

FATIMATA SEYE SYLLA: Yes.

DEV ANAND TEELUCKSINGH: Yes, okay. Well, let me ask other persons. Adela, as one of the penholders who has been working on these documents, what are your thoughts regarding the final objection statements and all of the interactions of the Review Group and so forth?

ADELA DANCIU: Thank you, Dev, this is Adela speaking. Well of course, working on the statements as much as I could I would like to say the result is in the opinions of the RALOs and ultimately the ALAC if our statements are sustainable or not. We did our best; now it's up to the others to consider them in my opinion. Thank you.

DEV ANAND TEELUCKSINGH: Okay, thank you Adela. Let's see, and I'm going to be asking all the Review Group members on this call. So Eduardo, your thoughts of the objection statements as they are and the summary of all the comments received by Antoine in response to Garth's query – what are your opinions?

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EDUARDO DIAZ: This is Eduardo for the record. I think the main question I had was the IDN one that was answered, where it could be a noun or an adjective I believe. So other than that I'm with Adela – let the RALOs decide what they want to do after this. Thank you.

DEV ANAND TEELUCKSINGH: Okay. Alright, okay, thank you Eduardo. Let's see, Fatimata you said you're ready – just to confirm for the transcript record, in looking at the five objections... Have you looked at the five objection statements and think this is in a form ready for RALO review? Just to confirm, I believe you said yes but I just want to be...

FATIMATA SEYE SYLLA: Yes, Fatimata for the record. I agree, yes.

DEV ANAND TEELUCKSINGH: Oh okay, thank you Fatimata. And let's see, who else is here... Kenny? What are your thoughts? \*7 to unmute. No Kenny, we can't hear you - \*7 to unmute. Oh I see, Kenny's on the AC room. We have to really... Alright, well can staff... While staff works with Kenny to get is microphone connected to the AC room, Yrjö, what are your thoughts?

YRJÖ LÄNISPURU: Yeah, thank you Dev – this is Yrjö Länispuro for the transcript record. I agree with Adela and Eduardo. I think that these objections are sustainable and so let's get them to the RALOs. Thank you.

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DEV ANAND TEELUCKSINGH: Okay, alright – thanks, Yrjö. Alright. Let’s see... Well, I wanted to get Kenny Huang’s opinion on this and if he has any questions or does he agree with this or not. Let’s see, while... Oh, I see – Kenny is saying “agree.” Okay, so Kenny agrees that the statements are ready for release – I would say ready to be submitted to the RALOs for review. Well, okay.

Okay, alright. So well, okay – five persons. I believe actually, Eduardo, that’ll be good for the transcript record – maybe I should have done this at the very outset. [laughing] So can you put tick marks to say okay, the statements are ready for RALO review? Okay, I’m seeing one, two, three from Adela, and I believe Kenny has also indicated “agree” on the chat that he does agree. Oh, Aziz is now entering the chat and the call. Aziz, are you hearing me? Okay. Well, while Aziz gets onto the call, just to confirm something here and just to make sure everybody understands-

AZIZ HILALI: Hello?

DEV ANAND TEELUCKSINGH: Ah, Aziz. Hi, how are you?

AZIZ HILALI: Excuse me if I am late. I am fine, thank you.

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DEV ANAND TEELUCKSINGH: Sure. Actually, I hope you had a chance to review the objection statements on the Google Doc. The first question that's been put before the Review Group is whether to make available the objection statements against the four applications for .health and the IDN .jiànkāng for the RALO review. I don't know if you want to say, or have any thoughts about that or whether you agree or disagree with that? Shall I give you a few minutes or...

AZIZ HILALI: Yes, a few minutes please because I don't have any idea for the moment.

DEV ANAND TEELUCKSINGH: Oh okay. Well, if you go to the agenda page you will see the five statements.

AZIZ HILALI: Yes, this day I was in (Inaudible) and I don't have my visa to go to my (inaudible), so it might be a problem. But you can continue and I will hear you.

DEV ANAND TEELUCKSINGH: Okay, thank you Aziz. Okay, so just to confirm to the rest of the Review Group what the next steps are. I covered much of this before but just to repeat and make sure we understand it, because one of the next steps is that since we are releasing the statements for RALO review we have to make ourselves available to answer any questions of the RALOs about these statements. So once the statements go out to the RALOs the



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RALOs have to look at the objection statements against the application. They also have to look at of course the application statements themselves and all the comments received about this objection starting from the comment from IMIA and the feedback that has been put on the .health Wiki page.

The RALOs cannot modify the statements. If they disagree with the statements then they have to reject the statements. There's no way to modify it in any form or fashion. They can't change the substance of it. Okay? So each RALO has to look at each of the five objection statements and decide whether it wants to support or not to support the objection statements as is.

