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LONDON – IAG-CCT Working Session  
Wednesday, June 25, 2014 – 14:00 to 15:30  
ICANN – London, England

JONATHAN ZUCK: The romper room part of the exercise here. Let's go around the room. Introduce yourself. Hopefully that will give Christopher a chance to arrive. I guess by way of introduction, this is the Implementation Advisory Group for the soon-to-be-formulated Review Team on Consumer Trust, Competition and Choice.

MICHAEL GRAHAM: Michael Graham from IPC.

MARGIE MILAM: Margie Milam, ICANN staff.

CHRISTA TAYLOR: Christa Taylor, .tba.

[CAROL LANCE]: [Carol Lance], ICANN staff.

STEVE DEL BIANCO: Steve Del Bianco, Business Constituency.

JONATHAN ZUCK: Jonathan Zuck, Chair from ACT and the IPC.

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

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JUDY SONG-MARSHALL: Judy Song-Marshall, Neustar.

MASON COLE: Mason Cole with Donuts and the Registry Stakeholder Group.

[PHIL BUCKET]: [Phil Bucket] from [.device].

RUDI VANSNICK: Rudi Vansnick, NPOC.

CHRISTOPHER WILKINSON: Christopher Wilkinson, At-Large, Member of the ccTLD Board and other things.

JONATHAN ZUCK: Excellent. Welcome everyone. It's always good to have these face-to-face meetings. On the phone it's a very different dynamic. We're on the home stretch in terms of creating a set of recommendations for the Review Team. I'm very excited about that. Thank you all for all the work we've been doing thus far. We have a few new metrics that were suggested by Christa, by Christopher, and one by Ron that we want to go over.

I think the meat of this particular meeting, that I think we'll spend most of our time on, is talking about the economic study, and some of the questions surrounding that. I think that needs to get out to the world,

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sooner rather than later, and get that baseline economic study started. What I'd like to do is hand the talking stick over to Elisa, to talk us through the document that we got from the consultants on the economic study, and to raise the issues that we need to discuss, to finalize that RFP.

Elisa, can you... Who hasn't introduced herself. Introduce yourself first and then take it away.

[ELISA]:

Hi. Thanks Jonathan. This is [Elisa Goken 00:03:17] from ICANN staff. The Report we received was actually for the Consumer Survey, not for the Economic Study. We contracted with NORC, the National Opinion Research Center, to do a scoping analysis, basically to help us set up the technical parameters for an RFP to choose a survey [from 00:03:40], as well as help guide us through some of the language and sampling, and things like that.

I don't have control of the slides. Whoever does, can you scroll down to the next slide? Thank you. I sent around these documents on Monday, and the other one we're going to talk about later, that Jonathan mentioned, is the new metrics and some staff feedback we have on those. I wanted to start off on RFP. Our goal is to get RFP published on July 16<sup>th</sup>.

To that end, we're trying to get some feedback to NORC to make any adjustments to their Report, or to add something, to give us a little more detail on some items, within the week. I was hoping to focus today a bit on talking about that. Of course, if you guys have any other additional

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comments, you're welcome to email them to me. In the slides here I've highlighted some of the larger questions that I highlighted in the document I sent on Monday.

I wanted to start off with the first one here, which is a question of potential registrants. We had talked about in our last call, last Wednesday, the difficulty of measuring potentially users. I think the question came up as to whether potential registrants would be a possible sample set. NORC suggested against that. [RFC 00:05:07], I guess I should call them. That was given the cost of identifying that group, and the potential for change over time, and then trying to capture that change over time. I wanted to get the group feeling on that recommendation first.

JONATHAN ZUCK:

We talked a little about this in the email. Just to refine this question a little bit, NORC is not suggesting that if we didn't look for potential registrants we wouldn't end up with them, it's more that we wouldn't be able to have an identifiable subset of potential registrants. Is that the issue? This is just consumers, [very large 00:05:50], many of whom could be potential registrants.

I know we made that part of the definition for consumer, when we were looking at the consumer trust piece of this, but if we're not actively excluding them, we'll end up getting some of them. I guess the question is it's too much of an effort to try and identify them as a distinct [unclear 00:06:20] or cross-tab within the study. Is that the issue?

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[ELISA]: Yes, you're absolutely right. You hit the nail on the head. Basically, it would be really difficult to sample it in any accurate way.

STEVE DEL BIANCO: A question about that. If they were conducting a survey and they get hold of a respondent, I'm fairly sure they can ask the respondent, "Are you a registrant?" Yes/No. Maybe the next question says, "Are you actively considering becoming a registrant of a domain name?" in order to discover that they're what we'd call a potential and not a current registrant. That allows you to ask some rich questions about whether they trust the registration system, and they feel like they have adequate choice among appropriate TLDs.

What I just said seems to sensible that I wonder why NORC, who are the experts, think they can't ask it that way?

