

BUENOS AIRES – IAG-CCT Recommending metrics for new gTLDs
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ICANN – Buenos Aires, Argentina

MARGIE MILAM: Hello, everyone. This is Margie Milam, ICANN staff. Welcome to the Implementation Advisory Group for Competition, Consumer Trust, and Consumer Choice. We call it IAG-CCT. And Larissa and I spent a long time trying to figure out what the acronym should be for this group because it was so many names.

We have some people on the phone. Can you all hear us on the phone? I just want to see if the sound is good. You could reply with a chat or a check or something like that. Anybody? Oh, yeah. “We hear you.” Okay, perfect. You can hear us.

Okay. I think the way we can start first is to go around the table and introduce ourselves since some of us have never met and it’s our first time together. And remember, since we do have guests on the phone and we’re recording that we need to use our microphone. And whenever you speak if you can use your name before you speak, that would be perfect. Okay? So let’s start with Rudi.

RUDI VANSNICK: I’m Rudi Vansnick. I’m policy chair of NPOC and also a member of the ISOC board of trustees.

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.

CHRISTA TAYLOR: Christa Taylor, no affiliations.

EVAN LEIBOVITCH: Evan Leibovitch, vice chair of ALAC and president of Internet Society Canada.

REG LEVY: Reg Levy. I work for Minds + Machines, and we are an applicant for new gTLDs. I'm also treasurer elect of the NTAG board, which is the New TLD Applicant Group, a subsidiary to the Registry Stakeholder Group, which is a subsidiary to the GNSO.

JEREMY ROWLEY: I'm Jeremy Rowley, and I am with DigiCert. We're a certificate authority, and that's my only affiliation.

STEVE DELBIANCO: I'm Steve DelBianco with NetChoice and also in the Business Constituency.

JONATHAN ZUCK: Jonathan Zuck with the Association for Competitive Technology, also in the IPC and I guess also an alum of the first phase of this illustrious process.

LARISA GURNICK: Larisa Gurnick, ICANN staff.

DAVID STUCKMAN: I'm David Stuckman. I'm from Kansas. I'm a member of PBUS.

SANTIAGO RODRIGUEZ: I'm Santiago Rodriguez from Colombia, and I currently have no affiliation to any ICANN-related business.

MASON COLE: I'm Mason Cole with Donuts. We're a TLD applicant. As of about 30 minutes ago, I'm the former vice chair of the GNSO Council.

JUDY SONG-MARSHALL: I'm Judy Song-Marshall with Neustar. Actually, I need to find out if I'm here in my personal capacity or not because I just joined the Business Constituency and I was formerly with the Registry Constituency.

MARGIE MILAM: And then on the phone I think we can see the names actually in the Adobe Connect Room, so I think we'll go ahead and get started.

We've got about two hours scheduled for today's call. I don't know if we need all two hours. We'll see how far we get in the materials and whether we need the entire time, but I thought we would start by an overview of why we're here and to provide some background. We've got some speakers here that will walk you through some of the history up until today. You have a question? Okay. Hold on a second.

Okay, so essentially the reason this group is together is to take a look at the metrics to be collected by ICANN in preparation for a future Affirmation Review of the New gTLD Program. So what we hope to accomplish today is to really give you a background. And we're fortunate that some of our speakers were in the prior groups that developed some of these recommendations so that you'll have a better sense for what the work is as we go forward.

Essentially, the work originated from a Board request, oh gosh, it must be what? Two years almost?

UNIDENTIFIED MALE: Cartagena.

MARGIE MILAM: Yeah, two years ago because as we had this obligation in the Affirmation of Commitments, it wasn't really clear how ICANN would develop the metrics to evaluate the New gTLD Program. And so there was a set of recommendations that came from a working group from the GNSO and then a separate effort on behalf of ALAC to identify definitions and metrics that could be used to evaluate the New gTLD Program.

And since the Board action that took place, I guess it was Durban just recently, the Board asked staff to also do some independent analysis of the proposed metrics to help this group understand what the complexity is with actually implementing some of these metrics and the costs associated with that. And that's what we'll talk about a little bit today as we work through the slides.

And so then the other thing we'll talk about at the end is how we plan to organize this group and what the logistics are going to be going forward after the meeting in Buenos Aires.

And so as I mentioned, we did this call for volunteers in September, and we have 40 volunteers in this group, which is fantastic. I mean, as some of you are veterans of the GNSO working groups, it's actually unusual to have such a wide interest in this group but it's great. I think it reflects a lot of different viewpoints, and one of the things we'll talk about later is logistics and how we can manage such a large group and such a large number of metrics.

We had our first call November 7 that some of you were on just to introduce ourselves. And then going forward after Buenos Aires, we plan to schedule the first call sometime in mid-December or January. With the holiday season sometimes it's a little difficult, but we can talk about that at the end of our session today to also find a path going forward on a regular basis how often we want to meet and when we want to meet so that we can plan our work ahead of us.

And so as I mentioned – this is kind of a goofy slide. Let's see. Per the Board resolution, the mandate of the group is take a look at the metrics that have been proposed – there are approximately 70 of them, so it's quite a large number of metrics – to make a recommendation on which ones ICANN should implement. And as part of that, as I mentioned, it will feed into the Affirmation Review that will examine the extent to which the expansion of New gTLDs has promoted competition, consumer choice, and consumer trust.

And so the Board resolution went a little bit deeper and wanted the group to evaluate the feasibility and the utility and cost-effectiveness of these metrics because actually implementing 70 metrics is going to be a pretty large feat. And so as the work of the group progresses, we want to take a look at the cost of implementing them, how feasible it is to gather them, and whether the results of that work will actually produce meaningful information that the Affirmation of Commitments Review Team can use to assess the New gTLD Program.

The other thing that the Board resolution called for was a suggestion that you need to look at other inputs. And so part of that is to look at what happened in prior rounds in, I guess, 2004. In the early 2000s, there were two other instances of where we had new TLDs actually authorized, and there was some analysis done back then to see if any of that was helpful and if any of those approaches were helpful. So we'll take a look at that as well.

And then as part of this effort because these recommendations came from the GNSO and from ALAC, we want to make sure that whatever comes out of this group can go back to those groups that made the original recommendations to make sure that they're okay with the set of metrics that come out of this work that the group is going to undertake.

And so as I mentioned, some of this will involve taking a look at staff analysis, and later on in the presentation I'll walk you through what we're doing on the staff side so you can see the kind of depth of analysis we're trying to do internally to make sure we provide you all with

sufficient information to be able to understand what it would take to implement each of those metrics.

And then once the work gets done after we've done the outreach, received the recommendations from this group, then it would go to the Board and the Board would decide, basically tell staff, "Go ahead and implement these metrics" and that would be essentially the final step.

So timeline, as I mentioned, we're in the kick-off phase of the group, and really what we want to accomplish in November-December is organize and plan and determine how we want to go about looking at each of these metrics.

January-May of next year is the analysis phase where the research will be done, the analysis, consultations with staff. And we hope to have our assessment of the metrics available for you to be able to take a look at what the staff perspective is on this.

And then towards the middle of next year, come up with the recommendations and publish them for public comment so that the recommendations can be finalized.

And with that, I'll pass it on to Steve DelBianco and Jonathan Zuck who can talk to you a little bit more about the perspectives. And Evan Leibovitch is also going to talk about the ALAC perspective on why these metrics were recommended in the first place.

STEVE DELBIANCO:

Thanks, Margie. And I was active on the working in the GNSO side that put this together, but we shouldn't just say it was a GNSO working

group. We had fabulous help from four very active members from ALAC who participated throughout the process and then went on to add several new metrics, which we'll explain in a minute. And Jonathan Zuck served as chair of the working group during our second six months, and Evan was a very active participant as well.

So the three of us are just going to try to tag team to take you through roughly a dozen slides describing the actual metrics reports, which I hope all of you had a chance to read. They're on the wiki. One is a report from the GNSO combined ALAC working group, and the other is an ALAC supplement to that. Next slide, please.

We start with two quick slides on the Affirmation of Commitments for good reason. We were very tightly disciplined about sticking to the Affirmation. We had a lot of confidence in the Affirmation of Commitments seeing the good work that it was able to achieve in the Accountability and Transparency review at the time. And when we got started, the WHOIS Review Team was getting going. So it was clear to us that these Affirmation Reviews turned out to provide pretty much the only way we can hold ICANN as an institution accountable to the users and registrants of the Internet.

So we were tight on that, and on the particular case in the red text is that the Affirmation – in the very beginning before it even gets to the reviews – the Affirmation mentions the phrase of promoting consumer trust, consumer choice, competition in the DNS marketplace. So it starts with that premise and then moves on – next slide please. To Section 9.3 of the Affirmation, which is the sections that require these reviews. And in the review, they've picked up that same phrase: “the extent to which

the introduction or expansion of gTLDs has promoted competition, consumer trust, and consumer choice.”

Now there’s another element there in the black text that goes on which is that this review must also evaluate the effectiveness of the application and evaluation process. Things like Digital Archery and safeguards that were put in place to mitigate issues that were involved in the introduction or expansion. This group is not going to be looking at that, since the Board charter – both the December 2010 and the current Board charter – only ask us to look at metrics associated with competition, consumer trust, and consumer choice.

But it’s worth noting that when the Affirmation Review Team convenes roughly, I guess, a year from now since new TLDs will go into operation in the next two months, then that team will have not only the metrics part on consumer trust, choice, and competition, but it will also have to look at the whole application and evaluation process.

So the first Board action on this – next slide – took place in December 2010 and that Board resolution, specifically they call it the Zuck resolution in honor of Jonathan Zuck because he had been one of the folks at the microphone at many ICANN meetings talking about the need to define and measure things so that we know whether we’re making progress. Do you want to add to that at all?

JONATHAN ZUCK:

You know, it’s interesting. There seems to be a little bit of a renaissance of the notion of metrics within ICANN of late, and there are several different initiatives that are going on. Barry and I involved in a new issue

related to use of metrics within PDPs and within working groups and how better to use data and gain access to data to make more informed decision making and also to measure success after the fact. And so that's an interesting thing that's happening in parallel, and we're going to try to be in that group informed by this process in some measure.

The other thing that happened that is one of those highly unsatisfying moments where you get to say, "I told you so" was the ATRT-2 team came out and said, "Wow, I wish we had had some" a year later. So there's now an effort that's being handled by a consulting firm called One [Global] Trust to build some organization metrics around accountability inside of transparency and accountability by ICANN. And so I think we'll have that process to look at as well.

I think one of the most frustrating things about this process is that each of these iterations means it's another year that we're not actually collecting data that could be used for purposes of evaluation down the road. It would be great if there was some way to choose five of the 70 and say, "Well, let's at least start collecting that data," but maybe there are some things. I know there are some systems that are out there in the market right now that are going to begin to track a number of different types of metrics that are interesting, and so maybe that won't be as big an issue.

