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BUENOS AIRES – Registrars Stakeholder Group
Tuesday, November 19, 2013 – 09:00 to 17:00
ICANN – Buenos Aires, Argentina

UNIDENTIFIED MALE:	For the purposes of the recording, this is Registrars Stakeholder group, meeting at 9:00 a.m. on Tuesday, November 19 in Retiro C.
MICHELE NEYLON:	Okay, good morning everybody. I think we'll get started. Has the recording been started or do I need to get somebody to get the recordings and all of that? Okay, could you please start the recording?
UNIDENTIFIED MALE:	You can go ahead.
MICHELE NEYLON:	Thank you. Good morning, everybody. Welcome to the Registrar Stakeholder group meeting here in Buenos Aires. As usual, we have a fairly busy agenda. We'll hopefully keep to our schedule, or as close to it as possible.
	One minor update so far. Cyrus Namazi, who was scheduled to be joining with us this morning, will unfortunately be unable to do so due to personal reasons. The message from him is he is not bailing on the registrars. He is just unable to appear because he is suffering from some kind of food poisoning. Yes, James?

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.

JAMES BLADEL: He seemed fine in the bar last night. I noticed that he saying something about he might be getting food poisoning the next day.

UNIDENTIFIED FEMALE: I've noted that for the transcript.

UNIDENTIFIED MALE: Joking around, but what's going on because we really feel like we are being – I feel like this is the person who really needs to be here. We're three days out of the year.

UNIDENTIFIED MALE: He did join this group in Durban, although he was late. I know that some people took that a little bit personally, but I think that it's not that he is intentionally avoiding the group. I hope that people are not taking his schedule for some sort of a personal snub. It's obviously not the case.

MICHELE NEYLON: Okay, thanks. First off, we should do a little bit of housekeeping and we should do a roll call. So we will start here.

Michele Neylon, Blacknight, chair of the Registrar Stakeholder group. Next.

JENNIFER STANDIFORD: Jennifer Standiford, secretary.

MASON COLE: Mason Cole, GNSO counselor.

MATT SERLIN: Matt Serlin, MarkMonitor.

BEN ANDERSON: Ben Anderson, NetNames.

PAUL GOLDSTONE: Paul Goldstone, Domain-It!

GRAEME BUNTON: Graeme Bunton from Tucows.

MICHELE NEYLON: For the record, Paul Goldstone who does a lot of work for the stakeholder group. Many of you take benefit from his work but most of you probably haven't actually met him. So I would just like to take this opportunity to thank him for all his work.

Paul works behind the scenes running our mailing list, website and various other techie things that we don't run. Thank you, Paul. We do appreciate it, and you should all buy him at least one drink. He will probably try to pitch something to you, but that's okay. It's worth it.

LISA BOX: Lisa Box, Endurance.

STEFAN LEGNER: Stefan Legner, InterNetX.

BOB MOUNTAIN: Bob Mountain of Afternic, a subsidiary of GoDaddy.

MICHAEL SHOHAT: Michael Shohat, Cronon.

TOM KELLER: Tom Keller, 1&1Internet.

[IAN MCFADDEN]: [Ian McFadden], 1&1Internet.

JAMES BLADEL: James Bladel, GoDaddy, outgoing treasurer.

BOB WIEGAND: Bob Wiegand Web.com.

NIC STEINBACH: Nic Steinbach, Name.com.

FREDERIC GUILLEMAUT: Frederic Guillemaut, Mailclub.

PETER LARSEN: Peter Larsen, Larsen Data.

OLIVER HOPE: Oli Hope, Host Europe, incoming treasurer.

ROB VILLENEUVE: Rob Villeneuve, Momentous.

MICHAEL MURPHY: Mike Murphy, Com Laude.

THEO GEURTS: Theo Geurts, Realtime Register.

JOYCE LIN: Joyce Lin 007, Names.

VOLKER GREIMANN: Volker Greimann, Key-Systems, GNSO counselor.

MIKE ZUPKE: Mike Zupke, ICANN staff.

TOBIAS SATTLER: Tobias Sattler, United Domains.

JACK KHAWAJA: Jack Khawaja, ICANN staff.

TIM COLE: Tim Cole, ICANN staff.

JEFF ECKHAUS: Jeffrey Eckhaus, eNom, vice chair, and I just found out CTO of the Registrar Stakeholder Group.

MICHELE NEYLON: He has been CTO for a long time. The fact that he hasn't been doing anything I'm afraid is different thing entirely, but never mind.   Thanks, everybody.

                          The first group that will be coming in to meet us this morning is the ATRT-2 group, who are due in the next few minutes. We have a couple of minutes now. Just a couple of things we did want to go over very quickly. First off, we have Mason Cole. Where's Mason?

                          Mason, as many of you know, has served numerous positions within the stakeholder group within the last couple of years, and he is now leaving

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us. He served as one of our GNSO counselors for the last couple of years. So after this meeting, Mason will be no more. I'd just like to take this opportunity to thank him for his years of service. [applause]

No, as he's working for a very large applicant who has loads of cash, he'll be buying you all drinks. [applause]

Also, as well as mentioned when we were doing the roll call, James Bladel, who is down there, has been serving as the treasurer of the stakeholder group. James isn't leaving us. He's just moving. James will be replacing Mason on the GNSO council. Again, I would like to thank him for his hard work as our treasurer. Oli Hope, who is sitting across the table, will be taking over and has big shoes to fill. Or maybe not.

James and others on the ExCom did some fantastic work over the last few months sorting out some of our finances and making it that bit easier for people to pay their membership dues. So at this point, I'm just going to ask James, do we have an update, briefly? I believe there are some people who haven't paid us and it would be very nice if they did.

JAMES BLADEL: I did want to mention that, going around the roll call, there are folks that are in arrears. We were going to shut them off at the beginning of Monday. We were going to maybe bar the door, but I would say you know who you are. Please execute the payment at your earliest convenience so that you may continue as a member of the Registrar Stakeholder Group.

MICHELE NEYLON: Also, since I'm completely hopeless as a chair, I completely forgot to acknowledge remote participants. Is there anybody on the phone bridge? No? Maybe? Is there anybody dialed in on the phone bridge? If there is anybody who has dialed in on the phone bridge who wants to shout out, or maybe if you guys can see who is on the Adobe?

TIM COLE: We can see the names of the people on Adobe, if you like. Benny from Nordreg, Caitlin Tubergen from ICANN staff, [Chris Caseval], Darcy Southwell, Gordon Dick, Graham Schreiber, and Tatianna Khramtsova. They keep jumping around here. Wayne Diamond, [inaudible]. Oluniyi Ajao – I am just destroying his name, but he's from Web4Africa. Robert Turlington, [Mikaley Nook], Kelly Salter. I think I've named everybody that's in there at this moment.

MICHELE NEYLON: Thank you, Tim. For those of you who are participating remotely, through Adobe chat, I can't really see it that easily, but Tim and Jack can. If you want to raise something, please bear with us - we will get you – because Tim is probably going to be kicking me under the table to get my attention.

                    Mr. Berryhill has joined us. Good morning, Mr. Berryhill. John Berryhill, as you all know, has been an active member of the stakeholder group for many years and is now our new NomCom appointee. He's looking very dapper this morning.

JOHN BERRYHILL: And I found the room.

MICHELE NEYLON: And he found the room. James, go ahead.

JAMES BLADEL: Is this an appropriate time for miscellaneous while we wait for the ATRT? Oh, they're here? Can you just maybe, if there's another break in the action, Jen and I wanted to present something to the group.

MICHELE NEYLON: Thank you. The ATRT-2 are here, somewhere. Okay, ATRT-2, Brian Cute is here. I'm not sure who else. Avri Doria and there's several other people scattered throughout the room. Welcome, everybody. Brian, I assume you're going to be talking to us?

BRIAN CUTE: Yes, thank you Michele. And thank you, everybody. We've got a half an hour, so I'm not going to say much. I do have to step out after about 15 minutes and I'll turn my role over to Avri. But thanks for the time.

                     ATRT-2 has it's draft report out – draft report and recommendations for public comment. Public comment period closes tomorrow. Reply comment period opens for 21 days. Obviously would welcome your written comments on the recommendations. We have to issue a final report to the board on December 31st, so this input today, your public comments, will be the final inputs.

If you think that we have hit the mark on a particular recommendation, that's what we're looking to hear. Probably most importantly if you think we missed the mark, we got it wrong, one of our recommendations is not well-founded, we forgot something, it's not going to be effective, that's really what we want to hear and we'll make adjustments to the final report accordingly. With that framing, in the next 30 minutes or so, we're really here to listen to your reactions to what we've put out.

MICHELE NEYLON: Has anybody here got any initial comments or queries for Brian, or would you prefer if Brian gave you a little bit more detail about what the recommendations are? I'll take the silence to mean that you need a few points from Brian.

BRIAN CUTE: Okay, a brief overview. At the high level, the objectives were two-fold. Number one, we really think that the review team exercise on accountability and transparency, and all the Affirmation of Commitment reviews should be having the effect of creating a culture of accountability and transparency in ICANN staff and board. We don't view recommendations and implementation of recommendations as a mechanistic, check the box, I got that task done type of exercise. This really should have an effect on the staff and an effect on the board that they go about their day-to-day business understanding how their job is connected to accountability and transparency in a meaningful way. That's the goal.

Also, our job was to assess ICANN's implementation of recommendations from the three prior review teams, ATRT-1, WHOIS and Security, Stability and Resiliency review teams, and assess how they did in implementation. We also have offered some new recommendations on particular categories. I'll walk you through them.

We also recognize the current environment that this is taking place in. ICANN as an organization is going through a significant growth phase, and that puts stresses on any organization. We recognize this review team recommendation and implementation exercise is taking place in that context and that we're in the middle of the launch of new TLDs. A lot of the community's energy is, understandably, focused on that and not necessarily on this part of the work in the community.

Here are some of the things that we believe. ICANN needs to establish clear benchmarks and metrics to measure improvements in accountability and transparency. There is going to be a meeting of One World Trust, a consultant that was engaged by the ICANN staff to help frame out metrics for this. That happens tomorrow at 10:30 I believe. I would encourage you to attend that meeting, too. That will help to inform the metrics that are adopted. Also that we can improve the review team processes, as well.

We made 12 broad draft recommendations in addition to assessing ICANN's implementation of former review team recommendations. We also focused on the PDP, which I know would be a distinct interest to you. We engaged ICC as an independent expert. Their report is appended to our report. We've focused quite a bit on the PDP process.

Here are the categories of issues that we focused on: board performance and work practices, how can the board improve its overall performance and measure that?

The issue coming out of ATRT-1, what's the distinction between policy and implementation? We recognize that's still an important issue that's creating confusion in the community and recommending how to go about clarifying that.

Also, ICANN's decision making, the reconsideration, independent review mechanisms is a focus of our recommendations. We recognize there's still a perception in the community that that those issues have not been resolved necessarily.

The GAC. We have a number of recommendations on how the GAC can be more transparent in its day-to-day operations to benefit the rest of the community.

Also, multilingualism, driving deeper on multilingualism. A recognition. Certainly, one of the data points that came out of the PDP expert report was when you look at participation in the PDP, there are three regions of the world whose participation is measurably very light. Multilingual access to our processes is an important element of what we do here in ICANN, so we have some recommendations on that.

Cross-community deliberations, specifically early interaction with the GAC and the PDP is just one aspect of that, but we have recommendations on how to foster cross-community deliberations. And also, we have recommendations on how to improve the review team process themselves. They are not the most efficient processes, and

having gone through this process a couple of times, we think there's ways we can make them efficient.

And, importantly, recommendations on financial accountability and transparency. Recognizing that ICANN is growing, that it is a steward of significant amounts of money and that it has responsibility to the community, we have some recommendations on financial accountability and transparency.

Those are the areas that we targeted with our recommendations. Hopefully that was a sufficient overview.

MICHELE NEYLON: Very good. Thank you, Brian. So far I have James in the cue.

JAMES BLADEL: Thanks, Michele. Thanks, Brian. I just wanted to say thanks to the ATRT-2 for this effort, and thanks to Brian, who would have been perfectly understandable for you to run the other direction as fast as possible based on our experiences with ATRT-1, but I think stepping up and taking the lead on this is admirable.

A couple of quick questions, most of which tracking back to ATRT-1, and how that segues into these recommendations, particularly going back – and I'm going from memory here so please bear with me – but going back to the Berkman assessment that was in the ATRT-1 report and its recommendations relative to mechanisms for reconsideration and just holding the board decisions accountable and ability to. Is there anything

in the sequel that's followed up with not only have they made any movements on the Berkman assessment or are they no longer needed? Can we close the loop on that or is it tying in to One World Trust? I'm not really sure how the two interplay very well.

BRIAN CUTE: I wouldn't say that elements of the Berkman report were picked up in a concrete way. I'll make two points. Number one, in listening to the board and listening to the community on the issue of independent review, reconsideration, there appears to be a perception disconnect about how those issues were addressed. Hearing from the board, the Expert Working Group was put in to place. Smart folks who provided good guidance, and there was a process. The recommendation from ATRT-1 was addressed.

Hearing from parts of the community diametrically opposed views as to what the process was and what the result was, we have a recommendation which will have us revisit that issue. I think looking forward, James, having a forum to bring in the Berkman report among other considerations might be an opportunity going forward.

JAMES BLADEL: Thanks, Brian.

MICHELE NEYLON: Mason?

MASON COLE: Thank you, Michele. I want to add my thanks to the ATRT team, as well, to echo James. That's a great big piece of work that you all have produced and I know we all appreciate all the work you all put in to it.

My question has to do with the fourth item up there on GAC operations and interactions. I'm interested in that because there is an ongoing dialogue between the GAC and the GNSO council about the GAC's role in policy development. Whether or not they actually should have a role in policy development versus advising the board on already created policy. Was that issue examined and, if so, what were your findings?

BRIAN CUTE: There's really two issues. GAC operations is one. There's a number of recommendations that are what I characterize as kind of meat and potatoes. How can you go about your business in a more transparent way? Your operations, your meetings, your code of conduct, etc.

The second issues, which is interactions, goes to the cross-community deliberations. Our recommendations are focused on fostering early interaction between the GAC and the GNSO, particularly the PDP focus. We've heard the community, pretty loudly, saying as a process point it would be better if we had that interaction in an earlier stage than to have GAC advice coming in the end of a process. That's been heard. We have a recommendation that would encourage that.

There's still a recognition, to be clear, that the mechanics of how that gets done are still going to involve what the GAC is able to do, what the GNSO is able to do, what mechanistically the two can do either formally or informally to create that effect. I don't want to suggest that we've

solved that problem, but there is a recommendation there to give everyone a bit of a push, if you will, in that direction.

MICHELE NEYLON: Anyone else? Okay, I've got a question. Brian, with respect to this review, how much force do your recommendations have? Can ICANN staff and the board choose to ignore them or is there any obligation for them to address them? With that obligation, how much of an obligation is it?

BRIAN CUTE: Actually, under the Affirmations of Commitments, there is not an obligation for the board to accept and implement recommendations from review teams. The board could decide not to accept a recommendation from an AOC review team, but if it did so, it would be expected to articulate a very clear rationale as to why it did not. That would be consistent with its obligations under the AOC.

That being said, we met with the board yesterday. We've been working with staff throughout. We had a good session with the board yesterday. We've asked the question of everybody, is there a recommendation here that doesn't work, that you think is a problem?

We had some good feedback from the board as to on board performance and how do you measure the performance of the board? Some real practical questions about how do you do that and what might be problematic. We can reshape our recommendations so that they're effective and then the board is likely to accept them.

But the straight answer is no obligation. Have a good sense from the board that they were happy with what we've produced so far and a sense that it will be well received. Avri?

AVRI DORIA: I'd like to add a point to that, and that's part of the AOC cycle of coming back every three years. A main topic of the ATRT is always to review the treatment that the recommendations got, the recommendations, how they were treated, how they were implemented and was that satisfactory?

While the oversight, as it were, of the board is not in any way hard or definitive, it is a repeatable and it is something that becomes almost a crisis point if there's a wholesale ignoring of the AOC process. There's sort of an assumption in that repeat cycle. And in fact, we're seeing it this time that the ATRT-1, some of them seem to linger a little bit until the very end. Then there was a lot of work to try and meet them.

There's been a real taking it seriously that, "Oh, you're actually going to review and get into these in detail." I think that the second round is actually showing that there is a mechanism to get a response to make sure that they are taken seriously, that they are responded to. And for the most part, we're seeing that while all of ATRT -'s have not been met completely, there has certainly been an attempt. There's been progress on some. Some are better than others, and so on. There's that significant feedback loop mechanism.

MICHELE NEYLON: Thank you. I think someone on remote had a query. Okay, it was answered. Thank you. Fair enough.

Just following on from that, since nobody else seems to have any questions, if anybody else has any questions, for those of you who don't come to ICANN meetings, if you don't interrupt us, we all just keep talking. As James said, please interrupt me because I can talk all day.

So, there is no obligation from the board or anyone else to act on recommendations, but they tend to act on the recommendations? I'm just trying to understand. One of the things a lot of people within the community have been talking about over the last few months is this kind of conflict between ICANN management pushing certain things forward and ignoring the bottom-up process. I suppose the query I would have is how could you actually force them to change that?

BRIAN CUTE: Just to be clear, the question is whether they accept recommendations. For ATRT-1, the board accepted all recommendations of ATRT-1. Once they accept them, then they are obligated to implement them. Part of what we're reviewing is how well did they implement those?

There was a question that came up with respect to the WHOIS Review Team's recommendations. There is a view from former WHOIS Review Team members that those recommendations were not accepted by the board formally. There's a different view from the staff and the board. That's an example of where it's really about acceptance. But once accepted, there is an obligation to implement. Just for clarity.

MICHELE NEYLON: Okay. So if they accept a recommendation, they have to implement it, but if they don't accept the recommendation, they don't have to?

AVRI DORIA: There is a requirement through the AOC that they have to act on them within six months. In other words, they do have to take them, consider them and then act on them. Now, the acting on them could say, "This is garbage. We can't do it for the following reason." That then becomes a crisis point, perhaps so that have to take them and the AOC does require action within six months.

BRIAN CUTE: Let me add just some more detail. One of the conversations we've been having with staff and with board is around implementability. They accept a recommendation. They go about acting on it and implementing it.

One of the lessons learned from ATRT-1 was that that review team, for certain recommendations, provided deadlines and one of the learnings was that, as a review team, we don't necessarily understand what it takes to implement something. Implementing a recommendation, obviously, takes time, resources, money, people, sometimes legal analysis, and that's the facts.

We've been having a conversation with staff and board about implement-ability. We want to know before we issue our final report.

"Here's our draft. What's it going to take to implement this recommendation?" Then with that input from the staff and board, we can have confidence that we're making a recommendation that is implementable. We can have a sense of how the board goes about it. We might still be a little bit cautious about putting deadlines around things like that. We learned a lesson from ATRT-1, but we have a higher degree of confidence that these are recommendations that the board will accept and will be able to implement.

How well they do it is going to be reflected in our report, as well. We will be assessing how well they did it the first time and providing feedback so that they can do it better this time. I think that's a fair summary of where we're going.

MICHELE NEYLON: Okay, thank you. James, any follow-up on those? No?

BRIAN CUTE: I've got to excuse myself. I apologize. But I leave you in Avri's hands. Thank you for your time.

MICHELE NEYLON: Thank you, Brian.

JAMES BLADEL: I do have a follow-up, now that Brian's leaving. That's a joke. This is directed not at ATRT, but to my registrar colleagues. What are we going

to do with this report? Are we going to comment as a group on this report? What's the will?

I'm just looking through the comment box right now here and they're not really tearing up the inbox of the ATRT report. Obviously we will be targeting the reply period because of the date and the timing. We've got to find one of these three comments, one of which is probably for medications for male problems knowing the ICANN comment forum.

My question is, what do we want to do? Do we want to submit a reply? And if so, which one do we want to attach on to?

AVRI DORIA: Can I comment on that?

JAMES BLADEL: Yes, sure. I just looking for the table to tell me what to do with this?

AVRI DORIA: What I was going to say is you don't have to worry about tagging it on and making it a reply. Yes, that's the reply period. In fact, we have one of our recommendations that says we have to rethink this whole comment and reply thing. It's a worthy experiment but we're not sure how well it's worked for everyone.

But among things, we are taking comments, full comments, until the 13th. The 13th becomes a fairly hard drop-dead date because we basically have to have our final draft done by the 20th if it's going to go

through end-processing in time to deliver it by the end of the year. We have a very hard deadline. We can't slip on it. It's a yearly snapshot.

But comment. Please, don't wait until the very last minute because we're going to be taking them and starting to – we're already taking the comments we've heard now and working on improving the draft, but you don't have to do one of those artificial, "I get a comment in before the last minute so that I can comment on my comment."

But really, any comment is begged for and one of the things we learned in the last meeting, and this is only slightly, as they say, tongue in cheek, as somebody read it on the flight over mentioned that it is not only a very substantive report, but it will help you with sleeping through parts of the flight. So please, use that to get the report read and also help yourself get some rest.

JAMES BLADEL: Okay. And I'm sorry Michele if I'm jumping the queue or stepping all over protocol.

MICHELE NEYLON: You are the queue, James. Go for us.

JAMES BLADEL: Great. Fantastic. Can we say from this room any volunteers of some folks, maybe a small team of two to three folks, to start to review this report, analyze the recommendations and impact to registrars and start

to put together a draft of a comment they can circulate to the list? Anybody? [Bueller]?

MICHELE NEYLON: You can jot me down.

JAMES BLADEL: What's that?

MICHELE NEYLON: You can put me down. As long as you're on there, as well, James. And, Volker.

JAMES BLADEL: Oh, Volker has volunteered. And Mr. Barrett.

MICHELE NEYLON: Who was that, Tom Keller?

JAMES BLADEL: Tom Barrett.

MICHELE NEYLON: Oh, Tom Barrett. Sorry.

JAMES BLADEL: Great. Then we'll huddle up after this and make sure that gets done. Thanks, Avri.

MICHELE NEYLON: Thank you, Avri. Thank you, James. Any other points around this? We still have a couple of minutes. No? Okay. Thank you.

AVRI DORIA: Thank you very much, and I very much look forward to seeing your substantive comments coming in for us to deal with. Thank you.

MICHELE NEYLON: Do they have to be substantive?

AVRI DORIA: No, but we can't do much with things that aren't.

MICHELE NEYLON: Oh, all right.

AVRI DORIA: Thank you.

MICHELE NEYLON: Okay, we're a couple of minutes ahead of schedule. Not many but a few. Marika Konings from the ICANN Policy Team will be talking to us

about policy. So if Marika could come up and join us, that would be great. Thank you, Marika.

Marika is just getting her colleagues lined up because one person to speak about policy isn't enough. James, do you want to continue that quick thing you wanted to mention from before while they're organizing themselves.

JAMES BLADEL: Yeah, it looks like Marika and Mary are here. Jennifer left, but this is actually something she and I have been talking about. I don't know where she got this.

This is nothing super fancy. A nice slick from the Business Constituency – and for those of you on the phone, I'm holding up a little six-page glossy handout. The front page is a nice message from the chair with Elisa and some photos. But then various members of the business constituency chose a topic and wrote a small column on that subject. Inside is a nice who's who of the GNSO, the Business Constituency and other stakeholder groups. Then on the back, some issues and how to get involved.

We should steal this idea right now. I really believe if you don't tell your own story, others will tell it for you. The story that's being told about registrars, you hear them. What I'm thinking is - and I did talk to Elisa and I said, "How difficult is this to put together?" She said something like, "Actually getting it printed out and handed out is trivial. It's getting everybody to contribute their columns and their content and corralling all of that."

Another thing I was thinking was could we kick off something like this with a target to have our own recurring little newsletter handout for the Singapore meeting? What's the thought? I can pass this around if anyone wants to see it.

MICHELE NEYLON: I think we had talked about his briefly in the past, but unfortunately, nothing came of it. Probably because we're all stretched a little bit too thin. For those of you who haven't seen it, it's something the BC has been doing for the last couple of years. I'm not sure exactly when they started, but it looks very, very professional.

MATT SERLIN: Can I respond to James? James, where the hell are you? There you are. We have talked about it before. I think it's a good idea, but I don't know if the printed copy adds all that much. I think maybe doing an electronic newsletter might suffice. But you can put me down for helping out. Then again, I sit two offices down from Elisa, so I'll just steal her content, right?

JAMES BLADEL: It's a great idea, even putting it on our stakeholder group website, since we have Paul here at the meeting. Even putting that on our own web page and distributing that to other groups. I just don't feel like anything we do in self-promotion is too small or too cheesy. Let's just make sure we're getting the word out.

MICHELE NEYLON: Just following up on Matt's word about the electronic versus hard copy. For the meetings, people like having bits of hardcopy. Something they can actually physically hold and then throw away or turn into paper planes or beat you over the head with. Please, Bob.

[BOB MOUNTAIN]:   I would echo that, Michele. If we're recruiting at these meetings and in person, having something to hand out, there's some value there. It doesn't have to be super glossy, expensive, multi-page, but at least if we had maybe front and back or a tri-fold, I think that would come in very handy for member recruitment.

MICHELE NEYLON: Thanks, Bob. Go ahead, Jen.

JENNIFER STANDIFORD: I just want to add myself to the list to help prepare the document and put it forth to the Singapore meeting, per James's recommendation.

MICHELE NEYLON: Does anybody have an opposing view? Does anybody hate the idea? Just checking. Just have to play devil's advocate. Graeme, go ahead.

GRAEME BUNTON: I was just saying that I will help.

MICHELE NEYLON: Okay. For the record, Graeme from Tucows has volunteered and so has Bob. Maybe an action item here would be a list of those who have volunteered and follow up afterward. Oli, do you want to speak or are you volunteering?

OLIVER HOPE: Volunteering, but I now I've spoken, so both.

MICHELE NEYLON: And Rob, so Rob Villeneuve as well. Jennifer, you've got a bunch of volunteers.

JENNIFER STANDIFORD: Got it.

MICHELE NEYLON: Jennifer has been overrun with volunteers so we will have beautiful things in Singapore. Thanks, James. Now we will hand everything over to Marika.

MARIKA KONINGS: Thank you very much. Good morning, everyone. I think most of you know me, but I'm Marika Konings. I'm a senior policy director and team leader for the GNSO team at ICANN based in the ICANN office in Brussels here together with my colleague, Mary Wong, and I think you

should know, there are other colleagues in our team as well that support the policy development activities, but they're currently covering other meetings.

I've come here to you with a 63 slide deck, but what I want to do is just put this one up. This gives you the flavor of all the activities that are currently ongoing and just ask you which ones would you like to hear about. I think some of you were in the GNSO over the weekend, so you may have heard already some discussion about these topics. We also covered these in the policy update webinar we ran earlier this week. Some of these will also be talked about this week in some of the workshops that are being organized. I thought it would maybe be more effective or productive to just ask you which ones are high on your list to hear about and still leave the rest of the slide deck with you so you can review all the topics at your ease, as well. James?

JAMES BLADEL: Just could you maybe, real quickly, give us a sense of where each of these efforts are in the pipeline? I know Thick WHOIS basically done and privacy and proxy accreditation is just now getting started. I think the others are somewhere in between.

MARIKA KONINGS: All right. I can just briefly run through those and you can think in the meantime and have a vote as Matt has suggested.

Thick WHOIS PDP, those recommendations were adopted unanimously by the GNSO Council I think two weeks ago basically recommending

Thick WHOIS registries for all gTLD registries. The status we're at currently is that a public comment forum has been opened on that prior to board consideration. So people are encouraged if they have any considerations, especially in regard with possible concerns in relation to the implementation of the recommendations that they express that. The GAC has been notified, as well, and been asked to provide input if they have any concerns or issues they want to raise. The next step on that is expected board consideration, and if adopted, it will move into implementation.

Protection of IOC, Red Cross, IGO Names PDP, that's a final report that's currently in front of the council. The council is expected to vote on that on Wednesday. I think that may be a topic if you have any questions about that.

MICHELE NEYLON: Could you explain maybe? Because it's not simply a matter of a simple vote. What's being voted on is a hell of a lot more complicated than that, with respect to this particular item.

MARIKA KONINGS: Right, there are a number of recommendations. The motion is very long. Let me just turn to Mary to say a few words about that because our ongoing discussion as well on how to make that simpler, the motion itself, and make it easier to vote on. Mary can explain a bit about that.

MARY WONG:	Right. Hello. Some of you were at the weekend sessions with the GNSO where this topic was discussed quite substantially. Since then, the chair of the council and the chair of the working group, Thomas Rickert, who is also a member of council, has had discussions on, as Marika says, how to simplify the matter before the council and I'm going to try and summarize it. I think there's an e-mail that's going to come out very, very shortly to the rest of the council.

One reason why this is so complicated is because the working group came up with 29 recommendations. A lot of them, actually, if not full-consensus recommendations were actually consensus recommendations, so there is a bunch of consensus recommendations up for voting before the council. Of course, the working group hopes that all those consensus recommendations will be adopted by the council.