SPEAKER: The statistical significance of the root that would be identified... I think the issue is that as a statistician they're concerned that when I go out and ask that question, I can ask it and we'll know who answered it a certain way. Then we might not end up with a statistically significant sample of people that identify themselves as potential registrants, without a specific effort to continue doing the research until there is a statistically significant sample.

STEVE DEL BIANCO: That's a very helpful answer. It sounds like we're just managing expectations here. We'll ask the question on who's a potential

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registrant, and keep track of it, but in managing expectations we should not assume that we'll find a statistically significant number of them, to draw conclusions about potential registrants.

SPEAKER: I think that's exactly what they're saying.

[ELISA]: If I could also add, I think there's also a question on measuring change over time. How are you going to measure whether they decided to later become a registrant, if you're using sampling designs or you're asking different samples the same questions again in a year? It's going to be hard to measure how they changed their minds. It's another consideration.

JONATHAN ZUCK: Christopher and then Michael.

CHRISTOPHER WILKINSON: I think Jonathan, the essential has been said. I have to balance by policy interest in knowing what potential registrants think, and my economic and statistical sense as to what is feasible. I think you've just summed it up correctly. I think we can get some interesting color, but I don't think we can get statistically significant results from trying to trace potential registrants. I think it's... Let's move on. That's one less problem to deal with.

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MICHAEL GRAHAM: I was just going to say along with Steve, that it seems that we've put the answer ahead of the question. If they're asking the question we may or may not come up with a statistically significant group. In terms of setting this aside and saying we're going to go after this particular group, I think we're getting ahead of ourselves. Let's see what the survey would find.

JONATHAN ZUCK: Michael, you're exactly right, and Steve, you're exactly right. We will ask the question and probably branch the survey based on the answer to that question. I think we want to continue to do that. It's just often when you contract with a company to perform a survey, if you suggest you want a statistically significant sample of a particular sub-set of your population, then they will keep doing the survey until they've found enough people that identify that way, to be statistically significant.

That could get very expensive. If they only represent a half percent or something of the people that are going to respond to the survey, then you're going to end up surveying a lot more people to get there. We may by accident get there. I think we'll construct the survey with those kinds of questions, but we won't put it in as a requirement. I think that's really the issue, that we find a statistically significant sample of potential registrants.

SPEAKER: I have two comments from Mike Nelson in the Adobe Chat.

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JONATHAN ZUCK:                   Who’s Mike Nelson? [Laughter]

SPEAKER:                         He doesn’t have audio so he can’t respond to that comment.

JONATHAN ZUCK:                 Darn! I’m kidding. Go ahead.

SPEAKER:                         He says: “It certainly makes sense. Even worse than trying to identify potential voters, how potential? We can really reliably determine if someone has registered a domain name.”

MARGIE MILAM:                 In what NORC had suggested, that might be where they were headed; that it’s really easy to identify a registrant via WHOIS records, but it’s probably the cost of what approach they intend to seek in order to get the information. They wouldn’t be able to use WHOIS for that. They’d have to find some other method.

JONATHAN ZUCK:                 Yes. There wouldn’t be a method other than just asking enough people until they answered that way. I think we’re on agreement on that first question. Let’s move onto the next one unless, Elisa, you came away with any confusion about where we stood?



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[ELISA]: It sounds like we can ask about who might be a potential registrant, and then move on if we don't have a valid enough sample. Did I get that right?

JONATHAN ZUCK: That's right. I think we ask the question and then there's probably a couple of questions we ask those people that self-identify that way. We're not making it a requirement to come up with a statistically significant sample of potential registrants. We'll get color from this, as Christopher put it. Steve?

STEVE DEL BIANCO: Margie just said something about WHOIS is a good place to go to get actual registrants, and that's throwing me, because this survey is going to include people that are not registrants. Users are part of the population – registrants and users. We already know that the survey vendor is going to be surveying earthlings, all of whom are users, and some of whom will also say, "I'm also a registrant." Some will say, "I'm a potential registrant."

JONATHAN ZUCK: Steve, you actually raised the same question. Because in our definition of "consumer" we included registrants as well, a potential survey team might figure out that they want to come up with a statistically significant sample of registrants, and the way to do that would be to randomly go through WHOIS, as opposed to randomly going through consumers. Given that's fairly easy to do, we might still have them do that. That was Margie's point. Go ahead Elisa. It'll get easier from here.

[ELISA]:

I'm glad to hear that! On Metrics 2.1 we're asking how [unclear 00:13:43] tools that hide URLs. This gets back to Metrics 5.2 to 5.4, which [unclear] how frequently those tools are being used, using market data and what-not. RFC, in responding to this metric, recommended that if we want to keep this as a metric of trust, they also raised the point that it's important to include how familiar people are.

The familiar there would be tools like QR codes, URL short-urls and so forth. I wanted to raise this issue in the context of 5.2 to 5.4, which we've talked about in the past, and which are listed in our list as measures of trust. We discussed last week and the week before about maybe categorizing those as issues of choice. I thought they raised an interesting point here, and wanted to discuss it with the group.