So the RALOs for example, can look at the objections and decide for example that it may look at one application and find that it safeguards [public interest] for example and therefore support that one and deny others. It's entirely up to the RALOs. So just to make sure does everybody understand that? I want to make sure that once this starts because there's not much time for the RALOs to handle this information so we have to make sure that we're very consistent in what we tell them. Does anybody have any questions? Go ahead.

SILVIA VIVANCO:

Yes, this is Silvia Vivanco. The question is we should make clear that the RALOs understand what is going to be the input required from them, and so I suggest we make it very explicit that they have only these two options – yes or no, or that they have no other option to modify this statement at this point. I don't believe that's the case but if not we should spell it out so there is no confusion and that's understood.

DEV ANAND TEELUCKSINGH: Yes agreed, thank you Silvia. Yes, the only options are “Do you support the community objection statement against applicant whatever and .health? Yes or no?” There’s no abstain or anything like that. I mean you have to give either an affirmative or a negative. Eduardo, go ahead.

EDUARDO DIAZ: Yeah, this is Eduardo for the record. The other question I have is do they have to approve them in a block or by publication?

DEV ANAND TEELUCKSINGH: It’s by each of the applications.

EDUARDO DIAZ: Okay, this is Eduardo again. So there might be a case where one RALO approves two, another one approves another two and then a third one approves one – that can happen?

DEV ANAND TEELUCKSINGH: Yes, Eduardo, thanks for that question – yes, that can happen. So what happens at the end of it, all the RALOs have to respond on them because if the objection statement against a particular application gets the support of three or more RALOs then the ALAC has to then consider whether to accept that advice. So if at the end of next week all the five RALOs have responded, and let’s say two of the applications all five RALOs support it and the other three applications there was no support – so then the ALAC is only going to look at those two applications that

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the RALOs advised to support. The ALAC will then have to decide whether to accept it, accept the RALO advice or not. Did I make that clear?

EDUARDO DIAZ: Yes, this is Eduardo again for the record. It's clear. I'm just curious about our process because I remember last Friday that I think we said that if we didn't pass the objection for all five of them it would have not gone to the RALO. And here the RALO can object only to some of them, not in all of them.

DEV ANAND TEELUCKSINGH: Well, I'm not sure what you mean – this is Dev, thanks. Just to clarify, the RALO can support all five objection statements.

EDUARDO DIAZ: This is Eduardo, maybe I didn't express myself well. We, the Review Committee-

DEV ANAND TEELUCKSINGH: Oh, the Review Group, okay. Sorry.

EDUARDO DIAZ: The Review Group had to pass all five applications, an objection for all five applications – otherwise we would have not sent it to the RALOs. Is that correct?

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DEV ANAND TEELUCKSINGH: Okay, now I understand the question, okay. This is Dev. Well, the answer is no, we do not have to... I mean if we felt one statement was deficient in some way, we could say well... And if there was consensus, if there was near consensus that we should not send that one statement because I don't know, whatever the reason is – it's not ready, it's not complete or whatever, then we could hold it back. Does that answer your question?

EDUARDO DIAZ: Yeah, so it could have been that we could send four to the RALOs instead of the five. I misunderstood that last time. I thought we had to have all of them, we had to pass an objection for all of them in order to go from our Committee to the next step. That was my question-

DEV ANAND TEELUCKSINGH: Yeah, the concern was regarding this IDN and whether the IDN was appropriate to be included as part of the filings. And the question was of course whether .jiànkāng translates to "health" or "healthy." So-

EDUARDO DIAZ: This is Eduardo. I understood that portion. Okay, not a problem, I just wanted to understand, thank you.

DEV ANAND TEELUCKSINGH: Okay, and I'm seeing Garth is now entering the room. Okay, hi Garth. Aziz, well I hope you've been following the conversation. So are you ready to give any opinion as to whether the five statements are in your opinion ready for RALO review or not?

AZIZ HILALI: Yes, I agree with all the persons, but if you can give to the RALO another option, for example abstention.

DEV ANAND TEELUCKSINGH: Alright, thanks Aziz. The question is whether we can give the RALOs an option to abstain? Well, the answer would be no really, because even if RALOs were to abstain, abstaining would mean voting “no,” not supporting the statement. So if so, if the hypothetical is again, if all five RALOs were to abstain on this application for whatever reason then the ALAC cannot consider the RALO advice. It needs a positive three or more RALOs to support the application. Okay. So I hope that answers the question. Sorry about that.