Those include adding or retaining certain names in what is now spec five of the Registry Agreement. It includes potentially claims notices for certain names. Notice I'm using the word names, not the word acronyms, into the Trademark Clearinghouse. There is also a consensus that there should not be any reservations for acronyms at the top level.

The complicating factor –if we take the consensus recommendations as a package, we're happy to go through each of them but they are in the working group report and referred to in the motion – really there is only just one sticking point. That is IGO acronyms. The question is whether IGO acronyms, not at the top level but at the second level, should be permitted into the Trademark Clearinghouse. There is no consensus on the working group for that.

So that's why the matter on this particular issue has come before the council. There is strong support in the working group. No consensus. This really is the threshold question that's problematic. Only after determining that question, assuming that there is then consensus that these IGO acronyms go into the Trademark Clearinghouse, then perhaps the council can consider whether or not it should be a Sunrise type of situation plus claims, or just claims.

MICHELE NEYLON: Thanks for clarifying that. We on the Registrar Excom have been trying to discuss this over the last couple of days in order to instruct our counselors how we would like them to vote, and obviously wanted to get feedback from you, our members.

Theo, go ahead. That wasn't a hand? That was just you waving at me? Okay. Sorry. Go ahead Marika.

MARIKA KONINGS: If I could add something, because I think on the motion itself to make that vote easier, I think the idea is that one vote will be taken on all of the consensus recommendations together and a separate vote will be taken on this particular issue where it's less clear whether there is full support, to make that easier so that we're not in a situation that all of the recommendations fall because there's not support for that one recommendation.

That's something to take into account, that it's likely going to be a two-part vote on the motion where one will be on all those

recommendations that received consensus and a separate vote on that question on whether acronyms should go into the Trademark Clearinghouse, and then the subsequent questions that belong to that.

MICHELE NEYLON: So in other words, we can just vote on that one bit about the acronyms? We can vote on the acronyms separately?

MARIKA KONINGS: Exactly. That's the proposal.

MICHELE NEYLON: Okay, thanks. Does anybody have any queries, questions, comments on this item? No? Okay. What else are we looking at, Marika?

MARIKA KONINGS: Just going through this list, WHOIS, we have some slides on the studies, the status of that. There are two studies that are in the process of being completed. There have been some webinars on those and Mary can speak a bit more about that if you're interested in that.

The purpose of gTLD registration data, that's basically the PDP that's on hold until the EWG finalizes its work. Translation and Transliteration of Registration Data, the council is expected to adopt a charter for that PDP during this meeting. Then the next step will be a call for volunteers to form the working group. Basically, there is already a pitch here, if you're interested in the topic, to sign up for that.

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MICHEL NEYLON: Just for the benefit of people who haven't been following this, could you explain exactly what this Translation and Transliteration think refers to?

MARIKA KONINGS: Let me just skip ahead and show it to you. Here we go. Basically, the PDP is looking at two main questions. The first one is, should local contact information be translated into one language, such as English, or should it be transliterated into one script, such as Latin?

The second question is then, if there is a decision that indeed should happen, who should decide who should bear the burden to either translate or transliterate contact information? Those are the two main questions this working group will be tasked to address.

MICHELE NEYLON: Thank you, Marika. Anybody have any comments or queries on this one? Go ahead, James.

JAMES BLANDEL: So this is distinctly different from the Expert Working Group on the internationalization of WHOIS registration data, correct? It's a separate group?

MARIKA KONINGS: Yes. You mean [inaudible]? You mean the second part?

JAMES BLANDEL: I supposes, yes.

MARIKA KONINGS: I think the study is on the way. I think the other working group is already being formed. I think that's what Jim Galvin was speaking about at the council meeting. But the idea is of course, there's...

JAMES BLANDEL: Okay, thank you.

MARIKA KONINGS: Maybe just to mention because there are indeed several pieces of the puzzle that eventually will need to come together. Because of course this links also to the EWG work and the purpose of the gTLD registration data PDP.

JAMES BLANDEL: And the IETF is completely writing the protocol that they announced on Saturday.

MARIKA KONINGS: Exactly. It's all pieces and I said, within staff, we're doing our best to coordinate that all and keep each other informed. But the idea is, as well, that these working groups of course on a regular basis as well will check in with these initiatives and make sure that everyone is aware of

what everyone is doing. Because at the end of the day, all these pieces need to come together and make sure that they form one package, basically.

JAMES BLANDEL: And then, we touched on this over the weekend, but that responsibility to re-integrate all the outcomes of these various groups, that responsibility is on policy staff to do that.

MARIKA KONINGS: Right. My expectation is as well that some of this will basically feed into the purpose of gTLD registration data PDP, because I think the idea will be once this working group completes its work and clearly states, "This is what should happen," once that work from the EWG moves in to there, that working group would say, "Okay, we already have the clear recommendations from this working group what we need to do with transliteration and translations. We'll just plug that in."

As well as, you know the IETF, the new protocol, well, we'll plug that in. At least, that's what I would personally envision if everything were nicely aligned. But that all would come together once the new model explored and some of that advice would just flow straight in there saying, "This is what has already been investigated, has the consensus and this is how it should be done." Ideally.

JAMES BLANDEL: Yeah, I'm hoping that the protocol folks and, particularly, these transliteration and transcription folks are working very closely together because, if someone makes a policy requirement, let's say, to automatically transliterate let's say from Korean to a Latin script, that the protocol guys don't go, "What?" I'm hoping that they're working very closely together on these questions.

MARIKA KONINGS: The good thing from a staff perspective that we have Steve Sheng, who is involved in both those initiatives and an expert in this area. We're relying on him to make sure that that doesn't happen.

MICHELE NEYLON: It hasn't been decided definitively that this transliteration or translation should be done, has it?

MARIKA KONINGS: No, correct. That's basically the first question. Should that actually be done?

MICHELE NEYLON: Just because James' last question there was almost working on the basis that it had been already decided. I ended up having a chat with James Galvin about this yesterday, because anybody who wants to talk about WHOIS seems to [inaudible] any of the other members in the EWG and assume that we are interested.

I am a bit confused by why anybody would want to do it, but that's just my personal view. It will be interesting to see how that pans out.

MARIKA KONINGS: Do you want me to go back to the list?

MICHELE NEYLON: If you could, please.

MARIKA KONINGS: There we go. Too far.   Another one I think should be of much interest to your group is the privacy and proxy services accreditation PDP, or I think as some have also called it, remaining issues of the 2013 RAA PDP. This basically flows out from the board-initiated PDP on the 2013 RAA basically stating that any issues that are identified as part of the GNSO effort, there was a list created of high-priority and medium-priority topics. Any of those that wouldn't be addressed as part of the negotiation should be considered as part of the policy development process.

Now that the RAA negotiations have concluded, the only remaining issue that was identified related to the privacy and proxy service accreditation PDP. The council adopted a charter for that working group at its last meeting. A call for volunteers is currently out and published on the GNSO website. Anyone interested in that topic, and I presume many of you may be, are encouraged to sign up for that.

There's a meeting later this week on Thursday, just a first meeting just so people have a chance to get together and get to know each other, and then shortly after Buenos Aires, it will formally kick off and start looking at – I think there are 10 or 20 questions, 19 questions in the charter that the working group is expected to consider and address. Hopefully the outcome of that would replace what is currently in the RAA specification, which is only a temporary specification, which I think expires by 2017.

We have some more slides if you want to go in more detail. Like I said, this is just a brief status update and we can still go into more detail if you like.

MICHELE NEYLON: I have James in the queue.

JAMES BLADEL: Thanks, Michele. Just maybe a show of hands of registrars who have or are affiliated with a privacy or proxy service or offer this service to their customers?

Okay. I'm hoping that we have a really solid turnout for this. As the author of the temporary specification, we worked very, very hard to keep that thing bare bones. I'm not going to slam ICANN staff, but I think the folks from the negotiation team know that they basically tried to do this PDP on the table as an attachment to the RAA.

It was several pages long. We got it condensed down to some basic high-level principles and also got that to have a sunset provision so that it would ultimately be replaced by something community developed and not necessarily born out of those negotiations.

Just saying, this is a product that a lot of folks sell. Not trying to scare anybody, but it is on the block here and we need to make sure that our voices are heard in this process. Otherwise, I can assure you that the people who want to see these services go away will be well represented in these groups. So think about it that way. Thanks. Sorry for the editorializing, but I'm just trying to be the cheerleader here.

MICHELE NEYLON: That's okay. I was just going to ask a follow-up question to Marika, Mary, as you guys would know who has volunteered so far. I don't know if you know how many have volunteered so far, but do you have any indication as to the number of people who have signed up for the working group?

MARY WONG: Funny you should ask, Michele. Yes, we are still getting people in. I am getting e-mails once, maybe twice, a day. We definitely have over 20 people signed up at the moment, including a couple who are in this room. And there are representatives from other groups in the GNSO, as well as individuals.

To echo what James said, it would be nice if the working group had a healthy representation from those who are concerned or most

concerned about the issue, from whichever perspective, and we're serving breakfast on Thursday.

MICHELE NEYLON: So if you want a free breakfast on Thursday morning and you are already in Buenos Aires, because while the breakfast is good I wouldn't recommend a 12-hour flight just for the breakfast – which room is this meeting being held in?

MARY WONG: I believe it's being held in the room next door, B, Retiro B. But I can confirm it with you, Michele, in a little bit and you can confirm it with the group.

MICHELE NEYLON: Oh, I have an e-mail about it. I just hoped you knew off the top of your head. The meeting starts at 8:00 in the morning on Thursday morning, so the morning after the gala. Some people may have fuzzy heads, but if they're giving you a bit of breakfast and a bit of coffee, it's amazing how that can help cure a hangover.

The privacy proxy services accreditation, I'll pull up the e-mail from Mary in a second and confirm the actual place and time of the meeting. Meanwhile, I'll hand back over to Marika.

MARIKA KONINGS: Inter-register transfer policy, we're in the part D phase, which I think James always calls D for Done, so looking at main questions related to the transfer dispute resolution policy. They are, I think, aiming to have an initial report out in the next month. I'll let James talk about that one.

JAMES BLADEL: We wanted to come to this meeting with an initial report ready. Unfortunately, we kind of got bogged down. Let's say we didn't get bogged down. Let's say we uncovered some things we didn't anticipate when we set out to examine some issues relative to TDRP (the Transfer Dispute Resolution Policy) and how it may interplay with the IRTCP recommendation for a change of registrant policy, and how this might have embroiled ICANN and registrars into disputes between registrants and what sort of process would be required.

There is a healthy debate, I think, right now, about whether the TDRP is effective, what could be done to make it more effective, whether there's a problem that needs to be solved and whether that solution lives in ICANN or with the registries or with third-party dispute resolution providers. So we turned over a roc, I think is the best way to put it because we found some really interesting stuff in this working group.

But on schedule to have an initial report certainly well in advance of Singapore. I think we're targeting towards the end of the year. But I would encourage folks to follow this one closely, and of course we'll pass it around the list when we get closer.

MICHELE NEYLON: Thanks, James. Marika?

MARIKA KONINGS: In case you hadn't noticed, James is one of the co-chairs of that working group.

Then, there's another initiative going on, a non-PDP working group, on metrics and reporting. It's a drafting team at the moment. They're preparing a charter for counsel consideration. They'll be looking at gathering better data and metrics that will help inform policy development activities and will also be looking at how can we get better information, for example, from registrars on what are issues that you encounter that would help inform when policies are developed.

We currently sometimes struggle. We know there is an issue but we have trouble actually quantifying the issue and, of course, having certain data, would also allow you to measure, at the end of the day, once you have a policy or implemented a policy, whether it was actually successful or not in what you tried to set out to do.

MICHELE NEYLON: So, Marika, would this be, for example, let's say one of the things several of us have asked for was some kind of follow-up from law enforcement with respect to the law enforcement demands on registrars and whether or not they had any mappable, measurable impact?

MARIKA KONINGS: I don't think that has specifically come up. As I said, they're in the charter drafting phase and their main focus is more the general question of how can we get better and more data and can we develop some kind of metrics that would help inform policy development, I believe. But talk to [Mikey]. He's chair of the drafting team.

MICHELE NEYLON: Okay, thanks. Anybody in the room, is there any queries? Any feedback? Is there anything remotely there, Jack? No questions. Okay, next one there, policy and implementations. What's all that about?

MARIKA KONINGS: It's a working group that was formed I think actually in August. It comes up from all the discussion we've had coming out of the new gTLD-related implementation discussions. Where is this line drawn between what is policy? What is implementation? When do certain things need to go back into a PDP? What processes does the GNSO have available to actually provide policy advice outside of a PDP?

There were broader issues. Some of you may know staff produced a paper on this – a discussion paper – that helped as well as encouraged some community discussions on this. I think the GNSO realized that there were certain issues that were really specific to the GNSO PDP and discussions around that. They decided to start work on that and specifically looking at those issues and questions that they believe affect the GNSO.

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I think they have five charter questions. One of them is looking at what should be the principles underpinning any kind of policy and implementation-related discussions? Should there be a process for providing policy advice that doesn't go through a PDP? For policy issues where you wouldn't be looking for consensus policies, for example, is there a way that the GNSO in a formal way but in a quicker way than a PDP could provide formal input to the board when requested to do so? Should there be additional guidance provided to implementation-related efforts?

Those are some of the questions the group is looking at, and as I think most of you are aware, it's a topic that has broad interest in the community. We have over 35 members that are signed up to this. Many coming from GNSO groups, but also quite a few ALAC participants and we also have a number of GAC participants participating in their individual capacity.

They actually have a session on Wednesday, from quarter past five. I'm looking at Mary. Is it a quarter past five? We can put it on the e-mail on the privacy proxy. Quarter to five to quarter past six. They'll be providing an updating, basically, of the status. They're finalizing their work plan. Basically they've identified how they're actually going to tackle this work and they're proposing to create a number of sub-teams to start looking on some of those questions.

They've basically started now to try and identify some working definitions on some of the terms that we're all throwing around but we may not be saying the same thing. What does policy mean? What does implementation mean? And also looking at some working principles that

will help inform them in the further deliberations of the sub-teams. That's where that stands.

MICHELE NEYLON: I believe we have an input from a remote participant, Mr. Graham Schreiber. Looking at that, I would ask Mr. Schreiber to please make comments or ask queries that are pertinent to the topic that is being discussed. I think he's asking something to do with trademark protection or something, which I'm afraid, while a very interesting subject, is not what we are discussing here.

MARIKA KONINGS: I'm sure Volker's happy to respond to his questions in the chat.

MICHELE NEYLON: Okay, Volker. I'll leave that over to you.

VOLKER GREIMANN: I decline.

MICHELE NEYLON: Okay, thank you. Does anybody have any questions for Marika or Mary on any of these topics? Oh, sorry. She's got one more. I beg your pardon.

MARIKA KONINGS: The last one on the list is the cross-community working groups. I think as some of you may recall, the GNSO did some work on defining principles from a GNSO perspective that they thought should underpin any cross-community work. They shared that with the broader community and got some input from the ccNSO and we're at the stage where we're saying, "Okay, let's take that input, form a cross-community working group and see if we can actually come up with something that people across all SOs and ACs could agree to so that when we actually have cross-community initiatives, we're all starting from the same page and it's very clear under which principles or guidance those will work.

I think as some of you may know, we've had some challenges over the last year where we had some really successful cross-community working groups, and there's still some ongoing that I think are really producing good work. But we also had ones where I think it was a mismatch of expectations and created a lot of frustrations. I think this is an attempt to streamline that and make sure we're all on the same page when we do these kinds of initiatives.

Again, I think a call for volunteers will go out in the near future for that group, and if you're interested in that, then feel free to join.

MICHELE NEYLON: Marika, could you speak briefly – and I know I ask you to do this at every meeting – but you could you speak to working group participation a little bit. One of the things that both this group and pretty much all other groups suffers from at one level is a kind of – how do I put this

genteelly? A lot of the working groups, you tend to see the same kind of people turning up, so could you speak to how people can get involved in a working group? Because I suspect some people think it's much harder than it actually is.

MARIKA KONINGS: Basically, all GNSO working groups are always open to anyone interested to participate. We normally push out the call for volunteers across all the mailing lists, put it on our policy update, put it on the website. And then we start the work.

It's really the working group itself that will define how they want to work. Typically, most working groups will meet on a weekly basis. We come together once a week, normally for an hour by conference call. One of the first steps is always to try and map out a work plan, how we're going to tackle the work, and then start working through it.

Sometimes that means that certain small groups will be formed that will do work. Sometimes the work is done by staff. As I think you'll see in any group, you'll see that some people are more active than others. There's also, it's perfectly fine to be more of an observer, just follow the conversations on the mailing list on contribute when you think there is an issue.

But we're really trying from our side, as well, to make that as easy as possible and really make it, because we are aware as well that all of you have daytime jobs, as well, and this is just one part of the activities you undertake.

We are trying, and I think that's something we're going to explore shortly after Buenos Aires, because we know that for newcomers, we know that it's really, really hard. As Michele said, often in these working groups there are people that have been doing this for many, many years. They have a tendency to quickly go into the acronyms, lingo and move very quickly ahead. Some people may not be caught up on what we're talking about, what is actually expected, or how does a PDP actually work? What is a working group supposed to do and what is done with their output?

So what we want to try to do after Buenos Aires, as we have several initiatives kicking off – and I think we see from recent drafting teams and recent initiatives, quite a few new people actually coming in or new names, and we really want to make sure that we keep them with us. That they don't, after a couple of weeks on one working group say, "Well, I have no clue what these people are talking about and I didn't feel I could contribute at all." We're trying to set up a kind of webinar style that is just for new members saying, "Just come, and come with any questions you have. We'll do a very short intro and maybe provide you with some links that may provide you information, but come with your questions, whatever questions, whatever you want to talk about."

Hopefully we will have a mechanism where we can keep them doing on an ongoing basis so people feel welcome and people have the tools and resources they need. It may also be worth pointing out, for those of you who were at the opening ceremony yesterday, they launched this new platform – I think it's learn.ICANN.org – where they're providing several introductory courses on all aspects of ICANN.

There's also one on policy development and how it's done that basically takes you through how policy development works at the different parts of ICANN. We'll be looking as well how can we provide some further tools there for new working group participants so they don't feel lost.

And again, our policy staff is always there, as well. If you want to have an individual conversation or if you're not sure a certain whether a certain working group is really something for you, just come and talk to us. Or talk to people like Michele or James that serve on many working groups and have been doing this for quite a number of years. They hopefully can put your mind at ease and get you to join some of our efforts.

MICHELE NEYLON: Thanks, Marika. Just a follow-up on that. The policy team is spread across multiple time zones. They just do policy. They don't do other things. They have been incredibly helpful for those of us who have day jobs and are trying to get involved in some of this policy stuff but may not have the time, the bandwidth or the ability to read through every single document or whatever and go through stuff with you.

Just out of curiosity, how many people in this room have participated in a working group of some kind at least once? Have participated? That includes you, James. Thank you.

For those of you whose hands did not go up, the question I would ask is what do we need to do to help you get past that? Is there something we're doing wrong? Do you need our assistance? Matt?

MATT SERLIN: I have participated, so I don't think I was the target of your question.

MICHELE NEYLON: Of course not.

MATT SERLIN: What we've talked about doing in the past is trying to get more regular view into policy stuff that's going on.

MICHELE NEYLON: What do you mean? A more what into policy?

MATT SERLIN: Regular view, not just at an ICANN meeting, but monthly policy update calls. I know guys in your team do some of that. But I wonder, Michele, if you think it's something – or actually if members who haven't participated, think it would be something that's worthwhile to try to encourage more participation in those working groups so that you hear more regularly what the policy issues being discussed are?

JENNIFER STANDIFORD: I would agree with Matt. If we could perhaps get a bimonthly call or quarterly to get updates, especially precursors to the ICANN meetings.

MARIKA KONINGS: Something we do is we have a policy update webinar that we typically run right before the ICANN meeting. That one is a bit broader and also covers ccNSO, ALAC issues. I'm more than happy if you just want to do one on GNSO topics and have a bit more time to spend on those to discuss them with your group.

As said, I think the reason why we also do it right before an ICANN meeting because it also gives us an opportunity to point out if any of those groups are actually meeting at that meeting or if any input or output is expected at that ICANN meeting, then to help you prepare accordingly or with your group discuss whether you need to prepare a statement or provide comments. I think from our side, we're more than happy to assist with that.

MICHELE NEYLON: Thank you. Jennifer, did you want to? No? Okay. Anybody else in the room? I would also, for those of you who are sitting a little bit back from the table, if you want to come up and grab a microphone and tell us that we're all crazy, please feel free. This is an open meeting. Go ahead, Marika.

MARIKA KONINGS: I said on these topics, we have more detailed slides. So if there's any interest to go into more detail now on any of these, we're happy to do so. As I said, I presume the slides will get circulated to you all later. Have a look and if any questions come up at a later stage, feel free to reach out to us. I think the slides also contain information on when some of

these groups are meeting here. For example, IRTP part D, I think they're meeting, James, on Thursday, I want to say?

JAMES BLADEL: I'd have to check. I think it's Thursday. It might be Wednesday. Yeah.

MARIKA KONINGS: Wednesday at 10:30?

JAMES BLADEL: But not breakfast this time, so that's nice. Usually we're in at 7:00 in the morning and people just come by to drink the coffee and get the Wi-Fi. But this time, we'll get actual participants. Looking forward to it.

MARIKA KONINGS: As I said, there's an opportunity for many of these initiatives to learn a little bit more, if you're interested, by attending the meetings that have been scheduled throughout the rest of the week.

MICHELE NEYLON: Thanks, Marika. And if anybody has queries about any of these things and wants to follow up with me, please feel free to reach out to either myself of the other members of the Excomm. And Marika and her team are always incredibly helpful. So thanks, Marika.

Now, on our schedule at this juncture, we were meant to be having an update from Cyrus, who isn't here. But Tim Cole did have a couple of items he wanted to address, I believe.

TIM COLE: First, I would like to introduce Baher Esmat. He's from our Egypt office, but Baher has just something he wants to share with the group, if you don't mind, and then I have something, also.

BAHER ESMAT: Thank you, Tim. Good morning, everyone. My name is Baher Esmat. I am ICANN's regional VP in the Middle East and I work out of Cairo, Egypt. I just wanted to share with you quickly that ICANN, together with Internet Society, are planning to organize a DNS forum in the Middle East in early February. We're targeting the first week of February. Dates and details about venue will be finalized soon and we're going to share them with you. But I just wanted to give you a heads up that we're organizing this meeting in the Middle East.

The objective is to build bridges between the experts in the domain name industry globally and the interested parties in the Middle East to share best practices and discuss any potential business opportunities in the region. I'll be happy to, if you have any questions, you can send me an e-mail. It's baher.esmat@ICANN.org, or you can send it to Tim and he will coordinate with me. Thank you.

MICHELE NEYLON: Do you have any idea where exactly in the Middle East it is going to be held?

BAHER ESMAT: Mostly likely in Dubai.

MICHELE NEYLON: Which has got lots of direct flights, which is kind of handy

BAHER ESMAT: And, by the way, the aim is to make this an annual event for the community in the region, the DNS and Internet community in the region. So this is going to be the first meeting, but hopefully not the last one.

MICHELE NEYLON: Okay, thank you. Tim, you had a couple of other items you wanted to address, I believe.

TIM COLE: I'm just wondering if we have certain people in the room here. If they are, I would ask them to come up to the head part of the table here. First of all, I believe Thomas Barrett is over in the corner there. Tom, could you come over here for a moment? I want to embarrass you.

Jennifer is already up at the front of the room, so she's the second person. And now, also [James Sang] or Nick Wood, either of you here?

Okay, then we'll just take these two. They are receiving their 30th meeting pins today. The new procedure now is that they ask us to honor the people in front of their own stakeholder group by presenting the pins to them during the meeting. So, if you'll join me in congratulating them. [clapping]

MICHELE NEYLON: So there is an upside to giving up part of your life to ICANN. You get a pin. Are these solid gold, Tim? Can you melt them down and sell them or anything?

TIM COLE: I don't know. They're made out of registrar fees.

MICHELE NEYLON: So it's kind of blood, sweat and tears of registrars go into the making of these pins.

UNIDENTIFIED MALE: Sorry, I didn't want to interrupt Tim. I forget who I was talking to last night, but seeing Tom made me think of it again. We went through some bylaw revisions. Maybe you can just give the members an update of what those next steps were, because I knew that there was discussion about whether or not that had to go to board or anything.

MICHELE NEYLON: The basic thing is that, as some of you know, I've been pulled in about 15 different directions over the last few weeks and haven't had a chance to follow through on a couple of items. So if anyone wants to beat me up afterward, please feel free. But can you wait until I take off my suit? Because I only own one or two.

More seriously, though, I need to follow-up with ICANN staff just to get closure on a couple of those items, which I was hoping to do this week. The bylaw thing was one of those discussions that dragged on and on for a very long period of time. Again, I would like to take this opportunity to thank Tom Barrett and the others who put a lot of work and effort into getting it over the line. It wasn't an easy job. It had to be done.

Somebody had to take one for the team, so thank you, Tom, and the others. I don't believe you were entirely alone, though. You did spearhead that effort. So thank you. It's just really a matter at this stage of finalizing stuff and hopefully putting it to be once and for all. Mr. Cole, sir, did you have anything else specifically? Did you want to speak a little bit about your Friday event?

TIM COLE: Yes, I was going to invite Mike to speak to that because he's been the one who has been spearheading these outreach training seminars. Mike, do you want to speak to that a little bit? And I think you had a couple of other items, as well.

MIKE ZUPKE: Thanks. We've got the training thing Friday. This is the last of the RAA training road show. I'm hopeful that we'll see some of you there. It's scheduled. At least, we saved the day for an all-day thing, but we've tried to really condense the material so that people don't have to give up the entire Friday. I think we're looking at something like beginning at 9:30 and ending around 3:00, 3:30. So not the entire, entire day.

I t will also be streamed by Adobe Connect, so people who don't care to participate in person can participate that way. But I think you get a better experience if you're there.

I think that the training – this is number four. We did one in L.A. We did one in [inaudible]. We did one in Berlin. So this is the final. I think it's been pretty well received. This is something that registrars asked for and other people in the community, too. I think people in law enforcement community said, "This is great. You have a new RAA with a bunch of stuff that we asked for, but we want to make sure people understand what it is." By all means. The topics are generally – the high points in the new RAA, the real complicated stuff. I believe Michele will be there, also. Is that still the plan?

MICHELE NEYLON: Yes, I did volunteer. I said I would. As chair of the Registrars Stakeholder Group, I thought it was important that one of us be there. James and Jeff participated in both L.A. and China. Volker, myself and I can't remember who else were in Berlin. I said I'd help with the one here in Buenos Aires.

I have Matt in the queue but, before I go to Matt, have you had any indication of level of interest from registrars in the region or anything like that? Any details you can share?

MIKE ZUPKE: Yeah. We had really good turnout. I think China was probably our best. I think we had about 60 attendees. I think Berlin we had around 50. This we don't have numbers yet. I'm not expecting a huge turnout. I think we might have more online than we have in person, but that's okay, too.

MICHELE NEYLON: Okay, Matt?

MATT SERLIN: Thanks, Michele. I actually just wanted to tip my hat to Mike and the rest of the registrar liaison team. I think that the outreach sessions, the webinars, have been unbelievably useful. I think it's been a great tool and I want to applaud you guys and thank you for taking the time to put them together. I think they've been great.

MIKE ZUPKE: Thanks, Matt. I don't know if there are other things about training. There are just a couple of other pointss I thought I would raise, since I've got a microphone with a red light

MICHELE NEYLON: That can be disabled, but feel free to keep going.

MIKE ZUPKE: I don't see anybody eager to talk about training. Go ahead, Jeff.

JEFF ECKHAUS: I know that myself and a few other registrars have been pinging – sending e-mails to yourself, [Caitlyn] and others, with questions as part of the training on the RAA. I know we've gotten some great responses and some clarity.

Since I'm not going to be able to attend on Friday because I'm leaving on Thursday evening – will the updated information or questions, are you rolling that into the presentations or discussions? Is that going to be made public? We've been sharing amongst registrars some of these questions because a lot of us had similar questions. I didn't know if you'd be able to share that or maybe ask the registrars that you've responded to if you could collate it and send it out publicly. I think it would be helpful.

I know I was helped and maybe some other people asked some smarter questions than I did, which is probably likely, and got some responses there that would help ease some of the – I won't say confusions, but maybe misunderstandings that are in there at the moment.

MIKE ZUPKE: Thanks, Jeff. That's a good question. We've gotten smarter as we go, each time we do the sessions. Some of the times we're able to answer them and we're able to work those in, and sometimes we have to take

things back. I think what you're referring to are some of those harder questions that we've taken back.

We've also mentioned we have this address, RAAquestions@ICANN.org where we encourage people to submit their questions about the new RAA. That way we can get them all in one place. Some of the value of doing that is that [Caitlyn], who has been primarily receiving those and responding to those, has also been collecting them. There's a document now which is the collection of the most frequently asked and some that were only asked once but seemed really good. Those have been collected. I think that's in draft for right now. It just requires a little bit more review and then we're going to share that with registrars.