JONATHAN ZUCK:

I've had some conversations with Evan about these metrics and whether they fall into trust or choice. Certainly the ALAC, when they put together the metrics, believed that they were part of trust. Others have suggested they may be part of choice. My guess is that the only way to use them as a function of trust would be to incorporate that question into this survey.

I don't know whether or not I agree with NORC that we need to really explore, in-depth, our understanding of these tools, because what we're really doing is asking if they're using them and if they are, asking why. I don't think that we're necessarily going to get to a statistically significant sub-sample of people that say that, but instead get some color around

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the notion of if you're using alternatives to the DNS, why are you using them.

I think it's just meant to potentially inform the Review Team that there's more to look into when looking at the paid-for data sets, and maybe even make a decision whether to get those data sets at the time. I don't know that we need to go through a whole process with them, but instead ask if they're using them. If they don't know what they are then they're not using them.

[ELISA]: I think the point is to gauge their feelings about trust in the DNS. That's what the metric is supposed to gauge. You're just asking them if they're using them, and that still doesn't get to do they trust the DNS or not.

JONATHAN ZUCK: If you're using them then we ask why.

[ELISA]: Right. Is that not what you were saying?

JONATHAN ZUCK: My point is that we don't need to find out how familiar they are with them, it's more why they're using them. That's all. That would be the follow-up question. Does that make sense?

[ELISA]: I thought I heard speaking off the microphone?

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JONATHAN ZUCK: Yes, but he wasn't saying anything particularly new.

[ELISA]: Okay. I thought you were asking me about that comment.

JONATHAN ZUCK: They don't call me "The Hammer" for nothing. Yes, it's a two-stop question: "Do you use them?" "No" – move on. "Yes" – "Why are you using them?" Multiple choice question that again hopefully provides some color that suggest they're using them for some random reason, or potentially because they've lost some faith in the DNS. Okay?

[ELISA]: All right. The next questions I have were on survey design. The NORC Report gets into this in far more detail, so I really will give you just a Reader's Digest version here. They talk about longitudinal versus cross-section design. Longitudinal, in very short terms, they will sample the same group over time, whereas a cross-sectional design, it would sample two different groups and would be less likely to be indicative of changes in attitude.

[unclear 00:18:29] leans toward a longitudinal design recommendation in their analysis, and presents some good arguments as to why a cross-sectional design might be problematic, particularly because we need to measure change in attitude over time. I wondered if the group had been able to read those sections, and if you had any thoughts or comments on that?

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JONATHAN ZUCK: We've had some discussion about that, and when the consultants from Greenberg came on there was discussion on both of those approaches. There's pros and cons to both of them. I felt like where we ended up was allowing that to be part of the responses to the RFP, to get recommendations from the folks that are bidding the proposal out. I don't know that there's a definitive answer between the two of them.

One is a more focus group oriented approach, where you try to go back and you have to grossly oversample in order to accomplish that, because you lose people over time. Then the cross-sectional one obviously has a risk of people just having a different set of opinions to begin with. Neither one of them is going to be perfect. I think where we landed was to let the survey proposals make suggestions and justifications for their approach, and then make the analysis at that time.

[ELISA]: Okay. I would agree with that. That's the most logical approach. I think we might get the best range of responses with that.

JONATHAN ZUCK: You could build into the RFP that if they suggest a methodology that they should justify it, so that we're given some criteria to compare them. That would probably be useful. Steve?

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STEVE DEL BIANCO: [unclear 00:20:23] if they believe there are two potential approaches, that they could price them out separately, so give us the opportunity to pick them.

[ELISA]: I've already written that into the RFC. We've asked them to give us alternative approaches for pricing.

JONATHAN ZUCK: Thank you.

[ELISA]: Okay. Any other comments on that one? There's also a lean towards a web survey in there, versus in-person or phone interviews, which present their own challenges, particularly in terms of getting good samples, particularly in countries where there may not be good phone lists or good address lists.

The question I had for the group – and I'm guessing I'm going to get the same answer here – is should we express a preference, or do you see this as once again being a question of seeing what the best proposal offers?

JONATHAN ZUCK: I'm personally inclined towards once again putting it in the hands of the proposals to make recommendations. This is also a topic that came up in the conversation with the consultant, and the pros and cons of both of these approaches came up. Obviously, the problem of web surveys is

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sample bias. The other issue that came up that was kind of interesting is that it may actually require different approaches in different geographical regions.

In other words, there are some areas in which web penetration, etcetera, is not even good enough to use for a survey. I suggest that an ultimate proposal that has multiple geographic regions may even be a mix of these two methodologies. We should again leave that to the proposals, to sell us on the best approach to getting this done. Steve?