But the real key here is to get to some data that can begin to be tracked early on so that there's a basis on which to do an analysis down the road. And that's what Bruce Tonkin was interested in when he did this resolution, and I think it's what we need to be focused on going forward is getting to a point where we're providing something useful for these

evaluation teams when they convene so they're not just spit-balling it after the fact.

STEVE DELBIANCO:

Add to that the timing is important too. The Zuck resolution that got this started was December 2010, and the reason to do it so far in advance of this delegation of new gTLDs and then the one year later. Why do it so soon? We have three primary reasons.

It really made sense that the definitions and measures of what would determine the success of the program would be useful for applicants and TLD operators to know about. To know about things that could end up affecting the evaluation, not of their particular TLD since that's not what's being evaluated. It's the whole program at large, not a single TLD. But it would be great to know in advance what those measures and metrics might be.

A second reason is that the systems necessary to capture some of the metrics would require development time, and that's obvious to all of us in the IT industry. So it wouldn't have been very good to start the process of defining metrics and then build the software only one year after new TLDs are in operation. You would never get it done.

The third good reason is that we had anticipated that several metrics would have a time comparison element to them where you might do a consumer survey to get a baseline prior to the introduction of new TLDs, and then a year later do another survey of similar characteristics so that we can measure change over time. That would have been a very useful

exercise. I'm not sure we can get things done fast enough for that, but it would be good to try certainly with respect to a couple of surveys.

And finally, there are some metrics that we had anticipated designing that would have trend in them, for instance, the percentage of UDRP complaints. The rate of UDRP complaints per number of domain registrations would be going down over time in the new gTLD space. Those would be great metrics. And to do that, you need to be able to measure them over time, and it would be crazy to give up an entire year where you didn't measure anything because we got started too late.

Does all that make sense? I'm glad to take questions during the walkthrough too. Great. So let's see the timeline so we know what happened. Next slide, please. I said earlier that this thing got started in 2010, and then the advice letters were actually delivered in late 2012. And then early 2013, the ALAC provided their supplement. And those fed into the Board who really didn't move very quickly. The Board sort of sat on that for a while until just a couple of months ago. And it turns out that the resolution that we're working on is in red there, the Implementation Advisory Group. So one year after delegation would put us somewhere in late 2014, maybe January 2015. So by that point, we've got to have our work done. So the little light blue bar on there is what we hope that staff can begin to do is to take the work out of this IAG even before we've finished. I mean, if there are things about which we're certain, the hope is that staff could get started quickly. I mentioned earlier the notion of a survey, a before and after survey. So as we prioritize our work later today, it might make sense for us to quickly run through the 70 or any others that you want to come up with

and figure out which ones we want to do right away so that work can begin.

UNIDENTIFIED MALE: If there's unanimity.

STEVE DELBIANCO: Sure. There would have to be consensus on that.

DAVID STUCKMAN: What do you consider a timeframe? Can you hear me? What do you consider the timeframe? Six weeks? Six months?

STEVE DELBIANCO: I'm not sure. Timeframe for what?

DAVID STUCKMAN: For what you're saying. Hurry up and get it started. Are you saying right away, like six weeks?

STEVE DELBIANCO: I think there would be more flexibility than that, but if early next year we did the before survey, if early next year we captured a few statistics about the environment before it becomes saturated with new gTLDs, that might be an appropriate time. So probably early next year if there's consensus. Make sense?

Alright, let's move past the timeline and get to the meat of it now. So the first was our definitions of before we got to the metrics. So in the definitions, we have two slides real quick for the definitions. The first one was the word "consumer," and that particular word meant to us both actual and potential users and registrants.

We stuck to the notion that ICANN only does two things. It manages registrations and resolutions. So the people that use resolutions we'll call users. The people that use registrations are primarily registrants. So we were able to say that the word consumer encompasses both Internet users today and tomorrow as well as registrants today and tomorrow.

So a registrant who is about to consider, "I wonder where I want to put my domain name. I'm about to start a business or start an org." They may actually benefit from having choice, competition amongst different appropriate TLDs. So as a registrant, they're both a potential registrant and then of course after they're registered, evaluation of the service they get from their registrar and the registry zone that serves them ends up being their actual experience. Evan, Jonathan, anything to add to the consumer definition?

EVAN LEIBOVITCH:

Hi. I guess early on the ALAC was trying to nail this down and deal with the issue of what is an end user and so on. In the time since, Fadi has sort of been talking about the end user being the bottom of the food chain rather than the registrant, and so that may help to drive things. But I don't think it really changes anything in what we're doing since this is fairly inclusive as it is.

UNIDENTIFIED MALE: I agree. This was something that we spent a lot of time discussing at the time and, I think, reached a good conclusion with it.

STEVE DELBIANCO: Consumer trust then is the first one. Let me pull it down. It's a little hard to read from back here. So consumer trust had a three-part definition. We said it was the confidence that consumers have in the DNS three ways:

- 1) their trust in the consistency of name resolution, which strikes me as rather technical that it would be impaired by things like cache poisoning where the consistency would be there or speed and accuracy.
- 2) confidence that a TLD registry operator was fulfilling their proposed purpose. And at the time, the word "proposed purpose" was known to be in the application so that we ended up picking that up in terms of question 18. We might have a different vocabulary if we were to start over. Confidence that the registry operator is fulfilling their proposed purpose and is complying with ICANN policies and applicable national laws, which is a really tricky one because the applicable national law depends on what legal regime covers the person who is complaining, where the registry is located, where the registrar is located. Question?

MARGIE MILAM: Christopher, you have a question? Do you want to speak?

STEVE DELBIANCO: Thank you for that. Take note, and that will be one of the things we'll work through as a working group once we start on that. Mason?

MASON COLE: So on number two, will you define adherence to the promise of the TLD application according to what you said what's put in question 18?

STEVE DELBIANCO: At the time, the word "proposed purpose" was question 18, but that is the idea. What it is that a registry operators value proposition was to the community it serves, which is users and registrants. If they relied on that value proposition when they decided to put their domain name in that registry and put the name on their trucks and their business cards, to what extent do they have confidence that that promise has been fulfilled by the registry.

MASON COLE: So like in the instance of, say, a closed registry or a brand registry that's just going to have one name in there, how does that apply?

STEVE DELBIANCO: It's a great question, and you were part of the conversation in the working group that worked this out. We ended up having so many metrics because they...

MASON COLE: [No, I wasn't.]

STEVE DELBIANCO: Mason, weren't you on a few of the calls near the end? One call. Sorry. So Jeff Neuman, a colleague of Judy's, was one of the GNSO members who wanted us to recognize this distinction between closed versus open, brand and non-brand. So we have brand and generic, closed and open. And you'll see in the GNSO report there's an entire page discussing that referring to the closed and open specifications in the registry agreement because some metrics do apply to all TLDs even brands and closed and some metrics apply only to, say, a closed generic or an open generic. So the distinction was captured. I thought it was a softball question and you already knew the answer. Read the GNSO report, please, before we start our in-depth work because many things like that are already covered. Got it.

3) The third element there was confidence in ICANN's compliance function. This was a very important part to us in that it's not just the operators themselves but how good was ICANN going to be able to show all of us that they could handle this many concurrent contracted parties and the complexity of the new TLD space. Anything to add on that?

UNIDENTIFIED MALE: I mean, obviously, this is something that they're working on quite a bit inside of compliance as well, and so there's an intention that some of the metrics that come out of this will in fact be taken up by the compliance department itself. And so this process is meant to feed into

Maggie's process of operational excellence as well to adopt some of these metrics.

One of the other interesting things about this particular. It's interesting looking back on work that began two years ago because the trust and consistency of name resolution if it were to come up today might also involve things like domain collisions and things as well. So the conversation around this once that part of the conversation begins may end up having fresh ideas in it that are different than we had two years ago.

STEVE DELBIANCO:

Ray?

RAY FASSETT:

Hi. Thanks, Steve. Just to get a perspective here that the heading of this slide is Advice on Definitions, and I appreciate you going through this. Is the idea here you're providing advice to our group on what these definitions should be?

STEVE DELBIANCO:

Remember, the original mandate was for the different ACs to provide advice to ICANN, so that's why all this is phrased as advice. This is a report on what we did in the first phase of this, and the end goal of that was to in fact provide advice, so that's why that vocabulary is used now.

RAY FASSETT: Oh, that's a good clarification. Thanks. But as we go through our work, it could still be open-ended. We may want to go back and look at these definitions in the context of whatever metric it is or whatever purpose it is we're looking at that metric. Is that fair enough?

STEVE DELBIANCO: Yeah. This isn't the metrics. This is the definitions because the Board resolution asked us to do three things: definitions for those three key terms, metrics associated with them, and three-year targets, which we'll get to in a minute. So we provided advice. The advice went out for public comment and that advice was received by and accepted by the Board. It isn't policy, right? But it was formally ratified advice by the community, so we want to treat it respectfully since it has been through that process. But we have our own process here, and if we end up refining and improving either the definitions and/or the metrics, it's going to go through another public comment period as well.

JONATHAN ZUCK: And they've now added the part about analyzing the previous delegations to see if they had a measurable impact on these three categories as well. That's a new part of our mandate in this group.

STEVE DELBIANCO: Alright. The next slide then gets to consumer choice and competition. Now these definitions are on the same page because, frankly, it was hard for us to separate the two. Choice and competition are really two sides of the same coin. So what our group did was to draw a distinction.

And if you think of it this way, it's more like the supplier side is where competition would occur, but choice is in the eyes of the registrant and user. We tried to put yourself in the position of a consumer. You're a potential registrant making a choice on where to put your domain name, where to set up your business. Then you have choices as a consumer. And we already defined consumer as actual and potential registrants and/or users.

So a potential registrant would want to have choice. He might get that choice among two or three different TLDs that are appropriate for a bicycle shop. I could go to .bike, .biz, .com. So I have choices that are appropriate for a bicycle shop to register a domain name. It may be that all three are run by Donuts, so there's no competition involved. They could all be run by the same backend and TLD operator, but it's still choice because of the semantic value of the TLD.

I'm trying to draw the distinction between choice and competition because when it comes to competition, it's a little bit different. You see what's there. It's the quantity, diversity, and the potential for market rivalry of the gTLDs, the registry operators, and registrars.

UNIDENTIFIED MALE: Proposed purpose might be another element of choice as well even if they're managed by the same.

STEVE DELBIANCO: That's right. I mean, like if one provider ran .bike, .com, and .sport, I might have a different value proposition associated with each of them. It's not just that they're different semantics. That's a great point.