MIKE ZUPKE: She just texted me now to say that they're being sent to web admin today. They're going to be published online. Hopefully they'll get posted today sometime. But that's a good collection of FAQs.

JEFF ECKHAUS: Could one of you just confirm to Michele or Jennifer? Maybe send that link out to the list when it's up?

MICHELE NEYLON: Those of you on the registrar list probably have noticed, anything that I personally get into the registrar announcements I do send to the main list since I know that not everybody who gets the announcements is the

same as who is turning up on the list, etc., etc., etc. I'd prefer that you all got the information four times rather than not getting it at all.

I was at the meeting in Berlin. I think it was quite helpful because we were able to dive into some of the finer points of this is what the contract says. What the hell does that all actually mean? ICANN staff might have one view of it and we might have another view of it. Trying to get it to a point where we all hate it equally or something. I don't know.

Is James still in the room? No? Right. Tim, did you have anything else at this juncture or are you in a happy place?

TIM COLE: I don't know, Michele, if there's interest in hearing about the waivers that the people have requested?

MICHELE NEYLON: We've got that big topic on that later on in our agenda. If you'd like to share some information with us now, I'll try not to jump across the table and beat you to a pulp.

TIM COLE: I just wanted to give a quick summary. We've received five waiver requests. These are the data retention waiver requests that are made possible in new RAA because the new RAA requires registrars to retain new sets of data. I think we've received them from four different countries: Germany, Ireland, France and Austria. Did I say four? Yeah.

Half of those right now are still pending our review and half of them have been sent back to the registrars for further information or for clarification. I think it looks like the average time for our initial legalistic review is probably in the neighborhood of about 30 days, but give or take. Yours is back at you, so I don't know.

MICHELE NEYLON: Mine was the first one. It took about 40 days, roughly.

TIM COLE: Yours, at least what I see is that it's pending further information from the registrar.

MICHELE NEYLON: I'm not going to rise to the bait on that one.

TIM COLE: I have no ammunition anyway, so it doesn't matter. I'm not actively involved. This is another area where [Caitlyn]'s been doing the coordinating. I don't mean that it's her fault for the delay. I think she's doing everything she can to try and drive these forward.

Part of it is this is something new for us and we're learning, all of us – the staff, our counsel, everybody – we're learning as we go through all of this. I do appreciate your patience and also feedback that you can provide as we're doing this. So that's that. A couple of other small…

JACK KHAWAJA: This is Jack, ICANN staff. There was a question on that from Lucas, so 30 days of review plus 30 days for publication?

MIKE ZUPKE: What I'm observing is it seems to take about 30 days to get through our review. There's quite the possibility that that could improve as we get more from the same country. That's what I'm hopeful of. Also, that maybe we could provide clearer instructions to registrars for what our expectations are for the initial submission. That might also help to improve the turnaround time.

Just a couple of other brief things. People probably know I've been on vacation for about a month so I'm still getting caught up, but some of the things that I'm trying to get more involved in is I'm coming get back online. I don't know how many people in the room know Thies Lindenthal, he's a researcher at MIT. He's doing some really interesting work that you will see coming out soon. I think we'll probably post a preview of some his work to our blog.

Right now he's working on a research project on domain name scarcity. That's something ICANN is sponsoring. He's got a project coming up, what he's calling a DNS sentiment index which will be kind of interesting. I sort of describe it like he's assembly a council of elders from ICANN and greater DNS community who are going to, every month or every so often weigh in on what their sentiments are with regard to the health of the DNS or the future of the DNS and that sort of thing. That should be interesting.

Then the last thing, which is farther down the road assuming we renew the sponsorship of his research, I think will be of a lot of interest to people. That is looking at the launch of new TLDs and gauging what their uptake is, what their success is, and incorporating different metrics like how they were marketed, what the pricing is – the sorts of things I think people would have really liked to have had before this launch, hopefully for round two or whatever this is, round four, which will come after this – that information will be available and it will be open sourced. Just keep an eye on our blog for some of that information. I think that people who are data junkies like me will find that interesting.

I don't know if I've overstayed my welcome, but there's one other thing if there's time.

MICHELE NEYLON: Please keep it brief since you're getting between them and their coffee.

MIKE ZUPKE: Okay. Just really briefly, we've had some registrars, in particular they been vocal in Africa but I think there are other regions, as well, who have said, "We could use some support in trying to develop our market place and our region."

We're doing some preliminary thinking about that and we're going to be probably coming to people in this group and then people in the community maybe around Singapore to say what, if anything, should we be doing? When I say this, I should be clear, they're presenting some, I think, real obstacles that are valid, like the types of insurance that

ICANN requires registrars to have are not widely available in Africa and the amount of coverage is excessive given the amount of risk they might have. They've got some problems that have been identified as their real problems to the marketplace that we're looking at.

The first question is, is it appropriate for ICANN or is this more of a marketplace issue? We're looking at whether to do something, what should be done. The goal is to, by Singapore, have more of a public discussion about this. If there are people who find this issue near to their hearts, then please stay in touch with me and let me know because as we're learning and developing what our ICANN ideas are, I'll be looking for people to bounce ideas off of, especially from the registrar community.

Informally, I'd be happy to have lots of hallway conversations or telephone calls and e-mails. As we lead up to Singapore, we'll probably be more formally reaching out to Stakeholder Group about that. Now I'm done. Thank you.

MICHELE NEYLON: Okay, thank you Mike. We're going to take a break until 11:00. When we come back after the break, we should be getting a demo on the AROS, which is the Automated Registrar Onboarding System, which I know you're all dying to see. So, enjoy your break and if you could try to be back in the room for 11:00 a.m. local time. It is now 10:45 so you have 15 minutes. Thanks. If we could stop the recording.

UNIDENTIFED MALE: Not a problem.

Okay, everybody. It's just gone 11:00 a.m. and I believe people are beginning to come back into the room.

The next item on the agenda is a demo of AROS (Automated Registrar Onboarding System), so if those of you could start making your way back to the table and back to your seats, that would be appreciated. Thank you.

Jennifer just informed me there's also coffee available here somewhere. Over to one side of the room, there's coffee available. It's on a first come, first serve basis. There is no Trademark Clearinghouse. Just go for it.

JAMES GREEN: Yes, it's RR2. Yeah, that's correct. My name is James Green. That's correct. All right, thanks.

UNIDENTIFIED FEMALE: Here, I'll send you now to the conference with an open line, and the call is recorded.

JAMES GREEN: Good morning.

UNIDENTIFIED MALE:	Hey, Jennifer? Jennifer or Jack, someone who is in the W Room, can one of you start the W recording, please? Just let me know once you've done that. Thank you.
	If the session leader, if you could just state what the session is and the date and time, that would be our timestamp, and we're good to go. I apologize for the delay.
UNIDENTIFIED MALE:	Okay, this is the Registrar Stakeholder Group, Tuesday, 19th of November 2013, seven minutes past 11:00, local time here in Buenos Aires. The topic of this session is the Automated Registrar Onboarding System, aka AROS. We're getting a demo from Steve Allison from ICANN staff. Over to you, Steve.
STEVE ALLISON:	Thank you for having me. I know you guys' schedules are quite busy today, so I'll try to be brief and painless. After I run through the demonstration, I'll open the floor up if there's any questions.
	Before I begin, just a little background. AROS is Automated Registrar Onboarding System. It really means one thing to a registrar, and another thing to a registry. From a registry perspective, it's a platform that allows them to manage all of the steps that they'd like to include in their business process for accrediting a registrar for selling their TLDs.
	They have full customization of this process, everything from the legalese that they'd like to include in their contracting language to the

data they'd like to pull out of our CRM system and have you guys fill out from a registrar perspective.

From the registrar perspective, it's really a system that allows each individual organization to input their data into the CRM system and then reuse that data, streamlining the process for applying to any TLD that's in there.

What I'm going to do, I'll just log in as a registrar and sort of talk through the things that you can't see and do as a registrar perspective. I won't dive too far into the weeds, but I will be doing multiple demonstrations throughout the week upstairs across from the newcomer's lounge. We can go through any specific scenarios that you'd like to do.

The last thing I'd like to say on this is that we're also going to be doing a pilot program for those that are interested in getting an account and testing out specific scenarios over the next couple of weeks.

For this, I'm going to sign in as Nancy of Domain Factory. Nancy is a user of this system. I apologize, the resolution is a little hard to see. But she's working under Domain Factory registrar. That's the name of her organization.

The first thing she sees when she gets into the site is that she can begin new enrollment application for specific TLD that she is authorized to see, so depending on the registrar agreement that she's on, she'll have a list of enrollment applications.

Or she can see under here the enrollment application list is all TLDs that she is currently has in flight or potentially has completed. She'll be able to see in a list here. It's fully-filterable and searchable and she can pull up anything that she'd like to see here.

So for this demonstration, you can see there's a TLD we made up called dot-bright. You can look up its A-label. You can see the registry it belongs and what the status that it's in.

You can see there are eight tasks that the registry has configured in order to complete the application process, and the number of tasks that have actually been completed by this registrar.

If we were to click "manage" on this application, we see the actual application. It gives us some high-level details at the top. Just to make sure that they're working in the proper context that they like to be in, they can see the percentage of the way through the process that they are. And then they can actually see the individual steps that are required to complete the application.

In this scenario, you can see that some of these steps have been completed. Some have been completed and approved. For example, attaching your certificate of insurance that had been uploaded to the system. Potentially, this was already in the system and it was just reused so it's not a redundant process over and over. There's a couple other tasks that haven't been completed yet.

Just to give you guys a flavor of what it looks like, one example, let's say, is "complete and execute confidentiality agreement." This would be a

task that maybe the registry requires in order to go through the documentation process.

If you click "edit the form – and I'll just start the process over because I have already gone through this at one point – you would be taken to a page with different information that's automatically pulled from our backend CRM system.

You can see in this example everything is actually auto-generated from the backend system. However, it may be the case that sometimes there's additional data that's not stored in CRM that would have to be manually filled in or pre-populated from another application that had been applied to. So there's all this functionality included in this system already.

In this scenario, it happens to be pulling pretty generic information about the registrar itself, so it's already pre-populated. The registrar would only come here and make a choice as to whether or not the specific individual signed in right now will be signing the agreement – this one happens to require a signature – or if they want to delegate that to another individual. So they would indicate what the signatory's name was. They would provide an e-mail address that would actually provide a unique link to that individual for them to sign into the system.

So this individual may not even have an account in the system, and it will send them a one-time unique link that they could go into the system, perform their signature whether it's a new signature or if it's an offline wet signature, and then complete this step.

Just to run through this one process, they would press "save." This would will save to the backend system and take it onto the next step of the process, which is to actually from a signature. In this case, you can see that it actually is requesting an e-signature that can go through.

I believe if I say – oops, sorry about that. Click "edit." We clicked that we want to save this. At the bottom of this, you can see the actual e-signature agreement for Nancy. If you click the checkbox, it will actually bring up the e-signature process. It defaults to having a new signature, but you could always do your own if you have your little Etch-A-Sketch on your computer. You could write Steve – that way you remember my name – and you would sign it.

Once it completes the signature process, some documents can be dual-signed by both the registry and registrar. For example, the accreditation document. Others are only signed by their registrar. It's all configurable from the registry perspective.

Once they sign that, if we go back and look at this [fax] authorization form, you can see that it gives us a little checkbox. We know that it's been completed, and then it will actually kick off a separate process from a registry perspective. It will let them know they have an outstanding item for this specific TLD and the specific registrar for them to go through.

That kind of concludes the process. They go all through the documentation process. There are steps here for them to configure the OT+E appointments and scheduling of the OT+E. There's steps that they can include for uploading their certifications for OT+E, all of the account

funding processes and then some optional steps for going live and doing like a final e-mail summary for everybody.

That sort of runs you through the process of going through an application. Again, it's completely configurable from a registry perspective. Then really there's some other minor pieces of functionality that I don't necessarily want to get into for this demonstration, but the ability for people to provide notes back and forth if there is some commentary that needs to take place.

From a registrar perspective, it fully encapsulates the ability for them to streamline going through the application process for a given TLD.

MICHELE NEYLON: Jeff Eckhaus has a question, I believe.

JEFF ECKHAUS: Yes, thanks. Quick question. I don't know if you could go back to that last page there. I don't know – maybe I didn't hear – but there's going to be a bunch of executed agreements, especially the registry/registrar agreement that is already in place I think by the time this launches. Is the idea that people would upload this, or how would that work for ones that have already been executed? Would ICANN upload those themselves, and they would be added into the system?

STEVE ALLISON: That's definitely a possibility. Just to give some clarity on this, this system is fully optional. It's an opt-in system. iT's not a requirement by

ICANN for people to use this system. But a couple other pieces of functionality that we're going to be able to provide is an API for both registries and registrars to tie into any existing external systems that they have, as well we definitely have an ability to feed into this system other documentation that has been done previously, so if there are agreements that are in place already and registries and registrars would like to feed the system with that, that's definitely an option that we can provide.

JEFF ECKHAUS: Yeah, to follow up on that – an API would be amazing, if that could be done. I don't know if you have that documentation, but if you did, I think a lot of the registries and registrars would probably like to keep it into their own interfaces, but if you had an API that people could connect to and build onto, then I think that would be great and I would suggest that the sooner you could get the documentation out, it would be great, and I think the sooner people would have a chance to implement, then we'd have a lot more people using this system.

[UNIDENTIFIED MALE]:   We still have to work on a feedback loop, because right now, the way this is designed, first of all, it's optional, and secondly, it doesn't tell ICANN when you have entered into an agreement with a registry.

So we still need to work on a feedback loop or some sort. Either require one of the parties to notify us or something so we can maintain that information and thereby know which registries you're still eligible to sign up for versus ones you already have.

UNIDENTIFIED MALE: Sorry, just to add on, I think a lot of people in this room would want most registries to use this system. That's been sort of the call and the wish that we've had on our mailing list. I was saying a lot of the registries – the pushback is that, "Well, we've already built this functionality into our registry website." So I was saying, if you have an API, then I think that would allow for a uniformity of data, and it could all be a collated into this. And I think that, even though it's optional, I think you'd have a lot higher rate of adoption. ICANN would be able to store this information better. I wouldn't say documents wouldn't be scattered, but it would make it a lot simpler.

I know that this is still in the works and still going, but I love the idea of the API and I know everyone's working full-steam, but as soon as possible would be great.

MICHELE NEYLON: Just one thing, as one of the people who have been kind of involved in this on and off over the last couple of years, this system also allow for [inaudible] of contacts, not simply just onboarding a registrar once.

At the moment, I know a lot of face – what's the polite word? – challenges in maintaining and updating contacts with different registry operators. I know from speaking to other registrars as well, things like where if they change the corporate entity's name, in some cases, the amount of hassle involved in updating contacts across multiple registries is such that, in some cases, they just give up because it's just so awkward.

I know from our own experience that updating a couple of contacts with some registry operators, they were incapable of telling us who the current contacts were, which made it quite interesting.

Tobias has been involved in this, so I think he might be able to add a couple of comments. Tobias?

TOBIAS SATTLER: Thanks. Well, I spoke to many registries by now, and I'd really like to see all registries are going to use it. So hopefully, some registries are here, but nevertheless I think we need to reach out more to the registries to explain why we want to have it. The [inaudible] was quite good, just to show what's actually going on, but I think we should have a beta thing online so they can actually try it.

MICHELE NEYLON: That's actually something that had been discussed at the last call we've had with ICANN staff on this. There was something about a beta. Where's that at?

STEVE ALLISON: I don't have a specific date in lockdown, but one of our next steps is to launch a beta of this and make it open to candidates that are interested. So definitely what we're doing this week is collecting contact information from those outside of the working group that would also like to become involved and try this. If you can send either information

	to Tim Cole or if you happen to catch me in one of the demo booths, you can give me your information and we can start formatting all that.
MICHELE NEYLON:	Gentleman down the end there who I can't really see with my eyes aren't working very well, please identify yourself.
BILLY WATENPAUGH:	Billy Watenpaugh, Dean of Registry. I like this a lot. My concern or question happens after the paperwork is completed. There's a lot of sensitive information that gets exchanged from the registry to the registrar, and I'm wondering how that process happens to get the accounts set up and the passwords passed back down to the registrar from this. Is that a separate process, or how's it going to be played out?
STEVE ALLISON:	Are you referring specifically to the OT+E passwords?
BILLY WATENPAUGH:	And production.
STEVE ALLISON:	So I guess to step back for one second, all of the steps in the process are optional, so a registry can configure their process how they want it to be. They can include or exclude all tasks, and there's an ability for them to actually customize how that task is performed.

So within the system, if they do want to pass actual usernames and passwords, it is possible for them to do that, but not necessary. This could be something where the step is really a step that documents that it took place.

For example, it says "request OT+E schedule" and it could just say I've requested it. It was handled offline. Then complete the step and move on to the next one. So it doesn't force anything that's saved in the system, but this is built on a standard Salesforce platform. It's as secure as it's going to be. It doesn't have to send e-mail passwords and clear text if that's what you're concerned about. As far as the actual storage of the data, it's pretty safe.

MICHELE NEYLON: Anything from the remote participants? No? Tim, go ahead.

TIM COLE: I probably should have done this at the beginning and introduced Steve myself, but kind of got into this a little backwards here.

I just wanted to say that, originally, Mike Zupke and Karla Valente were the two sort of staff persons working on this. Karla has departed ICANN and Mike is moving is moving into several other things, and while he was on leave, I stepped in, so I'm back into this after having missed a lot of the interim work on it.

We've now set up an actual mailing list for the working group. Steve's doing these demos now. He's also got demos out in the hallway at

certain times, so if you want to see it a little more close-up later on, I think you still have some slots that you're going to be demoing.

We definitely want to get more involvement, and I think you kind of hit the nail on the head in terms of registries. This is really going to work best if there's a critical mass of both registrars and registries, and I think with the registrars, there's a clear interest there.

But unless you get enough of the registries, it's going to be a hard sell. So I think, to the extent that you guys have any influence over them, that's another place, but we'll also be doing our outreach to the registries and Krista Papac is also working this from that side of the engagement team.

MATT SERLIN: Yes, Matt, sorry. Do you think, Michele that's something the committee would bring up in the Joint Registry Stakeholder Group Meeting later?

MICHELE NEYLON: Which exactly? Sorry.

MATT SERLIN: The fact of trying to get the new registry operators to buy into this system.

MICHELE NEYLON: Oh yeah, I think we should because, speaking as a small registrar, I really, really do not want to have to go through the pain of suffering of dealing with non-eligible PDFs ever again in my life.

MATT SERLIN: Regardless of size, this makes it easier for large, small, and everyone in between.

MICHELE NEYLON: Oh, I know. I just still have memories of not being able to move my hands for like two or three days after doing like about ten different registry onboardings.

Just out of sheer interest, I suppose of it, how many registrars in the room would appreciate being able to use a system like this for onboarding with registries?

Okay, so just for the record, that was pretty much every single registrar in the room. Just for the sake of completeness, are there any registrars in the room who would not want to use this?

UNIDENTIFIED MALE: I was just going to caveat it with I think we don't want to use it. We don't want to see everything flow through here, right? I don't want to have to do half of the stuff through here and half of it offline, you know, so that's the –

MICHELE NEYLON: One of the areas I think where there is a kind of pushback from some of the registries is with the contracting element. I think from what I've been able to gather – and others may be able to correct me on this – if it's in relation to sharing registrar information – the contacts, the technical details; that kind of stuff – they don't seem too opposed. But when it comes to the actual contracting bits, I think that's where there is a certain degree of opposition.

JEFF ECKHAUS: Can I clarify that?

MICHELE NEYLON: Yeah, sure, Jeff.

JEFF ECKHAUS: Sorry. Let me just clarify that. I think the opposition by registries was saying that there should be a uniform registry/registrar agreement. That's what the opposition was. I don't think that putting that information into a system, and if the registry, for example, could upload their agreement into this and then each registrar could sign up for that TLD, that would be fine. I think the opposition is saying, "We need to have something similar to an RAA, where everyone signs the same exact one. That's what the opposition was based upon.

STEVE ALLISON: If I may, I'll just show real quickly that, from a registry perspective, they manage their TLDs individually, and if we were to go to dot-bright, they

can actually to the registry/registrar agreement now. It won't allow me to do this because it already has applications in place, but it would take us to this page and it would become an editable page that allows them to configure the entire form, however they need to do it.

So all of the language can be configurable. They can choose to pull in some data, not other data, make some data required to be populated or optional. So they can have any registry/registrar agreement they need to have.

UNIDENTIFIED MALE: Michele, Sorry, can I?

MICHELE NEYLON: Please, go ahead.

UNIDENTIFIED MALE: The only other hesitation I would have is this is a lot of sensitive data in one place, so to the extent that we could add additional security measure – things like two-factor authentication – whatever measures we can put in place to mitigate the risk would be greatly appreciated because, again, if someone gets in here, they got the keys to the kingdom for every registry for a registrar. So it's a lot of data.

[MIKE ZUPKE]:   I just want to sort of step back a moment. Steve mentioned that this is built on a Salesforce platform, and we are moving everything over to

Salesforce eventually. RADAR is going to be replaced by a full CRM system, so the data that Steve is working with – that they will be working with – is coming actually from RADAR being imported into Salesforce and then being used from there.

We still don't know the exact time frame for a switchover, but we're gradually going to get all the data into Salesforce, play with it for a while to make sure it's all working properly, and then we will give you a heads up and so forth or a transition between RADAR to Saleforce. But I just want to let you guys know that we're moving in that direction. So this will be part of a whole platform, ultimately. We'll be doing accreditation applications that way, as well, eventually.

UNIDENTIFIED MALE: Cool, then let's have additional security enhancements on that.

UNIDENTIFIED MALE: So I have a suggestion because I know you're calling this voluntary for the registries, but its success is critical that they all participate. Have any registries said they will not participate?

MICHELE NEYLON: I think trying to work if anybody's said anything on that yet.

UNIDENTIFIED MALE: I know that on the back and forth that I've seen I think that it was this system has taken many different iterations, and I don't think a lot of

people, both in this room – I know myself, if you saw, I was [pinging] a list about what AROS was going to look like, and I think with the registries as well, I think looking at this edition of it, I don't think there would be as much pushback as people have in the past. I think it's more of teaching people what it's about. I think the pushback in the past was because different versions and different narrations, so I think let's revisit it after this week and people see what it looks like.

UNIDENTIFIED MALE: Let's do that.

UNIDENTIFIED MALE: Yeah, a quick anecdote. I recently updated RADAR with my primary contact information, and I'm getting hounded by every Legacy registry saying, "ICANN has told us you now have new information. See below. Come to our website so we can have it on our form, too." I say, "You already have. Stop bugging me."

So I think we should shame registries, both new and old, that refuse to get on board with this. In fact, I would love to see a list of registries – like a little badge, just like the 2013 RAA – these guys are on board with the new technology, and they're not forcing people to go to ORMS and fill out 20 different variations of their forms.

[MATT SERLIN]: Yeah, so I'll +1 myself to that, and also say, again, let's make sure that this is a topic that we talk about with the Registry Stakeholder Group today.

MICHELE NEYLON: Well in that, [inaudible] I'm going to put you down as a volunteer to raise us at our joint meeting with the registries this afternoon.

[UNIDENTIFIED MALE]: I'm not one to keep my mouth shut, so absolutely put me down.

MICHELE NEYLON: Thank you, Matt, it's always good to have your input. Okay, the gentleman down there who's name I've forgotten because I'm hopeless with name.

BILLY WATENPAUGH: That's okay. Billy Watenpaugh with Dean of Registry. One of the other things that wasn't clear to me are the limits at what's going to be included here. Is it so dynamic that eventually we'll see like a data escrow agreements in here and things like marketing contracts or other types of ancillary products that the registry is going to provide or is it strictly for the accreditation process?

STEVE ALLISON: This is strictly for the accreditation process, but more technically speaking, because it's built on Salesforce or part of the CRM system, it

has access to a lot of data. So from a technical perspective, you could build on top of something like this or integrate other functionality into this. But I think specifically because this is a registry/registrar-specific function that it's trying to fulfill, it sometimes doesn't make sense to integrate it into other functionality that may be ICANN-to-registrar or ICANN-to-registry functions.

I don't think it's out of the question for us to expand the functionality to include other things, but I think it should probably be contained within the scope of what AROS represents.

MICHELE NEYLON: Is that okay?   Okay. I think we should start time limit here. What's the best way for people to get in contact with yourselves on this? Is Tim Cole the primary contact?

UNIDENTIFIED MALE: Yes, and if you do contact me – I think, Steve, you talked about some testing possibilities – if you do contact me, let me know if you want to be on the working group or doing the testing or both. That way, I can know where to put your name in terms of that because the mailing list is growing on the working group, but I think that's logical because as we get closer to realizing this, there's going to be more people interested in being part of the dialogue, I think.

MICHELE NEYLON: All right, thank you. Thanks very much for that. Now we have – oh, sorry? We have Norm Ritchie, who's going to give us a very, very brief presentation on the Secure Domain Foundation.

Okay, just sorting out a few technical issues here with slides and everything. At this juncture, I'd love to play you elevator music, but we don't have any.

I'll hand it over to Norm Ritchie. Norm, do you want to give a brief introduction as to who you are very, very quickly before we go on to your actual presentation?

NORM RITCHIE: I'll do that. Well, my name's Norm Ritchie. I work for a company called CrowdStrike, which is in cyber security. It's a new startup, but it's a rather large startup with 120 people. But that's not what I'm here to talk about.

What I'm really here to talk about is something that another fellow, Chris Davis, and I started about 18 months ago, more out of frustration and it's kind of evolved to something that got some very positive feedback so far. So I'm going to jump right into it.

The background was back in ICANN Costa Rica, we floated an idea that there is far too much recidivism in the domain abuse, meaning when a malicious domain is detected, technically by cyber security people, they do a whole bunch of analysis. It takes a lot of time. Collect a lot of evidence. Domain's taken down. Bad guys just goes somewhere else. They're out $6.00. It's not a very effective system. It's very frustrating.

It's frustrating for both the registries and registrars, but also very frustrating for the cyber security people and it's just not working.

A simple approach, though, is to work together if we share information, so when the main takedown happens, there is information about who that bad person was. If we shared that, that might be a better way of doing things.

From that simple idea, there's a very positive feedback and encouragement for Chris and I continuing to work on it. However, it was Chris and I. It's been 18 months. So it's now evolved to something quite a bit more than that, though. It started with analyzing malware and extracting domain names. We now analyze somewhere in the magnitude of 100,000 to 200,000 pieces of malware a day and malicious domains are extracted from that.

We start with data feeds. We now have an API. The API has now evolved to actually a reputation system, so you get some indication, if you query an e-mail address, has that e-mail address been seen before and associated with malicious activity, and what type of activity?

We've also incorporated recently. We're a Canadian non-profit. Both Chris and I are Canadian. We plan to actually have an official launch in January.

I mentioned before the importance here, other than being two very attractive gentlemen, I come from the domain industry. I worked with the registrars. I used to be at [Momentus]. I was a CIO at [sierra.ca] and I've been involved in cyber security for about five years.

Chris Davis comes from the cyber security side. He's been doing this since forever, I think about 1993. He's quite well-known and respected. So having those two halves, both with a common goal and seeing the same frustration as how the SGF evolved.

We haven't done this alone. Some of the people have been very supportive – Facebook has been marvelous. The Internet Identity and the APWG, the Anti-Phishing Working Group, Nominet. Emerging threats was one of our largest sources of malware. [inaudible] has donated servers. CrowdStrike is my own company, Soca has helped us a lot with WHOIS data and dot-co and Demand Media. We've been working quite a bit with Demand Media to figure out how best to do this.

Different people provide different things, mainly as bad guy e-mail addresses, but also if there's a privacy company is involved and the terms of services are breached, in some cases, depending on what the grievance says, the information behind that privacy may be disclosable, and that can really help identify and track that person and get attribution on the miscreant.

There's malware data analysis, of course. Some people are cyber security professionals doing investigations. Others do some type of development in one form or another, such as our API. Then there's also operational. There's no fee to join the SDF. It doesn't cost anything. The cost is just participation and sharing.

Current evolution: where are we today? Well, today we have over 86 million records of MD5 – that's the signature for malware –mapped to a

domain and categorized. [inaudible], we have over seven million of those categorized. That means that in some way they've been associated with malicious activity. There's different levels of that.

WHOIS data – there's 26 million of them. Same thing. We also have collected currently over 300,000 browser fingerprints, which I'll talk about a bit later. That's a unique way of identifying a browser.

I talked about the terms of service violation logs. For people that use Motigo, Motigo is a visualization system used quite a bit by cyber security people. We have server that actually ties into Motigo and to our API. All together, we have over 300 million records sitting in the database right now.

What's coming soon? This is what's gotten a lot of people's attention. Part of what we do is try to get attribution on malicious activity. Who's behind it? Not just the false data that's in WHOIS or whatever, but who's actually behind it so then we can work with law enforcement and stop them once and for all.