Garth, I hope you are on the phone now. Well, just to summarize what has happened so far, the five statements were uploaded to the agenda. The Review Group has looked... I went through the summary of what has happened in terms of Antoine’s response, your question and Antoine’s response. The Review Group members on the call – Adela, Aziz, Eduardo, Fatimata, Kenny, Yrjö – have said that the objection statements are in a form ready for RALO review. So I just want to know if you have any opinions or thoughts on that. And apologies for this cough, everyone. I know think Garth is not in the AC room. Is he on the call?

NATHALIE PEREGRINE: This is Nathalie, no, not yet.

DEV ANAND TEELUCKSINGH: Okay sorry, that was probably just... If Garth is not here, alright. But any other comments or questions regarding the RALO review aspect? I think one of the immediate action items is to actually work with... Ah Silvia, please go ahead.

SILVIA VIVANCO: Yes, this is Silvia Vivanco. I just wanted to make a suggestion if I may, that once you make a decision to release the statements for the RALO review, there may be some questions and perhaps confusion on what is the exact course of action for each RALO – what about having a follow-up conference call where the Review Group and particularly you, Dev, can brief the RALOs on the five statements and describe the course of action so that they have a very clear picture of what exactly they need to do and why; because otherwise there could be some confusion and emails going back and forth, and that could delay the process. That's only a suggestion for the groups to consider. Thank you.

DEV ANAND TEELUCKSINGH: Thank you, Silvia, this is Dev. Actually that's not a bad idea. I think if we were to have a conference call with some of the RALO leaders, and most of the members of the Review Group are involved in a RALO as, well Garth is I know the Chair. But a conference call with the RALO leaders, the Chair and Secretariat of each RALO, that would be good. I guess the question would be what day could that conference call be? Today is Monday, so do you think a call with an appropriate timing could be done by say Wednesday or Thursday?

HEIDI ULLRICH: This is Staff, yeah, that's fine. This is Heidi, I'm sure that that would be fine. Nathalie, yeah... And I'm just actually working with Gisella, I'll let Gisella know that right now, that's fine. Do you want to send out a Doodle or what do you want to do?

DEV ANAND TEELUCKSINGH: Well, I think so because obviously the RALOs have to come in and so forth. It is for the RALO leaders to be able to ask any questions regarding what's being asked of them.

HEIDI ULLRICH: Okay, I'm just thinking... Let me work with Gisella for just a moment and then I'll get back to you on that.

DEV ANAND TEELUCKSINGH: Okay, thank you. Any other thoughts from the Review Group members regarding the idea of having a conference call or briefing or Q&A just like this with the RALO leaders? Anyone have any thoughts on that?

FATIMATA SEYE SYLLA: Fatimata.

DEV ANAND TEELUCKSINGH: Fatimata, please go ahead.

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FATIMATA SEYE SYLLA: Yes, I think it's a good idea to have those conference calls. But when it comes to AFRALO I think we need translations. For a [smaller percent] of readers it might be okay but when we have to send the statements to the RALOs for review we might have problems with the English, unless we have some (inaudible) saying why it was objected, saying why we are suggesting an objection. I don't know but I am sure that for AFRALO, the majority of ALSes need French.

DEV ANAND TEELUCKSINGH: Okay, alright then – thanks, Fatimata. And I see Aziz is also agreeing with you on that. So I think yes, we should perhaps have interpretation. Just one thing, Heidi, and possible as a suggestion – if the need calls for it we can have two conference calls, meaning that... Because I know it's going to be very hard for all five regions to come in on one call. So Heidi, go ahead.

HEIDI ULLRICH: This is Heidi, thank you Dev. Yes, excellent idea. If we could just get a Doodle out to all of the regions maybe first thing Europe time tomorrow and then we can announce and maybe get some times on Thursday. There are times when most regions are available, just a few and if not we can hold two. Would everyone on this team be available for Thursday? It would be around 19:00 to 21:00 for the most part UTC, so around this time.



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DEV ANAND TEELUCKSINGH: This is Dev, I'll commit myself to that, sure. Whatever times, I mean because I want to make sure all the RALOs do understand what's going to happen here.

HEIDI ULLRICH: Yeah, that's an excellent idea I think. I think this was a good reason to have a call with the RALOs, the RALO leaders.

DEV ANAND TEELUCKSINGH: Yeah, and then if anybody else in the RALO is interested in it-

HEIDI ULLRICH: So this is for the RALO Chairs only or for RALO Officers? So that would be Vice-Chairs-

DEV ANAND TEELUCKSINGH: RALO officers, maybe-

[crosstalk]

HEIDI ULLRICH: Okay, so then you're going to ask them to forward this information to their ALSes or do you want them to just be able to explain it on monthly calls? What's the object of this call then, the main objective?