So to reiterate, consumer choice then was the range of options available to a consumer – that is users and registrants – for scripts and languages. We really wanted to be attentive to the idea of different languages and non-Latin scripts known as IDNs. And for TLDs that have choices about their purpose and the integrity of their domain name registrants.

So a bank, let's suppose I'm a consumer now. I'm a user, not a registrant. I'm a user and I want to do my banking. And I guess I could choose between a bank that is in .bank, which is presumably a closed space, or I could choose to use have a bank that's still using a .com domain name. And that might be a choice that I would do if I could rely upon the integrity of the greater integrity promise associated with something like a .bank if that's the way it goes. Evan?

EVAN LEIBOVITCH:

Yeah. One thing also that's worth mentioning in this is that this was all done pre-PIC, and so a significant aspect of this – and when you talk about, say, in a .bank – has it made a public interest commitment that is different from .finance or whatever? And that was done after the first phase was done. So maybe one of the things we need to do is consider the post-PIC world of how this is also done. So I think that also affects the stuff we've been working with as well.

UNIDENTIFIED MALE:

Proposed purpose with teeth.

STEVE DELBIANCO: Yeah, exactly. I take a question on that. Ray?

RAY FASSETT: Real quick, I appreciate the context. On the consumer choice one, when we think about consumers as Internet users and of course how many hundreds of millions are doing Google searches, when you were considering consumer choice on TLDs were you also looking at Google produces search results and a user may look at the URLs and decide? Did you look at it from that perspective at all?

STEVE DELBIANCO: The example I just gave is exactly that. If I was looking up a bike shop and the search results – you said Google, it could be any search engine – if the search results continue to show the URL (they may not) but if they show the URL and I relied upon the .bike URL because of TV commercials or great marketing and branding, then I might rely on that when I click on it. So that's a user choice, not a registrant. Evan?

EVAN LEIBOVITCH: And once we get to the supplemental ALAC stuff, I think you'll also see that we tried to see things in a broader sense of do you use the DNS as a whole, or do you use search engines or other ways to get to data. So when we get to the ALAC metrics, you'll see maybe a slightly broader view of things.

UNIDENTIFIED MALE: Christopher, do you have a question? And Eric?

STEVE DELBIANCO: Then you ought to be happy to see the competition definition includes both registry operators and registrars. Do you have visibility of the slides where you are? When we get to the metrics themselves, let's do a quick count and see how well we've distributed them between registrars and registries. I don't remember the exact number. Was there another question? Eric?

UNIDENTIFIED MALE: Do you have a question, Eric?

STEVE DELBIANCO: Alright. Let me move on to the next slide and get to metrics themselves. Didn't hear. Barry, what have you got?

BARRY COBB: Hi. This is Barry Cobb with policy team. I definitely helped the group that Steve had mentioned earlier in producing this advice letter, and since we kicked it up to the ICANN Board we haven't really been involved so forgive my ignorance.

But I think one thing that's pretty important about the definitions, I actually kind of consider it probably the more important work that came out of our group because none of those definitions existed for those terms at all. And something that we had talked about quite a bit in the working group was really trying to get these definitions out to the community as soon as possible.

And I think Christopher kind of brought up a good idea or at least a possibility to consider, especially with trust. It only mentions registries. Perhaps it maybe does need to mention registrars. I'm trying to recollect. I think we talked about that, and maybe we even made a conscious decision to not put registrars in there.

But my point is what I maybe hope that this group will do is once the definitions are reconfirmed in this group if it is part of your charter or not. I'm not 100% sure. Let's try to put a bow on them and get them out to the community so that they can be well-baked out in the community even though while you're working on the definitions. I think it's very important that these definitions become very familiar to everybody in the community as soon as possible.

And the only other thing that I'll state is within the report that obviously these slides can't produce there's a series of notes that support those definitions that are also very important to take into context. So it's very important, I guess, to really read the fine print to those to get the full compass for that. Thank you.

STEVE DELBIANCO:

Thanks, Barry. It's interesting that if those of you look at the metrics yet, there's a whole series under consumer trust. In 1.6-1.12 this the GNSO series, and then you'll see the ALAC series as well.

UNIDENTIFIED FEMALE:

I wanted to read Eric's question since he couldn't speak. He says, "Steve, we didn't report anything useful out of the high security TLD

working group where I tried to get the notion that banking is more than just WHOIS correctness. What exactly are you referring to here?"

STEVE DELBIANCO:

Thanks, Eric. I used an example of a bank as an example of a TLD applicant who had proposed or had promised in its PIC spec. This is a theoretical example, alright? So this is not tied into the HSTLD in any way at all.

But if an applicant for .bank proposed to run it as closed and proposed to certify that only charter financial institutions were there and did so on the basis of promising a value proposition to registrants and users, well then that's the value proposition you would want to measure in terms of did the consumers have confidence in that.

So as a theoretical matter, that's true. And I think you're well aware that many of the 1,400 TLDs do have a value proposition, and many of them do propose to run for a closed community or a closed group of professional or certified or licensed individuals.

EVAN LEIBOVITCH:

And in fact I believe the GAC is trying to recommend that practically every applicant have some kind of PIC behind them that describes what they are that gives something that might be enforceable. And in the case of something like a TLD involving financial services or something things like that, it would be a tougher PIC than something that was more of a generic.

STEVE DELBIANCO:

Now to Barry's point, when you look at the metrics whether the word registrar was in the definition or not turned out that we put registrars in the actual metrics. Metric 1.7 was the relative incidence of breach notices issued to registrars. Relative incidence of combined UDRP and URS complaints against registrants, involving registrars. There are metrics in here for intellectual property claims, registry restrictions, dispute resolutions procedures, so that there are plenty of metrics that apply to either of the contract parties, the registrars or the registries. But we should probably save that for the metrics discussion.

So on metrics now, this is just a high-level look. There are 23 in here from ALAC with respect to trust and benefits. Evan can discuss a little bit more detail later on. There are 11 on competition. I can't read from here. What does it say? 14 for consumer trust?

UNIDENTIFIED MALE:

14 for consumer choice and 22 for consumer trust.

STEVE DELBIANCO:

And 22 more for consumer trust. And if the ALAC's metrics are more like trust than they are like choice or competition, it means we have a really robust set of candidate metrics in the trust area, being that there's 22 there plus the 23 from ALAC.

Alright. So now I wanted to show you a little bit about a sample page. Next slide, please. This is a sample page from the GNSO report, and the ALAC used a very similar format for the supplement that they provided. So what you see here is we defined for each metric. It would be under the definition, so this happens to be under trust.

We indicated a source, anticipated difficulties – and Barry Cobb provided on the staff side a lot of help with this trying to anticipate if something was going to be very challenging to collect. We wanted to think that through and give that recognition. That may end up affecting which metrics are used and which are not, but it also might stimulate creativity of determining an easier, cheaper, faster way to get the data.

Now that final column there is also a reflection of the Board resolution that said no only definitions in the metrics but a three-year target. And I don't know much about the thinking behind why the target came in there. Do you recall?

JONATHAN ZUCK:

Part of that original Board resolution talked about advice on targets, and I think that's part of the key to managing these metrics to some extent. And part of the clarification around this that took place during it is that it wasn't about an individual TLD managing to a particular metric but just providing some mechanism for looking at the overall macro impact of the TLD on trust, competition, and choice.

And so I think that was why you wanted to set some targets in there so you could get at a sense of how you had done relative to how you had hoped to do. And there were many where we decided that we couldn't necessarily set a target as well, so sometimes that column is either vague or empty but we just did our best. And I think we were very comprehensive in trying to select these metrics, I guess, looking back at your graph slide.

I think what we need to do is instead of working brainstorming out we're going to need to look at budget in and really try to figure out what can be accomplished efficiently by the staff because I think this has the potential to be a really powerful tool that we're engaged in here.

STEVE DELBIANCO:

Thanks. And so there are three things that I wanted to point out on this slide. This is just a sample of three rows of the 50 rows that were in the GNSO report. So these are three metrics. They happen to live under consumer trust.

And all three of them start with the word "relative incidence." And I wanted to explain what that's about is that being programmers and engineers on our group, we knew that you couldn't simply measure the raw total of breach incidents and compare the new gTLD space against the legacy space. There's going to be 1,400 new gTLDs. I don't know how many will be in operation one year out, how many will be up and running, but you're really going to compare apples and oranges if you just use raw data.

So whenever possible, we indicated a relative basis. And the relative basis could be the rate of incidents per registration. So let's suppose that there was one UDRP per thousand registrations per month. That would be a relative rate, and then you could compare that in the legacy space gTLD space to the new space. Normalizing it, making things normalized so that they could be more easily compared relatively.

Sometimes we would set three-year targets where it was obvious that what you wanted to measure was the progress over time. So it wasn't always comparing the new gTLD space to the old. Sometimes it was to say that with respect to the new space that over several months there should be a significant decline.

You'll see this when we get to the defensive registration metrics and that over time we should see a lot more registrants come in than just those in the sunrise whose primary motivation may have been defensive registrations. Why do a snapshot the day after sunrise. Let's snap it several months or a year later so we can understand that over time there was a significant decline in the relative proportion of sunrise registrations to the total registrations.

JONATHAN ZUCK:

Sometimes the target wasn't a number but was a trend and looking at whether or not things seemed to be moving in the right direction.

STEVE DELBIANCO:

This page gives you a flavor for what's in the GNSO and the ALAC advice letters, so I commend all of you to give a chance to read that before we begin to modify them dramatically. It's just a baseline to show where we started with a public comments supported community process. Next slide, please.

So what I have here is a couple of slides on metrics. Again, with so many metrics, the work of this group will be to dive into them in detail. It wasn't productive at this point to go through every single one of them. I

think that staff will lead us through a tool they have that's going to make that job easier for all of us.

But here under consumer trust, I did want to point out there are five or six, I think I've got seven examples on here. I've repeated the definition on here: fulfilling their stated promise and complying with laws.

So for example, there are metrics in there on uptime. No surprise at all. Service level agreement metrics. There's going to be survey metrics on the consumer trust perceptions both after the fact of expansion or potentially after the fact of expansion looking back and saying what they thought of the world before the expansion. Better case if we could do a survey before and after and compare the results.

It was easy in the compliance area to dive in and say, "Let's do metrics on contract breaches and policy breach notices of all the different flavors of breach notices, first notices all the way through findings."

Cases like UDRP and URS cases and then legal decisions that are made against a registrant in a space could be a reflection that that space is somehow fostering more illegal activity than other spaces. And so it was useful to compare that on a relative incidence, maybe per thousand domain registrations, in the new space versus the old.

Law enforcement actions and legal actions, again, that involve TLDs. Spam, fraud, and malware, and we have quite a few metrics in there on that, but as you'll see from Evan's list from the ALAC they expanded those significantly.