Because of that, we're looking at how we're going to validate addresses to find out if we can do this. So we started working with Canada Post. Turns out they've been doing this for eight years working on a system and it covers 150 countries. It does some fuzzy logic matching, and they said we could use it for free. They also said we could pass it on to other people to use for free.

UPS did the same thing with the U.S. addressing. For some reason, the Canadian system doesn't handle the U.S. addressing for some reason,

but UPS has their own and they say exactly the same thing: yes, we could use their system.

The results we've had so far out of the Canada Post system, is that although it works quite well for Canadian addressing and some of the US is not quite so good for the rest of the world.

It turns out my sister lives in [inaudible] same place as Michele here. I use her as my test case all the time for her address. Most addressing systems can't find her house. However, Google can. So we're getting a business license for the Google API for their mapping system. We have some that's doing the development and donating their time to do that. We will tie in the mapping system and do validation that way, and that's free.

The phone number validation – right now we just do a simple regular expressions across the WHOIS, and is that a valid phone number? Just as a test case, we looked at the last 18 months of some WHOIS data for Country Code One – Canada, U.S. and the Caribbean countries – I think about 14 countries all together. Did the area code make sense for that country code? Lo and behold, 1.7 million did not. So that was a very, very simple case to know that the telephone number was invalid. We'll publish those results. So that capability is there now to do that simple validation, although I think that's something anybody could build into their systems.

We have been talking to various people that do phone number validations. We have not yet found any that are financially attractive

that we could afford, but we'll keep searching for that, and [when we] get it, we'll do it for free.

The browser fingerprint. It turns out if you query a browser that will come back with information that's configuration. That includes something like which font packs are installed, what plug-ins are installed, etc., etc., and also with the order in which they're installed. Oddly, that comes out to be a very unique identifier. We've been playing with that for about six months. We found a better algorithm for that. We've now added [inaudible]. We threw away our original fingerprints. We now have a new set. This would allow you to, in many cases, get a good indication is that the same person that came in before? That code's available. It's Java script. If anyone is interested in that, let us know. We also have about 300,000 fingerprints in the database associated with miscreants.

Something that's coming that'd be interested in you guys: are plans is not – although we want to supply the data, but we're going to be talking to registrars, registries, etc., hosting companies. We're going to publish the results, not on how many domains are associated with a registrar that are good or bad, but on the responses to complaints.

If someone is being responsive and taking care of a situation, that's great. We know there are a few registrars out there who are very apathetic, and in some cases, malicious, so they will become more evident.

So the synopsis of the API – we do pulsa phone and e-mail validation scoring, malicious reputation scoring, e-mail domain IP address pulsa

codes, phone and the fingerprint. You can get the results back very simply, like in JSON or more complex in XML, and I'll show you what it actually looks like here. There you go, although you can't read that.

Basically, this is a query on an e-mail address. It came back – I know you can't read it, but the first line is saying that's associated with command and control. The second line is saying it's been seen on forums associated with fraudulent credit cards or stolen credit cards. The third one is just a general category. And then there's information about where it's been seen and what addresses it's been associated with that e-mail address. The browser fingerprint is there as well, so it actually can identify his browser.

That's it. That's really what I wanted to do here is take the opportunity to introduce you to this secure domain. It'll work best with cooperation. If it's of interest to you, please contact me. If there's something about it that you don't like, or if it's not enough, or it's amiss somewhere, let us know. The idea is to make this work by sharing information. Thank you.

MICHELE NEYLON: Thanks, Norm. Does anybody have any questions or queries or anything on this? Mr. Zupke?

MIKE ZUPKE: Thanks. So we haven't met. I'm Mike Zupke of ICANN staff. You may be aware that registrars on the new form of registrar accreditation agreement will have an obligation to do some address validation and e-mail and phone number verification, so we've got a working group right

now which is roughly 40-something registrars and ICANN staff trying to explore what solutions are for address validation.

So we'd be interested in at least to maybe talking to you further about some of those things. At the very least, I would about what sorts of things are possible? We've kind of been in discussion with some vendors already, but anyway, I'd sort of like to open up an invitation for continuing dialogue.

NORM RITCHIE: Absolutely. If this works and gets ICANN's blessing on it, then yeah, that'd be awesome.

MICHELE NEYLON: And I have – oh yes. Go ahead. Sorry.

UNIDENTIFIED MALE: Thank you for the presentation. This is very interesting. This is kind of a solution for a problem which probably most of us have. My question is: how is this financed? You have effort. Where does the money come from because this costs money?

NORM RITCHIE: To date, to be honest, as I said I started 18 months ago, it really came out of Chris and my back pocket. So we paid for it. Hence, part of the reason why it hasn't evolved quickly. Our costs have not been very high, to be honest. We have monthly costs for hosting services. We haven't

done all the legal agreements that we're going to need. I know lawyers are expensive. We're hoping for pro bono work there.

Chris and I both joined CrowdStrike about six months ago, I guess. They are very supportive of the SD, and as a matter of fact, we actually had it written into our employment agreements that SDF continues, which is great. They're totally supportive of that up to the board level. So they've been supplying development advice, operational advice – stuff like that – which is through staff, so that keeps down our costs because any costs we have basically goes back to people. Also, they pay for all our travel and stuff.

To this point, we just haven't had a need for a lot of money. We're doing up a real budget now. I guess that'll cover us for the first year. How much we're going to need, though, is hard to tell until we see the responses. Our current people involved in it are big names like Facebook and others. Most people have offered us money, but we don't even know what we'd spend it on, so we haven't taken it.

We'll do the budget and would like to know, but as the intent is to keep it free, a lot of people have offered to contribute money to it to keep it free. The reason we want that is because smaller registrars, smaller registries, smaller hosting companies could not afford to pay for it, and that is part of the problem. It's always the big dogs have the money and they can do things, but the smaller guys cannot. So the idea is to keep it free so we don't get that information.

UNIDENTIFIED FEMALE: I have a question, [inaudible]

[MICHELE NEYLON]:   Actually, two questions. One is relating to the abuse reporting that you're planning to give to registrars. What kind of evidence will we be provided to registrars when you provide an abuse complaint i.e., will that evidence be sufficient to hold up in court in case our customer takes us to court because we took down this domain name without sufficient evidence?

The second question is with regard to the address verification. What's the current statistics on quality there i.e. what percentage of those addresses are you able to validate or not validate with your system at the moment in the countries that you support?

NORM RITCHIE: On the second part, I don't have that statistic for you, so I can't give that number because we aren't there yet. Certainly, Canada works very well, but for the many other countries involved – and some countries will not be covered at all – I just don't have a good answer yet. I'm very hopeful that it should be as good as what you would get by doing a manual query of Google Maps, if that helps.

And on your other question – I can just go forward here. What makes the domain malicious? There's two types of reports or input that you can receive. One, we do it for registries right now. We actually on a daily basis generate reports that shows all the names registered to them or under that TLD on a daily basis that we find through our automated process. It's totally up to the registry to decide what they want to do with that. It's automated. It's categorized. Do what you want.

There's the other case where we actually have researchers coming in, and that is something we actually want to work particularly with a registrars on, is what you require? Have them working with Demand Media some on this. They've been quite helpful in trying to figure out what is required.

We got a situation right now. Facebook has identified some domains that they called malicious. They're registered at Demand Media, but because Facebook doesn't like them, that doesn't necessarily warrant that they should be taken down. So we're going back and forth on what is required to do that.

We know that we're going to have to, in those cases, we like to actually develop a process saying, "What exactly is required?" That may vary from country to country. I'm not sure on that. It probably does. But if there's generically what would be required and also what type of review should occur built into that, though, as part of the urgency to act in some cases, depending on how malicious the domain may be, or not. I can go and on. Really, what I'm asking for is your assistance in working on that. We'll start with a straw man and go for there.

JEFF ECKHAUS: If I could jump in, we've been working with [Inam] in our group with Norm, and I'll tell you that the evidence that they've given is excellent, and he's been responsible when we said we needed additional information, this wasn't enough, or this was fine, they worked with us and been very responsive, so definitely give them kudos for the work

they've done. I definitely encourage everyone to talk to Norm and to work with them. It's been a very good experience.

MICHELE NEYLON: Thanks, Norm. Jennifer.

[JENNIFER STANDIFORD]:   Thanks, Norm, for coming. We're tight on time, so we're going to quickly grab some lunch, sit back down, and Cyrus is going to address the stakeholder group.

MICHELE NEYLON: Whilst we eat, yes. We're only giving you about 15 minutes anyway, so it's perfectly fine. Okay, go ahead.

CYRUS NAMAZI: Thanks you very much. I'm Cyrus Namazi with ICANN staff. I just stopped by to apologize for not being here at the time that was scheduled for me to be here this morning. I've been fighting what appears to be food poisoning since about 3:00 a.m. and I guess that's what happens when you eat fish in a steak restaurant, is what I decided. I'm not completely over it, but I wanted to stop by to make sure that I am available at your service any time during the conference.

If there is a possibility to reschedule for me to come back for however much time that's necessary, I'd be happy to accommodate it. I definitely wanted to spend the time here with the stakeholder group and hear

your thoughts, ideas, comments, and share with you some of the programs that we have going on. Not that there should be any surprised really because communication should really happen on an ongoing basis, and this is what we attempt to do anyway, but there's no substitute, of course, for the face-to-face element of it.

So again, just wanted to apologize to Mikaley and to all of you for not having been able to hold up my end of it this morning. Thank you.

UNIDENTIFIED MALE: Thanks, Cyrus. We're just going to open this up. Anybody who has questions, now is your time to ask Cyrus all the questions you could possibly want to ask Cyrus. He's here. Go for it.

CYRUS NAMAZI: It's a benefit of showing up at lunchtime, I think.

MICHELE NEYLON: It's okay. I'm sure some people have some questions. One of the topics that we're discussing later on our agenda this afternoon is a topic that several of us discussed with you at the New Domains Conference in Munich, which is the ICANN contract versus local law issue.

I haven't circulated to the member's list today, but I've had e-mails from at least one European registrar who is very concerned around the timelines that ICANN is following with respect to handling of waivers because the issue for many registrars in Europe is that they are having

difficulty signing onto the 2013 RAA without any guarantee of a waiver. So maybe if you could speak to that, that would be helpful.

CYRUS NAMAZI: In regards to issuing waivers for applicants or registrars who have submitted a waiver, we do have a process in place. I'm not sure if you're asking a question specifically.

MICHELE NEYLON: I was going gently on you, Cyrus, but if you want me to be a little more forthright, I can be.

CYRUS NAMAZI: Yes, please, no problem.

MICHELE NEYLON: The issue for many of the European registrars – and if any European registrars disagree with me, feel free to say so – is that the process that ICANN has put in place is fundamentally broken. You're asking us to prove the unprovable without actually litigating it because we're getting legal opinions from external council stating that should we not get a waiver that we would be in breach of local law. And then after a very long period – which in many cases is up to a month, possibly longer – we get back questions from ICANN asking us to clarify something that we can't really clarify because, under a common law system, the only way that we can prove specifically what was in breach of something was

for it to be litigated, and unless you're going to cover our legal fees, I don't really see how we can do that.

Some registrars are very concerned about this, because with the amount of time involved between the submission of the waiver request with the supporting legal opinion, the delay for response on that, then you get back a clarified question on that that adds on for the timeline. Then you're going to have to publish it for about 30 days. So with the launch dates for many new TLDs rapidly approaching, some of the larger registrars may have been able to work around things to a certain degree, but many are quite concerned that, effectively, a lot of European registrars will not be able to participate in new TLDs.

One of our members has asked me to put to you – and I can forward this to you later via e-mail – that maybe ICANN should really look at giving us all a blanket waiver, pending clarification of specific waiver requests.

CYRUS NAMAZI: Thank you, Michele. Obviously, the ultimate goal here is not to jeopardize any particular registrar to be in breach of their local law. In fact, we have language in the RAA that specifically protects that. The flipside of it is that ICANN is not and cannot be in a position to tell every legal jurisdiction what laws they need to be exempted from. This is sort of the flipside of it.

Now, perhaps one way to sort of find a way out of this what appears to be a gridlock is for our legal counsel to have a dialogue whoever your

legal counsel that is advising you of the issues because there seems to be a disconnect, frankly, and it needs to take place at the legal level.

We're very open and happy to discuss ways out of it, but I don't think expecting ICANN to tell every jurisdiction – every business – what local laws and regulations you need to be following and which ones we need to be exempting you from is a starting point. I just can't see that.

MICHELE NEYLON: We'll I'm not going to reiterate what I already said to you a couple weeks ago, Cyrus, so I'll pass over to Jeff.

JEFF ECKHAUS: Hey, Cyrus, I'll try to be brief. I know I'm standing between lunch here. Just a quick question for you. Listening to some of the GAC sessions and some of the other ones, it sounds like there's going to be some changes to registry/registrar agreements to implement some of these items that are in category one and category two. The direction is saying, "Hey registries, put this in an agreement," and a lot of it will flow down to the registrars because we have the contact with the customers.

I know it's early and we're still waiting to see, but I don't know if there is an implementation done by staff, will registrars be consulted in this versus just being handed saying, "This is how it's done," and if you could from my language, if there is going to be implementation by staff, if we could be consulted on some of that because some of the things that work just in the processes that we have, we could actually hopefully be helpful in helping to solve it and making it a more efficient process

versus somebody hands something down and then we say, "This is not implementable." So a question and a suggestion as well for you.

CYRUS NAMAZI: Thank you, Jeff. It's a great suggestion. Obviously, if there's amendment taking place in the registry/registrar, we would be fools not to be consulting with you, so you have our commitments for that.

MICHELE NEYLON: We got James and Volker before you, Tom.

JAMES BLADEL: Hi, Cyrus. [inaudible] take the group too far into the weeds here a little bit, but we've talked a little bit about implementation and scheduling those out into major and minor releases for anything that's going to be a significant development issue or an operational issue for registrars.

But something that's come up here recently is, during the work of IRTPD, we noticed that there is a dependency between one of our charter questions and something that was already settled and approved but not yet implemented from IRTPC, so one of our recommendations from that working group could be please hold on the implementation of IRTPC because there could be modifications coming to those recommendations from IRTPD.

I'm just saying, is this something that you anticipate any problems [as] a working group? Because I know [Caitlin] or I think some other folks have already started to schedule the IRTPC implementation team, but the

working group D is not done yet – they're actually putting that stuff back under the microscope.

So there's some moving parts here, and I think what we're asking from a registrar perspective is can we maybe put the brakes on some of these implementations until the rest of the train catches us with that?

CYRUS NAMAZI: Thank you, James. I'm going to defer to Tim, who is much more up to speed on this issue.

TIM COLE: Thanks. Yeah, James, my understanding is that, at present time, the group C is kind of going to merge their work with group D is how they've explained it to me. So I believe that Caitlin is definitely involved with that, and I think we're planning, as you may recall, a face-to-face sometime after this meeting, possibly, in Iowa City, I think. Anyway, I think that was our understanding, so I think we don't intend to move any faster than the groups can move themselves.

JAMES BLADEL: Okay. I didn't realize we'd gotten to that point. I know that we had discussed that we wanted to combine the implementation of C and D.

TIM COLE: I mean, I think that's a call for the IRTPC.

JAMES BLADEL: I just saw a meeting going out for meeting request, and then I'm like, "Well, we're not done with this yet," so yeah, thanks.

TIM COLE: You bet.

MICHELE NEYLON: Volker?

VOLKER GRIEMANN: Yes. Just a small thing I already discussed with Cyrus at the bar on one of the first days, which I just wanted to get back into again was an additional request for the waivers. Currently, no waivers have been issued yet to encourage to ICANN to think about expanding the waiver program to also include registrars not directly based in the country that might be affecting their data protection laws.

                  For example, many companies are based in the U.S., but they have their entire operations outsourced to another country. For example, with registrar backend service providers or because they're part of a larger registrar family that is, for example, based in Europe or India or wherever that has stricter data protection laws and the entire data collection processing does not happen where the registrar is actually seated, but in the country where the technical operations take place.

                  So while this is getting even more complicated as a second step, we would ask ICANN to at least consider the possibility of granting a waiver to such registrars as well, even if that would only become a limited

waiver, limited to the data protection that actually happens outside the country where the registrar is based.

CYRUS NAMAZI: Thank you, Volker. Conversations that happen at the bar are kind of fuzzy in my head at the moment, but I do recall this conversation, and it's really no issue. As long as the jurisdiction applies, we would definitely issue the waiver.

MICHELE NEYLON: Tom Barrett?

TOM BARRETT: Hi, Cyrus. Tom Barrett from EnCirca. My question is about we know these new registries. Some of them will choose to be vertically integrated, many with their own registrar.

What's not clear – we had an announcement just yesterday of an applicant who has a registrar and is now taking orders for their registrar, for their TLDs, many of which are not yet delegated or with a signed contract.

My question is will we have visibility to whether or not certain applicants have applied for an exemption from the code or conduct or whether or not they've decided to become vertically integrated with their own registrar?

[CYRUS NAMAZI]:   I'm trying to grasp your question a little better, Tom. You're saying that someone is already registering? Pre-registering?

TOM BARRETT: They're using their captive registrar to say, "You can order now. As long as it's not allocated during Sunrise, you're guaranteed these names."

So their registrar is basically being given first opportunity to do this. Presumably it's open to other registrars as well, but obviously there's a timing issue.

UNIDENTIFIED MALE: It might be a question for Maggie this afternoon.

CYRUS NAMAZI: Yeah, let us take this back. I don't want to mislead you with a bad answer. We'll get back to you on this.

TOM BARRETT: More general questions. I'm not picking on them. Will there be visibility to registries that have decided to be after an exemption from the code of conduct or have decided to become vertically integrated?

CYRUS NAMAZI: My answer would be yes, but let me double check that and get back to you.

MICHELE NEYLON: Okay, does anyone else have any questions for Cyrus?

UNIDENTIFIED MALE: I was just going to ask where you had dinner last night.

CYRUS NAMAZI: I'm actually taking Michele there tonight.

MICHELE NEYLON: Okay, thank you, Cyrus, and everybody witness: Cyrus has offered to buy me dinner.

CYRUS NAMAZI: Absolutely. Thank you again. And again, apologizes for not being here on time this morning.

MICHELE NEYLON: Okay, thank you. Time wise, we are – I'm going to hand over to Jennifer because she's much better at this than I am. Jennifer?

JENNIFER STANDIFORD: This is going to be a working lunch for the stakeholders, so if you please welcome yourself to get up and grab a plate, something to drink. Come sit down quickly. We're going work through our preparation for our board meeting. Thank you.

MICHELE NEYLON: We're a bit tight on time, but hopefully we'll be okay.

JENNIFER STANDIFORD: You guys, we're going to reconvene in the next five minutes.

MICHELE NEYLON: Okay. Since we've all had something to eat, we need to move on with our schedule. As usual, it's very, very tight. Later this afternoon, we will be meeting with the ICANN Board and, as usual, they asked us to provide them with a list of topics for discussion. So, we provided them with some kind of high level topics. Based on our experiences with the last meeting in Durban, we wanted to be a little bit better organized this time around with specific people leading on specific topics. So, Jennifer, do you have the list there?

JENNIFER STANDIFORD: Yes, I have a list. Just for the recording, this is November 19 the, the Registrar Stakeholder Meeting and we are discussing board preparation.

All right. Starting with Item number 1, the proposal was to discuss ICANN multi-stakeholder model and ICANN's recent activity is as it pertains to the IGF landscape as well as bodies, reasons, statements regarding that we would discuss and bring awareness to the board – [inaudible] verbalization doesn't reflect the holistic opinion of ICANN as well as the registrars. Does anybody like to chime in? I see James in the queue. Anybody else?

JAMES BLADEL: Hi, Jen. So, I put this one on the list and, obviously, we have learned quite a bit – for good or for ill – a lot more of information. The picture has fleshed out quite a bit more since we've arrived here in Buenos Aires.

I'd like to – and, I don't want to be like the typical ICANN person that's missing the substance of what they're trying to do on Internet governance by focusing on the process. I don't want to take that tact. But I do think it's important that we point out that because they kept a lot of the community in the dark, they maybe sidelined a lot of potential allies and help and resources that maybe could have – if we have known what the game plan was, perhaps we could have gotten involved and helped to further that effort. And I think that that opportunity was lost.

I may refrain or restrain from saying this from the board, but you can't go to a government and say, "We have this awesome multi-stakeholder bottom-up model that we have completely violated in order to defend it to you."

I think that sends the reverse message that we're trying to communicate to these governments. Then, I also have a number of questions and concerns about the OneNet organization. What is it? What's it going to do? Who's going to be on it? How do you join? Where does it get its money? What's it going to spend it on? Why are there governments on it?

MICHELE NEYLON: So, is it safe to say that you're going to lead this topic for us?

JAMES BLADEL: No. I'm asking the group here. I'm like a waitress who comes by the table when you've taken the bite of your lunch and say, "How is it?" What do you guys think we should focus on on the subject? Just overall Internet governance.

MICHELE NEYLON: Okay. Thank, James. John had a couple of thoughts. Go ahead, John.

[JOHN BERRYHILL]:   No. I was just saying I caught part of – James has an extended rant on this which I think he should take the lead on in our Board session. It's a very good rant.

JAMES BLADEL: Did you happen to write any of that down, John?

[JOHN BERRYHILL]:   No, just go with it.

MICHELE NEYLON: I mean speaking personally, one of my main concerns around this wasn't so much what they were doing, it's just the total lack of communication. I mean, even if they had been a bit more coordinated in terms of letting us know at the same time as letting other people know.

                       And this entire thing around this board directive or motion or whatever the hell it was that was super-secret and, then, was published like

yesterday or whenever it was, was a little bit strange. You wonder where is the line? Where do they draw the line between stuff that they need to do in order to keep ICANN the corporation running and things that have a direct and tangible impact on the rest of us?

JAMES BLADEL: I'd also like to ask them to fully articulate what's going to happen, what they fear, the worst case outcome would be if this effort fails. I think that they're scaring people, but there's some unknown danger out there. But, I feel like I've got a so-so handle on what might happen at the point of pot. But, I think to get the community engaged and get people really animated about this, I think they need to explain what a fractured DNS looks like and how close we are really to that happening.

MICHELE NEYLON: Thanks, James. Anybody else want to weigh in on this? Rob is looking at me. So, I suspect he is – no, you're agreeing. Okay, you're silently agreeing. That's okay. That's okay. Sorry? Okay, silently agreeing and eating. So we won't interrupt him.

For those of you who were at the session yesterday as well, the one – I can't even remember what the damn thing was called, where it was like the 14 of us. No, it's the one with the 14 of us on the stage. I mean this came up there as well.

Divergent views across the community as to what constitutes ICANN and what ICANN should or shouldn't be doing and whether it's a case of ICANN facilitating things or ICANN leading things and doing things. What was the second item on the list there, Jen?

JAMES BLADEL: Can I ask a question? Is this where we also will raise the issues –are we combining this with the sort of concern about just top-down actions in general or is that a separate item?

JENNIFER STANDIFORD: I think that should be included.

MICHELE NEYLON: I think it should be included.

JENNIFER STANDIFORD: We believe it should be included, and we can bring up OneNet and the recent discussions with the government entities as an example.

JAMES BLADEL: I'm wondering if we might want to consider breaking that separately. Because some of the other top-down activities are more internally focused to ICANN and ICANN community versus those that are being done externally to governments and other organizations. I'm just putting that out there as a—

MICHELE NEYLON: Maybe just split the two. Ultimately we've given them like the four topics. Like the top down thing, who wants to lead on that one? You, as well. Okay, thank you. So, James has the first two topics. And what's the next one after that?

JENNIFER STANDIFORD: So let's just agree that the first two topics are around internal and external top-down concerns. The third, actually, that would be NGPC response to the GAC advice category 1 and 2.

MICHELE NEYLON: Jeff, could you kind of tell us what the hell that's all about, please?

JEFF ECKHAUS: I think I started with that discussion with Cyrus' – that's what I brought up is that in the NGPC letter – mostly, it's all about the category 1 piece – there's a lot of areas related to what actions would have to happen for a registration to occur, and a lot of it is being said that directing registries to put that into the registry/registrar meaning registrars will have to do it.

What I want to know is has the board thought about the implementation process? Have they thought about consulting with the registrars who are going to be the people who have to deal with the registrants? I don't think we want to discuss what about the feasibility, but how do we make these things happen, and what interaction is there?

This goes back to we've had discussions in the past with them about, hey, we should have time with the board, discussions with them besides this. I think a lot of it has to do with – and this might roll into sort of about process and predictability. We have discussed in the past we will put time together and we could – not explain the business, but talk

about certain things. I think this other piece I might roll it into something else.

Just about getting that information out there also has to do with predictability and I won't say we've complained about this, but all the burdens that are on us because it's all coming through without any predictable timeframes. And for people here who have engineering cycles and other timelines they have to deal with, the unpredictability of decisions and how these implementations are going to happen is painful. So it's something that I want to bring that up with—

MICHELE NEYLON: So it's sort of the operational impact of this?

JEFF ECKHAUS: Yes. The operational impact of it, but also just a general thing about how I think the registries are I won't say complaining, but bringing up the unpredictability and the process. I think that we need to hammer on that as well because I think we're the last to know as registrars, and it's expected that everything that people want will be live immediately.

We need to work through that about some commitments about dates being honored and that if there is – I won't say metrics around it, but that people need to settle on these processes, these rules, set firm dates and let's do it just because it's going to cause problems for all of us if we don't get these implemented and get them implemented the right way.

GLEN DE SAINT GERY: Thank you, Jeff. The next one, Jen.

JENNIFER STANDIFORD: I just wanted to comment and follow up with Jeff real quick is that the registry stakeholders are going to bring up process predictability as well around finalizing the rules around new TLDs, GAC advice and commitments to dates being honored with the slippage equaling cost. So that's a reoccurring theme.

MICHELE NEYLON: The next one was with Internet Governance Coalition.

JENNIFER STANDIFORD: I think that's topic number one.

MICHELE NEYLON: Is that part of the topic number one?

JENNIFER STANDIFORD: The IGF piece.

MICHELE NEYLON: Okay. So that's part of one. Reconsideration process?

JENNIFER STANDIFORD: Born input on the Expert Working Group, recommendations on accountability mechanisms. I believe that's one where the strategy panels are pointing representatives and how the outcome of those

panels will resonate within the community as far as who will have input and who can participate. I think further clarification from the board on the new panels.

MICHELE NEYLON: I think you can lead that one, then.

JENNIFER STANDIFORD: Lovely.

MICHELE NEYLON: I think you have a better idea of what that is.

JENNIFER STANDIFORD: All right.

MICHELE NEYLON: So the first two is number 1 and number 3 on the list that we submitted to them. The multi-stakeholder model top-down stuff and, then also this Internet governance ongoing is it the end of days? The second thing is around the operational impact of GAC advice, and the last one is around these expert panels and—

JENNIFER STANDIFORD: And the implementation of the recommendations that come out of the panels.

MICHELE NEYLON: Okay, fine. So does anybody else have any input or thoughts on that one before I hand over to Xavier who's going to enthrall us with ICANN's financials? James, no? Okay. I guess this would be polite to let him finish his dessert first, though.

Xavier, do you have slides or anything? No. Okay. You can stay down there if you want to. You don't have to move. He's running away now.

XAVIER CALVEZ: Sorry. I prefer standing, if you don't mind, because then I can see better everyone.

MICHELE NEYLON: You need to speak up because everyone can't really hear you.

XAVIER CALVEZ: I need to speak up? Like that? Okay.

MICHELE NEYLON: So you need to introduce yourself, tell us who you are and why you're here.

XAVIER CALVEZ: You've already done that, but I'm Xavier Calvez and the CFO of ICANN. Thank you for the opportunity to come and speak with you. How much time do I have?

MICHELE NEYLON: You have about 20 minutes, 15 or 20 minutes.

XAVIER CALVEZ: Okay, thank you. I wanted to bring up two more specific topics for this group relative to a couple of things that we are working on in the finance area more specific to registrars and registries, AND therefore, to registrars as well, which is the overall collection process for the fees, which is partially connected also to the billing process.

A general principle that we are working on is automating for the purpose of improving reliability of the invoicing and the efficiency of the process of invoicing on one hand and collection on the other hand. We are drafting – have been using a process that we've been rewriting and trying to simplify and tighten relative to collection in simple words.

It starts right after the due date for the invoices and the payments and goes then through a sequence of reminders to the register registrar whose invoices aren't paid to [inaudible] and is then handed out if the payment doesn't happen through to the compliance process that you know, I think, all well. So this is the high level collection process.

One question I will have for you and, then, I would like feedback on either now or later by e-mail is perfectly fine is I think as we are going to launch this more documented and tightened collection process, of course I would like to make sure that before we effect it, before we implement it, we share with the registrars this new process where the rules of the games are. It's always easier to play the game when you know the rules up front.

So, I want to make sure that we can issue a communication to the registrars and registries on what we're expecting the rules to be, what we're expecting the collection rule to be so that we can ensure everyone understands them and can respect them. And of course we're always talking about the relatively limited number of registries or registrars, but those are the ones that sometimes can create problems.