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DEV ANAND TEELUCKSINGH: Okay, the main objective is to inform them to ensure that they fully understand the notice that will be going out regarding the RALO review, if they have any questions or comments or clarifications needed in terms of what is being asked of them. That's the real thing. It's not really to have it be a debate about the applications as such.

HEIDI ULLRICH: Okay, so my only question is in about seven hours there's going to be an APRALO monthly call – do you want to be on that call or do you want....

DEV ANAND TEELUCKSINGH: Sure, yeah, I'll be on that call. Yeah.

HEIDI ULLRICH: Okay, thank you so much.

DEV ANAND TEELUCKSINGH: Yeah, and of course the action item would be to work on this statement to get it out to the RALOs. Okay, Garth, I see you're in, out, and now you're back in. So are you able to hear me? Going once, going twice... Okay Garth, good. Okay, so just to repeat what's happened on the call, the five objection statements were posted on the agenda page. The Review Group members on the call – Adela Danciu, Aziz, Eduardo, Kenny, Yrjö – agreed that the statements were in a form ready for RALO review. We discussed the comments that were received, mainly the question you had posted through the Wiki and Antoine's response. There was no substantive comments on that point.

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So I just wanted to know whether you have any, well one, what are your thoughts about the five statements for each of the applications including the IDN one; and if you have any questions or comments. The question is “Did staff ever get the answer for the question regarding IDNs?” To date I don’t think there was a response from the New gTLD staff. Heidi, do you have-

HEIDI ULLRICH:

No, this is Heidi. I did send that over to the New gTLD team and they said that they’re looking into that. They are aware of the urgent nature of the question and they said that they will get back ASAP on that.

DEV ANAND TEELUCKSINGH:

Okay, I see Garth is typing. Okay, well Garth is saying he can’t support moving forward on that objection until we have an answer regarding the IDN query. Okay, well Garth, is there any way for us to hear your voice? Okay, great. Fantastic, that would be great. While Garth is getting connected via the AC or the audio bridge, again, any thoughts, questions, comments regarding the next steps? Okay, well I’m seeing Fatimata typing, so... If it’ll be a minute we’ll just wait until Garth gets on the call and then we can have a discussion on the IDN issue.

FATIMATA SEYE SYLLA:

This is Fatimata. I’m just typing to say that I’m going to leave.

DEV ANAND TEELUCKSINGH:

Oh, okay. Alright Fatimata, well thanks for attending the call and take care.

FATIMATA SEYE SYLLA: Thank you, Dev.

DEV ANAND TEELUCKSINGH: So let's see... Kenny, actually Kenny, I don't know if you have any thoughts regarding this IDN application from Stable Tone Limited as to whether the IDN .jiànkāng, and I don't know if I'm really pronouncing that correctly – whether those two characters translate to the noun "health" or the adjective "healthy." I don't know if you're able to answer that question.

KENNY HUANG: Yes, the IDN characters, two characters actually they convert to "healthy." Can you hear me?

DEV ANAND TEELUCKSINGH: Well yes I can hear you now. Can you repeat what you said?

KENNY HUANG: Yes, the two characters that stand for the IDN are actually traditional Chinese characters, they represent the "healthy."

DEV ANAND TEELUCKSINGH: Okay, because there's been some debate as to whether, well that those exact same two characters for the IDN application can be used for the noun "health."

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KENNY HUANG: Yes, correct.

DEV ANAND TEELUCKSINGH: Okay, so they can be for both. Okay. Well, they can be for both. Well okay.

KENNY HUANG: For both, yes.

GARTH BRUEN: This is Garth, I'm actually on the call now.

DEV ANAND TEELUCKSINGH: Hi Garth. Garth, glad you can make it.

GARTH BRUEN: I've been following what Kenny's just said. It seems like we have a couple different answers to the question but definitely "healthy" seems to be the appropriate and it can possibly mean "health." So I think that after that it goes to the applicant's intent which we don't know yet.

DEV ANAND TEELUCKSINGH: This is Dev. I mean, and thanks for getting on the call. Isn't it then, shouldn't it then be left up to the RALOs to make that decision to then say "Well okay, we looked at the application and we don't agree that this IDN is being targeted by the comment originally from IMIA and therefore reject the statement."

GARTH BRUEN: This is Garth. Well, I would tend to disagree. I think that if the applicants categorize the application as .health, at that point I don't feel like there is an issue and it should probably stay – the objection should probably stay where it is. If the applicant intended it to be “healthy,” I think it's a completely different situation than the other four and shouldn't be bundled in with those four. And I'm not sure how we deal with it but I don't think it would be appropriate for it to be listed with the other four.