And then remember question 18, Mason? The last one on this page of actual policies versus proposed mission is a metric, but we would

expand that to cover Public Interest Commitments (PIC), not just proposed. Because actually it turned out that question 18 was not an enforceable part anyway, which is one of the reasons that led to these things being moved into their contract as part of the public interest commitment. So references to question 18 of the application probably don't belong in here anymore.

Alright. Any question here? Barry?

BARRY COBB:

Just to pick up on how you started the slide basically repeating the definition, and the reason why we did that especially for the presentation is we felt it was very important that when you're looking at any one metric that you're always referencing the definition by which it's associated to because it was very easy to take that metric out of context. So you always needed a reference back to the definition to make sure what we were discussing was in the right realm of scope for that particular metric.

STEVE DELBIANCO:

Alright. Next slide, please. We'll get on to choice. Again, we repeated the definition just like Barry indicated. And under the choice, I've given here just five or six examples of the 11 metrics I think we have in this area. So the geographic diversity of registrants and registrars. Choice would be fostered or promoted if there are registrants and registrars in more places around the world than less places. That's an obvious one.

I mentioned earlier the example of defensive registrations, presumably those done during sunrise or a duplicate registration where it simply

points back to a registration in a legacy TLD. So they bought a new domain name and they can get traffic from that, but they haven't used it to differentiate the actual destination. It ends up referring to the same place. So we came up with a nomenclature that that was a duplicate registration. Look, there's nothing wrong with a duplicate registration, but it was an effort to count them and measure whether that was a significant percentage of the total domains and registration in the new space. Do you want to add to that?

UNIDENTIFIED MALE:

Yeah, specifically on that point. This was a topic of some debate about how you might actually identify a defensive registration. I mean, we can all agree a defensive registration is bad, but then how can I look at a registration and determine that it was defensive? And that's difficult. And duplicate registration was one sort of vector into that.

And I guess what's going to be important to keep in our heads is that we're not doing the job of the Review Team in this exercise. It's not as though there's going to be some Rube Goldberg machine that puffs along and little puffs of smoke come out and out pops a number for trust, another number for confidence, and another number for, "Wow, 97%." And then the Review Team can spend a week looking at that and they're done.

I mean, there's going to be a sort of human element in looking at this data and trying to see if it in fact revealed what we hoped it might reveal in collecting the data in the first place. So much of this is about capturing the before so that there's a comparison to be made to the after.

But there's still going to be a human element and a real job for the review team whatever that makeup is to look at the numbers in context and with stories and anecdotes and in review with the people involved to see if those numbers actually represent what they appear to represent.

I think that's not going to be something we're going to resolve 100% in this process, but that they begin to track these things will give them the tools to have those conversations when that review takes place. And there's no better example of this than the notion of defensive registrations.

REG LEVY:

I have a question IDN scripts, so if you have more to say about defensive then I'll...

STEVE DELBIANCO:

Thanks, Reg. One more on the defensive. Page 16 of the initial GNSO/ALAC advice, page 16 with the table of metrics, there are three of them on consumer related to defensive registrations. And the heading of the page starts with this statement: "Measures designed to assess whether prior registrants" – prior to the New gTLD Program – "choose new TLDs for primarily defensive purposes. Each measure is a potential indicator of a defensive registration and not a precise indicator. The measures have to be considered jointly, not separately. And the targets accommodate the likely over-counting of a defensive registration."

And Metric 2.8 said that "a defensive registration is not seen as an improvement in choice available to the registrant." Well, that makes

sense. And then we say in bold: “For purposes of this measure, defensive registrations are sunrise registrations and domain blocks” where it doesn’t even resolve. We would measure the share of these sunrise registrations and domain blocks relative to the total registrations in each new gTLD and measure it over time. It’s easy to do with zone snapshots.

And the three-year target we said was that the post-sunrise registrations would be more than 85% of the total registrations, implying that the defensive ones under that definition were 15% and that was a goal. And we said that we should observe that the post-sunrise registrations should increase over time as a relative share so that you don’t see a zone that lights up with a lot of sunrise or blocks and then not much else happens. That would be an indication that that TLD didn’t introduce a lot of choice to the space. Question?

UNIDENTIFIED MALE: This will only take into account that these defensive registrations are registered during sunrise or after? I don’t think I understand well.

STEVE DELBIANCO: It would be better when we get to the details. I was giving an example, but in this case, this particular Metric 2.8 looked at sunrise registrations and it looked at domain blocks at whatever time they were acquired, and that could undercount.

UNIDENTIFIED MALE: What is the definition of a domain block?

STEVE DELBIANCO: At the time we did this, we modeled it on what ICM had done for .xxx where rather than a registration, registrants would purchase a permanent block on Facebook.xxx. That was a domain block. And I believe we have a footnote here in the references to show where it came from. And, Ron, Reg is next in the queue on something. Did you have something on the choice part?

RON ANDRUFF: Thank you. I don't want to jump the queue. I just wanted a clarification. Was that 15% aspirational, or was it factual? You said it would be good 85% and 15% would be. I just want to make sure I understood that.

STEVE DELBIANCO: Yeah, it's strictly aspirational because the Board resolution said for us to set a three-year target, and we debated what kind of an appropriate target would be there. And, again, it's one year after the first new gTLDs in the route, so it's a little awkward to say that when we do the examination when the affirmation team meets in January 2015 some TLDs will only be out for a few months. Some will have been out for a full year. It's a little difficult to apply the same measure to all of them. Does that make sense? Reg?

REG LEVY: Thank you. I have a question about the people who came up with the IDN script metric because I was speaking with a gentleman who works in an Arabic speaking country and he said that he didn't see a lot of

utility to Arabic IDN scripts because everyone there basically uses and is fine with using Latin-based scripts for the Internet. Like everybody there has a basic understanding and that he doesn't think that there will be a lot of adoption, that for Arabic language probably what it will mainly be is defensive registration.

JONATHAN ZUCK:

Reg, I think that's a great question, and it might be a very interesting phenomena because this whole exercise is about whether or not this program increased consumer choice, trust, and competition.

And so that might very well be a case where the introduction of IDNs, I mean, that will be disappointing to a very large number of people, but that could in theory represent an example where the program did nothing to increase actual choice or trust because people had moved beyond.

I mean, it could very well be IDNs would have been more useful earlier. I think the expectation with IDNs is that all the people that aren't on the Internet now aren't okay with Roman script and it might bring them onboard. And that's why the metrics that are in place have to do with registrants there.

And maybe we take that into consideration to look at the number of users or something like that of those IDN scripts, the resolutions that take place to address that very issue because a statement by an Internet expert that I don't mind may not be relevant to somebody that just never got on the Internet.

REG LEVY: No, that absolutely makes sense. I might suggest breaking it down by IDN script. For example, I was...okay.

STEVE DELBIANCO: Page 15. There are four metrics that related to IDN, and one says the quantity of TLDs using IDN scripts or languages other than English because those are both geographical diversity.

REG LEVY: Right. Because I was very surprised that, for example, [Cologne] did not apply for an IDN TLD. They decided to use the ASCII form.

STEVE DELBIANCO: There were three others before I get to you, Margie. There was the quantity of registrars – again, that registrars – the quantity of registrars who were offering IDN scripts or languages other than English. That’s for Chris, right? Wilkinson? And 2.6 was the percentage of IDNs as compared to the total number of gTLDs in each script or language should be compared to the percentage of people who use each particular language or script.

We’re told that 56% of the planet reads and writes in a script other than the Latin script. We’re told that there are still 5.5 billion people not online. And if, in fact, this expansion promotes choice in that space, we ought to see it show up in some of the IDNs.

If it turns out that it didn’t occur, to Reg’s point, let’s at least measure it. Let’s define it and measure it in an aspirational way, and if it turns out that there wasn’t a lot of pickup in the IDNs, well, that doesn’t indict the

program. It just says that aspect of the program turned out to be not that important to the number of registrants. But it was symbolically often important to many of those governments and cultures, so let's not take those metrics out of here.

Okay, I have Ron in the queue, and then Margie has somebody on the line.

RON ANDRUFF:

Yeah, just a very quick follow on to what you said, Steve. The reality is there's a question of time. As you said, there's going to be a few within a few months, maybe a year. But let's say three, four, five years out, how much recognition for the new scripts, new TLDs, and so forth? So that's another factor that really is, how long is a piece of string? I don't know until I see it, right?

STEVE DELBIANCO:

The metrics on 2.4-2.7 didn't weigh heavily on the number of registrations. They're quantity of TLDs, and we were saying there should be an increase in the number of TLDs that have IDN scripts other than English relative to 2011. So with 1,400 new TLDs 200 of which are IDN, guess what? We know we're going to meet that metric because we'll have 200 more IDNs in 2015 than we have in 2011.

So very few of the metrics related to IDNs depend upon the number of actual registrations. Maybe we want to add that, but so far this was meant to be about the choice size. We're saying, "How much choice was available to people?" It might be interesting to do new metrics to see

how many people took advantage of that choice and registered in the IDNs.

UNIDENTIFIED MALE: And even beyond that to Reg's point resolutions might be interesting to see if that led to increased use because it was an IDN.

MARGIE MILAM: Eric, you have your hand up. You think you can speak, or do you want me to read your chat? Okay, go ahead? Okay, so he says, "Steve, your focus on sunrise and blocks misses all of the MX/A record recycling, which accurately show a second or subsequent buy that has no distinct purpose other than existing in a second or subsequent namespace.

STEVE DELBIANCO: Thank you, Eric. As usual, you are precise. I'll be precise in my answer. Page 16 of the advice, metric number 2.10 was designed specifically for that. And I'll let you go to that in the document and during the latter portion of the meeting when we get into that measure, we should find out a way to improve it. That's 2.10 on page 16. Alright. Next slide, please, which is competition. We're almost done here.

So the competition metrics, again, the definition here was the actual market rivalry among TLD scripts, TLD operators, service providers, and registrars. And I just put five bullets up here as examples.

The quantity of new TLDs and new entrants. Share of registrations that go to the new entrants in the marketplace versus those who are not a new entrant. So naturally, it's going to be important to talk about who is

a new entrant as opposed to a legacy provider who participated in the new round by being a backend for new TLDs or launched a number of TLDs on their own.

Because this was done, we finished up the work in late 2012. So at that point, we knew what the application space looked like. We didn't know what the particulars were going to weigh out to be, but at that point we pretty much knew what kind of a space we were looking at.

We wanted to gather data on the number of unique and total registrations and wholesale and retail prices. You'll see in our report, we had to include a note from ICANN legal. We got very nervous about the idea of us asking ICANN staff to gather any data at all about pricing. [They said] retail prices that are showing up on a registrar page, fine. But as far as wholesale prices, they felt like that while it was a valid measure of competition to see price changes over time and relative price changes they didn't feel like ICANN wanted to be in the business of gathering prices.