STEVE DEL BIANCO:

This is a detailed report that was attached to Elisa’s email on page 11. It’s where the NORC is asking this question about the four different modes. In there they said the largest challenge is to identify or compile suitable sampling frames for drawing Internet end users. They say it’s unlikely that any countries are going to have a comprehensive list of Internet end users from which to draw representative samples.

That indicates it’s all going to be a push survey, as opposed to relying upon people to answer and add. Have you already been down this path and discussed that it had to be a push survey with targeted individuals, identified from some other list, versus soliciting the populous of that nation? “Please click here to survey,” and then we discover about you?

JONATHAN ZUCK:

Both of those methods came up in the brief discussions that we had. Obviously we had an hour and a half, and one of the issues that came up was that distinction. One of the things that I recall – and my recollection could be imperfect – was that the best approach would vary from geographic region to geographic region. There probably isn’t going to be

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a one-size-fits-all solution to this. That was the opinion of one consultant, which probably in some ways is equivalent to NORC.

We now have two conflicting approaches, but I'm inclined to put the RFP out and get people again to justify how it is they think they would approach it. That's my inclination, but I'm not trying to impose that. Does anyone else have any comments about it? I'm just remembering the conversation about it.

STEVE DEL BIANCO: Thanks for that answer. That sounds right. I support that. With respect to the question that's on the screen though, I too would be inclined to say that web survey is our default method, as opposed to mail, in-person and phone. I don't know why we, being ICANN, would do it any other way.

JONATHAN ZUCK: The danger sometimes is one of self-selection, that's all, with answering an ad, going and doing a survey...

STEVE DEL BIANCO: Some of the online surveys would be as a result of doing targeted outbound emails based off of lists. In both cases it's a web survey. One is self-selected, the other is picked. In terms of the tool they're asking us "web survey?" and I think that's a slam-dunk, right?



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JONATHAN ZUCK: Agreed, unless it's not feasible in a particular area, that's right. The de facto. Does that make sense, Elisa?

[ELISA]: Yes, it does. Nathalie was just asking if our budget is flexible. Can we decide anything [unclear 00:25:19] no matter what the cost it? We can't pursue any method, that's for sure. The budget is fairly fixed. I think we're basically looking for options that will fit within our approved budget, and that's why we're asking in the RFP for the vendors to give us alternatives with pricing structures, so that we could choose the best, most representative bid.

JONATHAN ZUCK: I think that's right. Web surveys are likely to be the cheapest. Christopher?

CHRISTOPHER WILKINSON: I'm not querying the underlying ideas here, but I just wanted to mention a word of caution. In certain TLDs a significant proportion of the registered domains do not lead to a website. There are significant proportions of parked names, of names for sale, names which have been registered but the website is not yet up, and this is true even for mature domains.

I think with the new domains we may find that a lot of the domains that are surveyed will be null results, in terms of the positive results of the positive result that we're looking for. they may have to survey rather more websites than they expect, in order to drill down to a significant

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number of websites that are actually being used. That was just a cautionary word. I hope I'm wrong.

JONATHAN ZUCK:

Christopher, thank you for your comment. In this case, we're surveying people, not websites, and so they may have some experience with disconnected URLs, that shows up in their view of the DNS. That may end up being an interesting factor in the delta of those concerns over time – in other words seeing if there's a change. I think hopefully the way this goes down, it will incorporate that potential. What's next, Elisa?

[ELISA]:

Definitions. There are a number of definitions that NORC recommends we make clear in plain English, in the RFP, and then once a bid is received and accepted, we'd then work with the bidder to test it and refine that definition. I think for the purpose of the RFP we need to come up with some good, plain language definitions. The first one I noted was consumer trust and consumer choice, and end consumer [issues 00:28:33] as well.

We have definitions that came from the gNSO and ALAC, from when you started your initial work, I think back in the fall. I wanted first to talk about those and make sure we're comfortable with going forward with those. Then we could talk about some of the other terms. I came up with some quick definitions, using as plain language as I could to define some of these terms.

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Maybe we could start off with consumer trust and consumer choice. If there were any further comments on those definitions? I can read those off, if that would be helpful?

JONATHAN ZUCK: Both those definitions were hard-fought, so if you open that can of worms I'll have to disconnect your line.

[ELISA]: I had a feeling that might be the response, but I just wanted to be sure.

JONATHAN ZUCK: Put it under the other ones.

[ELISA]: The remaining ones – we have phishing, parking sites, malware, spam. You can see them all up here. I went through, I got as many as I could from the ICANN glossary or from the ICANN Wiki. Some from Wikipedia, where I found more basic, plain-language terms, spam... I adapted that from Spamhaus. On the next slide there's a few more terms as well.

Maybe we could start with these ones and see if there are any red flags in the language ideas so far.

JONATHAN ZUCK: Sure. Can everyone take a minute and read these four definitions, and raise your hand if you think there's some confusion about them or something inaccurate about them.