DEV ANAND TEELUCKSINGH: Well, this is Dev – thanks Garth. I mean just so, I went through this conversation before and some time ago way back when with the New gTLD Working Group. I mean the intent here is that the idea of [the manual objection process] is to well, for any community that thinks that the string implicitly or explicitly targets them. So even though it's not... Oh Olivier, please go ahead and then I'll continue. Go ahead, Olivier.

OLIIVER CRÉPIN-LEBLOND: Thank you, Dev, it's Olivier for the transcript. I was not meant to stop you from speaking so please finish your sentence and then-

DEV ANAND TEELUCKSINGH: No, I don't mind, it'll give me a chance to recover my voice.

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OLIVIER CRÉPIN-LEBLOND: Sure, okay – it’s Olivier for the transcript record. I just wonder, I wanted to ask Kenny – which it is great to have a Chinese speaker here. The characters there, so if I understand correctly they mean both “health” and “healthy.” So do you mean that in Chinese “healthy” or “health” is written the same way?

KENNY HUANG: Basically, the only difference is one is a noun, one is an [adjective]. So the noun “health,” “healthy” would be the adjective. So for the two characters, for the two Chinese IDN characters basically it’s not a very clear identifier of whether it’s a noun or an adjective because based on verbal speaking, they can simply [imply a voice]. And for a formal Chinese speaker, the two characters most closely tie to the noun that means “health,” not “healthy.”

DEV ANAND TEELUCKSINGH: Okay. Yes, we heard you Kenny, thanks. Olivier, any follow-up?

OLIVIER CRÉPIN-LEBLOND: No, no, that’s all. Thank you. Very interesting, thanks.

DEV ANAND TEELUCKSINGH: Okay, thanks. Well yeah, one of the examples I used was that okay, where there was an intentional targeting was because okay, if there was a hypothetical example of... Well I see Eduardo coming in. I’m glad to rest my voice, so Eduardo, go ahead.

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EDUARDO DIAZ: This is Eduardo for the records. The way I see it is that “healthy” and “health,” from what Kenny’s saying, they are not mutually exclusive here. They can be either one. I mean if one doesn’t go the other doesn’t go. You can actually say “You can go this way or you can go that way” – they are not mutually exclusive. They are the same, healthy and health. To me (inaudible). That’s the way I... I mean you cannot separate “healthy” and “health.” That’s what I’m trying to say.

DEV ANAND TEELUCKSINGH: Okay, thanks Eduardo. Okay, so my question is this, and I posted this in the Google Document before – given the possibility that by looking at the two characters an end user may interpret it, may see those characters and may think it immediately means “health” as opposed to “healthy,” and therefore wouldn’t that be sufficient means that okay, the fact that it can be misconstrued to be interpreted either way – therefore that’s a reason why it should be included as part of the objection comments that have been raised regarding the .health and so forth? Garth, please, take the floor.

GARTH BRUEN: This would just be my suggestion, that I guess in order to avoid any kind of potential prejudice I just say separate it from the other four and have it be a separate statement. And maybe that’s a lot of work, I’m not sure. I mean I’m just concerned that if the applicant intended one use of the word in Chinese regardless of what it may mean to some people... I think we’re sending a statement to the RALOs when we include all five together, and what we’re saying as a Review Group is that they all mean the same thing and that the applicant may not have intended that it



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mean the same thing. But we don't know this yet, and that's the question I'm trying to get to.

DEV ANAND TEELUCKSINGH: Okay, thanks Garth. Well, when you say it's bundled together, just to make sure we're clear on this the RALOs have to look at each of these five applications separately and are going to be voting on five, they're going to be sending five yes or no votes on each of the applications. So in that sense they are separate. I mean unless I misinterpreted what you're saying...

GARTH BRUEN: This is Garth again. I mean in terms of the presentation, is it going to be presented to the RALOs as a single document?

DEV ANAND TEELUCKSINGH: That's going to be the next drafting thing for the next few hours. Most likely what I will do is create, either update the Wiki page or create a new Wiki page on it and then lift the four... I think I understand now what you're trying to say. So what you're saying is that the RALOs need to consider the following application against .health by applicant so-and-so, and provide the link – and you list the four applicants for the .health ASCII version; and then the application by Stable Tone Limited and list the IDN, and put health/healthy. Would that make it, is that what you see?

GARTH BRUEN: This is Garth, yeah.

DEV ANAND TEELUCKSINGH: Would that be... So instead of saying five applications for .health, is that what you...