So we put that disclaimer in there and assumed that if this group believes that's a good metric, that we'll hire a third party to go gather the wholesale prices to anonymize them so we can simply know the price differences between new gTLD and old trends over time and comparisons between the new gTLDs and the legacies.

Make sense? I see a lot of nodding heads, and that's a good thing. Go ahead, Christopher. Christopher, are you referring to the definition or the four, five sample bullets? Christopher, the definition has the word registrar in it, first of all, on the slide. And then I only included five bullets as samples. When you go to page 18, 19, and 20 of the

document, you'll see there are a total of 11 metrics related to competition and that the first several all include measures of registrars.

So maybe we can design additional metrics applying to competition among registrars. That will be a task that this group will undertake, but let's take a hard look at the ones we have first. So I think you'll be pleased to see that registrars are in there. That's it for competition. Page 18, right. Great, thank you.

I'm now going to turn it over to Evan Leibovitch on the next slide to talk about ALAC's focus and some of the metrics that they came up with.

EVAN LEIBOVITCH:

Thanks, Steve. Essentially when ALAC was looking at things, we had a slightly broader view of the concept of consumer trust than that that was eventually adopted by the original GNSO working group. And in that, I don't know if you want to go to it. I'm looking at the difference between the definition that is on slide 13 and the one that's on slide 17. Without having to jump them, I can read them.

The one from the original from slide 13 talks about consumer trust as "the confidence consumers have in the DNS." Then we go to the one on slide 17 which talks about trust: "measure confidence in registrations and resolutions." That's a bit of a leap maybe narrowing things a bit more than At-Large wanted from the point of view of end users.

And so what we wanted to do was look at things in a slightly broader sense. While the metrics from the original working group effort were seeking to define competition, choice, and trust amongst the new gTLDs. That is in going from 24 to X number of hundred new gTLDs, was

there extra choice? Well, going from 24 to X number of hundred sort of suggests there's extra choice.

Okay, so the concept of trust in the DNS then is something bigger. And reduction of trust in the DNS, what does that mean and how do you measure it? And so when we came up with the concept of having some additional things, we wanted to broaden the scope so it wasn't just within the TLD space where we were looking to see the trust and the choice but also if there was a reduction in trust in the entire DNS. If the expansion had led to a reduction in consumer trust in the DNS, how would we see that? How would we measure that?

And so the idea being is, okay, how does an end user get to their information? The path between an end user and whatever website, e-mail, whatever it is they're using. Domain names is one way of doing that. There are other paths to doing that.

And so when we were trying to see elevation or reduction in trust in the entire DNS essentially means if consumers are using domains more and search engines less, then that means there's an enhancement of trust. If consumers are using search engines more and the entire domain system less, that might indicate a decline in trust. And so we sought to try and enhance the original GNSO metrics by trying to get to that.

So we were focusing on the end user component of consumer as opposed to the registrant, and that sort of guided the extra metrics that we put in. And so when we talk about evaluate domain names versus alternative methods to access, so people go to social media homepages. So a corporate homepage on Facebook or the use of QR codes or the

use of search engines. So the use of alternate methods that don't use memorable domain names for an end user to get to their destination.

And so we tried to look at that in a sort of broader sense of how we could measure that in terms of the overall success of the program, and that's why the emphasis was on confidence. And this goes to why, Steve, when you say that most of the new metrics were added in the trust realm, that's pretty well it because it's not about competition between who you buy a domain from and so on. Most of the things that we added went to issues of trust. Next slide.

RON ANDRUFF: When you say it could spill over, what's the impact? What would spill over, and how do you see that?

EVAN LEIBOVITCH: Spill over to?

RON ANDRUFF: The last sentence.

EVAN LEIBOVITCH: Oh, okay. So in other words, what was possibly envisioned was that if there was an overall reduced trust in the DNS, would that also mean that fewer people were using the existing 24? Would a decrease in the confidence in the entire DNS because of the expansion also have a spillover effect on the existing TLDs that are there now? That's what we

meant. Okay, next slide. Okay, no the next slide goes into the, yeah. The one after this, sorry. Yeah, the one “additional metrics.”

Okay, so this was the focus of the additional metrics that the ALAC did, not to replace what the GNSO had done but essentially to add to it by broadening the scope beyond what the working group defined as its own realm. And so that’s why we’re thinking about can we measure the growth or decline of memorable domain names compared to the use of search engines, compared to the use of social media landing pages and that kind of thing.

We also concerned the end user concept of complaints by end users about domains in the new realm. Were they increasing, again, talking relative to what exists now. So, again, everything is relative. This is the area where I could conceive of bringing the PICs into that. Are there complaints?

Right now ICANN is going through the whole PICDRP and who initiates the PICs and how is compliance involved. And while that’s still in flux, the concept of doing metrics of are there complaints about a registry, about a TLD not doing what people thought it did? And so that was the kind of thing that was also a consumer trust issue.

Transparency of contact information and domain allocation policies was a relatively minor point, but it went to the fact that there was a belief that even in closed TLDs, even in brand TLDs because people could still get there using the public DNS, that there was a need to have some kind of contact information and that it should be measured whether even a closed TLD, whether a .brand or something like that should have

publicly accessible contact information because spam and other things can come from a closed TLD just as they could come from an open one.

And so technical issues was a very broad thing. We were going to figure that as we got into the details we would see whether or not the kind of thing that Eric was talking about with MX records and so on whether or not there was a link between the expansion and any technical issues. Were there expansion issues that caused any breakage? How did that affect consumer trust? And I think that basically covers the gist of the ALAC additions.

STEVE DELBIANCO:

Thanks, Evan. And now I turn it over to staff for the remaining third of this presentation.

MARGIE MILAM:

Do we have any questions about the presentations we just heard before we move on? Okay. I'll do the slides, Charla. Okay. So as I mentioned at the beginning of the presentation, part of the Board resolution was asking staff to also provide analysis on the feasibility and implementability and costs associated with each of these metrics so that you could have some information when you do your analysis.

And essentially what our objective is because it is such a large amount of metrics to have a framework for consistent assessment so that when we provide the information to you we've looked at each metric from the same perspective and tried to provide you the same consistent type of information so that you can get a sense for what's feasible, what's

not feasible, where staff has concerns if we were to be asked to implement them.

And we really as we looked at some of the recommendations, we're looking at them internally from, "Okay, if I'm assigned to this particular metric, how would it be measured? What is the goal? What kind of formula would you use to actually develop the response? Where do we get the data, and who has the data? Is it data that ICANN has or somebody else has? What are the challenges that we would face if we were to actually implement the particular metric that we're looking at?"

And then we're also taking it even a step further to say, you know, we're not obviously doing an RFP but just ballpark. Is this a really big project? Something that someone could do, a staff person could do internally? Would we have to outsource it? Would we have to hire? Just so that you have those elements that you didn't have when the GNSO and the ALAC were first coming up with the suggestions for what the metrics were.

And then finally, we're also taking a look at just an overall assessment of how effective it would be in evaluating whether it's consumer choice, consumer trust, or competition. And we've tried to come up with a framework for doing that, and hopefully you'll think that what we've done will be helpful.

And so as you can imagine, some of these metrics as we started to look at them and looked at the internal staff structure, it's really hard to figure out who would be responsible for these. A lot of these fall into the registry camp, but some of them are what we call cross-functional

where it might be compliance, it might be legal, it might be strategy team.

And so that poses a lot of complexity as well just because we have to now coordinate internally to make sure that what our answer is for each of these metrics is agreed on within the different departments. And so that's a little bit of a logistical issue that we faced as we tried to take a really hard and serious look at these metrics.

And so what we did is we have a consultant, Ken Bauer. I think some of you may know him from the GNSO. He's very good at analysis. He came up with the brilliant idea of using the wiki space. And so we actually have an internal wiki that eventually when we finish our work, you'll see the output of it, so that we can gather this data and really come up with the collective staff input on what we feel with each of these metrics.

And because each metric has 17 questions that we were looking at, I mean, this is a lot of work. It's a big project, and I get a lot of complaints internally because I have to put them on a timeline to get everyone's input. But we are taking this seriously, and we want to provide you information that will really be useful for you as you take a look at these metrics.

And so what you see on this next slide and when you go to the...you have a question? Go ahead, Ron.

RON ANDRUFF:

Thank you, Margie. So going back to the last slide, all those metrics. So you're saying that those are the inputs that you have to get from every department to inform our discussion? Or is this input that will come

over time that we will all be privy to? I'm actually trying to understand what those metrics are specifically.

MARGIE MILAM:

Internally at the moment, I'm trying to get...what we've done is we looked at it and originally we were going to have just this collective meeting with all these departments and going over 70 metrics, and we realized that would take an enormous amount of time. So we divided them up by the most obvious subject matter expert. And then there's some that just didn't, it wasn't obvious which team would be responsible for it. So then we just assigned it based on who is more likely to have more information, and then it's their task to get internal buy-in with the other departments.

So we want to provide to you a consolidated view. It's the collective ICANN view on each metric because it doesn't do you guys any good to see multiple amounts of input. And we just want to make sure we're looking at them consistently and fairly and being objective in the way that we assess them.

And so what Ken did is he essentially laid out this metric, and you'll see it in the community wiki. What you see there is just the format, and then you also see a sample. And please don't take the sample as our answer to that particular metric. But what Ken did was fill one out just so that the staff members when they looked at it knew basically what we were looking for when they provide the response.

And the first part of the section talks about what we received from the community, so that's why it says, "Staff use only. Please, do not edit."

We didn't want staff to try to change the metric because the metric came the way it did from the community groups. We wanted to include any notes that came from the report. We wanted to note the category because I think the earlier work actually did categorize it by category: consumer choice, consumer trust, competition. And then we wanted to note whether it was from the GNSO or from the ALAC.

And then as we dig further down, we're looking at whether we actually collect this metric. How we compute it. What are the elements that you would look at to try to come up with that computation. Who internally would own it? Is it an internal resource or an external resource who you would have to go to? And that's one of the things that we wanted to look was how much of this is something that's external.

So if you look at some of the metrics, for example, it might be phishing statistics. We might have to go out and acquire that data or see whether someone would license us that data for either cost or free. But that's the kind of thing we have to do. If we're going to implement it, we really need to understand what was the intent by it? What's the data source, and what's it going to take to collect it? So that we can start producing these metrics if we were asked to do that.

And then we also where possible, I mean it's hard. Number 10 is difficult to get information on is what the targets would be. I think you guys struggled with it in your groups as well. Sometimes the targets are fairly clear like SLA uptimes that are in the registry agreements. Okay, that's easy. We know what those are. So we may or may not have answers to number 10, but we wanted to collect it if it was available. And then we also wanted to get a sense for what are the implement...go ahead.