So, I don't know if there are any suggestions or thoughts on that aspect. We will work with Tim and Mike on developing that and communicating it, but I want to make sure that you have an opportunity to react to that question, if you would like.

JENNIFER STANDIFORD: Anybody with any questions related to that?

MICHELE NEYLON: I suppose I have one question, Xavier. You're talking about changing something. Can you give me a concrete example? Because you're talking kind of abstract and it's a little bit hard to follow.

XAVIER CALVEZ: Yeah. So the payment in terms of registries and registrars as per the contract are 30 days after the invoicing. If we don't receive payment by the end of the 30 days, what do we do?

So what we are laying out is a sequence of communication to the registrar or registries whose invoice has not been paid by the due date to say, "We've not received due payment. Please pay," on different words and more extensive information than that. And after a certain

amount of time – right now we are looking at a time line between 10 and 20 days after the due date to ensure that we give time after that due date to receive a payment that it may have been issued, but may have arrived late for whatever logistical reason, which is reasonable. But after that timeframe has passed, sending a communication to these registrars or registries to say, "We have not received your payment. Please make sure you issue your payment."

Then a second reminder if we don't receive payment by probably a 10-day period to the same purpose reminding that the invoice has not been paid and indicating then that if we don't receive payment, we'll transfer the case to the Compliance Department which you know the cycle of compliance communication of the 5 plus 5 plus 5 days and the three step process.

That's the general sense of what we're working on finalizing. And we would like, upon finalization, be able to communicate and indicate a suggested time frame of implementation ahead of time, so that everyone can understand what this is about.

MICHELE NEYLON: Okay, my apologies. This is a really dumb question, but what are you doing now? That's what I'm a bit confused about.

TIM COLE: I would just like to jump in here. They're definitely pursuing delinquencies, but what Xavier is preparing to do is very similar to the Compliance 1, 2, 3. There's going to be very predictable time based notices that will go out and it's going to be much more explicitly

implemented applying to all registrars equally and in the same timeframe.

I think one of the things Xavier wanted to get some feedback here on was what's the best way to communicate the fact that they're going to start doing something on a very strict basis going forward?

Because some people have gotten used to just sort of waiting to pay until somebody threatens to shut them down or what have you. And, what's being implemented is a much more rigid sort of process. I actually asked him to come and speak to it today with you guys today because it is a more—

MICHELE NEYLON: I suppose the question I had was it might help us to understand how big a problem is it at the moment? Are you talking about –are all of us really slow to pay, or is it just me? I don't know. I'm just trying to understand how big an issue it is.

XAVIER CALVEZ: The issue is different aspects. It's more a matter of being efficient in the process. As Tim is indicating, there are some registrars who are systematically waiting to be reminded to pay, which is a painful and costly exercise of having an action, an e-mail or call to remind people to pay.

And by the way, when we do that, most often we do receive the payment right after, which is demonstrating that it's not an issue of wanting to pay or being able to pay, but it's a matter of maybe

sometimes gaining a few days of cash, which is I guess the game that is being played. Or just needing to be reminded to be able to do so.

But the bottom line is it's a costly exercise in terms of time and effort and we want to try to be as efficient at it, so that we manage as little amount of exceptions at it. And the subject of that is, in terms of financial monitoring, the target for [inaudible] is zero. It's very difficult to achieve that target, but that's what that target should be.

So it's something that we need to continue at it all the time irrespective of the number of delinquencies that there may be. So we'll seek feedback maybe by e-mail or with a number of you on what we're intending to communicate. We'll provide a draft ahead of time and ask for some feedback on the communication plan.

But your question is leading me into my second point which is that, as we want, we will have implemented this more strict and predictable collection process. What I would like to then look at is how do we communicate on a more or less regular basis the status of collections and overdues and that that information can be shared and communicated?

I don't want to get to be too specific in how we could do that, but I think that your input on that would also be interesting. In the interest of transparency and honestly accountability as well, it would be I think useful that we can share that information, the list of overdue accounts on an ongoing basis with adequate validation and so on. But I think this is something that would also be relevant to do. Of course, I would also like your feedback on that.

MICHELE NEYLON: Okay, thanks. We have James and then Frederick.

JAMES BLADEL: Hi, thank you. I can give you feedback immediately, which is why are we even doing this? I feel like this is supposed to be the business arm of the community and if folks are not paying their bills, then you shut them off. It really should be the management of any creditor like that.

It would be the same if I didn't pay my telephone bill or my cable TV bill. They might send me one warning as a courtesy, but I think we have to – and I'm sure that others would agree that this has the potential to harm registrants, but that's also reflecting in their choice of service providers.

If their service providers cannot manage their finances responsibly, that they should maybe take their business elsewhere. So I feel like we're building an elaborate ICANN machine or process to handle what should be a fairly straightforward business function.

XAVIER CALVEZ: So it is a completely straightforward business function. I don't have the exact list right now of the number of registrars that we've shut down as a result of not paying their invoices, but it's been happening. The collection process—

JAMES BLADEL: But even if they're just late.

EN

XAVIER CALVEZ: What I was trying to describe which would be a bit more specific with what the process that we're suggesting and so by being is that, with the sequence of reminders, between the start of delinquency which is day one after the payment term, which is 30 days, and the potential shutdown in case of non-response, there would be approximately 35 days that would pass, which would be 35 days after the due date, 65 days after the date of invoicing.

So that's the timeframe for which a registrar would be shut down basically. So we can go faster if we want to. We can shut it down the next day after due date. I don't think it's necessarily fair. I don't think it's a good business practice in any business. I've put in place a few collection processes in other organizations. You don't do that to customers, affiliates or any other type of population that you collect fees from. But I'm happy to elaborate further on that as well.

So I like your feedback. Thank you for that. I think that we'll try to make sure we take it into account in the way we structure the process. There's no specific ICANN machine. Again, this is, to your point exactly, a standard business process. Any organization has a collection process that's documented. That's the other thing we're talking about here.

MICHELE NEYLON: Frederic?

FREDERIC GUILLEMAUT: Yes. I was just wondering whether this is a part of bigger transformation of the invoicing system? Because sometimes if you are late in paying your invoices, you don't really know which one you've paid.

Maybe you're late is because you've got to send a bank transfer into the U.S., whereas it could be in Europe with [CIBA]. Very fast. Just a few things maybe which could be on the bigger landscape.

XAVIER CALVEZ: Correct. Thank you for that question. There are various aspects to the overall process, of course, which starts with billing. I would actually even argues it starts a little bit before billing which is having the right information for each registrar to make sure that we send the bills to the right place, to the right person, that they are correctly received and understood.

Then it continues with effectively having mechanisms of payments that are efficient and it doesn't create potential problems. So we are looking at automating further the billing process itself. You may have heard that we are implementing a CRM system in which the information that this CRM system would capture would allow to issue bills in a much more efficient manner.

Ideally, what we would like to be able to do is to send them by e-mail in an automated fashion. But, of course, it also needs to arrive at the registrar or the registries in a matter that allows them to be processed for payment.   So that's a part of the automation that we would like to be able to do.

We are also looking at means of payments to see how we can receive payments in different fashions. So there's a bigger set of subjects there as well. So, thank you for that question. We are definitely looking at each of these aspects.

MICHELE NEYLON: Thank you, Xavier. We're on an incredibly tight schedule, as you know. So, did you have another point you wanted to raise or is that it?

XAVIER CALVEZ: The last point I wanted to make is that if you can participate to the finance session that's happening tomorrow morning from 8:30 to 10:00 in Aguila on the 24th floor of the Sheraton Tower. We'll talk more about the budget process for FY15 and also make some comments on the financial reporting that we're engaging ourselves in which is relative to annual reporting and quarterly reporting like any organization that's publicly listed produces.

We are going to publish, for the first time, our quarterly financial statements. So, that's one comment that we'll make tomorrow and talk a little bit more tomorrow.

MICHELE NEYLON: Okay, thank you. Closing off this session, we're now onto an update from the SSAC and we're getting an update from Dr. James Galvin. So, over to you, James.

JAMES GALVIN: Thank you. I am the Vice Chair of the SSAC. Patrick, I'm sure, is on his way. But, lunch was held up a little bit, I guess, and so I'm sure he'll be here.

I'm told that the thing you want to talk about most is name collisions. And so, you have the full slide deck. That should have been distributed to you. We'll just jump right to the name collisions slide here. And we'll jump right in. One more.

SSAC recently published our advice concerning the mitigation of name collisions, and in this context, we just want to be very clear that we're in agreement on what we're talking about and what name collision means.

We are talking about a name collision as in two name, one of which exists in the DNS name space, the global name space, and then, a name that exists in some other context, a private name space.

In prior discussions with folks, we've had some misunderstandings about which two names spaces we're talking about. And so it's important to understand that one is from the global name space. And what we did was following the new detail, the Program Committee Report, the revised mitigation strategy from ICANN is we stepped up to provide advice in four specific areas.

So regarding high risk strings, our definition of a high risk string is one which demonstrate significant private usage. So again, you have one of your names being used in one place in the global DNS space and then you're also using part of the name string in some private space.

So you have created this conflict and if we have broad significant usage in that respect, then, there's clearly a set of names which we would consider high risk because they would have an effect on your local environment.

We also want to recommend as part of our report that these names be considered for reservation or internal use. There's clearly a need in communities and enterprises for private name spaces. This is easily demonstrated with the private IP address allocation, the RFC 1918 for those who track those things.

And it also turns out the IETF and RFC 6761 and 6762 also has an indication of some strings that are popularly used even today for private usage until we point those out and call them out in our report, too.

The next thing that we talked about was the trial delegation. We observed that there are two broad types of trial delegation. One which focuses on infrastructure testing and one of which focuses on actually doing the delegation and actually testing the applications and services that might be employed within that TLD. We talked a little bit about those two types and the benefits and risks associated with each of those options and going into some amount of detail about them.

We also support the recommendation and continuing recommendation. This has been suggested before in prior SSAC reports and other parts of the community gave suggested it that, clearly, ICANN and the Board needs to work with the community to develop a plan to actually monitor and retain data for activity in the root zone.

It needs to be deployed as quickly as possible since they're already rolling out TLDs, and of course, you'd like to be sufficiently flexible so that as we learn things in this process, we can continue to analyze and look at that data and draw some conclusions from it going forward.

The last thing that we focused on in our findings and discussions about the mitigation strategies was an emergency rollback capability. It's true that, from a procedural point of view, we certainly know how to un-delegate a TLD. But what's missing is the decision point, how that decision is made, what are the circumstances under which one would want to roll back and pull a TLD out of the root zone? So our emphasis here is on both broadening and expanding the procedures to involve all of the parties that need to be involved in that.

So the root zone management process. There's the management partners and, of course, the board would be expected to have a role in this decision process. Since they make the decision to delegate, it seems only reasonable they should be part of the decision process to un-delegate.

But you would need to un-document upfront what you would be looking for, what criteria you would use to judge that delegation process and how you would make that decision to pull back.

So, very quickly, jumping into the recommendations that we had in this document. What you see on the slides is kind of a shorthand of the actual recommendation. We encourage you please to go back and look at the full document to see the details of the recommendations.

The first one, of course, is in fact to suggest that ICANN work with the broader community – in particular, the IAB and the IETF – to look at strings that would be useful or are used today for private usage and to reserve that name space and similar to the way that the IP addresses are reserved. It's clear that there's a need for this space, and so we

make a specific recommendation that they go forward to make that happen.

With respect to trial delegations, the most important thing that we wanted to get to was that if they're going to do trial delegations, we already identified several types of delegations. So the other thing that's important here is to make sure that you know exactly why you're doing it. What is the purpose of the delegation?

There's also the question of who's going to operate it. Is it going to be the registry operator? Is ICANN going to do it? Are they going to identify a third party to manage those? Of course, there's a rollback procedure going with that.

And perhaps one of the most important things for the trial delegation is when will you know that you're done? You're obviously going to collect some data. When will you have enough data? What are you going to do with that data? What analyses are you going to apply to it? These are all important things that need to be considered as part of running the trial delegation.

The last two recommendation are – the third one, of course, being to clearly identify the conditions under which one might un-delegate. Obviously, that's a worst-case scenario. That's something which you really don't want to have to do, but is important for the community to understand how that will be managed and what's going to happen there. So, that's a specific recommendation to work that out.

Then, of course, the last thing is also to make sure that you work with the root zone management partners to continue to monitor and

manage the root zone, especially creating the processes, augmenting existing technical processes to include the decision process and all the parties that need to be part of that decision process and/or to make the un-delegation happen.

And that's it. That's the name collision slides.

MICHELE NEYLON: Okay. Any queries or comments on the name collision stuff from anybody here? Wow, okay. Do you have anything else for us?

JAMES GALVIN: Yes, actually, we have – I was going back to our agenda here. We have several options on slides. If you have one of these other topics you'd like us to go through, we have slides for all of these. I'd be very happy to do that. Your choice. Anybody want to hold fingers up? Pick a number.

JENNIFER STANDIFORD: James?

JAMES BLADEL: I actually had a different question for Jim. And maybe actually, Jim, I would rather we just chat offline, because I apologize, I was actually doing something else during your slide presentation. But I have a question I don't want to embarrass myself in front of the bigger kids here that actually watched your presentation.

MICHELE NEYLON: Jeff, go ahead.

JEFF ECKHAUS: Thanks. I think maybe this is memorialized somewhere and I may be clueless. But, for the registrars, I don't think that any of the registrars have any representation on the SSAC at this moment. So can you explain the process on how the SSAC members are picked and if we can put people – if somebody here wanted to put somebody up for it. Maybe it's a defined process that everybody else knows, but if you could give a two minute sort of summary on that, I think that would be helpful for everyone, because we see some of the people on the SSAC.

I know the list is very long. We see a few people from – certain companies have greater representation and just wanted, if you could let us know what that process is, I think it would be helpful.

JAMES GALVIN: Certainly. I'd be happy to. The first thing to say is that SSAC members act on SSAC as individuals. They don't represent companies, constituencies or any other hat in particular. It's very important to understand that that's the expectation of members of the committee and people sign up for that when they agree to be a member of the SSAC.

With respect to the process, SSAC actually has a membership committee. It's our only standing committee that exists inside of SSAC. SSAC does its work through work parties. So when we have an item that's going to be addressed, we normally do it with a work party.

As vice chair, I serve as chair of the membership committee. It's comprised of five other members of the SSAC itself and that are replaced every year.

Anybody can be nominated to join SSAC. That nomination can come from anywhere. They're simply reviewed and interviewed by the membership committee which can choose to make a nomination to the full SSAC. Then, after that, as long as there's no discussion within the full SSAC, a nomination is perceived and pushed up to the Board.

The important thing about qualifying for being on the SSAC is the SSAC maintains a skill survey of all of its membership for our own internal purposes. One of the things that we require of people who want to join the SSAC is that you need to bring a skill set to the SSAC that we need, where there's either a gap or there's an insufficient representation.

So, for us, it's all about the technical skills. It's all about the particular abilities that you have that would be useful to SSAC and its role of providing advice to the ICANN board and the ICANN community at large.

UNIDENTIFIED MALE: I was just talking to John here. Two parts of that is a rolling nomination period or is that a defined period for the nominations?

JAMES GALVIN: No, nominations are on a rolling period. They're open all the time. Anybody can come in at any time.

UNIDENTIFIED MALE: And the last part is –I guess, there are two parts to it – are you're saying that if there's something, say a skill set or something else, I think everyone else knows that it's a very highly technical group with a great deal of knowledge. But if I came in with a particular skill set and somebody on the SSAC already had that skill set, would you say – is that no thanks, we already have an expert on X. Or does it have to be complementary? I'm just trying to figure that out because I think a lot of the people here – and, I know, you said people act as individuals on there – but a lot of people in this group I know have some very highly technical experience.

Especially as registrars, we might have different angles that you might use or might need, but, if somebody else says, "Hey, we have an expert on this particular area," how does that work?

JAMES GALVIN: To dig in a little bit on the membership committee process, when you nominate – and self-nominations are fine – you have to submit a statement of interest, you submit a CV and we have a set of questions that we ask you. And then there is an interview that is conducted with the members of the membership committee.

So that would be your opportunity to engage with the membership committee to more broader represent what you think that you bring to the committee. I guess that would be the process.

The SSAC committee actually manages its own membership in that way. We make our own decisions about what we think we need and what is a gap on the committee, but that doesn't mean that anyone couldn't

come forward and say, "Gee, I have something here that I think is useful for the process," that you undertake the job that you do and to help fill that role and you get to come and make that case to the membership committee.

UNIDENTIFIED MALE: Thank you. I think it's helpful. I think that, for this group, I would say that I don't want to use the term black box, because that has sort of negative connotations, but I think a lot of us here see the reports. You come to meet with us and we see the advisories. They're very well written in, but I think others here might want to get more involved, especially as there's been some other areas that have affected registrars specifically, and as I said, it might help in some of those skill sets. So I think this explanation has been very helpful.

JAMES GALVIN: Just two other quick things. All the details of our membership committee and how we work and what we do is in an operational procedures manual, which is online. If you go to the SSAC area of the ICANN website and you look to the front page, down at the bottom is a link to the Operational Procedures Manual. I would encourage people to take a look at that.

The other thing is feel free to talk to anyone and any other SSAC member about how we work and what we do. In fact, I should have done this in the beginning. Patrick is usually better at this.

But if I could ask the SSAC members who are in the room to stand up, just so that we all know who's here. So, have a few over here this way.

Okay, and you should please feel free to talk to any SSAC member about any issue that's important to you at any time, including membership. Thank you.

MICHELE NEYLON: Thank you. Any other questions for SSAC at the moment? I think officially, you do have registrar on SSAC at the moment.

JAMES GALVIN: Well, Patrick is a registrar.

MICHELE NEYLON: Okay, yes. He is, I suppose. Patrick is a registrar. But, you also have Jeremy.

JAMES GALVIN: Ben Butler. Yes, Ben Butler is a recent addition.

MICHELE NEYLON: Ben Butler just joined. So there are some registrars on there.

JAMES GALVIN: Yes.

MICHELE NEYLON: Okay, then. Well, we have an incredibly tight agenda, so we'll move on to the next item, which is ICANN compliance. Thank you, James and thank you to the members of the SSAC for coming to visit us.

JAMES GALVIN: Yes, and thank you for the opportunity. Always a pleasure. Again, feel free to contact us at any time.

MICHELE NEYLON: Thank you. Okay, the next session is ICANN compliance and we will be getting, as she's just setting herself up here. Maguy Serad will be talking to us about that. So, welcome, Maggie.

MAGUY SERAD: Good afternoon, everyone. This is Maguy Serad from Contractual Compliance.

UNIDENTIFIED MALE: Maguy, can you hold up one minute? We're trying to get things fixed up for the online folks.

MAGUY SERAD: Michele said go.

UNIDENTIFIED MALE: I know, but Michele doesn't know what he's talking about. So if you could just hold on one moment.

MICHELE NEYLON: I know that Tim was out ill for several months and that some people did miss him. The emphasis on some.

UNIDENTIFIED MALE: Maguy, what you said was aPDF and I think it's not opening properly. Do you have a PowerPoint version that he could use? No, for online.

MAGUY SERAD: So, one of my team members could send that to you. Who needs it?

UNIDENTIFIED MALE: Jacks.

MAGUY SERAD: Can you send it to Jacks, please?

UNIDENTIFIED MALE: Sorry, folks, but I just want to make sure that the online folks get the benefit of your slides, too.

MAGUY SERAD: So, for the team waiting for Adobe Room, we are in the process of providing the presentation. Again, good afternoon, everyone. This is Maguy Serad from Contractual Compliance. With me in the audience today is Carlos Alvarez. To my right, I have Greg DiBiase and Victor Oppenheimer.

                      For today's session, if you would allow us about 10 minutes to present to you a few slides information relevant to this audience, and the rest of the time will be allocated to questions. Can I start now?

GREG DIBIASE: For the record, my name is Greg Dibiase. ICANN's WHOIS inaccuracy complaint submission is now in production. This means that individual users will be able to submit multiple complaints in a single file upload. The system that we're launching is based on a test pilot which ICANN ran between July and August of this year.

In this pilot, users who agree to the terms of use were able to submit up to 100 WHOIS accuracy complaints per week. Each of these complaints were treated individually per Compliance's 1, 2, 3 process. At the end of the pilot, out of 340 total bulk complaints, all were resolved within the first notice turnaround time.

CARLOS ALVAREZ: Now, with regards to the ARP, a very brief update on what's happened until today. The complaint form for receiving complaints regarding renewals, including EDDPs/ERP was updated one week prior to August 31. The team was properly trained, of course. Until today, we have received 40-plus complaints, and basically, the most common issues that we are noticing – and, I forgot to say my name. I am Carlos Alvarez, Senior Manager with Maguy's team.

The most common issues that we are seeing are some registrars have not updated their registration agreements or their auto- renewal and [inaudible] policies to reflect their ERP requirements. Renewal notices have not been sent properly by some registrars, not in the right timeframes, not in the right amount and some others have not interrupted the resolution path as they should have. Those are pretty straightforward models that we've noticed. That's short and to the point regarding the ERP.

With regard to the 2013 RAA, very briefly, again, the main message that we want to give your group is that the team is getting ready, and if not [been] ready yet, we're creating 11 new complaint types, updating for currently existing complaint forms. The system is being updated. The staff is being properly trained. Obviously, the RAA gives our team new compliance tools or provisions that didn't exist before. That, of course, is in light of defending better the public interest is going to help quite a lot, of course.

These are 11 new complaint types. You can refer to them in the slides. We are currently, with regard to the provisions that are effective upon execution--our team has followed up with some registrar's whose format was not conformant with the format that's provided by the specification.

These approaches have been at the inquiry level and we have been answering many questions that many of your colleagues have sent us in an effort to be proactive and cooperate and have them fix their issues before they become compliance models as such. It has proven to be a very effective successful exercise.

Basically, the obligations that will be effective up until January 2014. Probably all of you are more familiar with them than I may be, although I've been over them quite a few times. But, again, the main message is we are ready, the system is ready, the complaint forms are being updated, we're creating the new [inaudible] complaint forms. The staff is being trained. So we're covering all of our bases to be able to handle the volume and the subject matter areas that will come to our desks

with the new RAA. That's the essence of the message that we wanted to convey to you all. Thank you.

MAGUY SERAD: With that, I want to provide you a brief update on other activities within compliance that also is relevant for this audience. Many of you, looking around the table, yes, have been selected for Year 2 Audit Program. The process is under way.

We have already completed what we call the [Audify] Phase and we are in the process of reviewing the responses received. The whole time the audit program is in effect, it will continue to follow the 1, 2, 3 process step. We will reach out to the registrars to either inquire or work with you to make sure if any challenges or issues identified and give you the opportunity to resolve them.

Eventually, the audit phase will begin on the second of December and during that period, all the data that has been uploaded will be reviewed, and then remediation reports will be issued to the parties.

This slide provides you an idea of the registrars selected across the different countries and registries, but I also want to highlight that in addition to the sample registrar's population for this year, we also rolled in five registrars from last year.

The five registrars that were rolled in had a remediation plan in effect and the remediation plan took time to complete. And the audit program for year one had concluded. So they did confirm back based on the remediation and provided an update to ICANN on the remediation plan

and we rolled them into this year to put all of those things to the test again.

Many of you have attended several outreach activities. As Carlos was saying earlier, we have a lot of new things happening at ICANN. Not just the 2013 RAA, but new gTLD agreements underway and different efforts from working groups, and we want to make sure that we are aligning with contracted parties and providing the right information timely.

So we partnered with a DNS Engagement team and provided several outreach sessions. In addition to the outreach sessions, we also partnered on the webinars. We also conducted bulk WHOIS inaccuracy webinars with the registrars and with the pilot reporters.

These webinars were conducted at the beginning and at the end. We wanted to hear from you at the beginning what were some of the concerns or input into the pilot. We wanted to hear from you at the end what were the feedback and present you the outcome of the pilot.

In addition, you will probably be interested to know Compliance is also in the process of conducting what we call New Registry Agreement Outreach, and this outreach session is mostly just focused the recently delegated TLDs.

We've also focused our efforts in preparation for ICANN 48, focus our effort on Latin American registrar outreach. With that, I would like to turn it over to Q&A session.

MICHELE NEYLON: Okay. So Maguy is now willing to be grilled. I see James has got himself on the queue. Jeff, Rob, Tom, Volker. I'm putting you on the queue because I know you're going to have question, so I'm just going to put you in there because it's easier. Go ahead, James.

JAMES BLADEL: I'm going to actually be very, very kind to Maguy this time. So, thank you for the slides. A couple of thoughts here on just general small things that I think could go a long way in terms of improvements.

The audit notification said that responses to the RFI were due before some particular date. No time, no time zone, and it was not 12 minutes after I had submitted them that I started getting my second notice that I had not. Anyway, that could have been handled I think a little bit better, so that we understood exactly when you were going to start sending second notices.

Then the other thing is consider a tool that you might need as you add these 11 new types and the 45 new employees that are going to have to manage those 11 new categories. Making sure that they're communicating with each other, so that we all know who is working on what.

I think you've got that down to some extent, but on the other side, it's not just a registrar. It's not a monolithic thing anymore. We have some types of categories that are going to some teams or some departments. Some are going to transfer teams. Some are going to a WHOIS team. Some are going to whatever.

What would really be fascinatingly great is instead of just picking the appropriate e-mail out of RADAR and firing blind into that, would be to have an escalation path so that, for example, certain categories, if they proceed into a second notice, they take a different communication route. If they go to a third notice, they take a different communication route so that registrars can build their own sort of communication regimen in that you guys can use, to make sure that those inquiries go to the right place. I would love to talk to you more about this.

MAGUY SERAD: Yeah, I would like to take that dialogue further. I'm not fairly clear on the first point, and again, I don't want to take away from the audience and the Q&A. I'm a bit concerned though about the statement, and again, I'd like more clarification about the process. So we'll take it offline, because the process has been put together with input from everyone and it's been documented and rolled out. Not to take away, there are always opportunities for improvement, but it's a consistent process that we use across all contracted parties, including the TLDs. So, please, James, whether here or later we can connect on your points. Thank you for the feedback.

MICHELE NEYLON: Okay. I have Jeff. Then I have Rob.

JEFF ECKHAUS: I have a question about some of the earlier slides. I think it was the ERP, the number of complaints. Yes, that one. When it says 44 complaints, maybe you could help me out. Are these ones that you have looked

through? Because I know you have done work on the WHOIS complaints and you've been filtering them through and it's been very helpful.

Are these also subject to that filtering or are these 44 complaints just straight pass-throughs?

CARLOS ALVAREZ: No complaint passes through without being reviewed manually and analyzed. Every invalid complaint that doesn't meet certain minimum criteria put differently. All invalid complaints that don't meet those criteria are closed because [inaudible].

These 44 are complaints that were received regarding renewal leases that registrants wanted to bring to our attention. We addressed them and they are either already closed or being in the process of. Did I answer it, Jeff?

JEFF ECKHAUS: Yeah. One of the things that I was looking at – and it's helpful that you guys are doing that filtering. It's great. It's gotten rid of a lot of the nuisance complaints. I was just curious how – maybe you don't want to explain it in this room, is how that filtering work for those types of complaints because it's so registrar process specific. But I was just curious about that.

CARLOS ALVAREZ: What we need to see from the complainant, what the complainant fills in on the complaint form is that their statements suggest that allegedly

the registrar involved may not have complied with all of its obligations under the policy.

If the complainant states something that's irrelevant or that doesn't have anything at all to do with the policy, then, we can say that that's invalid. But, from what's written there, we see that there's that alleged possibility that there might be a compliance issue or a possibility for improvement, we will address in this complaint type and throughout all the complaint types.

JEFF ECKHAUS: Okay, thanks.

MICHELE NEYLON: Rob?

ROB: Hey, guys. I'm going to do the opposite of what we normally do. I think normally we're trying to figure out how to deal with complaints. But I'm going to ask how do we complain? So, can you take perhaps a minute and tell us how we would complain or launch a complaint against, let's say, a rogue registry?

Because we're seeing some things occur now that these domains are starting to be live by registries that I think, as registrars, we should be concerned about. I'm not clear is it individually we should be writing you a letter, we should be coming to you as a constituency? Is that more powerful? And I'm talking about things like registries saying we must be in their jurisdiction in order to get a copy of the RAA, or we have to sign

a non-disclosure and can't even disclose and talk about it with ICANN what's in it before we get a copy of their RAA. Or, one today saying this is a price you must charge consumers. You cannot charge any other price but this price. So we're seeing shenanigans like this being played.

And most people I talk to in the ICANN hierarchy say, "You've got to deal with compliance. Go talk to compliance." So, I guess I'm asking how do we do that and I want to give you the heads up that this is coming and coming quickly as these things start to roll out, because there's innovation going on under the guise of innovation that I think is a violation of their registry agreements.

MAGUY SERAD: Thank you. What I've done is I went to the ICANN website where to submit complaints, and I'll ask Carlos to briefly give a quick tour of it maybe.

CARLOS ALVAREZ: The complaint forms that are up there address most of the compliance matters with regard specifically to registries. You can see the link up there. Registry compliance, there are the three lines. If you click the one on the farther most right—

UNIDENTIFIED FEMALE: This is registrar and Registrar Stakeholder Group.