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STEVE DEL BIANCO: I like them all, except I think we'll have to clarify "parking site". You said without any services. There are people in this industry, and certainly here in London, who would believe that a site that has five or six ads on it, leading elsewhere, is a parked page, but it provides a service and it earns pay-per-click revenue while it's waiting for somebody to come buy the page. It generates traffic. There's a whole industry of people that do that.

Parking sites here is one that's used... I wouldn't say not for services at all, but a parking site without associating it... Without any services like email, I don't think that makes any sense. I'd take email out of that. Of course, it is a website if it's a parked page. We're going to have to rework that definition, I think, to say what we're getting at.

What we're probably getting at is that the registrant didn't populate it with actual content, but rather temporary. That's what "parked" means. It's temporary, while it generates a little bit of ad revenue and some traffic, and then later on they'll actually decide to put original content on it.

JONATHAN ZUCK: I just want to quickly say that I think it's wrong to say "parking sites" anyway. I think it's about parked domains, which would exclude domains that were put up just to do email. Focusing on sites is why you're excluding email, but I have domains that I own that don't have webpages associated with, but have email addresses associated with

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them. I don't think that's uncommon. I think we need to change that to say "parked" or "parking domain".

Then the definition as it's there is closer, and we just need to get at the politics of a webpage that's used for just ads. I guess that's really the question there. Rudi, go ahead.

RUDI VANSNICK:

I think we need to make the distinction in this respect, that where it's impacting the consumer trust that it's important to know if it's a site or a domain – especially that it's set away to disturb the trust of the consumer. As you said, many have a domain name that's just used for email services, or even doing some FTP service that are not public at all. We need to know where is the distinction of trust and non-trust.

JONATHAN ZUCK:

I don't know if this was a trust issue as much as it was related to choice, and whether they were parked rather than used for defensive purposes.

STEVE DEL BIANCO:

I can read it to you. It's 1.4. That's the only place in our entire document that the word "park" shows up, and it was on a sentence that says this: "1.4. Survey perceived consumer trust in the DNS, relative to experiences before the gTLD expansion. Survey could at least measure experiences with phishing, parking sites, malware and spam, and confusion about new gTLDs."

So the word "parking site" was listed among several things that would be assessed in a survey, as we try to measure whether people trust the

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DNS more now after the expansion, versus before the expansion. We don't need a precise definition. We may not even need the term to be used, except to translate it to our survey vendor, so that they can design questions that drill into why people trust or don't trust.

Rudi, no need to figure out where this fits. It's just part of the conversation we have with the survey vendor.

JONATHAN ZUCK: In order to turn it into a question in the survey...

STEVE DEL BIANCO: I don't think we do.

JONATHAN ZUCK: Because it's just a list of possible things people might have encountered?

STEVE DEL BIANCO: We're trying to direct the survey vendor to measure perceived consumer trust in the DNS, and we wrote in here, "The consumer could at least measure experiences with." Presumably they design a question that would ask a consumer, "Now that the expansion has occurred, do you believe there are more web domains that contain only advertising links?" We could potentially give them that vocabulary, because the word "parking" won't mean anything to the people they're surveying.

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MICHAEL GRAHAM: Jonathan? I do think that we need to have clear definitions, because as we all know, once the results of this are made known, we're going to be asked, "How can we rely on this, when it's not clear what a parking site is, what phishing is?" Whereas, if we have the clear definition that we had turned over, then we answer it, "This is what we meant by it. This is what they asked about."

JONATHAN ZUCK: Thanks Michael. Mason?

MASON COLE: I agree that for the purpose of the survey most consumers have no idea what parking means, in web terminology. That being said, if it's important to have a definition, maybe we could turn into what a parking site is, instead of stating what it's not, at the outset.

JONATHAN ZUCK: Rudi?

RUDI VANSNICK: To add to that, I think it would be good if we could ask the survey vendor to use samples, because as we're going to address consumers, not even everybody understands definitions we're going to put forward. Samples are often more usable to identify what we think it is, so that they understand the questioning that we're doing.

Don't forget that we'll probably end up having non-native English speakers in our replies. Samples are most often – especially when we speak about parking sites, the [cedo 00:36:27] sites – we all know how they look. It could be good that they have a definition so they can say,

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“Okay, that’s what we understand also as being a parking site.” Just to give a sample.

CHRISTA TAYLOR: I think it would also tie into whether it’s meaningful. A parked site isn’t, by definition, would understand if it is a meaningful site.

JONATHAN ZUCK: Mason?

MASON COLE: I’m going to disagree with you on that one. It may be meaningful to the person who’s trying to search out a specific product or service. If I go to pizza.com for example there may be a list of links for all kinds of pizza places, and that might potentially be valuable for me.

STEVE DEL BIANCO: Christa read the word “meaningful” because it was part of what the Working Group did. 1.4, I read you the sentence on parking. The next line said, “Confusion about new gTLDs and user experience in reaching meaningful second level TLDs.” This was a Working Group a year and a half ago, trying to figure out a way to explain what’s meant when you assess whether people feel more or less trust.