UNIDENTIFIED MALE: Since the earlier working groups did indicate three-year targets, I was curious about why they aren't imported onto this form.

MARGIE MILAM: I'd have to ask Ken that question. I don't know if he did or he didn't for each one. I'll take that back as a question. Evan, did you have a question? Okay. And then we took it a level down now. What is the difficulty of getting this information, and what is any kind of impact it would have on our systems and our capabilities?

And then ballpark figures on what the estimated development cost would be because obviously you don't know the answer until you actually go out to bid. But if we have a sense for it would take so many consulting hours or FTE. Because some of it might be simple, some of it might be difficult and we just want to make sure that we capture that both in terms of the development, like what it takes to initially set up the metric

And then also with maintenance because this is an ongoing process. Once we set up the metric and actually implement it, we will be collecting metrics over a long period of time, and so we wanted to capture both costs. The initial development cost to get it set up and then the ongoing maintenance over time. And then, again, any staffing issues if we would need to hire additional people, ballpark on what it would take.

And then we have other things as well as rough implementation timeframes. And that's one of the areas where it's difficult to capture

because as you probably have heard throughout the week, our technical teams have a lot of projects on their plates. And to get visibility as to when, even if we know we're asked to do it and we know how much time it's going to take, when it would get on the production schedule because of the timeframes that are necessary for the review.

Those are the kinds of things we want to highlight for you. And, again, some of it is rough but we just wanted to, where that information is available, we wanted to provide it to you. Did you have a question, Steve? Okay. And then critical dependencies and any challenges or risks that we might face if we were asked to implement it. So those are some of the things we were just trying to think about as we took a real hard look at whether we could implement these metrics.

And then the last part of it is really the effectiveness and utility section. And so we're trying to come up with a way to assess whether it is effective, at least from the staff perspective. And so we created this legend, this categorization of whether it's a poor metric where the effectiveness might be low and the cost is high. It might be considered weak if it's low effectiveness but low cost.

If the metric seems to really get at what you're looking for, it really shows competition, we consider that as having high effectiveness. But if it's also a high cost, then it's a potential metric. And then an optimal one is obviously if it's highly effective with low cost.

And we're going to try to do that for each of these 72 metrics. We'll see how effective we are, and you all may not agree with our assessment but at least you know that we've looked at it and tried to quantify it in that way.

And then we also have a section at the end where if there's anything else that is raised that we want to bring to your attention, we've got it in different categories such as if there are additional things we want to point out related to the effectiveness or the implementation challenges or anything related to financial or costs, we'll note those as separate notes that you could take a look at.

STEVE DELBIANCO: Thanks, Margie. The effectiveness score or assessment is done relative to what you have in the document. It says to "the relevant AoC definition." I wanted to clarify that the AoC didn't have a definition for consumer trust, consumer choice, and competition. It didn't have them. That's why we were tasked in the first working group to write them. So it really wouldn't be the AoC definition. You don't mean the definition in the Affirmation of Commitments?

MARGIE MILAM: No, no. It's shorthand for the definitions that came up from the working group.

STEVE DELBIANCO: Perfect. Thank you.

MARGIE MILAM: We're assuming that those are the definitions going forward, and perhaps as we talk about our work plan going forward if we're going to revisit the definitions, let's do that quickly so that the staff work is consistent with any new definitions that come up.

So before I move on, I just want to pause and just get your reaction to whether you think this kind of approach is helpful. We're in the early stages of doing this. We've had some input. Some departments have been more proactive than others, so we've already received some compliance information we've received from some of the registry staff. But we're not deep into it where we've done all 72 metrics or 70 at this point. So if you feel that there's anything else you think we haven't really covered, let us know and I'll see if I can go back and perhaps update the template. Ron?

RON ANDRUFF:

Thank you. I'm quite impressed personally. I think that's a tremendous amount of work, and obviously the more data we can get the more informed we are. But then there also comes a point when there's information overload where we're drilling down so deep that the committee gets really in the weeds with this. Because I understand the work we have to do is really kind of frame things for the next committee. We're kind of the warm-up act, and so I think it's excellent work. And it obviously needs more time to look at it and so forth, but for my part I think you've done a great job and I just want to commend you. Thank you.

UNIDENTIFIED MALE:

Hi. The only real comment I have on first stab at this is that the binary of low effectiveness and high effectiveness may be a little too coarse grained. That you could have something that, okay, this is really effective. This is something that...I'm not sure how fine. It might be one

to five or one to three or something. Just low or high just seems to be a little too coarse, I think.

JONATHAN ZUCK:

I guess I have a comment and a question. I mean, one is that I think that this is very useful but that we're probably going to need to as a group try very hard to compromise on whatever we think is the ideal outcome from this because some of these questions don't have answer. Whether it's low or higher effective, that's where I thought Evan might be going, it's not only coarse; it may be impossible to answer in some instances.

And so I think we're going to need to be trying to apply a kind of 80/20 analysis to this that is the popularity, if you will, within the group of a particular metric versus the cost that staff estimate associated with tracking it.

And so two questions I have, one is, do you have a timeframe for the staff part of this analysis? Because it's sort of a process issue in terms of making use of that information in an effective way within this group. And then the other is that I guess the feedback we have at this point is that if the dollar estimate you came up with represented a number that was considered too high, I wonder if there's any way to get a more proscriptive budget that we could use even if it's gross as a kind of constraint on our activities so that we as a practical matter don't come back with a number that's too high or over-constrained to something that's well below what might have been feasible from a cost perspective.

MARGIE MILAM:

We don't have a specific budget assigned to this project, not to say that we can't get it when the Board approves it. So it's not like we have a framework where we can say, "We have a budget of, whatever, \$500,000, and therefore we can only do ten metrics." We haven't done that work internally.

Perhaps that's something we could talk about towards the end. Is it beneficial to get some sort of prioritization from the group before we do that kind of cost assessment? We didn't know how to do that because, like I said, we don't have a budget allocated for this specific project in order to implement it. But we know that once the Board takes the work from this group, then the budget will be created.

JONATHAN ZUCK:

Thanks. There's an old adage for newspaper reporters that they were supposed to create an inverted pyramid when writing a news article so that an editor could literally just take a pair of scissors based on inches and cut the article at the bottom to make it fit on the page, and I wonder if that's the exercise we're engaged in here. That we're just creating a priority list and that once a budget is set, we're going to just find where that budget falls within it and cut it off.

And I find that problematic because of the tradeoffs between things. It will be difficult to put them in a completely linear form like that, but that may end up being what we're doing and I guess it would be good to know that going in if that's, in fact, the exercise that we're entering into.

And then the other question I had for you, of course, was that your analysis you said some departments have been more aggressive, etc.

Maybe we could start there but from a process standpoint and a sort of sequencing of this, what do you think your timeframe is as staff to complete your portion of this analysis?

MARGIE MILAM:

We're shooting to finish this by the end of the year just because we know your timeframe. Now for example, if you all think the overall feasibility assessment legend is not going to be interesting to you or helpful to you, then maybe we don't do it and that makes it a little easier for us.

I mean, to the extent that you think we've provided too much information, I am sure staff will be very happy. They're already not very happy about me coming around and drilling them on each of these things to kind of get this collective assessment.

But at the same time they all realize that if they don't provide input now, it will be too late if your recommendation goes to the Board and then they have to implement and then they don't have the chance to weigh in. So we will get their input, and to the extent you don't think that some of this metrics is helpful let us know and we just won't collect it. Then, I'm sorry. David, you had a question?

DAVID STUCKMAN:

Yeah. Jon asked quite a, well actually I'm trying to go through them because a lot of those questions Jon already asked. One of them is, if we're going to outsource, have you already got an idea of who you're going to use as outsource? A couple of identities of people so that?

MARGIE MILAM: No. No, because each metric is different. For example, if you're looking at UDRP incidence, well, that's something. I mean to be honest, some of the ALAC ones related to search, those are probably the harder ones for us to figure out where we would get that data, but if you guys have input on that, that may help us scope it. But it just depends on the metric.

DAVID STUCKMAN: I think it's a good idea that we might outsource a couple just so it does have an unbiased opinion. And if we would have to do that, what would be the cost of that? Is that just part of the budget is the question.

MARGIE MILAM: You're talking about outsourcing the development of the metric? I don't understand.

DAVID STUCKMAN: No, no. If we were to have a budget, like the cost, and we had to go outside because ICANN legal said we can't do that.

UNIDENTIFIED MALE: Pricing.

DAVID STUCKMAN: Yeah, pricing. That would be something that would be outsourced, and how much of a budget would that be. Is that?

MARGIE MILAM: No, we haven't done that. Right.

DAVID STUCKMAN: Okay. Thanks.

UNIDENTIFIED MALE: Sorry. In some of the ALAC metrics, I believe we tried to identify a couple of specific searches of market research within the search engine field that might give more information about increase or decrease of use of other methods. So we thought at the time that a reasonably low-cost way of getting this rather than going out and doing the measurement ourselves would be to rely on market research and data that's already being collected by their industry.

MARGIE MILAM: To follow up, are you familiar with those kinds of research? I mean, because if you could point some of them.

UNIDENTIFIED MALE: [On Score. Scan Line.]

UNIDENTIFIED MALE: Yeah. They were provided in the ALAC document.

MARGIE MILAM: Okay. Okay. We haven't obviously focused on those particular ones, so we'll take a look at that. Thank you for being that thorough. And I'm sorry, Steve. Are you in the queue.

STEVE DELBIANCO: Thanks. On the effectiveness, I mean, your scoring of it whether it's high, low, medium, or get more fine-grained, if that's a holdup, just skip that part but do number 20 where in your template 20 is you do an explanation of the metric's effectiveness.

And that I assume is a qualitative, a textual field, where you'll say that "this looks like it gets pretty close to the definition for consumer trust above, particularly number ii." Then you might also note that "as does Metric 1.4 and 1.7, so consider consolidating them." If it turns out that we have three metrics that get to the same element of trust because of breaches of contract, it might well be that one of them is expensive more so than the others and they can be done as a group.

MARGIE MILAM: Are you in the queue?

JONATHAN ZUCK: And I guess another part of this document that's very interesting to me is whether or not it's already being tracked. To the point that we raised at the beginning, the extent to which there are things for which we would like a snapshot now that we will have difficulty getting after the fact, that would be very good information as well.

So as part of your analysis, if things were already tracked that's great, but part of it is the ability to...is the analysis possible to do retroactively is related to that, I guess, and may get to some things that we want to try to reach consensus on and maybe execute on sooner rather than later rather than waiting until the end of the process to do if we identify things that, and again surveys is one of the things that definitely came up that we want to find what that baseline is or we won't ever see the relative difference.