CARLOS ALVAREZ: But it would be a complaint against the registries, so this would be the right place for a complaint to be submitted through. That's the right place. In short, you can click there, fill in the information.

You wouldn't have the ability initially to attach files, but we would get back to you with a confirmation, as you to confirm certain information and, then, when you reply by e-mail, you can attach up to 4MB each time.

ROB: So, the best way is for one of us or a group of us or what?

CARLOS ALVAREZ: However you prefer. Regardless of who submits the complaint, we address it.

ROB: Got it. Thank you.

MAGUY SERAD: So if it's a common problem across all, just mention that in the note. Most important thing is to provide the complaint information, so we can follow up and follow through about it.

ROB: Is who complained public at that point now?

MAGUY SERAD: I'm sorry?

ROB: Is who launched the complaint public?

MAGUY SERAD: No.

CARLOS ALVAREZ: Provide enough information: who, when, what, how. Think of it as if you were starting an investigation. It's not an investigation, it's a review, but think of it sort of like that. Bear in mind that, although it's not public, the registry would know who you are.

ROB: Sorry. That kind of makes it public, in my mind.

CARLOS ALVAREZ: But, it's not public.

ROB: You don't tell us who the registrant is or who the person complaining about—

CARLOS ALVAREZ: We do. We do, except in WHOIS inaccuracy complaints in which the complainant marks "I want to remain anonymous."

ROB: Right. So my question is do I have the ability to do that when complaining about a registry that we have to do business with? Should I not have that same right to say I'd like you not to tell them who I am?

CARLOS ALVAREZ: If you state so, we can.

ROB: Thank you.

MAGUY SERAD: So, is this a trick question? Are you going to test the bad reporter or not?

ROB: No, no. It wasn't meant to be a trick. I am quite serious about it. We're seeing a lot of problems.

MAGUY SERAD: I'm just joking.

MICHELE NEYLON: Okay, Tom and then Volker. Or, Volker, then Tom. I'll go Tom, then Volker.

TOM COLE: In fact, Rob already asked a lot of my questions. This is actually a very serious issue for compliance, especially where these registries or

perhaps have captive registrars that are already taking orders from those registrars prior to even being delegated or having an RAA available to other registrars. So I don't know if you need us to complain for you to put out an advisory about this ASAP, because it's just going to get worse.

But to Rob's point, if you're going to disclose this to the registries, then, you're making it very hard for registrars to complain. So there needs to be that sensitivity. I've complained in the past and I know it was not kept confidential and it caused issues later on with that registry. So you need to come up with a different approach on how you handle complaints between contracted parties.

MAGUY SERAD: I do want to correct one statement earlier. I said earlier, yes, it is confidential. It's only for the WHOIS inaccuracy, as Carlos corrected. But, as you state it in the e-mail or when you file a complaint "please remain it in confidential" we'll take care of that.

And what I'd like to do is I'll take your feedback and see where and how we can institutionalize confidentiality, if it's a contracted party about another. We'll look into that.

MICHELE NEYLON: Volker?

VOLKER GREIMANN: Hello. Actually, I have a two-parter. First of all, as a veteran of the first audit wars, let's say, I'm very happy that a lot of our comments were

taken up and from what we've seen from other registrars that have now been audited, a lot of improvements have been made. The process has been cleaned up a lot. I just wanted to thank Compliance for taking our comments at heart and improving the process and making it really, really workable.

With that said, also, the first audit you were always willing to listen and change the processes at the time. Even so, I'm very happy with the process. At the time, I was very annoyed because of the extra work that was landing on my desk, but seeing the improvement and the willingness to work with us here really warmed my heart.

The second part, regarding the bulk WHOIS complaints that you showed earlier, do you have any statistics on how many of these complaints were valid [inaudible] i.e. updated WHOIS or confirmed WHOIS?

[VICTOR OPPENHEIMER]:   Yes. During the test pilot, actually, 100% of the complaints were valid and they were all resolved within the first notice turnaround time.

MAGUY SERAD: But I think I what want to highlight the message, some of those slides have been provided and presented at different forums. One of them is ALAC and some of the other public forums. The most important message here, guys, that we're sharing with the community – and if you would join us Wednesday morning for what we call the high-interest session for compliance update, the message is to the community that the registrars are responding. And look at this second bullet:

"Complaints are resolved with the registrar within the first notice." That's a very good story to tell.

MICHELE NEYLON: Okay, I'm putting myself in the queue here. I have two questions which are both essentially related to essentially the same topic. With respect to the 2013 RAA, certain elements, certain new obligations were compulsory for registrars who at the moment they signed on and others kick in on the first of January 2014.

It would be helpful to understand what is your team's view on compliance of these new obligations will be. Specifically will registrars start getting compliance? Registrars who are signed on to the 2013 RAA start getting case compliance notices on the second or third or fourth of January 2014? Or do you plan to be a little bit more collaborative in your compliance efforts in this regard?

The follow-on is that based on the fact that Fadi Chehade has, on numerous occasions, said to us that he would never ask a contracted party to breach local law, and yet we are faced with the rather unworkable waiver process, how will your team handle situations where a registrar does not have a waiver due to the inability to get a waiver due to the process? And it would be in breach of local law if they actually followed to the letter of the contract. Thanks.

MAGUY SERAD: So do you guys remember Michele's first two questions? My answer is yes and yes. So having said two yes's the contract obligations that are effective upon signing, upon execution and by January 1st, if and when

we are researching a specific complaint and we discover noncompliance, which is an effort that Carlos provided an update about earlier, WHOIS format – we will follow the process. If I may remind each and every one of you, the first three steps in the process are collaborative effort. It's between contractual compliance and the registrar. We will send an inquiry or a notice. It depends on the facts we have. We ask you please to respond.

By responding and letting us know whether yes it's done or you've provided the data or it's work in progress and you provide us some information, what we will do is we will work with you. We understand signing happened quickly and effectiveness turned around immediately.

We cannot look the other way if we find a noncompliance issue. And we go straight on record here. However, by responding, we will work with you if there is a plan you have in effect. Because we know. We've been through a system consolidation and system upgrades. We're still going through system upgrades.

So we have an appreciation to the challenges of new contracts and new requirements. However, by responding, providing us specific – and we will work with you on it. If you just say, "I'm not ready," that's not a good enough answer. "I will be ready on date X." But please don't make date X next January 2015. So we will work with you. We are here to collaborate.

And when you provide that information, that notice will be put on hold. We will not close the ticket. We will put it on hold and we will touch base with you. We've worked in that fashion with other registrars, and actually, without naming anybody, you have come back to us when you

said, "I will be ready by date X," and we thank you for it, because, by date X, we will touch base with you. Provide us the information that you have mitigated this noncompliance issue and we will inform the reporter, if it implies a reporter. But we have to take it on a case by case scenario, guys.

JENNIFER STANDIFORD: So, I've got two questions. My first one relates to understanding that when complaints are received, you all previously stated that they're reviewed thoroughly. An exact violation is outlined, and then, communicated to the participating registrar.

So my question is really to some recent notices. The format of the notice doesn't actually outline – it outlines the policy, but doesn't necessarily the violation. So if it's being reviewed and it's being found, my question is why isn't the actual violation incorporated into the notice, not just the policy that's being violated?

I see other heads nodding in the room. So I think there would be greater response on behalf of the registrars if we could work quickly together, given the volumes we see from one registrar to the next. So that's my first question. I'll move on to my second in a second.

MAGUY SERAD: Thank you. Again, this is part of continuous improvement. If you don't mind sending me which – we have created templates, right? Our staff has been trained. We have created guidebooks, procedural, all these things. Because we're not quite at 48, whatever number they're predicting. We are growing. We've established global presence in

Istanbul. So, in order to remain consistent with the process and the communication style, we've created those templates.

If you would please send which one you're referring to and what is it exactly – if you give me an example, we'll take it back. It is our objective. If you were here three years ago, you can tell a big difference in the tone and approach in the notices. It should be very business focused, tying the contract, but with clear fact-based question. So, thank you for the feedback and, once you send it in, we'll review it internally. But not this week.

CARLOS ALVAREZ: I want to add that in the 1, 2, 3 part of the compliance process, what we do or what our team does is, basically, ask questions. When in reply, we receive insufficient information or no information at all, we will reach out to the registrars through phone calls. The intention of those phone calls is to discuss the matter at hand and reach an agreement on what the next steps would be. Provide us information and this is the issue that you're facing, how are we planning to deal with it? Give us a work plan, dates. So, we do that. It's not only you're breaching this, this, and this. No, we are proactive in much more things than just that.

JENNIFER STANDIFORD: Then, my last point is not really a question. It's more of a point as it relates to effective communication. Just to see if there's – one is a question. Then, next, is a comment.

To see if there's a way that we can become more efficient around ensuring that when e-mails are sent, that they're delivered and received

properly by the RADAR contacts and to make sure that we're always referring to the RADAR contacts when we're communicating back and forth related to the 1, 2, 3 process.

JAMES BLADEL: Can I jump in on that?

MICHELE NEYLON: Can I take a remote participant first, if you don't mind, James?

JAMES BLADEL: Bob and I were just talking about that exact point and, Jen, it's like we're psychically linked – and it goes back to my earlier point about communication. I think we maybe have a silver bullet solution here. Can you copy the primary contact on anything besides the first notice?

JENNIFER STANDIFORD: I would second that.

JAMES BLADEL: Just cc: the primary contact on anything that isn't a first notice.

MAGUY SERAD: Let me go back and check on it, but thank you. This is part of the input, guys. Please don't wait for an ICANN meeting to provide that. You all know who we are.

JAMES BLADEL: Well, we just thought it up. We just invented it like 10 seconds ago.

MAGUY SERAD: Sure, you're inventing on the fly.

MICHELE NEYLON: Jack.

JACK KHAWAJA: This is from remote participant Luc Seufer and his question is, "The issue here is that it is ICANN who will know or can estimate the delay required for them to review and make a determination on the exemption request, not the registrar." So I guess it's more of a comment.

MICHELE NEYLON: Okay, Maguy's looking a bit confused. Maguy, the waiver process ICANN controls the entire process. So the registrar submits the completed form with the supported documentation and that goes to ICANN. What happens to it after that ICANN internal knows more than we do because we don't know anything until we get back a response, which could be several weeks later.

MAGUY SERAD: And the waiver information is submitted to ICANN…

MICHELE NEYLON: I believe it goes via the Registrar Liaison Team. I mean there's an e-mail address, but I think that goes to somebody on Tim's team.

TIM COLE: Yeah, it immediately goes to our legal team for review. Right, but it comes through us. You're correct. If I understand and I don't want to speak for Luc, but it's your good friend Luc who's asking, but that I think he's tying that issue to the other issue you said about get back to us within five days on the length of time it will take you to correct this. So what he's saying there is that, for the waiver request issue, it's not the registrar that knows how long it will take.

MAGUY SERAD: So, bon jour, Luc. So, having said that, if we did send you a notice or an inquiry, please respond accordingly that we did send X to Y, and then we will take that internally to get with our counterparts to see where the process is and we will inform you.

MICHELE NEYLON: Just following on from that, because one of the problems we have at the moment is that there are no registrars who have been granted a waiver. None. So, while the process officially exists, we have no actual registrars that have managed to work their way through it.

TIM COLE: I was going to say we have dozens of registrars in Europe, however, who have signed the contract without a waiver request.

MICHELE NEYLON: That's nice. That's really nice. Wait until they have to deal with the Data Protection Commissioner.

[MIKE ZUPKE]: This is Mike. If I could just add a couple of thoughts here. So, I feel like the waiver process and the rules around it were largely hardwired into the new RAA. Bu, turning that into something that registrars could use, a formative process. I'll take the blame for that.

So I kind of put this into the world and I went on vacation. I feel like I could know more or I could tell you more about it. But, what I've heard already is that we got some work to do to try to be more responsive on those requests and to maybe keep you informed about what the concerns are and maybe more timely.

So I see you got this on the schedule for later, but I've already heard that there's some work that we've got to do and I've got some ideas that are already kind of percolating. Ways that staff can try to improve that for registrars.

MICHELE NEYLON: Thank you. Tim, did you have – somebody's gesticulating. I wasn't sure if it was for me or for Maguy. Any other questions for Maguy on any other topics? She's here for another three or four minutes. Okay, then, in that case – sorry, Jennifer.

JENNIFER STANDIFORD: My follow-up question was to Maguy to some of the feedback and recommendations. What's the next step in order to address that and some of the key thoughts around that prior to the next ICANN meeting?

As secretary, I'll combine all the commentary and provide that back to you. I'm assuming there will be a follow up process to that.

MAGUY SERAD: Yes, I would greatly appreciate – and, this is how Michele communicated, the previous chair – if you can compile, no behalf of this team, instead of receiving individual. Because what's very important is that whatever you collect, you are all in agreement about it.

Because the last thing I want to do is be satisfying Michele's specific needs, and I have Volker just screaming bloody murder at me. So, compile based on the Registrar Stakeholders Group input stating what is the input and if it's something different, why is there a business value to it? Then what we'll do is I'll review with my team.

But it's based on if you're asking one question versus 50, I cannot commit to you by when I'll respond, but I do promise I never go to bed with an e-mail not opened in my inbox. So, I promise acknowledgement and I would respond to you.

MICHELE NEYLON: Thank you, Maguy. Any other last words to Maguy? Okay. Also, guys, it would also be helpful to know whether the format of this interaction with compliance works better for you compared to the way it's been done previously. Because we have been going backwards and forwards with Maguy on the kind of format and everything else. So, thanks again and you can stop the recording now. We will be moving rooms to go to join with the board, and the board session start at 2:15 p.m., I think. Yes, 2:15 p.m. local here in Buenos Aires. Thank you.

UNIDENTIFIED MALE: I'd like to say a special thanks to Mr. Stephane Van Gelder. Stephane Van Gelder. He walks among us? As only he can. Yes, that is true. Gracing us with his presence.

For the transcript, this is Tuesday, November 19, Registrar Stakeholder Group, [inaudible] 3:30 p.m. This will be the Local Law versus ICANN Contractual Terms session from 3:30 to 4:00 p.m.

MICHELE NEYLON: Okay, everybody, if you could please take your seats, we're going to continue our wonderfully exciting afternoon's activities. There are seats available at the table for our microphones. There's even Walter Dow in the back of the room. The topic we were going to be discussing now was actually going to be probably a couple of topics. On your agenda is Local Law versus ICANN Contracts. I've just been informed that Mr. Zupke has an update for us.

MIKE ZUPKE: Thank you. It's Mike Zupke. I didn't mean to preempt the discussion. I think that if there's feedback, we do want that. I heard this morning a general sense of frustration about the amount of time that it's taking to get a response and maybe a difference in understanding of what ICANN's expectations were in the first place.

I went through some of what we've received and some of what we've sent back to registrars trying to see why do we have this problem, why people are frustrated. I talked to [Caitlyn] who, as I mentioned, is

managing the intake of these things and to Cyrus a little bit. We've got some ideas about how we can try to make this a little bit better for registrars. Having not heard yet the specific complaints if I'm understanding them correctly, I'd be happy to tell you what we've got in mind in terms of process improvements.

First is I think making sure that registrars understand what it is ICANN's looking for is probably the number one key that you don't spend a lot of time and resources in doing what you think we want only to find out after some amount of time that it's not actually what we wanted.

In general, we've got a FAQ document that [Caitlyn's] been putting together based on the RAA questions that we receive. She has included in that some information about the waiver requests also and about how registrars can better respond to the questions in the application in a way that's in line with what ICANN's expecting.

We also have discussed I think doing just a quickie webinar on the topic so that people who are still in the process of doing the application can tune in and hear what we've learned so far and then ask their questions. We'll try and get time when some of our lawyers can be on the call, too, to help answer any questions that there might be for them.

The third thing really relates to the time that it's taking to process these. I wish I could say exactly I know how every minute is being spent on these and that there's ways we can try to compress that. I don't have that level of detail, but what we have decided at least we can do, our team, meaning the DNS engagement from Cyrus and Tim and me and [Caitlyn] and others who are involved in this, is that we want to make sure that the people who are actually doing the reviews whether it's our

inside council or outside council have a better understanding of the importance and priority of this so that they don't think this is just stray thing that can sit around but that we want registrars on the new RAA, we want them in compliance with the agreement, we want them in compliance with their local law. Obviously, we don't want anybody to start off in a position set up to fail.

We're going to try to set some regular process internally where we review every application on a periodic basis whether it's weekly or every other week so that we can make sure that nothing is sitting or being overlooked or if there are some minor issues in applications that we can all agree how to resolve those quickly instead of having them get batched up with other ones that might have more complicated things.

That's the good news. Now, if people would like to complain about what they've experienced so far, I'd be happy to turn off my microphone and listen.

MICHELE NEYLON: Thank you, Mike. I'm just going to throw this open. Do any registrars here have any comments, positive, negative? I'm going to pick on Volker.

VOLKER GREIMANN: Not too concerned. I still have till September to do that for my main registrar. We have adopted a wait-and-see approach for this matter as it's not this urgent for us as for other registrars. Furthermore, we believe that the Severability Clause already provides sufficient

protection for us not requiring the actual issue of a waiver after it has been requested.

MICHELE NEYLON: Could you explain about the Severability Clause for those of us who don't speak fluent lawyer?

VOLKER GREIMANN: Basically, the RAA contains a provision that states that in case anything in the RAA conflicts with local law, that would not apply to that registrar because the registrar's required to follow local law. Data retention requirements that would violate local law would not be applicable to that registrar. While we have a formal procedure to formalize this with the waiver process, I do not believe a waiver would actually be required once ICANN has been informed of such conflicts.

MICHELE NEYLON: So you're basically saying that ICANN should grant all registrars a blanket exemption?

VOLKER GREIMANN: I think they already have.

MIKE ZUPKE: Obviously, I can't just on the spot say we agree with that position. Frankly, the contract itself sets out a waiver process. We're going to continue to follow that, but the process allows for you to submit interpretative information or whatever. I think that might be a

conversation we can talk about offline a little bit. I'm happy to hear you out, but at least in the near term, our plan is to continue with the waiver request process that's described in the agreement.

MICHELE NEYLON: Does anybody else want to weigh in on this topic? Is Tom Keller here? Do you have any thoughts, Tom?

JENNIFER STANDIFORD: Not to put you on the spot.

TOM KELLER: Well, I have a lot of thoughts. To what are you referring to exactly?

JENNIFER STANDIFORD: That's okay. Translation, Tom was doing something else. We're talking about the data retention and the waiver process. There is a view being expressed by some people that it shouldn't apply at all and that the entire waiver process itself is flawed because there's already a provision within the contract which would negate the entire thing to begin with or words to that effect.

TOM KELLER: Actually, that has been our belief for quite some time already. I'm not a liar, but we looked into that. What we found is exactly that. I would go along with that.

MICHELE NEYLON: I think this is one we're going to have to continue. There's one thing, Mike, that we are very conscious of is with respect to timing that ICANN staff in good faith be offering to continue dialogs and everything else, but we have registries wanting to offer new extensions. They want to do it now. The registrars who feel that they cannot sign the 2013 contract without getting a waiver are being put at a disadvantage.

MIKE ZUPKE: What I hope you're hearing is we are sympathetic to what you're saying. We're trying to figure out the quickest way to get you in business.

MICHELE NEYLON: I'm going to hand over to Jennifer as my laptop just died.

JENNIFER STANDIFORD: Are there any other questions or comments or concerns about that topic? Do we have somebody on remote? No.

UNIDENTIFIED MALE: "I would prefer they didn't take the discussion offline if it is the case that we can rely on the existing provision as it affects all of us. "That's from Kelly Salter. Luke agrees.

MIKE ZUPKE: I wish we could. I'm just not prepared to have the conversation now, but I'm sure we can do it in a more public way. It doesn't have to be just Mike and Volker in the hallway talking, but I just mean that we're not

prepared today to talk about it, but I'm happy to open it up when we have more information to talk about that.

JENNIFER STANDIFORD: Can you commit to the timeframe in which you believe that you could come back and present to the Registrar Stakeholder through a conference call or webinar?

MIKE ZUPKE: The webinar, we're planning the mini one about what we expect in terms of the waiver and how to do that. That, we're planning to do by the end of the year. We'll advertise that through the normal channel, the registrar mailing list. In terms of the issue that Volker and others have raised, I think I need to get more information from them first in order to figure out what we would need to do to consider the question.

I don't know if we've got any of the council in the room, but maybe this has been considered, and they already know the answer as one thing or another. I can't give you a timeframe on that. Obviously, we want to deal with it sooner rather than later. With our office closing toward the end of the year with the last week of the year off, I think really the pressure is on to do this as quickly as we can. I'll do my best.

JENNIFER STANDIFORD: I'll take it as [inaudible] [SG] will get back to you to provide you with more details. Based upon that, hopefully, you'll be able to address it in the end-of-the-year webinar?

MIKE ZUPKE: Yeah, if you can get us more details, then absolutely, of course, we'll get back to you. Whether it'll be in time for the webinar or not, I don't know. I think we're going to try and get to that as quickly as we can because I know that there's frustration with the process that we want to try and alleviate quickly so that if there are people who are standing back and waiting to submit their applications, they'll have more information. They can feel more confident in submitting them.

JENNIFER STANDIFORD: Okay, great. Thanks.

MICHELE NEYLON: Just before we move onto another topic, it has been brought to our attention that there's been a number of incidents near the venue where people have been accosted and mugged so just to give people a general warning. I think Mason sent an e-mail around to the ExCom about it a short time ago. So just be careful.

We had a couple of other topics we wanted to discuss very briefly before we meet with the registries. One of them was we've been having a discussion on the list around the dot-brand applicants and them looking for certain exemptions. Now who whot wants to lead that discussion, whether James or Ben or somebody.

UNIDENTIFIED MALE: I actually thought Matt was going – is Matt still here?

MICHELE NEYLON: Matt has vanished.

UNIDENTIFIED MALE: My question was someone I think needs to help me understand why the general RA is insufficient for the particular needs of brands because the only one I really get is the idea that re-delegating a brand is a problem. If Matt's not here, I guess we'll have to defer. That's my question is why are all the other things necessary?

MICHELE NEYLON: Fred?

FREDERIC GUILLEMAUT: I share some of Matt's opinion on this thing because I do some consulting for the brands. One of the things that was annoying for them is to have to offer equal opportunity to every registrant because at some point, they will only use one registrant. For example, that means if they want to sell their domain name, then if you apply to be accredited with them, they will have to accept you even if they have already their registrar. It would be a hassle for them to manage accreditations of [inaudible] registrars if they use only one.

UNIDENTIFIED MALE: But if they vertically integrate with their own registrar, then they don't have to do that, but they're saying they want to have the benefits of vertical integration without the hassle of owning a registrar.

FREDERIC GUILLEMAUT: Yeah. For example, take an example of Company A is doing dot-A and they want to have 100 domain names, 500 domain names only for themselves and they will use only one registrar which is the registrar which already manages their portfolio. So they don't want to have to accredit a new registrar, which is what the contract asks them to do. You can find a way to go around that and say I will have some very complicated roles for accreditation, but what's the point of doing that when you can just say there's going to be only one registrant for all the domain names of this dot-A. So let's have an exception.

UNIDENTIFIED MALE: I'm a little nervous that we're, I feel late in the game, changing something that was very, very highly debated, the vertical integration piece or at least it touches on this issue. It just makes me uncomfortable because I don't know what the possible consequences are. Then I feel like we would do something, and then we all got some surprise news today that there's some interesting things going on. Then we find out later that when we got the brands, these special powers and special agreements, that's when they started doing these other things. I may be just nervous, but Matt is here. Maybe Matt can help address some of the questions. We're on your topic, Matt, of dot brand requests.

MICHELE NEYLON: [inaudible]

UNIDENTIFIED MALE: Ben, go ahead.

[BEN ANDERSON]:   It's not about vertical integration allowing a brand to have its own registrar. I think if you look at it, each of the dot-brand applicants, each of the dot-brand applicants are going to be applying for the same exemptions over and over again in the registry agreement. The removal of specification lines and the code of conduct, each will ask for that. This is just taking a standard approach to the things that every single dot-brand is going to ask in that contract negotiations with ICANN. Matt has just walked in as well, so he can explain even more. I think that's the point. It's about giving the brands a standardized contract so they don't have to go and negotiate each time and ask for exactly the same things.

[MATT MCCLURE]:   Just to pick up on what Ben said, I think everyone recognizes the practice and how brands are going to operate with single-registrar models. Martin again obviously can speak to it, as well, but I think what we're trying to do is just formalize and have that be in the contract. Again, once they stop being a dot-brand registry, then all of those carve-outs go away and they get the standard registry agreement. Maybe with that, Martin can just introduce himself and then just talk a little bit about what the goals are and take questions.

MARTIN SUTTON: Many thanks. That's great. I'm Martin Sutton, HSBC, interim president of the Brand Registry Group. We've been working on this for some time with ICANN just to try and get our heads around how to make the contract more appropriate for a dot-brand closed registry. Now I may

hand over to Brian in a minute because he's the one that's actually done all the grunt work on behalf of brands to get where we are today which is a set of small requests compared to the original ask, but I think we've whittled it down to something which is sensible, straightforward, practical and a common-sense approach. Brian, would you mind just articulating the key objectives and any detailed elements that you think are relevant to the concerns of perhaps some of the registrars in the room?

BRIAN BECKHAM: I'm Brian Beckham with Valideus. I think in a nutshell in so far as the registrar provision is concerned, it's a matter of reflecting in the registry agreement a straight-forward reflection of the nature of using a trusted registrar partner as opposed to the current requirement for non-discriminatory access to all ICANN-accredited registrars as opposed to having inelegant work-arounds that might be used in practice. It's really just a matter of taking what is likely to be a practice and putting it into the terms of the registry agreement.

Also, like Matt mentioned, we've worked actually for quite some time now with ICANN on language of a definition of what a dot-brand is. It's something that's, I think, fairly objective. I think everyone here has had a chance to see it or at least it's been sent to some folks in the registrar list, so that can certainly be looked at. I think it's important to underscore that if, in any event, the registry would no longer fit that definition of a dot-brand, then the standard contract provisions would reapply. There's no question about that.

[MATT MCCLURE]:   And there would be scenario or possible scenario where a brand registry would not want to be a brand registry anymore and would want to become a more general registry with their brand name.

BRIAN BECKHAM: I have to say that I can't think of one. Somebody might be able to put their creative thinking cap on and think of why dot-google or dot-microsoft which corresponds to the Google or Microsoft trademark would want to cease being a dot brand TLD and use that TLD for some other purposes, but frankly, I really don't see that happening.

FREDERIC GUILLEMAT: That can happen. Let's say I work with a dot [Inaudible] of one of our customers. It's a brand. At some point, it's only a brand. It's only for their use. At some point, they might want to sell domain names in dot [Inaudible] to resellers of their TV programs. In that case, it wouldn't be a brand registry anymore because the owners would be the resellers of the programs, so they would stop being a single-owner registry. That could happen to many people who have a big brand and want to spend two years managing the domain name, the TLD and then say let's open it to resellers, let's open it to partners, let's open it to customers. In that case, they would stop having exceptions.

MARTIN SUTTON: Yeah, but then I think by nature of it ceasing to be a single-registrant and single-user TLD, then I think it's in that scenario the dot-brand registry agreement is no longer valid for that TLD. That's what's being proposed.

BEN ANDERSON: That's absolutely right. We've crafted some suggested wording for that very position. As soon as they cease to fit the description of that dot-brand registry which has been defined or draft definition has been prepared, then it flips over to a standard agreement.

MICHELE NEYLON: Volker?

VOLKER GREIMANN: Just two quick points, one of them a question, first of all, the dot-brand concept, while certainly having been discussed at length in the community, is not a concept that is currently part of the application guide book, and therefore, a very vague concept. We have single-user single-registrants, but even that seems to be a bit opened up by opening it up to licensees of the brand owner that would be able to operate single-domain names under license of the brand owner i.e. they have a license to use the brand and therefore a domain name.

Depending on the terms of that license, the borderline between the registrant and the licensee could become very vague. For example, I could imagine a scenario where eBay would grant a license to each of its power sellers under an agreement to use the eBay license, use eBay domain names for their products, for their own eBay shops. Depending on how you build this, the borderline between the registrant and the licensee will become very vague. Therefore, granting this exception becomes very dangerous.

BRIAN BECKHAM: I think actually, maybe there are two parts of this. One is actually, part of the dot-brand definition does include a trademark licensee, and that's actually an important use case that brands want to be able to use. If Cartier, which has applied for dot.cartier, wants to allow a licensed distributor who has a boutique on Times Square to have TimesSquare.cartier, then that would be allowed under this definition. That corresponds to Cartier's trademark which they police and they manage and they have a trademark license.

To your question about the license, the way the definition's been drafted is that the license has to relate to the goods and services that are sold under that mark. It can't be just let's say a pro forma license that would allow you to register domain names for the sake of registering domain names. It's a pre-existing business license to be an authorized distributor, if that answers your question.