It goes on to mention, “What’s your experience like with the new gTLDs?” “Are you finding that with the new TLDs you’re able to reach domains that are more meaningful to you?” There would be questions



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like that to try to assess whether the new TLDs are giving them confusion, or satisfaction.

SPEAKER: If that ship has sailed, that's fine. Maybe we use a different word.

JONATHAN ZUCK: Or maybe we don't put [unclear 00:38:05] on parked sites. That may be part of the issue. Maybe we drop it. The other things are so much more specifically bad, and understandable, that we don't need to make a valued judgment about whether a site's parked. Go ahead.

[RAY]: [Ray Fast 00:38:25]. I think you just said it. I think the more we try to head down value judgments we're heading down slippery slopes that could actually end up distorting what we're trying to aim to achieve.

JONATHAN ZUCK: [Elisa], did that make sense? I think we drop parking sites from that particular metric. We've redefined it as dropped.

[ELISA]: Sounds good to me. I think the key is that we're not so much interested in defining precisely what it is, it's explaining the idea of if you have the experiences, how does that rate your trust in the system. I think you all got to that point in your conversation.

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JONATHAN ZUCK: Does anyone else have any comments about the other three definitions, or can we move to the next slide?

[ELISA]: There are a couple of comments in the chat about spam.

SPEAKER: The comment in the chat is from Mike Nelson. It says, “The definition for spam is odd. There’s a definition for ‘bulk’ but we don’t use the word elsewhere in the definition. Webopedia definition is cleaner: ‘spam is electronic junk mail or junk news group postings. Some people define spam even more generally as any unsolicited email’.”

JONATHAN ZUCK: Just about any email anybody gets from me is unsolicited. Bulk is not mentioned anywhere in the metrics, so maybe it is confusing to add that in there. Natalie agrees with Tony, so I’d like to know what Tony said.

SPEAKER: Tony’s comment is: “For spam, I might simplify to say ‘a commercial email that the recipient has not requested from the sender’. There are varying definitions for spam. In the US, generally, in order to be actionable the spam must also be false/misleading, but for these purposes I would try to simplify and since non-commercial email can be classified as spam, example political, news email, but is generally not considered as problematic for [unclear 00:41:14] abuse of the DNS. I would suggest we limit to commercial.”

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RUDI VANSNICK: Based on the European definitions, I think that's one of the big differences there is, the opt-out and the opt-in. In Europe it's opt-in. We're talking about unwanted messages, rather than solicited emails or whatever. Unwanted is a more precise word used in Europe, for messages that we call spam.

JONATHAN ZUCK: Anyone else with a thought on that?

[ELISA]: One of the thoughts I wanted to bring up, that Rudi raised, was that these can all be translated in different ways, which are absolutely right. I think an important qualification in the RFP is going to be how you test the definitions cognitively across different languages and cultures. This might be one that in particular is very important to test, depending on what country you're asking it in. That may address some of those concerns.

STEVE DEL BIANCO: Your point about bulk is correct. The word bulk is never used, so we shouldn't have it defined – number one. The word spam is used twice in our metrics, and we didn't try to attempt to limit it to commercial. I believe that would be a mistake, to try to say it's only commercial. After all, political and a lot of the stuff my mother sends me is spam.

There ought to be a way to measure it. The two words that show up are "unsolicited" and "unwanted", which Rudi said. In a survey, we could

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use both words as an opportunity. They'll be some false positives there, because people will say, "I don't want this email," not remembering of course that they opted-in to getting it, when they ordered something from Levi's and they haven't opted-out yet, so they'll still say it's unwanted. It's all a perceptual thing.

We're measuring before and after the new gTLD program. If they end up saying, "Since the new gTLD program I perceive I'm getting more unsolicited or unwanted emails," if you ask the question that way you don't even need to use the word spam. There's no need to define it. Let's just say unsolicited or unwanted email.

JONATHAN ZUCK: If we define spam we'll have to define ham... Christopher?

CHRISTOPHER WILKINSON: I suspect that spam is spam in rather a lot of languages. I know that the ITU is not the flavor of the month in this context, but they have recently conducted extensive studies and policy documents about limiting spam. The translation of spam terminology into numerous languages is probably readily available.

JONATHAN ZUCK: That's a good point. I guess it could be spam, and then a parenthetical of unsolicited or unwanted emails. I think we can easily do both. You're right. It is becoming a very widespread term, like web or something like that. Elisa?

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[ELISA]: Okay, sounds good to me. Shall I move onto the next one?

JONATHAN ZUCK: Yes. More comments from Tony or Mike that we're missing? I think we've simplified this way down, so we've addressed their concerns. Let's move to the next slide.

[ELISA]: A few more terms here – second-level domains, cyber-squatting, and of course gTLDs. You can take a look at let me know if anything jumps out at you.

JONATHAN ZUCK: Christopher?