GARTH BRUEN: Yeah, this is Garth again. I just would say make it clear as far as the RALOs are concerned in their viewing of it that they're really voting on five different items and they're not voting on one item that is...five items that are on a single document. That may cause some confusion-

DEV ANAND TEELUCKSINGH: I understand what you're saying, yes. Well, there's no one statement, there's going to be five separate statements. And the RALOs have to submit to the ALAC their opinion on each one. So they're going to have to say "Yes or no, do you support the objection statement on community grounds on this application?" And they can't modify it. If they don't like the logic or they don't like anything in it or they don't like the statements from what the applicants have responded already in the Wiki page they can reject it. So there's going to be five yes's or no's. So Olivier, please go ahead.

OLIVIER CRÉPIN-LEBLOND: Thank you very much, Dev, it's Olivier for the transcript record. So I'm just wondering about one thing. This working group, this Review Group, is supposed to provide recommendations on whether there should be or should not be an objection notice. Now if you do these all five as separate votes, at that point what would your recommendation be for

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each of these? Would it be you would like an objection on each one of those five or would you say on four we would have an objection, on the fifth one we don't know because we might be split?

DEV ANAND TEELUCKSINGH: Hmm... Well, I suppose what we can say – this is Dev, thanks Olivier, for the question. I would say that the way to do it would be that based on the information we had as of the decision that we had to draft the statement, we could outline several of the concerns – for example, regarding .jiànkāng there's been some discussion as to whether the characters can be meant for “healthy” or “health,” whether they should be incorporated, something to that effect. But then I get a little worried because then it's going to make it more confusing – that would be my initial thinking here.

Hmm.... And I mean how should I put it? The other thing going back, one of the applicants has taken an interest and has replied to the IMIA's comments and so forth, so the RALOs need to take those things into account and decide whether, for example – what the applicant has written, do they agree that maybe the protections are good enough and therefore they don't support the objection because they feel satisfied that there are enough protections, there's no detriment caused and so forth? So I hope that answers the question or am I confusing it more?

Okay, well not hearing anything let's see... Anybody else wants to make a comment? Adela or Yrjö, your thoughts? Before the answer I'm seeing Garth saying they need an answer from staff. Let's say that by the time the New gTLD staff responds it's going to be like Friday or

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something like that. Then it's going to be much too late to make any decisions to send to RALOs or not. Olivier, please go ahead.

**OLIVIER CRÉPIN-LEBLOND:** Thank you very much, Dev, it's Olivier for the transcript. I fail to understand Garth's question here. He wants to know whether the applicant meant "healthy" or "health," but the string itself when users will use the internet will mean "health" or "healthy," but as far as the user is concerned they will be able to read it one way or the other. So in any case the string itself is equivalent to .health, that's my personal point of view. The intent of the applicant themselves doesn't really affect the meaning of the string itself.

**DEV ANAND TEELUCKSINGH:** Yes, because it's the effect of if you feel the string is targeting their community and that's what this objection statement is about.

**OLIVIER CRÉPIN-LEBLOND:** It's Olivier again. Then of course in voting, the Review Group members and I gather also the RALOs will be looking at the actual applications. And from the applications, if the application says "healthy" – I gather that the applicants were of Chinese origin and that in China "health" and "healthy" are just one in the same thing. There are some words in the English language which might be defined in the English language but in other scripts and languages, one word means more than one thing; and one way of writing it means more than one thing. So then of course it's just left to interpretation at that point. So thanks.

DEV ANAND TEELUCKSINGH: Okay, alright. Yeah, I can see that, I take that point, Olivier. I see Adela and Yrjö agree with you. Garth?

GARTH BRUEN: Well, this is Garth again. Thank you, Olivier. You've actually helped make my point a little bit. The application for the IDN string that we're talking about includes definitions of "health" or "healthy" which are not necessarily covered by this community objection. It actually gets into areas that I do not believe from the reading of the objector are included and they're more, they tend more to the definition of "healthy" than they do to the definition of "health." Health in the context of the objector's statement seems to be health in the context of an industry, of a health industry.

And "healthy" is not an industry. And he also mentioned how the Chinese, in terms of culture their interpretation may be slightly different and may include a lot of things that are not necessarily part of what is a health industry. And I think that that's actually part of the problem and it may actually explain why this objection doesn't necessarily match that particular application, because it includes a lot of things that are I guess maybe you could consider wellness, well-being, holistic – whatever you want to call it, maybe traditional medicines that aren't always part of what is considered to be the health industry that the objector is trying to protect.

And that's why I think it makes a difference whether they intended healthy or health. Thanks.