STEVE DELBIANCO:

Yeah, to Jonathan's point, zone file snapshots if they're archived on a weekly or monthly basis or if they're available from other vendors, then you don't have to start capturing them now if you know they can be obtained later on to do these trend comparisons.

And second question, with respect to the 70 metrics, how have you decided to attack answering your 18 questions? Do you do them one metric at a time, or do you cut across and try to answer the question on is it collected now for all the metrics first? Which is to Jonathan's point. If it's already being collected, which is question number six.

MARGIE MILAM:

I think we were going to do one at a time. And just from an expediency standpoint, whoever finishes their work first is going to just get it done and some of the more difficult ones may require a little more internal analysis. But, you know, you can tell us what you think. If there's a priority you want us to focus on first so that you can get your work done, it will make it easier for us because it is a big task and we're open

to suggestions for how to produce the work in a timely effort so that you have the information you need to do your work.

STEVE DELBIANCO:

Then I would put for the group to think about is that perhaps to help us that staff answer the easiest of its questions for all 70 metrics but skip the incredibly difficult ones so that you can do a fast pass through the 70, which means you won't have costs for any of the ones you don't already collect.

But then within a week or two, we might have a good list of everything that's already collected versus what's new. So when I look at all 18 of your questions, I think the first 12 or so look like you could probably answer them in a fast pass, whereas the second eight questions are going to take a little bit longer.

MARGIE MILAM:

So you're saying essentially focus on what we think are the easiest ones first.

STEVE DELBIANCO:

No. In order to know what the easy ones are, it would help all of us to know that for all of the 70 you run through the easy questions one through 12. See one through 12 on your list of 18 are far easier than 13 through 18, the questions that get into dependencies, dollars.

MARGIE MILAM:

Yeah. And I don't think it's as simple as that. Yeah. It's easy to focus on a metric, but to go 72 just the top 12 questions, I can't be going back to step over and over. I mean, it's an internal logistics thing, and it's hard to get on people's calendars and get them to focus because this is a big project. I mean, you're taking them off.

And it's an important project. I'm not trying to diminish in any way what we're doing. We're just trying to tackle it in an effective way where we're not pulling too many people together time away from their other work but getting quality information so that you get quality results.

So I can do metric by metric. That's not a problem. And if you tell me, "Focus on these first," that I can do. But I can't say for 72 I'm going to do just the top ten questions and then go back to them because they'll be on to other projects, their head won't be in it. I don't think it will be an effective way of managing staff time.

RUDI VANSNICK:

As I hear that there are some limitations in the resources, trying to already [trigger] those that could be solved quite easily would, for me at least, endanger the whole process and the whole project that at the end there is no more resources left to do the difficult ones, and the difficult ones could be those that are giving the best results to us to produce the right recommendations.

So if we are going to base ourselves on the easy ones, well, it endangers the whole process so that at the end you should end up in giving recommendations based on only the easy ones and not having the full capacity of going through the results of the whole package. I have the

feeling that we have to be sure that we have the corresponding resources to do the whole picture and not the partly easy ones.

UNIDENTIFIED MALE:

I think that's a good point, and if it's real, if the end of the year is real, then I think we don't need to be completely crazy about this. But I think one of the highest priorities is understanding what, if any, we need to try to operate on immediately. And I think long-term this group will gain the most benefit from the cost analysis by the staff than almost anything else because that will become a gating factor for how we begin to evaluate things and how we compare them to each other.

If there are two metrics that we think sort of get at the same thing and one is terribly expensive and the other is cheap, then that could become a decision factor. And as we look at the total cost and begin to try to figure out how we're trying to constrain that, I think actually determining the effectiveness of something is something we did so much work on in the initial phase of this and it's such a spitball kind of exercise that if we can get to what's tracked now and what we think things might cost to be done, I think those are the two most important questions of all of these questions from the standpoint of guiding the efforts of this group.

And maybe as opposed to a comprehensive analysis of effectiveness or something like that, maybe there are some anecdotal things where the staff say, "This is horrible. Or this will lead to this misinterpretation." And maybe there are some highlight things that might come out of that research process, but to make the staff go through this really comprehensive look at every one might be part of the challenge that

you have. And I really think those two things are going to be the most valuable to us in terms of process.

MARGIE MILAM: Okay. That's useful. Should we move on to the next slide? Oh, I'm sorry. I missed you, Cintra.

CINTRA SOOKNANAN: I was part of the At-Large working group that helped give comments on this, but at that time there was no reflection on, for instance, .bank, .ngo. Do you think it's part of the [inaudible] of this group to actually look at those specific gTLDs and their mechanisms for evaluating those kind of things? Because that is part, as far as I'm concerned, of consumer trust.

EVAN LEIBOVITCH: Cintra, a little earlier we talked about the whole concept of the PIC. And so rather than dwell on any specific TLD which I think we wanted to avoid, trying in the aggregate to try and figure out if a .bank is putting in a fairly strict PIC and it's definitely an important metric whether or not there have been complaints to ICANN about that PIC and whether or not it's being upheld.

Or in the aggregate about whether or not the TLDs that are putting forth PICs whether they're financial services or whether they're something else or health-related or whatever, anything that would be a high public trust issue would also have, I imagine, a high-value PIC or a stringent PIC or other mechanisms that may be developed.

But right now, we're in the confines of what we've got to work with here. What we've got to work with is the application guidebook. What we've got to work with is the PICs that have been put on top of that, potential other measures or enforcement that are going to be evolving. And I don't know if what we're measuring can really go beyond that. I mean, if there are other trust factors regarding, say, a .bank that's applied by the industry we can look at that, but we've got limited access to that, I think.

JONATHAN ZUCK:

And I think that part of it is separating our job from that of the Review Team that's going to use this data a year out, two years out, etc. And even then, their job will not be to take the place of Compliance function either. Compliance, the GAC, both of those organizations are going to be very interested in specific TLDs and specific enforcement actions against these PICs, etc.

And I think we specifically want to stay out of that business and remain in the world of the aggregate because we're just measuring whether or not we felt the program increased consumer trust or didn't, and that's more of the aggregate.

There will be plenty of people looking at these specific TLDs as they come onto the market, as registrations happen, as people's business model changes. I think a lot of that will already be happening, and I think to make it our job would be to be a political nightmare.

EVAN LEIBOVITCH:

Actually, a related question to that is I'm going under the assumption that the results of what we do, the results of the metrics that will be collected, will be open so not just the Review Team but anyone wanting to do independent evaluation has access to the same data as the Review Team. Is that an assumption worth making right now? Is it worth going under the assumption that the metrics that we produce that will be provided to the Review Team, is it worthwhile assuming that those metrics will be available to any independent third party who wants to use them just as the Review Team would? That no metrics available to the Review Team would be closed off to third parties?

MARGIE MILAM:

I would assume so, but I certainly think as part of your report you should say that and make it explicit. But we're looking at it as the data would be public just for transparency purposes. But I think it's an important principle I think to capture in the recommendations from this group.

JONATHAN ZUCK:

I thin so too, and I don't want to get too in the weeds. Evan, I think that's a really good question. I know that in the case of compliance, for example, what might come out as somewhat scrubbed an anonymized data in the aggregate that would then be made public.

But what might be made available to the Review Team is the anecdotal exceptions, etc., that are used to explain trends that might otherwise seem negative, and that may involve confidential information and we need to preserve the ability for the Review Team to make use of

confidential information to help evaluate in their job, their version of evaluating the metrics.

EVAN LEIBOVITCH:

I understand. My concern at this point is for transparency purposes and, again as a matter of trust, not having too much that is available to the Review Team that's not available to third parties. And if it means extra scrubbing of the anecdotal evidence so that they're usable by third parties and by the Review Team, I would prefer we go that route than to have a back chapter of our report or of the final metrics that are usable by the Review Team but not by the public. We can get into the details with that, but I think I would be uncomfortable with it.

MARGIE MILAM:

And actually I just wanted to raise a point that as we thought through this process we realized that no matter what we come up with and what metrics we actually produce, it doesn't preclude the Review Team from looking at other things. Because they're independent. They're going to do what they want.

We're doing our very best guess to give them information that's useful and meaningful given that we've collected it, but they may choose to have additional surveys or ask for things. I mean, you've seen the work, for example, of the ATRT-2 and they've gone out for assessments of things that they think are important. So I just wanted to flag that.

STEVE DELBIANCO:

If you could go to slide 12, please, the timeline. Slide 12. I think it's important to remember, we are not the Review Team. The very bottom line is the Affirmation Review Team, and that isn't us. That won't even be formed until late 2014 or early 2015. I hope many of us are on it, but that's the Review Team that will be getting the actual measurements that we have designed. They'll be getting the actual data of the measurements.

We on the other hand, if you move up two rows to the red text, the red text is us. We're the Implementation Advisory Group. So, Evan, the report that we produce, which is the blue arrow coming out of the bottom of ours, that is definitely a completely public document available to everyone and it will have a public comment period before the Board approves it. And then the Board hands it to staff to do the coding and the capturing.

And once the coding and capturing is going on, the actual results – we shouldn't call them metrics at that point, we should actually say the results of the metrics – we would go on the assumption that they're publicly available subject to the privacy concerns or legal considerations. We'll get some advice on that, but our report is obviously public.

MARGIE MILAM:

Okay, we're doing well on time. We have ten minutes left. Let's talk about logistics for the work going forward. I think that's an important thing for us to talk about. One of the things that I wanted to talk about was there was a fair amount of discussion on the list and on the last call about selecting the chair and the concern about making sure we have a

neutral chair. And one of the things that staff is looking into is getting a professional facilitator for this group so that there's no question about neutrality or interest. We're looking at someone. We have two candidates in mind that are not in our industry but seem to have an expertise in metrics type things. So I just wanted to raise that and see reaction from the group whether that is something that you feel would be helpful.

RON ANDRUFF:

I just want to understand, Margie, what you just said. This individual would be in the stead of the chair or would support the chair?

MARGIE MILAM:

Would be the chair. Think of the Expert Working Group with Jean-Francois Baril, for example. Someone like that that would be coming at it not as a member of the community with an interest but purely outside the industry trying to facilitate the different viewpoints.

RON ANDRUFF:

Well, if that's the case, I don't necessarily support that. Again, we're the group that's supposed to try to frame things and shape things up and then when the time comes to have the group do the work, I think in that case that would probably make some sense because then you might want to have someone. But for us who are trying to shape things right now considering this is very much a community activity, I would think that we would probably be better to have our own chair from my point of view. That's just one man's opinion.

MARGIE MILAM:

Michael Nelson, you have a question or you want to speak to this? Are you on Adobe Connect or on the phone bridge? We can't hear you. Okay. Michael, do you want to put your question in chat and we'll read it? If you could type it in, in the meantime we'll go to Ray.