CHRISTOPHER WILKINSON: I have a quibble. It's internally consistent. Marketable and trademark related, okay, but then at the end of the definition I'd say "wished to develop them", because at the end of the statement it limits it to trademark, whereas cybersquatting, for example, in geographical terms or other valuable generic terms, cybersquatting does extend nowadays way beyond trademarks.

MICHAEL GRAHAM: I think I would remove from that the last phrase, after "trademark related terms," because the rest of it presumes that they're going to be sold back. Who knows? It's with the intent of doing that, but that isn't enough concern, I don't think, in the definition.

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JONATHAN ZUCK: That’s the thing. Is it trademark related, is that too narrow? If we get rid of the second half of the sentence, saying get rid of “marketable and trademark related”, enough for cybersquatting, or do we need to include some other term that encompasses the other things that Chris was mentioning? Mason?

MASON COLE: I don’t understand Christopher, about how it would extent to generic terms or to geo terms that don’t have trademark protection.

CHRISTOPHER WILKINSON: There is experience in the past years of certainly cybersquatting geographic terms that are not trademarked. I think if you look at the numbers of bulk registrations that have been reported, and I admit that we’re still dealing with hearsay through the press, but I don’t think all those names are trademarked.

In fact, we’ve gone to some length to clean the trademark abuse out of the cybersquatting business, but it’s not stopped people from bulk registrations of names that they believe to be marketable.

MASON COLE: I agree with you to a certain extent. I’m no attorney and with all due respect I have to disagree with the idea that registering a generic term represents cybersquatting. I think in the US at least, cybersquatting has a specific legal meaning and we should stick with that. Investing in a

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domain name, I've done myself. I have several generic terms that I've bought over the years.

That make me a cybersquatter. I'm not infringing on a right. In fact, I may develop those names myself at a later time, and I simply want to have them so no one else gets them.

STEVE DEL BIANCO: When I read the word marketable and trademark related, I read "and" literally, not "or" trademark related. The notion I thought was that this definition related only to trademark that were marketable. If in fact marketable doesn't mean trademark then we should take out the word marketable. Mason, I'm agreeing with you. I think we should strip out the word marketable. This is only about trademarks.

JONATHAN ZUCK: Ray?

[RAY]: That's pretty much what my comment was going to be. Thank you.

JONATHAN ZUCK: Evan, did you have a comment?

EVAN LEIBOVITCH: My apologies for coming late. I was triple-booked. Is there damage to be done simply by stopping the sentence after the words "those names"? Just ending it there? The whole marketable and trademark related, I'm not sure on. You could extend this practically any...

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Speculating is not squatting. I'd also caution not to be too US-law specific.

ICANN is global and so there's got to be that sensibility in there, simply because something's related to US law doesn't necessarily mean ICANN has to adopt it globally. In generic terms, I don't have a problem with this sentence. The second part of that is clumsy. Just "reselling or licensing those names."

JONATHAN ZUCK: Elisa, I think where we have rough consensus is to drop the term "marketable" and to end at "those names". [Carol]?

[CAROL LANCE]: Thanks. This is [Carol Lance]. Just a quick time check, we have about 35 minutes left, and I don't want to spend time on this here, but I was just noticing the gTLD's definition I think is outdated. I know it's from the ICANN website, but I think there are references we have that are more current than that.

JONATHAN ZUCK: I think we all agree with that definition in principle, so we'll let it be modernized and move on. Any other comments on this? Ray?

[RAY FACET]: If you don't mind, I'm going to make a comment. A literal read of how we just landed would mean that if I can just pick a trademark, a famous one, a literal read would mean if Microsoft registers Microsoft.com in



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order to profit... It's their own. A trademark owner that registers their own name for their own profit could fall within that definition. Just pointing that out. Not that we have to tweak it and get it right today.

STEVE DEL BIANCO: Mike Nelson in the comment put the definition from Webopedia: "Cybersquatting is the act of registering a popular Internet address, usually a company name, with the intent of selling it to its rightful owner."

SPEAKER: Only qualification it's not necessarily a popular Internet address. No one's got it, so it's not been popular until they purchase it. I do like, in answer to Ray or Evan, where the last portion of that with the intent being to later resell or license, yes, Microsoft wants Microsoft.com, but to use, not to resell. I would take out the comma after terms.

JONATHAN ZUCK: There's a lot of discussion going on.

STEVE DEL BIANCO: Let me propose one: cybersquatting is the act of registering an Internet address with the intent of selling it to its rightful owner. An Internet address corresponding to a trademark term and selling it to its...

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EVAN LEIBOVITCH: I like the simplicity of what Steve just said. That short one. You don't have to get into trademarks. There is common law, there are other regimes, whatever.

JONATHAN ZUCK: It just has to be a term. It's not the site that doesn't have a rightful owner, it's the underlying term that does, I think. Christa?