MICHELE NEYLON: Jeff?

JEFF ECKHAUS: I have similar questions and concerns as Volker because I understand it says it could be at any level, but it seems fairly simple to say to register something and then to start offering third levels out to the public and say when you do this, you become a trademark licensee. Right now, I'm not an expert in trademark, so I don't know what every single person, their class, what is it, so yes, you can give an example, and it seems

extremely well-defined, but there are a lot of trademarks that are under a lot of different classes. It's extremely broad.

What a concern would be, it would just be a work-around to be able to just go to third levels or other routes to the public going outside of registrars and not saying that I need to sell it, but then you start losing all of the guarantees and the confidence that you have in this system and all the protections around it. You're saying the brand holder could just set the rules for how domains work. To the public, it's the same thing. They might not know and say "This isn't under ICANN. This is under that piece."

I'm not saying myself that I'm absolutely not, but I think we would need a lot more information about this because as Volker stated, I always think of this as the gTLD program, generic, and this came in afterwards. I'll let you guys jump in and sort of beat me down if you want then, and you guys seem ready to go at it, but I think that's my concern. I'd love some further explanation on it.

MICHELE NEYLON: Ben and Matt, I'm going to give them a couple of sporks and let them fight it out.

MARTIN SUTTON: I think the point is that we're already negotiating the exemption of specification nine directly with ICANN on behalf of brands. If they do it without this, they're going to have it anyway. This is about having a standardized position that we all understand because the only time

you'll ever know about it is when the red line version of the registry agreement gets put up on the site.

Actually, what's going to happen is that people may decide to ask for more in their contract negotiations with ICANN, and it might be that more power is given to the brands. If there's a standardized version that we all know about and we're all aware about, surely that's a better position than only knowing about it once it's been negotiated.

JEFF ECKHAUS: I think that I'm all for streamlining negotiation and getting a single process in place that could apply to everyone. We all need that and want that, 100% sure. The question I had, and I guess this was said – I think, Martin, you had sent it around to a few of us was about the definition of a brand. It brought in use into it versus some of the other aspects of bringing a streamlined process in. I think that's where the difference comes in. I don't want to make any applicant not have a streamlined process where they can.

BEN ANDERSON: I think we've also circulated some draft wording to cover use, as well. Have you seen that?

UNIDENTIFIED MALE: Yes.

JEFF ECKHAUS: No, I think that's the concern that I know I had and Volker had is that you start bringing in use versus what is a brand. Listen, I think it's a great idea to try and get it. I think maybe it'd be working with some of the folks and about what that use is and maybe just see what some of the pitfalls could be.

MICHELE NEYLON: Matt, did you want to? Okay. you're happy. So Volker.

VOLKER GREIMANN: Just one little additional question that I had when I thought this through in my mind is why is this even necessary? Every registry is free to define their eligibility requirements any which way they want to, so they can make it very onerous, if not impossible for third parties to register a domain and making it also very unattractive for any registrar to be even accredited in that TLD. They can make the implementation of that TLD very hard so that only one registrar would even be willing to undergo the entire development work or implementation work that it requires to implement that registrar.

Basically, this exception, while nice to have, is not really required because under the rules in the current guidebook, the registry already has the ability to limit the access to the TLD in so many ways that becoming a registrar and a TLD where you know that you will have no customers will be very unattractive.

BRIAN BECKHAM: It's an interesting point, but if I can be completely frank, so-called closed generic applications were allowed under the applicant guidebook. Just like you're explaining how there can be parameters set for registrars working with registries under the current language of the agreement, I think we've all seen that there are instances where plain language in an agreement can be changed when it's subject to community pressure. This is something that we want to avoid. We think it's just a more streamlined elegant way to reflect this in the contract rather than leaving it open to different interpretations down the road.

MICHELE NEYLON: Any other input or thoughts on this topic?

BRIAN BECKHAM: Just to say that I know that we're short on time, so if anyone would like to discuss this offline, we're more than happy to be available to talk in more detail.

MICHELE NEYLON: We got an e-mail there from the registries to say that they are running a little late. We still have a couple of minutes. Are there any other topics that people want – sorry, actually, Tim, my apologies. Tim had a couple of quick announcements to make.

TIM COLE: The first one is really about the gala and the gala tickets. If you haven't already received the instructions or the information, what you need to do is go to the dot-ar booth which is just outside of the glass doors

towards the hotel side and show them your badge. They will scan the code on your badge, so you can only use your badge once, and then give you a ticket, but the good news is that the venue has a capacity of 1800. There is no expectation that they'll run out of tickets. It should be fine, but it would be a good idea to try to get your ticket now if you want to plan to go.

The other thing is I think you already covered, but just reminder that Fadi has added this new meeting to the schedule that wasn't on the schedule before. The location is Libertador AB where you guys just met with the board. It starts at 7:00 a.m. to 8:30 a.m. That's for the community discussion of the Brazil meeting, multi-stakeholder meeting.

MICHELE NEYLON: Is ICANN offering an alarm clock service tomorrow morning?

TIM COLE: I'd be glad to call you.

MICHELE NEYLON: Be careful what you wish for. Any other topics? Yes, Ben, you had your hand up.

BEN ANDERSON: I just wanted to ask, but back to the other topic, there's a lot of people walking around saying that the registrars have taken a position on the dot-brand registry agreement which we haven't, but it would be nice to take a position in some way, shape or form.

MICHELE NEYLON: Ben always is good for throwing it in there, stirring it up a little bit. He's now doing a double act [of Matt] which is concerning. The stakeholder group has not taken a position at this stage, not formally.

[MATT MCCLURE]: There's really nothing to be taking a position on. This isn't something that formal feedback is being sought on, so I don't know that there's any official position to take. There's no public comment. I think the goal is to try to make people understand what the motivations are and make people understand that this is not something that's trying to create a loophole or a backdoor to eliminate the use of equal access for registrars. Like Ben and I said earlier, we all know what the reality is going to be. The reality is a dot-brand registry is going to have a single registrar, period. Thanks.

MICHELE NEYLON: This thing about the registrars having taken a particular position, how can we take a position if there's nothing to take a position on? Just send them to me, for God's sake. It would just be easier that way. Any other topics you want to cover in this session before we wait for the registries who are running a couple of minutes late? Is Tom Barrett here? No, he's not. Jennifer, go ahead.

JENNIFER STANDIFORD: There was some discussion earlier around some recent registry announcements. We were going to have a discussion to determine if the registrar [or] stakeholder group were going to get together and

formulate a group response or an announcement based upon the recent announcements from the registries.

MICHELE NEYLON: That was incredibly vague and ambiguous. Ben, go ahead.

JENNIFER STANDIFORD: I was waiting for Tom to come back before I put him on the spot.

BEN ANDERSON: Can we do this on the list rather than…

MICHELE NEYLON: No, that's fine, that's fine.

JENNIFER STANDIFORD: Sure. That's why it was vague.

MICHELE NEYLON: Then we are now just waiting for the registries to join us. Mike, can you ping your colleagues to find out how far behind they are?

MIKE ZUPKE: No, apparently, I cannot. There is one thing that I can mention while people are captive here, and that's that you may be seeing in your e-mail today a notice that ICANN is looking for a [gaining] registrar to take the names of the registrar pack names. When you see that, it's a normal process when a registrar gets de-accredited. In this case, you may have

seen they were suspended by the compliance team, but before the suspension took effect, they voluntarily terminated their RAA. We're looking for a home for the names. There are about 9,000 names.

MICHELE NEYLON: Wasn't there another one where somebody else had taken them or that wasn't pack names then? So [inaudible] took one [inaudible], but I thought that was pack names.

MIKE ZUPKE: No, I don't think that one was pack names. That was a different one. That followed the de-accredited registrar process. The registrar that was going out of business actually proposed two [cows], and it met the requirements that we had. It goes through that step first. In this case, I don't think pack names actually designated anyone. So we're just going directly to the full process.

BRIAN BECKHAM: Right, that was [inaudible] dot-com that went to [inaudible].

MICHELE NEYLON: Sorry, it's just I follow some of the compliance, definitely got confused with the ones that are terminated, terminating themselves, moving stuff around or whatever. It's confusing.

MIKE ZUPKE: Me, too. If I didn't have [Caitlyn] IM-ing this stuff, I would be terribly inaccurate.

MICHELE NEYLON: Okay, we might as well take a five-minute break whilst we're waiting for the registries. Oh, no. They're moving in.

UNIDENTIFIED MALE: Remote participation. [Caitlin] says, "Thank you, Michele."

MICHELE NEYLON: Okay.

UNIDENTIFIED MALE: This is Tuesday, November 19 [inaudible] 16:00 Local time November 19, Retiro C.

MICHELE NEYLON: The registries are joining us now. There's some space up at our table. Okay, ladies and gentlemen if you could please take your seats. Please take your seats. The registry and registrar meeting is about to start. Jeff Neuman is now sporting a very disturbing-looking thing.

We're starting now. The registries with registrars. There still might be one or two spaces up at the table if you want to join. So this is being chaired jointly by myself and Mr. Keith Drazek. So welcome registry people.

As a first order of business, I suppose we should all take a moment to salute and thank Mr. Neuman for his many years of service on the GNSO

and elsewhere. I also believe he has announced his resignation from the GNSO this morning. [applause]

I'm sorry. As Chuck points out you're not resigning from the GNSO, just the GNSO council. I spoke too soon. Maybe we got a little bit ahead of ourselves.

UNIDENTIFIED MALE: Wishful thinking.

MICHELE NEYLON: Yes, wishful thinking. Thank you, Jeff. At least you have a sense of humor about these things. So, Keith?

KEITH DRAZEK: Thanks very much, Michele, and thanks to all the registrars that are here for inviting us in. Always look forward to these opportunities to engage. Apologies for being late. We had to have a conversation at the end of our meeting today that ran a little bit long anyway about how we were going to handle Jeff's replacement, so that's still sort of TBD. Anyway, thank you.

So I think we have an agenda, a joint agenda. I need to make sure and pull it up. But before we do that I want to note that towards the end of our session this afternoon, which is scheduled to end at 5:00, we actually have arranged for IBM and Deloitte to come in to give a brief update on Trademark Clearinghouse. So that's an opportunity. If we finish our joint agenda early, we can get them in early.

People, if you have to leave at 5:00 that's understandable but if you could stick around a little bit after, then that would be great too. Does anybody have our agenda handy? I'll pull it up. I'll pull it up if you give me a second.

MICHELE NEYLON: I've just been asked to pull it up. Nobody bothered specifying what "it" was so this could get quite interesting.

JENNIFER STANDIFORD: That would be the agenda. Thanks, Keith. My machine is locked.

KEITH DRAZEK: I believe one of the topics on the agenda was registrar on boarding at the AROS Project. I don't think we've received an independent briefing on AROS. I don't know if there's anybody here that would like to give an update on any work that's been going on?

MICHELE NEYLON: We did get a demo of it earlier today. I don't know if anybody else wants to speak to AROS? Okay, Tom or Matt or somebody or Volker? I mean, Tom. Go on Tom.

[TOM KELLER]: The registrars certainly are very enthusiastic about all of you registries signing on board to AROS. We know it's voluntary but we're certainly interested in if any registry does not plan to use AROS could you raise your hand. So everyone is planning to use it.

[MICHELE NEYLON]:   I don't think they've seen it.

[TOM KELLER]:   Okay. Obviously, it creates huge efficiencies for registrars, which means that it helps out you as well. So would highly recommend that you come up to speed on it and start using it ASAP.

MICHELE NEYLON: Volker, Matt?

[MATT KELLER]:   Thanks, Volker. I guess I would ask the registry folksis there anything the registrar community and Stakeholder group can do to encourage all registry operators to use the system. Because I think that's one of the things where at least I personally am – that has me a little hesitant about AROS is I don't want to have to manage, you know, this set of registries over here and another set over there. So, how can we kind of work together to encourage all registry operators to use AROS. And I don't know if you guys have had a conversation about it in your Stakeholder Group meeting or not. Thanks.

MICHELE NEYLON: Okay, you can reply, Jeff. We'll allow that.

JEFF NEUMAN: Okay, thanks. We don't even know how to use it. We've never been invited to use it. We haven't - it's great you're encouraging us but we don't…

MICHELE NEYLON: So is it just lack of communication is what you're saying basically?

JEFF NEUMAN: Yes.

MICHELE NEYLON: Okay, Volker and then Matt. [inaudible], Matt, you've already spoken.

VOLKER GREIMANN: Just as a quick intro into AROS from what we've seen today, it would really greatly improve the need for paperwork, the need for updates being processed. The current process as the incumbent registries will be able to confirm is that when a registrar has to change certain data, then certain documents have to be filled out. Not in triplicate, but certainly a lot of paper has to be [inaudible], FedExed, faxed or couriered to the registries.

Each and every registry similar has to be informed of these updates be it a company name change, company incorporation change, change of the officers of the company, anything important is currently paperwork. The AROS systems would eliminate that need. The registries would automatically all be updated off the new data by the registrar when the registrar updates his information with ICANN.   This will probably also

decrease the workload of registries when a registrar wants to update his data.

Therefore, we see it as a great advantage because we will not as a registrar we will to have to fill out the same information again and again and again for hundreds of registries. In the future, that's a system that's simply not manageable anymore under the new gTLD regime. So I would strongly encourage registries to look at the system, inform themselves if they haven't been informed directly of what the advantages are to them, and I believe they are substantial. And implementing them just as fast as possible.

MICHELE NEYLON: I'm just going to go to James in one second. Just another point as well for the registries. The demo we got this afternoon, one of the things that they did point out was, well, first off if the system is built on Salesforce, which some of you use. I know not all of you do but some of you do.

And they are talking about offering some form of API so that if you already have a system of some kind you can link them together. And I'll echo everything that Volker said. James?

JAMES BLADEL: Just to respond to Jeff. I don't think anybody's trying to push a pig in a poke. We saw a demo. We were impressed. You should be demanding to see the demo as well. Our message to you guys we're seeing this from our perspective and we'reliking it. You guys may see something that you have some other feedback but let's get that feedback

incorporated so we can get this thing up and running as quickly as possible.

[MATT MCCLURE]: I was looking for someone from ICANN staff just to make sure that you guys had access to – go ahead. Sorry.

KEITH DRAZEK: Thanks, Matt. Sorry to jump in. I believe I remember seeing an email that came across asking if we as a registry stakeholder group wanted to see a demo this week. I don't believe we took them up on it. So, I think maybe the confusion and I apologize if that wasn't made clear. We had a pretty busy schedule, so there was lots other going on. But it sounds like you've seen something that is actually meaningful and real in terms of a demo and now's the time for us to ask to see the same thing so we can make a more informed evaluation. Paul?

[PAUL GOLDSTONE]: Thanks, Keith. It's my understanding I talked to [Krista] that the guy that demoed the thing for the registrars is going to be around and they'll be a demo opportunity perhaps tomorrow or something. Let's just ask her. But to Keith's point, it was just hey our schedule was slammed. We weren't going to take another half hour, 45 out.

KEITH DRAZEK: Thanks. How long was the demo and the conversation?

[PAUL GOLDSTONE]:   I think it was about 30 minutes, Even less.

MICHELE NEYLON: The demo functionality, they can show you just either the registrar perspective or the registries side of it or both. It's pretty intuitive from what we've seen. As long as you can read and know how to operate a keyboard I think you'll be fine with it really. You don't have to be technical.

TIM COLE: Michele, can I get in here please?

MICHELE NEYLON: Sure. Go ahead, Tim.

TIM COLE: Steve Allison did the demo here. He is also doing demos out in the lobby area. There's a schedule up there. Part of the time it's being a demo of AROS. Other parts of the time it's a demo of one of the [URS] and there's a couple of other things. So, you might want to check that out.

                        The registries actually were the ones that initiated this whole process to develop this. Roy Dykes has been chairing the group. I would hope that there was communication with you guys but evidentially there wasn't at least for this meeting. You're not going to have a meeting time to hear from him, at least one on one you can see the demo upstairs.

KEITH DRAZEK: Thanks, Tim. Volker then Chuck. Before we go on, what was the name of the guy?

TIM COLE: Steve Allison. Also he is willing to do a remote participation demo. We could arrange for a call and then Adobe Connect and he can demo the whole thing that way if you'd like.

KEITH DRAZEK: Great. Thanks very much. Appreciate that. Volker, then Chuck.

VOLKER GREIMANN: Maybe just one more add in of information for registries that think that because they need a paper document do not benefit from this system. What we learned when we had this demo given to us was that it can also only be used for contact management and when paper contracts are required they can be implemented into the system so you have the paper contracts but still can make use of the contact information update features.

Every registry that uses contracts in any form uses the registrar data can use this. This also applies for registrars and registries that have already signed the RAAs. Even when you have this contract already signed you can plug that in and start managing the contacts through that system as well.

KEITH DRAZEK: Any other comments, questions on the AROS update? Chuck.

[CHUCK GOMES]: Thanks, Keith and thanks everybody for the information. Tim addressed the issue I was going to raise. The people that need to see the demo for us are not here. The fact that it can be done remotely is very helpful. Now, one of those people has been involved in the group so I think it's probably all going to go pretty well. But that's great.

KEITH DRAZEK: Thanks Chuck. Any other comments, questions on registrar onboarding?

MICHELE NEYLON: Tim, we have one remote question which I did want to put in. The remote question comes from Rob Golding. He wants to know whether registries are still going to insist on using faxes as faxes and telex machines were removed from the U.K. about ten years ago?

TIM COLE: I just volunteered that [Krista] and I could coordinate with the registrars and the registries about one or more demos. I'll take that back as an action item.

KEITH DRAZEK: Thanks, Tim. That's great, especially for those who aren't here. Very good. Let's move on. Let me just run through the topics that I think we have on our agenda. Jennifer, I know you mentioned that PIC specs or the PICDRP specs probably is one.

Then the other items I had maybe we can just cross check here. Discussion or update on IGO, INGO, PDP working group report and the recommendations. That ties in directly with the pending motions before the council. I think those are a couple of the items.

JENNIFER STANDIFORD: One of the items that was proposed to discuss is how do the registrars feel about the PICs that have been set forth to propose implementation of those. Jeff voiced our concerns to the board earlier today. We wanted to open up that topic for discussion.

UNIDENTIFIED MALE: I don't know for how many of you stuck around for our session with the board, but I brought it up saying that yeah, okay, we have this letter from Steve to Heather. We were like "Thanks. This is great. Good movement forward but what is this. Is this the first step? Is this the final rules?" Explained to them how much work we have and wanted to know where this fit into the schedule. Is it going to change from this format, and if it does, when would we know and to give us some sort of certainty on that timeframe.

I don't know if you know how the registries feel. Looking at it, it says registries will enter into a contract with registrars and registrars will do it. There's also how is it going to be enforced. I don't think that was very clear. I think it would probably be good for this group to work together if we want to get it done quickly to figure out a way to try and implement it.

Those are just some of the suggestions. I don't know if the Registrar Stakeholder Group has discussed it today but I think I'd rather this group be proactive than having it put into our lap. Or unless the way it's written is that's the final piece and then everyone gets to figure out how to implement it on their own. But I doubt that's the case.

MICHELE NEYLON: Just following on from this, one of the key things that Jeff touched on during that session so the board also agreed with us on this is depending on how this PIC stuff gets implemented, there's going to be quite a big burden on registrars in terms of implementing it since we're the ones at the end of the chain. The thing at the moment is of course a lot of us are talking to registries or prospective registries. It's like the goal posts are kind of moving. It's not simply a question of just signing on. You could be signing on and then turn out that things are quite different further down the road. Jennifer?

JENNIFER STANDIFORD: What I was proposing is perhaps we reengage with one another and create monthly calls or bimonthly calls to address issues such as this so we can get in front of the issue sooner rather than later.

KEITH DRAZEK: Thanks, Jennifer. I think from the registry's perspective – and I'll speak for the registries ExCom – we would certainly welcome that particularly as things start to ramp up in terms of our interaction and integration all around new gTLDs. Anybody else from the registries want to sort of chime in on the PIC specs?

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VOLKER GREIMANN: Yes, it has been a bit of a concern for many registrars that in response to the requirement of PICs, ICANN to respond to GAC concerns with concerns to some of the TLDs. Some registries have opted to offload all requirements on the registrars by including language in the PICs as registry shall require registrar to do XYZ. That is a bit of a problem for us because that again off loads all the implementation requirements and requirements for possibly costly implementations on us. Whereas the registries are kind of getting off scott-free by making these requirements.

This also opened the door for things that ICANN was not able to include in the RAA i.e., creating new obligations for registrars that are not consensus policy. I just would like to see a statement to that effect how these burdens should be shared equally between registries and registrars.

UNIDENTIFIED MALE: Volker, I think all those concerns are very legitimate. I think it's something that the registries should take back and think about. Obviously we can't speak for the applicants, and each applicant is different. There are certain things in those PIC specs that were given to the registrars because they can only be done by registrars. Things like entering into agreements with registrants that say A, B, C and D. That can only be done by registrars. But the enforcement of some of those can be shared. I don't think we can speak on behalf of every registry. I know there are registries that are not offloading all of that. But it's a good topic for us to discuss as registries moving forward.

JORDAN BUCHANAN: Guess we don't have roaming mics, so I'll roam to one. Hi, Jordan Buchanan with Charleston Road Registry, also known as Google or a subsidiary of Google. Volker, I want to understand a little bit better sort of the range of options. Maybe this is the implementation discussion that we need to have. But certainly I know in conversations we've had with many registrars when we start to do things that involve the registry interacting directly with the registrant you guys start to get a little nervous about that.

I think a lot of registries are probably passing the requirements down through the registrars because you guys often tell us, Don't talk to our customer." We need to figure out how to get that balance right. I think that's probably part of an extended implementation discussion. I do think different registries are going to do a lot of things different ways. There's registries I'm sure who are not on the GAC advice list that are going to do all sorts of annoying GAC-like things and we'll have to figure out how to work through those as well.

I don't say annoying just to you guys. They are annoying to implement for the registry as well but it may fit a business model that's intended to provide a credentialed space or to give some certainty about who registrants in or in some particular space. We're going to be trying out a lot of new business models. I think it'd be good to have underlying dialogue on a lot of these implementation issues. It's hard to imagine we're going to end up in a one-size-fits-all implementation scheme where every time there's some requirement on the registrant it's always going to be implemented by one party or the other.

KEITH DRAZEK: Thanks Jordan. Thanks, Jeff. Any other comments, thoughts, feedback? We'll follow through on this and try to coordinate another conversation around implementation a little bit more detail. We've got some more time.   Jennifer, any next items on the agenda or should we revert to my list?

JENNIFER STANDIFORD: Let's go with your list next since I was up last. It's your turn.

KEITH DRAZEK: We'll alternate. Very good. I think it's important before we run out of time to discuss motions before the council tomorrow. I know IGO, INGO is of particular interest so why don't I just tee that up for Jonathon, our counselors and Chuck on IGO, INGO.

I think what we want to do is to give you at least an update on our conversations today and our thinking going into tomorrow probably have a dialogue about that.

JONATHAN ROBINSON: I'll try to be as brief as I can. This is a complicated issue based on a complicated piece of work. There's been a revision to the motion. I hope you guys have seen the revision to the motion. Essentially it breaks the motion down into three component parts. One is a recommendation to deal, which is in a sense nothing to do with the core work of the working group but deals with the consensus levels in the working group.

One of the issues that the working group found is – what it chose to do was take – the recommendations a working group makes can be based on various levels of consensus. Or varying levels of consensus can be established in a working group. This working group chose to make recommendations to the council based on two different levels of consensus. We believe that the right way to deal with this I think – and I hope I'm reflecting this accurately – is to separate out the vote according to the two different levels of consensus reached by the working group. I'm over simplifying it because there's lots of background in here as to why those different consensus levels were reached, who participated in the working group and so on.

But the net effect of all of that is there is a set of recommendations made by the working group to the council and with a relatively complicated discussion we've ended up at a position where we proposed to vote on those in two different batches if you like. The majority of those that received consensus support in the working group – that wasn't full consensus, but they received consensus support. There is one recommendation of the working group which in fact breaks down to three sub-recommendations, which received strong support but significant opposition status from the working group and we proposed to vote on that separately. I don't know if anyone else would like to add anything to that.

Where we're at is we intend to vote in the affirmative for those that received the consensus level support. There's some subtleties in the breakdown of the three sublevels. We currently – if they stand all together as one group, we would vote against them. But it's important

to recognize that a couple of sub recommendations did receive registry support in the working group.

That makes it a little awkward for us to be voting against them. If another group were to see those as worth separating out we might change our position. But currently we're not asking ourselves to separate out those sub-recommendations.

It's complicated. We've all talked about it a lot. I hope I've represented that accurately here. I'm not sure how much you guys have talked about it or where you're at on your intentions to vote.

KEITH DRAZEK: Thanks, Jonathon. I think just to put a point on it if the last three recommendations are not split, then we would vote no on all three because they would be together.

JONATHAN ROBINSON: In current formatting for absolute clarity that's 7ABC. So 7ABC all received strong support but significant opposition and as Keith said, we intend to vote against those if they are clustered. If for some reason there is a proposal from I guess another group to break up that clustering and vote for them separately we would likely break up our vote and have support for one or more of those but not all of them.

MICHELE NEYLON: We've been discussing this a little bit in our group. Maybe a couple of the registrars have some opinions. I see Yoav waving his hands.

YOAV KEREN: Just a clarifying question. Which one would you not support or which ones you will support out of the three parts?

JONATHAN ROBINSON: Someone might need to help me here. We will vote in the affirmative for recommendations one to six, which received the consensus support. On seven, should it remain bundled, we will vote against it. Should it remain separated, which is your question, which is the one we will vote for and which is the ones we will vote against maybe someone can help me. Jeff or Chuck?

JEFF NEUMAN: Chuck can clarify but I believe what we were in favor of or okay with I should say is having the acronyms of the IGOs in the Trademark Clearinghouse. We were okay with them being used for claims. We were not okay with them being used for Sunrise.

                        That's the three parts. One is do we favor it in the clearinghouse? We'd be okay with that. Do we favor it for Claims? Yes. Do we favor it for Sunrise? No.

MICHELE NEYLON: Mason and Chuck.

MASON COLE: I just wanted to explain a little bit to the registrars about why this is important. This started with the Red Cross and the International

Olympic Committee looking for a way to protect their names at both the top and second level so nobody would preemptively get those for delegation. The GNSO undertook a PDP to get that done as sort of a gesture of goodwill to these international organizations. It grew into something much bigger than that through a lot of procedural minutia that we don't really need to discuss.

What the working group arrived at was consensus on protecting full names at the second level of certain organizations like the Red Cross and the IOC. What there's no consensus on is protecting acronyms that were submitted to the working group by the GAC. It was a very extensive list. Some of those names are usable by a wide variety of registrar customers. For example, ISA. That stands for the International Seabed Authority. The GAC wanted that to be protected.

Okay, you can understand their position but isa.whatever could be a very valuable name for registrar customers. That's the reasoning behind where we are on that level of consensus.

JONATHAN ROBINSON: Just to add to that. If you break down 7 A, B, and C you could take ISA let's work with that example. ISA could be added to the clearinghouse, have a claims notice against it but not be eligible for Sunrise. That's where we believe we could at least live with. Pulling out the Sunrise. So the question is where do you stand? If you know at this point.

UNIDENTIFIED MALE: We're in lock step with registries on the vote. Volker wants to speak there.

VOLKER GREIMANN: The entire topic has a bit of a longer history in the registrar's constituency. We've been discussing this since when the first proposals came out with the special protections for the IOC and the Red Cross. We were very resistant and hesitant to grant any exemptions. Only after we were promised by the GAC in sort of language that this would be the end of it did we agree to granting some certain exemptions.

This was a very contentious topic at the time and I'm not aware that the general feeling in the registrar's constituency has changed. Granting claims notices for abbreviations is still a very, very contentious topic and we have not to my knowledge made any decision of how to vote on that.

MICHELE NEYLON: I've got one query from Luke, on remote participation. The question is "It even possible to have a Trademark Clearinghouse label that can only be used for claims and not registrations during Sunrise?"

UNIDENTIFIED MALE: The answer is yes. The Trademark Clearinghouse is specifically set up to deal with those two categories of application. It may require some form of modification but the fundamentals of the clearinghouse are set up in that way.

here's one other point I should make. We went through quite a lot of discussion. I don't want to reopen that discussion but there was a principle point here as well. Should a recommendation from the

working group be voted against by the council or not? We talked about that quite a lot. Or should it simply be referred back to the working group if it wasn't satisfactory. There are some nuances in this case and we've spent quite a lot of time discussing it. I don't think we need to go into that now. But it's worth reflecting that that was part of our discussion.

Nevertheless, the position remains we propose to vote yes for one to six, no for seven if it remains bundled and potentially if it becomes unbundled by whatever means to split out our position on that to vote yes for inclusion in the clearinghouse, yes for claims but no for Sunrise.

We're absolutely with you on no to Sunrise no matter what. The only question is whether we accept acronyms going into the clearinghouse and acronyms therefore getting claims notices associated with them.