DEV ANAND TEELUCKSINGH: Oh, okay. Okay, thanks Garth. Okay, well just to say Adela and Aziz have to leave the call because we're now coming to the top of the hour. Actually, that's a very good comment from Adela, okay. Just to read it for the record, for the transcript Adela writes "I'm well aware that the comments are far from being perfect and the main challenge we are faced with is actually the lack of specific comments and involvement from the community the At-Large is supposed to represent. But this whole endeavor is a pioneer work for everybody."

Okay, well thanks again, Adela, for that comment, and I see +1 for Adela. And Adela continues "So we should at least give it a try with what we have." Okay. Okay, thanks Adela. Thank you, and thanks again for your efforts and being the penholder on these statements. Okay, so Garth, let me ask a question here because I think Olivier brought up a nuance. There are English words that can mean two different things, so when one looks at the domain name or one clicks and they see it in their browser window they can interpret it as one way or the other.

But given the fact that, and again, this is my thinking here and this is what I said in the Google Doc, that given that it is implicit, there's a potential implicit association irrespective of what the application says that it can be misconstrued as being part of the health community and so forth; and therefore the objection statement should then be drafted in that regard. Garth?

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GARTH BRUEN:

Yes, thank you – this is Garth again. Yes, to answer your question, my concern is not necessarily about... It's because if the applicant intended that it be "healthy" then the objection as written does not necessarily match that, it doesn't cover that. And if you're talking about nuances of words, I mean obviously any TLD can be hacked for somebody else's use and words in different languages have many, many different meanings. It can mean different things to different people. For example, the string in English W-I-N-D can mean to wind a watch or it can refer to the weather, it can refer to wind – and those are two completely different meanings.

Now, to use this as a hypothetical, if someone were to submit an application and their application specified that they're going to use this to refer to watches and to mechanics on a watch, and that only; but an objector submitted an objection stating "I represent the weather community and the weather community has a problem with wind-related domain names..." I mean I think we're dealing with a much more narrow issue than that between "healthy" and "health" but I think what I'm saying is still a good example because the objection does not match the applicant's intent. And what I'm saying is that application shouldn't be bundled with applications that are much clearer in their intent – that's probably a better way to put it.

The other four applications for .health are much clearer about wanting to be for the health industry. The IDN version is not as clear cut as that and it's not as delineated I guess to use a word which is the word we're using as the other ones are. Thank you.

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DEV ANAND TEELUCKSINGH: Okay, well then let me just... Garth, let me just say as a way forward given that there was near consensus for releasing the five statements for RALO review, would it be appropriate to say.... I think I understand what you mean by the grouping but in reality they're not grouped. All the objection statements are going to be listed separately in the sense of objection statements against this applicant for this string, an objection statement for this applicant for this string, you know. So it's not really grouped together. There are going to be five PDFs.

So once it's done like that, and I mean especially for APRALO, and if they have an APRALO call in seven hours – seeing Eduardo's comment – I think they can probably also have a strong debate as to whether this statement really is meant to target it in that sense or not and therefore support or reject it, and it's fine for them to do that. So well Garth, sorry, go ahead.

GARTH BRUEN: Yeah, thank you Dev, this is Garth again. I mean I'll just make clear what I think is a possibility, a hypothetical possibility: because .healthy, this IDN which could mean both words – it still falls under the umbrella, the same umbrella as the other four. And if we're making a decision here that it's more or less the same meaning, and we continue to treat it in the same way as the four other strings which are much more specific; and let's say that we move forward with this objection. Let's say that the objection is upheld by the community and the objections go forward, and then later it's found out – which we don't know at this moment – that the applicant completely intended it to be .healthy and



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no other meaning, and that it was actually ICANN staff that categorized it as .health.

I think they would then have a basis for a lawsuit, and I think that we would be looked at as not paying close enough attention to the details. And I'm saying knowing what staff did may help resolve this ahead of time.

DEV ANAND TEELUCKSINGH: Alright, well Garth, just to clarify what happens in a dispute resolution process, remember it's not just the filing of a paper that's automatically, that's it. Let's say the RALOs support, there's a majority support of RALOs for the objection statement and then the ALAC also then decides to agree with it. What happens then is that the objection statement is filed and a copy is sent to the applicant. Okay, and remember, it's all separate applications – we have to pay separate filing fees on every single one.

So then what happens is that the applicant has an opportunity to respond to those claims, and the applicant – so in other words, it's not as if it's an automatic they get the statement and... You know, there's a process where it's studied, it's scrutinized and so forth. So the applicant has an opportunity to respond, and in fact, technically the applicant could respond while the RALOs are doing their reviews as well. But my point is, during the dispute resolution process the applicant has an opportunity to respond within 30 days from the filing of the objection.