RAY FASSETT:

To that question, I think it could potentially add efficiencies to our group. When we talk about the fact that there are cost restraints, we want to be efficient. It's not a matter of necessarily how much money is spent but that you spent it wisely and efficiently to get recommendations on what metrics. Someone coming in outside the industry who is desensitized to the issues necessarily or predetermined conclusions or positions could actually add efficiencies to this working group. Kind of speaking out loud, but I kind of favor the idea.

STEVE DELBIANCO:

The idea of a facilitator is sometimes motivated that they assist a chair and sometimes they would be a chair. In the cases that a facilitator is the chair, it's usually because we've had problems with finding a chair or findings with objectivity complaints. In those instances, maybe that neutral chair comes in.

But it strikes me as there are a lot of decisions that are going to be made about editing. Somebody is going to be holding the pen. There will be opportunities to organize and consolidate the material. I sort of believe we ought to take a shot at a chair with an opportunity to get a

facilitator to help technically. And if, in fact, we need the facilitator to take over a more objective role, they could also do that.

MARGIE MILAM:

Michael wrote in the chat. He says – this is Michael Nelson – “I really have problems with having a professional facilitator. It would be really helpful to have a chair who understands where different people have different” perspectives I think is what he said. Sorry. Oh, I lost it. It’s in the host chat. He says, “We need to find a fair chair, someone who will listen to all sides, and it will be clear after the first meeting whether we have one.” So that’s his perspective on this. He says, “It would be really helpful to have a chair who understands where the different people have different agendas.”

DAVID STUCKMAN:

I’ve been on a lot of committees, and we’ve had to have a special person like that. Usually, there’s a lot of adversary and a lot of head-butting and stuff like that. I don’t think we’re going to have the problem here. I’m for trying for us to have our own chair first, and if we do have some then we can always back out and go get somebody.

MARGIE MILAM:

Anyone else in the queue? Okay. So I don't know. What’s the consensus? Do you want to try to identify a chair within the group?

EVAN LEIBOVITCH:

This is Evan. We’ve done this in working groups before. I totally agree with what you’re saying that you only need a facilitator when it’s

required because of the dynamics inside the group. I don't think we have that problem here, so let's just go ahead.

JUDY SONG-MARSHALL: I agree as well. Unless we need one, we should try and do this inside.

MARGIE MILAM: Okay.

UNIDENTIFIED MALE: It's a stretch, but we can be adults.

MARGIE MILAM: Okay. Ron, you want to say something?

RON ANDRUFF: Well, actually, I was prepared to start to put a name forward to nominate for the chair, but I won't do it if there's more housekeeping that needs to be done.

MARGIE MILAM: No. I mean, I think I've received the direction from you all. We're just trying to help move this along and meet our timeline because I think that as you all know the importance of getting it approved so that we can implement quickly is important. But if everyone is onboard with that approach, then let's go ahead and take some nominations for chair.

RON ANDRUFF: Great. Well, for my part, I'd like to nominate Jonathan if you're interested to do this, Jonathan, because in fact if I recall this was the Zuck recommendation. You were standing up at the microphone some meetings ago talking about how important metrics were, and here we all are sitting around the table as a result of that. So I would be happy to nominate Jonathan Zuck.

MARGIE MILAM: Okay, and then seconds. Anyone else want to be nominated?

BARRY COBB: Only as long as it doesn't interfere with my other working group.

MASON COLE: Jonathan, do you want to do it?

JONATHAN ZUCK: That's a really interesting question, Mason. I guess it's interesting because we talk about this notion of objectivity, and that's always a very difficult question to define. But I guess I would say that the thing I am most passionate about in this whole process is, in fact, the success of this exercise. In other words, my members are all registrants, I guess, it is most easily described. Small businesses that are trying to run websites, e-commerce sites, etc. And so they're interested in the success of the program at some level.

But I think my overriding interest has always been for ICANN to move to this type of decision making and analysis at the end. And so I think that I

could remain fairly objective in terms of the specifics of the things that we were trying to do and [would in fact] really be a hammer about trying to nail this down to fewer to make this something real.

I mean, that's going to be my overriding motivation is that we don't end up with something that isn't implementable, that's too many, that's too expensive, etc., because I would really, really love to see my namesake, I guess, make it out the door here in solid form.

And I guess I'd love for there to be a vice chair or something like that so that if a moment arose when I really wanted to fight for something as an individual I could put down the moderating and chairing role and be and advocate and put that hat on explicitly from time to time and also just to get help because eight months is a long time and there would be meetings I'll miss and things like that. But otherwise, I'd be up for doing it just because I am truly passionate about the notion of looking at information this way.

UNIDENTIFIED MALE: I agree. We do need a vice chair just in general but for that reason as well.

MARGIE MILAM: Okay, any nominations for vice chair?

UNIDENTIFIED MALE: I'd like to nominate Ron Andruff if you're interested.

RON ANDRUFF: No good deed will go unpunished here at ICANN, I see. I'd be happy to accept the nomination.

MARGIE MILAM: Okay. So there's a suggestion that do one from ALAC and one from GNSO.

UNIDENTIFIED FEMALE: I'm in agreement with that but I think maybe just to make all things equal that we should have co-chairs perhaps for this group. I don't know how you would feel, how comfortable.

UNIDENTIFIED MALE: I don't have a strong opinion about that, to be honest. I think that distinction loses difference very, very quickly, so call it whatever we want.

UNIDENTIFIED MALE: I have a question. Because I don't know all the players in the room, do you two normally, are you on different opinions or anything like that to where you will...?

JONATHAN ZUCK: Which two?

UNIDENTIFIED MALE: You and Ron.

RON ANDRUFF: No. Jonathan and I have no interaction at all in ICANN. This will be the first time actually we've ever done anything together.

UNIDENTIFIED MALE: I wouldn't want...

RON ANDRUFF: No, of course. Bonnie and Clyde.

UNIDENTIFIED MALE: But like Jon said, he's very passionate about some things and if he has to hand over the gavel to you to make his statement, that's the reason I think we definitely need a co-chair and I'm all for it.

UNIDENTIFIED MALE: When I nominated Ron, he wasn't in here for the original introductions but Ron is a former applicant. He was the applicant behind .travel. and he's in the Business Constituency. Jonathan is in the Intellectual Property Constituency. So both part of the Commercial Stakeholders Group, right? But as a former applicant, and right now are you doing work for any applicants?

RON ANDRUFF: No. I'm not doing any work for applicants. I'm the chair of the Standing Committee on Implementation and a member of the 2014 Nominating Committee.

UNIDENTIFIED MALE: That helps a little bit. And shouldn't we flesh it out? Are there other nominations. Anyone from the ALAC wants to get involved?

MARGIE MILAM: Okay, so we have Jonathan Zuck and then the question is do we want the second one to be from ALAC. It sounds like that's the preference. So we have three total? Okay, I misunderstood. It seems kind of complicated for...yeah, that seems like enough.

UNIDENTIFIED MALE: [inaudible] Get some candidates out first.

MARGIE MILAM: Any other candidates that want to be considered?

UNIDENTIFIED MALE: You know, actually, we are 40 I think signed up for this group, and what I was going to recommend is that three names have been put forwards, and I'm comfortable with two vice chairs as well. I don't have any problem with that, and I certainly appreciate what Jonathan said. It's always good to be able to step back and actually take an active role as opposed to being a chair facilitator. And because it is an eight-month activity and because there are a lot of things going on, it might not be a bad thing to have two vice chairs.

But what I was going to recommend is we put it out to the list. We say, "This is where we got to here." We put it out to the list and have a straw

vote and kind of, “Do we like to have two chairs? Do we want to have one and one?” For my part, I’m happy to go either way, either to serve as a member or as a vice chair. Thank you.

MARGIE MILAM:

Okay. I think that’s prudent since we don’t have everyone here. We’ll send it to the list. Let’s talk a little bit about timing for the next call, since we’re already out of time. We were talking about possibly December or January for our next call. That would also give staff time to get a lot of this work done. Christopher Wilkinson suggested early January as opposed to December because of end-of-year issues. Is having our next call be right after the holiday in January a good time? What do you guys think about that?

UNIDENTIFIED MALE:

I think, Margie, you said it right. It gives staff the time to get the things in place right now. We’ll have our straw poll elections right now. Get that clarified. We know who’s who and what’s what. And give you the time to do what you need to do. And then we can sink our teeth into it right after the new year. But allow a few days for those who may take a little more time from, let’s say, January 3/4. Let’s put it into the 5th, 6th, 7th of January time period so people can get home and get their feet on the ground if they were traveling.

MARGIE MILAM:

Does that sound good?

UNIDENTIFIED MALE: Presumably there weren't any more nominations that came online or anything?

MARGIE MILAM: Right. Well, I'll ask for nominations on the list as well in case anyone wants to put in their name and wasn't able to participate. And then we've got the wiki. One of the things we should talk about is whether, well, why don't we do that after we figure out the chairs, is whether there's other information we'd like to have on the wiki. Currently, if you go down to the last page here, we have a lot of information there. It's a central repository with a tutorial for those of you not used to using wikis with a lot of reference information.

And each of the metrics have already been uploaded with the templates that staff is looking at. So you can certainly go there to start thinking about what you think of each of the metrics.

And I think that's... anything else?

UNIDENTIFIED MALE: Yeah. I don't know how to make the informal formal at this moment here, but we've been dancing around the notion of having a kind of a phase one of this that involves identifying a few things that we might want to start tracking or a survey we might want to have happen at the very beginning very early in the process.

And so does everyone kind of agree that that might be the next conversation that we have? And if not, do you have objections to it? Because I would love to put that stake in the ground now that we're

going to have that conversation right away at potentially the very next meeting using the data that we've received from staff and others to say what if anything should we be trying to push through the process.

And that may be some homework on your part to see what's feasible to push through the process or if it needs to go to the Board or whatever else. But I think some of these baseline things that we won't be able to get after the fact, it would be great to get upfront. So I'd like to propose that whoever the chair is that the first thing that they take up is what we might want to get done right away.

And so to that end, I guess I would encourage everyone to go back and look through this document in that time and to form your opinions about things that you know you think will want to be in the final document. And then maybe we can reach some consensus about things we know we want, match that up against things that can't track retroactively, and maybe identify some things to happen right away.

MARGIE MILAM:

And if I can follow up, just because we're having our first call in January doesn't mean you can't have this discussion by e-mail starting right away. So that's certainly homework you can all do before we have our first call just to kind of identify which ones seem to be in that category. Okay?

So I think we can call it a day then. Thank you, everybody, for coming. It was an excellent conversation, and I look forward to working with you all next year. Thank you.

[END OF TRANSCRIPT]