UNIDENTIFIED MALE: One thing I wanted to clear up and I guess it's the response to Luc's question on line about [inaudible] in the clearinghouse only subject to claims. If you look at the TM Plus 50, the Plus 50 is not available for Sunrise and for registration, just for claims. So that mechanism is already built in and is available.

MICHELE NEYLON: The impression I get from the registrars is most of us don't seem to be too happy with this acronym thing or maybe I'm misinterpreting it. But I think that's the general kind of feeling. Yoav did you want to add something?

YOAV KEREN: Just a suggestion. Maybe we can hear from people here whether they think. From the registrars because we've had some discussion on the ExCom, but hear some others how they feel about this.

MICHELE NEYLON: What was the other item on the agenda?

KEITH DRAZEK: Are there any other motions that need to be discussed?

UNIDENTIFIED MALE: There's one other.

UNIDENTIFIED MALE: The other one is the translations and transliteration of the contact information. I think, Yoav, this is actually your motion right?

YOAV KEREN: This came to the council two meetings ago – two calls ago actually to be precise. We asked for deferral because there were some problems as we saw it in the charter. We then – in the next council meeting there was coordination between us and Jonathon who made it first withdrew it. We had a quick discussion on different points that I raised and also Volker raised. Ching also supported some of them.

                                Just to clarify the translation and transliteration of the WHOIS data can be a huge problem if we don't do it right. I mean, both for registrars and

both for registries. I think it's much more than anything we've seen like in the IDNs or something like that. This is much more complicated.

What we were asking is to add more text to the charter that will actually make sure that the PDPs covering different aspects of that issue and will bring concrete answers or recommendations actually to the council.

It was added in our call of the working group and it looked like – in the registrar ExCom we talked about it and we're all in consensus about it. The registries as well. So it should go through.

MICHELE NEYLON: This is just to vote on the actual charter. The PDP itself is going to go ahead anyway, right?

YOAV KEREN: We're voting for it. Now it's amended finally and it will be with the right things inside. Before that it was lacking of a lot of points that it should cover to make sure what would be the cost for implementing that. Who should pay that? Would it be a registrar paying for translation and transliteration?

MICHELE NEYLON: Obviously the horse has already bolted on this one anyway. Volker?

VOLKER GREIMANN: Maybe just to clarify by pushing this back to the working group and having a very quick turnaround and discussion in the working group that caused the motion to be resubmitted to the council within less than a

week I believe. We were able to insert some language also that required or recommended to the working group to also engage in the weighing of the benefits versus the potential cost as in nice to have benefit versus significant cost for multiple operators might not be worthwhile pursuing. That had been missing before and I think this evaluation makes the motion that much stronger and beneficial to our interests. Also the result will be better policy I think.

MICHELE NEYLON: Thanks, Volker. Just going back to the AROS discussion we were having earlier, Tim Cole sent on some information about the demos. They are scheduled at the top of the escalator across from the ICANN newComers lounge from 3:30 to 5:00 p.m. today and tomorrow and from 11:00 until 12:30 on Thursday.

Both registries and registrars are encouraged to go along and have a look at this wonderful tool that will make our lives significantly easier and save registrars from developing writer's cramp.

KEITH DRAZEK: It's just based on if you show up and want to see it. He's not going to be standing there doing demos over and over unless people come up and want to see it. It's really going to be hands on demo. Michele if you send that to me I'll forward it to the registries list and the applicant list.

Did we finish on the motion you guys were just discussing? Then I think we need to just circle back briefly. Jeff asked the question about IGO, INGO is what do the registrars plan to do in terms of voting on this motion if you know at this point.

YAOV KAREN: Maybe need a little bit more discussion?

UNIDENTIFIED MALE: We didn't hear anyone else.

MICHELE NEYLON: I think I already gave my opinion on this, I think.

UNIDENTIFIED MALE: I think the same but I'm waiting for others to speak.

MICHELE NEYLON: I think I said that I was opposed to adding anything for the acronyms either into the Trademark Clearinghouse or anywhere.

UNIDENTIFIED MALE: There's like 20 something recommendations in the entire motion.

MICHELE NEYLON: We're talking about if the motion is split so that the bit about the acronyms can be voted on separately because that's the part of the motion that had strong support but not consensus.

JONATHAN ROBINSON: As far as I'm aware and what I think I've heard here is you are with us on items one to six of the motion. We're all okay on that. We will vote

together and in the affirmative on that. It's all about item seven which is A, B, and C on acronyms. We currently will vote no if that item seven remains bundled. You guys I expect will vote no as well if it's bundled.

The question is if it gets broken up for whatever reason, our intention is then to vote yes on two of those and acronyms could well end up in the clearinghouse and we might end up voting differently with you. So the question is I guess what we wouldn't mind is how strongly you would feel about us diverging at that point.

We obviously work with you. We aren't always in absolute lock step with you but at the same time we're sensitive to our relationships with you and we don't want to blow it unnecessarily by going against something you feel very, very strongly about.

MICHELE NEYLON: So diplomatically you're asking are we going to stab you later. Tom go ahead.

TOM BARRETT: I would certainly be opposed to even allowing the IGOs to have protection of claims.

MICHELE NEYLON: You mean acronyms?

TOM BARRETT: Yeah, acronyms. They're not trademarked. Unless they are trademarked they're eligible for the clearinghouse anyway. But now you're having the

folks in front of the clearinghouse having to make judgments beyond trademark rights and that's not what it was designed for.

MICHELE NEYLON: James, Yoav, Ben, Jeff, Mr. Berryhill.

[JAMES BLADEL]:   I was actually going to defer to – was it Jeff that was next? Whoever is next in the queue.

MICHELE NEYLON: Just one of you go first please. Thanks.

JOHN BERRYHILL: I just kind of want to pick up where Tom was. The claims notice has a prescribed format. It says there is an intellectual property claim. I don't even understand if you're going to say we're going to have a claims notice that there's some IGO that really likes this acronym. The only way to do that in a standard format is to say it's either a trademark claim or some piece of fluff that you don't know about. It puts me on as a registrant. It puts me on notice of what?

The point with the claims notice is that there are dispute policies that follow on. What we didn't want to have was a situation where under a UDRP or a URS somebody would have a trademark registered and would be able to come in – because those require active malfeasance – would be able to come in and say, "I had no notice of this."

That's the point of providing the claims notice is to eliminate a defense in a dispute policy that applies to the registration. What is the point of the notice here? What does it do for anyone? Or are we then going to have some follow on thing to some dispute policy. It is a pointless thing to do and it dilutes the value of the express notice of a potential trademark violations that we wanted to include in the first place. I don't understand the point other than giving the Trademark Clearinghouse something else to charge people for.

JONATHAN ROBINSON: Can I just check one other point to fact? Does anyone know what the trademark claims notice looks like for an abused label?

MICHELE NEYLON: There's actually people from the Trademark Clearinghouse sitting in the back of the room staring at us, So maybe they can answer that. Vicki, I'm looking at you. She's ignoring us or looking for that. I'll let them scurry around the back and see if they can find this one. Ben?

BEN ANDERSON: Go on, Jeff.

JEFF NEUMAN: We're in a little bit of a dilemma here because the working group is now at their final report. They've delivered their final report. A lot of these points are very valid. I don't disagree with any of them. The problem we have here is those points weren't expressed by the registrars in the working group. In fact, they were before the initial report, but the

registrars – and again I don't mean this to sound blaming, but there was no one there from the registrars to actually change the position of the working group.

There was no one there to make the arguments that John has made very well. So now we're at a position basically of it gets to the council level after it's all done and we're in a position of basically shooting down a lot of the report.

I agree with you on the notion of with the acronyms with the IGOs because that's an area we separated out and we can vote that down but there's other areas of the report that talk about trademark claims for different things that I would agree with you, John. It's the same logic would apply. That's kind of having a little dilemma here right. Because we want to preserve the policy development process and we don't want to second guess what the working group did.

We can however vote down the one area where we have objected to and that's what we're recommending. And where the recommendation wasn't a consensus, but as Keith pointed out it was strong support but significant opposition.

KEITH DRAZEK: James, go ahead.

JAMES BLADEL: Wasn't there another option where the council would defer on some of those and send it back to the working group for…

EN

JEFF NEUMAN: Yes, there was an option but we discussed it in the Registry Stakeholder Group and we're not going to defer just to vote it down.

JAMES BLADEL: I'm sorry. Not defer but essentially say, "We're accepting these recommendations. These recommendations have prompted additional questions that were not addressed in the working group and we'd like some refinement."

JEFF NEUMAN: That's an option but when we discussed it within the registries we didn't see a point of sending it. There's no questions. We don't agree with it. It's not like the working group's going to work that out.

JAMES BLADEL: Then you've got to vote no.

JEFF NEUMAN: On that part.

JAMES BLADEL.   It feels like a GAC thing to do but.

JEFF NEUMAN: Right. So we're going to vote on that one part. But the points raised by Tom and John are actually broader and are included in other recommendations which we're saying to vote yes to.

[JONATHAN ROBINSON]:   I'm with John on this one. Inclusion into the clearinghouse should be on the basis that those terms meet the requirements for inclusion in the clearinghouse anyway. You can't create a special subset in this instance.

UNIDENTIFIED MALE: For the acronyms?

[JONATHAN ROBINSON]:   Yes.

JEFF NEUMAN: Just so you know, the ones that we're saying yes to – and you guys said you would vote along with us – we are creating that class for the IOC, the Red Cross. Full names of the IGOs not the acronyms. We're doing that.

KEITH DRAZEK: I saw a hand from Yoav and then Barry Cobb wanted to jump in from Staff and then Tom. Yoav, go ahead. Then Barry then Tom.

YOAV KEREN: Jeff, I think you're hearing here from the registrars here I'm thinking the problem that we have is we're opening a door. We've already talked about this thing long ago when this whole process started that we're opening a door for something that we were promised that will end at some point. It doesn't seem that it's ending.

This is clearly an issue for many of the registrars. The fact that we didn't have anyone participating is not a good functioning of our stakeholder group but that doesn't mean that we should go now and vote for it when we're against it.

Us as counselors that represent this stakeholder group, if the stakeholder group is against it, how can we go and vote in favor? I think it will be great if this was split so we can actually don't vote down everything and only the acronym part. But I think this is what we're hearing here.

KEITH DRAZEK: Thanks, Yoav. I saw Jonathan wanted to respond to something you said and then we'll go to Barry and Tom.

JONATHAN ROBINSON: Yeah, I'm not 100% sure where we are because at the moment we've stood up into this one to six and seven. I think if we were to go back now and essentially – I think we've got to be very careful about the integrity of the process. We've got a higher level of sensitivity here of having had some work of a working group in one of the most highly visible and sensitive areas much as all of us may not like the genesis, the progress but we are where we are. There are a set of recommendations from the working group.

From my point of view thinking from a GNSO Council, GNSO policy development point of view, personally I'd happily accept some compromise around number seven for the sake of the perceived integrity of the overall process. If you guys felt you could live with voting

in the affirmative for one to six,my sense is let's keep seven bundled and let's vote it down.

KEITH DRAZEK: Thanks, Jonathan. So, Barry then Tom then Jordan then John.

BARRY COBB: Thank you, Keith. This is Barry Cobb. I'm not sure if this will help the deliberations or not, but in terms of the implementation for this going forward and the use of the Trademark Clearinghouse, there was feedback from the community that the claims notice itself you're right is very trademark intensive or tailored towards that. That likely in terms of implementation that it would be tailored more for language of protecting an IGO identifier. So it would be two different notices. I'm sure that opens up some other doors.

But ultimately, it's something that would be looked at in the implementation component and I think there's one of the last clauses in the resolve statement that that there would be an implementation review team formed and that we'd go from there. I don't know if that helps or not.

KEITH DRAZEK: Thanks, very much Barry. Tom?

TOM BARRETT: There is a policy versus implementation issue. Correct me if I'm wrong. When the Fifty Plus variance were added to the clearinghouse there was

a lot of community feedback saying that that language should be changed to reflect these are no longer exact trademarks. I'm not sure that actually was implemented. To promise another variant claims notice again if it wasn't implemented last time the confidence is low it'd be implemented this time.

I don't think we can keep saying yes, keep saying yes and find out sensitivity is a bigger issue than all of us, let's just keep saying yes and hope maybe this time we can trust them. History tells us we're going to get burned.

KEITH DRAZEK: Thanks, Tom. I had Jordan and then John in the queue. And then Jonathan. That's fine. Jonathan go ahead.

JONATHAN ROBINSON: Tom, look. Personally I have a lot of sympathy with where you're coming from. I get it completely. But the challenge that I think we face is for all of us collectively is the perceived integrity of the policy development process, which is something we've worked really hard to persuade the broader ICANN community and others that it works and does the right thing and does the right job. Now the challenge for me is if we at this stage at the council level, not at the working group level make these points the basis on which we vote these recommendations down, it's ugly. It doesn't look good at all.

Our opportunity to make the modifications you suggest and propose, which I have personally great sympathy with, we should have done and should always do at the working group level. That's the dilemma. I've

got a lot of sympathy with you but I've got a job as GNSO council chair to manage the integrity of the policy development process.

All of us have been extremely focused on new gTLDs. This is an extremely time consuming issue that in many ways is a sideshow for most of us in our businesses yet. So it's a real challenge and that's why I think the hat I'm wearing is much more defending the integrity and perceived integrity of the policy development process and the optics of this issue more generally in the community.

It's on that basis that I'm arguing rather than any lack of knowledge or sympathy or understanding for the points that you and John Berryhill and others are making.

KEITH DRAZEK: Thanks Jonathan. Jordan, John, Volker.

JORDAN BUCHANAN: I mostly wanted to echo what Jonathan's saying. Over the last year or so we've seen sort of incredibly important threats to the functioning of the bottom-up process. We see staff going off and just sort of deciding that they can't wait for the community to decide things, so they're just going to do it themselves. At the end of the day, given all the pressure that we put on them to get things done as well, there's no other reasonable thing for them to do if we don't have a functioning bottom up policy development process. We have to show that the policy development process works.

Just today in our meeting with the board we said," Hey board. Look the PDP works. We have this IGO, INGO thing." This is what we're using to advertise the fact that we can get stuff done ourselves rather than having the staff just go off and decide whatever they're going to do and having Fadi set up strategy panels that are going to reshape ICANN.

The question is: is getting this exactly right on this particular policy question on the merits more important than having a win in terms of being able to show that the PDP works? I think, for me, it's obvious to me that having something that we can use in exemplar for the fact that we can get our act together as a community is way more important than whether the exact implementation details are going to get right and which exact strings are going to get in here. At the end of the day we're going to look back and say the IGO, INGO thing was not a big deal for our businesses but whether ICANN works or not is incredibly, fundamentally important for all of us.

KEITH DRAZEK: Thanks, Jordan. I've got John, Volker, Jeff and Yoav.

JOHN BERRYHILL: I'm just at a loss to understand then having a GNSO Council vote is not part of the process is the way I understand it. I don't understand if the process terminates in a GNSO Council vote and that's part of the process, I don't understand why there is this compelling need for the GNSO just to rubber stamp things because I would assume that in the overall design of the process that is a safety valve for, as Jeff said, a working group that didn't have proper input, ran off the rails, whatever.

You admit that the working group did not function correctly. We either have a vote or we don't have a vote. If we don't have a vote, then let's just take that out of the process.

JEFF NEUMAN: I think the working group worked amazing. The amount of participants in that group. There were like 40-something participants. They met once a week, every week for the past year. They've had 38 calls since the last ICANN meeting in Durban. I mean, just incredible amounts of work.

The only part that didn't work –and I'm sorry to be a little blunt here – is that we didn't have representatives from the registrars. That's it. I think the process worked extremely well. I wasn't on the working group. But from what I observed as the council liaison to the group, it worked really, really, really well.

Other than the registrars not being there, which is not something the working group could have controlled, everything was done right. The council really is not a legislative body, shouldn't be a legislative body. It shouldn't substitute it's view for the view of the working group. We all agreed upon that when we set up this model. We've argued that before in other motions in previous years from the non-contracted parties.

This has been consistent. For us to now just say no because we don't like it and there were no problems in the working group I just think as Jordan said, that's part of the fundamental ICANN model. The registries are going to vote yes. The registrars can do what they want. We're not going to tell you what to do. Our point is that probably think a little bit more about the ICANN model.

KEITH DRAZEK: Thanks Jeff. Obviously this is something we wanted to talk to ya'll about as the contracted party house at least to kick this around. I've got Volker and then Jeff and then Yoav.

VOLKER GREIMANN: Yes, Volker Greimann speaking. I just wanted to support Jonathan and Jordan that politics of this are important. As registrars we have in a way failed this working group by not participating in it actively. That is something that we have to live with.

                       We have the option to look at the result of the working group and as the working group was not able to come to consensus on some parts of the issues that are dear at heart for many registrars to evaluate these situations. But we should not block the motion in its entirety for something where we would have had the input to block it earlier on the council level.

                       We need to participate more in working groups. That's maybe the consensus of what I'm trying to say if we want to have a voice within ICANN. We should not use a vote in the council to block something that we do not like and that we could have prevented in the working group. That's the wrong level. As the council we need to show that we're efficient working within ICANN upholding the process. That's our job.

KEITH DRAZEK: Thanks, Volker. So Jeff then Yoav.

JEFF NEUMAN: Yes, thanks. Actually Volker stole some of my thunder. I completely agree with him. The registrars did not participate and shame on us for not going through. But I agree. I think that there are certain things to take stands on that are crucially important.

I think that if everyone just takes a step back and look. Is this more critical than the GNSO process and that people have faith in it? I would rather go say, "Listen, it might not be perfect. It's okay."

I personally think in the grand scheme of things. I think Jordan said it. We'll look back in a certain amount of time and be like holy crap. We wasted all this time and effort on this issue and it wasn't. Just my personal opinion.

But that being said I think that the process in general and having faith in the PDP and in the process is more important than I think the issues are at hand. I think as far as taking stands this is not one worth taking a stand over for it. I think it's just lick our wounds for not helping out and just move on to the next one.

KEITH DRAZEK: Okay, Volker go ahead.

VOLKER GREIMANN: I think issues are worth taking a stand for but in the right place. In the working group. If we want to take a stand on certain issues then we need to participate in the working groups better and more and take a stand there. Taking the stand on the council level for an issue where we

could have taken a stand at an earlier place but didn't, that's torpedoing the work of a working group and that's not what the council should do.

KEITH DRAZEK: Thanks, Volker. Yoav, you good?

YOAV KEREN: I just want to say that it looks to me that even if we've had someone in the working group we would still be in a minority and that would still be the position. Looks like it wouldn't change the result and would probably get to the same point and with the need to decide whether we vote for it or not. Just my own opinion.

VOLKER GREIMANN: The main points that we are arguing about are the points that in the working group did not achieve consensus but did achieve strong support with significant opposition if I remember correctly. So had the registrars voted in the negative in the working group, then it would have been even less support and more opposition. Therefore, maybe the recommendations wouldn't even have turned out this way.

KEITH DRAZEK: Thanks Volker. Thanks Yoav. Matt go ahead.

MATT: Thanks, Keith. Just real quick I just want to agree with Jeff and Volker. I just think it sends the wrong message for us to not participate in the process and then at the end of the day vote it down. I'd encourage us to

stick with the plan that the registries have in place and support you guys in that. Thanks.

KEITH DRAZEK: Tom, go ahead and then we probably need to wrap this one up.

TOM BARRETT: We recently updated our bylaws in the registrar stakeholder group. So even if there were full involvement in this working group the stakeholder group are entitled to instruct their councils on how to vote regardless of their input into the stakeholder group. They basically have to come back to the group and ask us how we want to vote on these motions.

KEITH DRAZEK: Thanks, Tom. Any last thoughts on this before we move on. We're already over time. Matt, did you have anything else to add?

[MATT MCCLURE]:   Just to be clear, I don't believe that those bylaws that we passed in our stakeholders group are actually effective right now. I think there's still a question about the next steps and how we go about getting those approved, finalized and in place.

KEITH DRAZEK: Volker?

VOLKER GREIMANN: While that is true, as counselor I would feel honor bound that the policies that we have voted on should be followed even if they're not quite implemented yet. However, as a counselor cognizant of the duty of the council and our duty to the community I would urge the constituency not to give us a vote that would substantially have the impact of damaging the ICANN process in the public view.

KEITH DRAZEK: Thanks everybody. We are already 20 minutes past the scheduled end of the registrar stakeholder group meeting. But we also have our colleagues from IBM and Deloitte I think on the Trademark Clearinghouse here. I would like for those that can stick around for another 10, 15, 20 minutes take this opportunity to thank them for joining us and to engage in some dialogue. Questions, any updates, anything like that. If you all would like to come up. Thank you.

[KEITH DRAZEK]   Why don't we go ahead and get started before we lose anymore folks out of the room. I guess what I would offer is the floor to you all to give any sort of brief updates or remarks or anything that you think is relevant or meaningful in terms of new information and then we can open it up for a dialogue.

UNIDENTIFIED MALE: We will do that. First of all thank you very much for inviting us here. We have a couple of representatives from Deloitte. Myself, [inaudible], Vicki [inaudible] from Deloitte and then we have Francis [inaudible] and Lynn from IBM.

I'd like to mainly have more of an open session with questions if you have them. I can spend a couple minutes in sharing some information. I think not that much new information and we obviously will have a session tomorrow where we can share more statistics and we will actually do that. Thanks for inviting us anyhow. It's been a great journey up until now. A long journey with a lot of changes. The Plus 50 and all of the implementation that we had to do around that.

I think we're definitely at the situation right now where everything that was required has been implemented, which is a slightly different story when I went the last time when we presented in your session. We have around 17,000 trademarks in the database right now. Those 17,000 represent just around 30,000 labels.

As you know that there are certain trademarks with special characters that could result in multiple labels. There are quite a number of trademarks that have spaces in them and that's why those create quite some labels.

On the IDN side we still see a slow uptake but we've definitely been working hard in the last two months to also promote in those regions. Especially in China. We're now having a couple agents that are very active and that are wanting to promote. We're having our first events in Japan. Next week we will be in Japan.

We're finally starting to get some traction in the Middle East. We will be in Dubai in December but we're still struggling finding local agents that are willing to represent the clearinghouse. But based on my information, some of the registries are also having difficulties finding

local registrars. I think it's more of a regional problem than only our problem.

For some reason – and we'll try to explain it in more detail tomorrow – there still seems to be some confusion on the pricing. Obviously there is a pricing on our side, on the Deloitte side and there is a pricing on the IBM side. The $150 US dollars or below is on the Deloitte side is on the front end of the Trademark Clearinghouse which is for the trademark agents and holders. The $5000 US dollar is the registry fee which is on the Trademark Database side, which is owned by ICANN and operated by IBM.

IBM will go in a little more detail on the pricing model tomorrow. But if there are any questions I'm sure that they can also answer them now. We have around 165 clearinghouse agents. So there are still agents extra. It was a little bit slow a couple of weeks ago but in the last two or three weeks we've had around I think 10 or 15 agents extra. So definitely I think there are quite a number of agents that are willing to invest in getting some things up and running.

We're starting to work a lot with those agents to promote the Trademark Clearinghouse to help them promote the Trademark Clearinghouse. But we're also starting to work a lot with the registries and would also have been having a lot of discussions this week in some launch programs that we would like to assist in. Perhaps a couple of registry activities that we have started off this week will be discussed with us.

UNIDENTIFIED FEMALE: The idea we – first of all, in the beginning and when we started the early bird Sunrise before any Sunrise was happening and we had open registration we said that it could take up to 20 days to verify a trademark record and another 14 days for proof of use. Please note that we've already changed that to a turnaround of about seven days now. We are looking into the fact that definitely for some registries it's interesting to have if Sunrise is ending that they would have a fast track process so that when trademark holders would want to at least want to register with the Trademark Clearinghouse for the benefit of that registry TLD that they would be processed more quickly than the other ones.

But we are already currently changing turning around on seven days and we're ramping up as well as we go. The number is going up as well from our side.

UNIDENTIFIED MALE: We're definitely interested in understanding from the registries how they will shape their Sunrise so we can see how we need to organize ourselves to react swiftly to their demands and make sure that we can also help you have a good Sunrise. We have a central page currently on the clearinghouse where you can actually if you provide us the information you can upload all the information regarding your TLD but obviously especially around your Sunrise. I have the URL here. It's sunrise.clearinghouse.org then it jumps to the page on their website.

We also have been approached by a number of TLDs, especially gTLDs, which presented their launch program and it seems that they are thinking of having quite a number of different periods in there. I was

trying to grasp also what's coming our way there. On the other hand, there are also registrars that came to us that were looking for information around that because they also need to change their systems to be able to adapt that. Some of them were complaining about it, but anyhow I think that we can definitely in the story also be a catalyst of bringing info streams together so that both parties know what is coming their way.

UNIDENTIFIED FEMALE: As [inaudible] explained, we have adjusted our website to have the information on the launches of the Sunrise. We also will have a page where the registries can put their information on there if you want. Secondly, for those of you that are interested we do want to invite you to participate in our webinars too, our trademark holders and agents so that you can also market your TLD before the actual launch of any Sunrise. At least there's awareness being created that people know what's going on. We do invite the registries for that.

UNIDENTIFIED MALE: Bottom line, I think we're here to help you to work with you. A lot of you have come to our booth, asked for a meeting and we've had a lot of productive discussions already this week. For the ones who haven't, feel free to contact us and see how we can help you with promotion with organizing Sunrise to the extent that it's possible. That's a little bit the message that we have.

UNIDENTIFIED MALE:	One more remark from IBM. We would also be interested to receive some feedback if currently the information provided how to get connected, how you can set it up, what kind of testing you have to do, how the testing certificate has to be obtained.

On one hand we see still quite a lot of questions. Especially this week. We received quite a few questions on this. On the other hand we have seen that the participation in the webinars which we have been organizing is really slowing down. So any feedback that you want to provide on how you would prefer to receive information or how we should make it available would also be very useful for us so that we could make sure that everyone is knowledgeable about the different processes to follow. Obviously we will also come back to some [inaudible] on that during the presentation tomorrow afternoon.

KEITH DRAZEK:	Are there still any questions? Thank you all very much. Appreciate the update. Any questions, comments, inquiries for Trademark Clearinghouse colleagues? No one. Okay, then I think our slightly extended – oh, Volker wants to say something.

VOLKER GREIMANN:	Switching my hat from a registrar to a trademark agent at the moment we found that the current practice of only allowing one update to any database entry to be very disadvantageous for us as agents and we would like to encourage Trademark Clearinghouse to allow at least one further update to take into account spelling errors, mistakes by

customers. Even if such updates would be paid for, this would be preferential to having to enter an entire new entry request.

UNIDENTIFIED MALE: Point taken. I think we're still trying to work as much as we can on helping you get correct records in. I think in some instances we've just seen that some people or some parties have really difficulties getting in correct things. I'm not talking about one or two times but five, six reiterations on the same record. I think that's why we gave the message like we're only going to do it once. If it is really an issue on a record or something I think that if it's on an exceptional basis we will do our best to help you.

But I also can tell you after 165 – on the agent side it's still quite okay. On the holder side it is sometimes really dramatic. The type of errors are so basic that you sometimes wonder whether they even read what they put in there.

UNIDENTIFIED MALE: Maybe one further addition. One case I'm not quite certain of the details but just to illustrate my point that has been described to me by our processors was that the customer had when copying the data into the necessary fields that then caused the upload to the Trademark Clearinghouse ignored page break and therefore the goods and services categories were not quite exactly as the goods and services categories in the trademark register.

Therefore, it was denied and we had to enter that again. Then later the customer came with a certification of use that he needs for a Sunrise

registration and that was not possible anymore because the one update attempt had already been used for the update of the error. That clearly is a very problematic position for the trademark holder because now he holds an entry that he cannot use for a Sunrise process.

Therefore, I would like to see a modification to the rules that further updates are possible even though that might cost additional fees.

UNIDENTIFIED FEMALE: We'll definitely take a look at that. Did you file a request at the customer support for those specific cases? Because normally our customer support they really try to help out as much as can. We pulled the trademark record and the proof of use also separate so even if your trademark record is verified you can still add proof of use at a later time and also we've done a lot of modifications the last two months to really focus on making the process even more smooth.

UNIDENTIFIED MALE: The case that I was talking about happened last week and the response we got for our request for further upload of the information was to file a dispute.

UNIDENTIFIED FEMALE: We'll look into it.

KEITH DRAZEK:	Thanks. Any last questions then? I guess we can wrap it up and thank you all very much for participating and for your patience in waiting for us to get started.
UNIDENTIFIED MALE:	Next Registrar Stakeholder group meeting will be held in Singapore where we'll all probably be sweating like pigs. See you all then.
UNIDENTIFIED MALE:	Haven't we been there before? Will that be kind of Déjà vu.
KEITH DRAZEK:	As long as the air conditioning works it won't be too bad. But for those of us who smoke the going outside for a cigarette is painful.
TIM COLE:	ICANN didn't have an office there last time.
KEITH DRAZEK:	Are you offering tours of your offices, Tim?
TIM COLE:	I have to see them first, but sure.

[END OF TRANSCRIPT]