And then what happens is that the dispute resolution service provider may ask follow-up questions of either or both the applicant and/or the

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objector; and of course they have certain timeframes for that. And then the dispute resolution service provider adjudicates. So my point is that even if it goes all the way to the dispute resolution service provider the applicant has the opportunity to respond and defend its position. Does that make my point clear? Yrjö, and apologies for taking more time on this but go ahead, Yrjö.

YRJÖ LÄNISPURU:

Yeah, thank you – Yrjö Länispuro for the transcript record. I think that since we are looking at these things from the point of At-Large, that is to say from the point of the end user – to my mind, what impression a string creates in the mind of an end user is more important than the intent of the applicant. The other point is that I really, I mean there's only one Chinese speaker among our group here and Kenny, it's been great to have these comments; but I think Eduardo said this is going to APRALO and they have more perhaps understanding of the subtleties of the Chinese language on this point. Thank you.

DEV ANAND TEELUCKSINGH:

Okay, thank you Yrjö. Okay, I notice Kenny has been typing for quite a while. Okay, well yes, and when one uses the Google dictionary it shows the IDN for both "health/healthy" written in two characters, an IDN usually used for nouns. Yes, and I used the Google Translate and it pointed that out as well.

Okay, well Garth, I mean the thing is, most of the Review Group members felt the statement was good enough for releasing to the RALOs, and the RALOs can now support or reject it. I think what you're

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saying is about grouping them together, and what I'll do is I'll try to emphasize that it's really a separate application statement for.... This is, the objection statement is against the string .jiànkāng and let's all of us make the decision. Do you think perhaps an explanatory note or being able to... I don't want to make the whole document a long document but I could say, I could put some wording to the effect that some Review Group members felt that... Well, some sort of wording that says there was some interpretation as to whether the translated version of... The intent of the applicant or...

Ah, well I can't wordsmith on the fly right now but something to the effect that there were concerns raised regarding that the translation of this IDN could be used for "health" and therefore the objection statement was drafted with this in mind and leave it at that, and let the RALOs themselves make the decision as to whether that is true or not, or... Would that be appropriate, Garth?

GARTH BRUEN:

This is Garth. Thanks for asking. I mean I'm really just looking for clarification from staff on the process and I think if we're going to put that note in we might as well say we didn't have a complete understanding of the process, I don't know.

DEV ANAND TEELUCKSINGH:

Hmm, well remember, we have to say that this is all based on all the information we had up to that point with the best intentions – this is what we came up with, as are the comments received, the comments that were submitted and the discussions we had in previous calls and

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then leave it to the RALOs to object or to say... The RALOs could either agree or disagree completely with it. So because unfortunately, Garth, the problem is I don't want to wait too long for it because then it's going to cut into the whole time for the RALO review in any case.

GARTH BRUEN: Okay, this is Garth. Like I said, I'm not trying to hold up the process. Maybe if we, fine, let's go forward with-

[crosstalk]

DEV ANAND TEELUCKSINGH: Yeah, and if the points are raised that it's a mis-categorization by staff or whatever then fine; and by all means, you yourself can also make comments and so forth. If you want, perhaps what I can also do is create a separate page on the Wiki as well and therefore it's viewed as a separate, it's viewed as a separate objection type. I think perhaps that might make it more acceptable, so I will create a Wiki page that houses the two IDN characters .jiànkāng and then so people can look at the comments based on that. How about that?

GARTH BRUEN: This is Garth.

DEV ANAND TEELUCKSINGH: So it's not grouped as part of the four applicants for .health.

GARTH BRUEN: This is Garth. I think that that's a great suggestion, yes.

DEV ANAND TEELUCKSINGH: Okay, alright. Great. Alright, I'll create a Wiki page and do that too. Okay, well I think it's now twenty minutes past the hour. I thank everybody for staying so long. Any other business? Going once, going twice, going thrice... Okay, great. Alright, so we are going to release the statements for RALO review. I'll work on drafting the statements with the RALOs. Staff is going to coordinate a, well put times for two briefing calls to ask any questions regarding the process – tentatively Thursday I believe, and whatever time it is I'll be able to answer any questions.

Let's see... Anything else? Yes, I will then create a separate Wiki page for the characters .jiànkāng so they'll be listed separately from the four applications for .health; and then I'll put in the IMIA comments and therefore the objection statements as drafted. And then as I say, the RALOs can now make their points or their support or not support the statement.

Okay? Everybody's okay with this? Going once, going twice, going thrice... Wonderful, okay everyone, thank you. And just to repeat, thank you again for the amount of meetings and calls on this. I think this is going to be the eighth call within a month and I know that we've also been taking 90 minutes at some points. So thanks again for this, for your great efforts. And now let's leave it and the call is now adjourned. Thanks everyone, again.

[End of Transcript]