CHRISTA TAYLOR: Bad faith intent, is the word that I think we're looking for and missing in that. There's some kind of bad faith in there, that they're registering these names that's not in the best interests of the company, which ties back to the Microsoft example. They're not going to go and register their name with some bad faith in it. They're doing it for their own game and protection.

JONATHAN ZUCK: Margie?

MARGIE MILAM: I think it's still a little narrow, because you have people who are cybersquatting, if you registered a domain name just for a purpose of pay-per-click, and there's trademark related infringement. In other words, they may not necessarily have an intent to sell it to the rightful owner, because they might be making money during the registration and perfectly happy with that. I think you're being narrow in your approach.

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I think if you follow along the lines of what's in the UDRP, that's probably what we're trying to get at. I think bad faith is certainly part of it.

JONATHAN ZUCK: Steve?

STEVE DEL BIANCO: To contextualize, the word "cybersquatting" is used exactly one time in the entire document that we developed, and it's used in the exact same metric – we should always remember to go back to the metric – we've been discussing for the past half hour. 1.4. It's on the survey. It's just a long list of experiences we want to tell our survey vendor the kinds of things they want to discover and ask about in the perceptions of the users they reach, for registrants.

Its definition only has to be good enough to describe it to the survey vendor, so that they can design questions to define whether people think the new gTLD program is leading to more problems. Why don't we just use a dictionary definition and let the survey vendor decide how to translate that to people?

JONATHAN ZUCK: Steve made a good point. Christopher?

CHRISTOPHER WILKINSON: Okay, but in that case, do we need another definition for investment or speculation in names? The survey will certainly come up with some

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registrants who have very large numbers of names apparently for speculative purposes.

JONATHAN ZUCK: Again, this is just about consumer perceptions of the new gTLD program and whether it's affected their trust of it. I don't think the fact that there's a bunch of speculators out there is likely to have a direct correlation to trust. It's not in the metrics currently.

CHRISTOPHER WILKINSON: In terms of consumer trust, this is one of the factors, because if consumers discover that large numbers of names can't be registered, because they've already been registered speculatively, or that they can only acquire them at a premium price, because they're being resold, that would certainly affect consumer trust.

JONATHAN ZUCK: Steve?

STEVE DEL BIANCO: "Specular" does not appear in the entire document. Christopher, to your point on trust, it's really not trust, it's more to choice. Our definition for choice, which we're bound to, is "choice is the range of options available to consumers for domain scripts and languages, and for TLDs that offer meaningful choices as to the proposed purpose and integrity of the domain name registrants."

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This is a gTLD expansion program, not a second-level domain expansion program. We are asking people in choice – and this is a definition we’re bound by – it’s a choice of the TLDs that I may pick. “I own a bike shop. I couldn’t find my name in .com, but I go to .bike and see whether I can find it.” It’s a TLD choice, not a second-level domain choice.

Speculation is not part of the metrics at all, because you don’t speculate in gTLDs. You had to do that a year and a half ago when you applied. There is speculation is second-level domains and availability of second-level domains is not part of the survey. It’s not part of our Mandate at all.

JONATHAN ZUCK:

Was there any other comments on this? Elisa, let’s move on. I’m going to put it in Steve’s hand to circulate something on cybersquatting, so that we have it to give to the survey vendor.

[ELISA]:

I wanted to talk a little bit about what your Final Report will look like, since we’re hoping to get your recommendations to the Board within the next couple of months. This is what I came up with – basically presenting an executive summary, a background on how the group came together, how we viewed each of the metrics, and then talk about how we prioritize them, the ones where data is available and where baseline data needs to be collected. We’ve already done some of that, and we talked about that a bit last week.

It’s getting the survey studies off the ground... Then the remaining metrics are the ones that either we didn’t recommend or we raised red

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flags about. I would present in the Report what the discussion was surrounding those, and the different points of view and some of the conclusions that were reached, and then the proposed new metrics, which I'm hoping we'll still have some time to talk about as well.

I wanted to share that outline with you and see if that seemed appropriate. On the next slide we can talk a little bit about a timeline.

JONATHAN ZUCK:

I think that report format seems appropriate. I think what we'll want to do though, when we construct this – and I'm happy to work with you on structure, once we get close to it – is to make sure that our actual recommendations, and this might just be the executive summary, are easy to find, and we're creating a product that's most consumable by the Review Team when it convenes, and that all the back and forth is appendix to that.

I think we want to deliver as crisp a product as possible to the Review Team. That would be my only caveat in this structure. It all depends on what the executive summary looks like, but I would like to make sure that the recommendations, as they finally survive this apocalyptic process, come out looking clean and useful, so the Review Team can dive right into them.

[ELISA]:

I would agree. This is what I had in mind: by near the end of July, 25<sup>th</sup> July, [personal 01:01:07] draft recommendations for public comment. We had this in the original timeline to be done in April or May. The public comment reply period would close by the end of August and we'd

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post a summary in early September, and then have a draft report ready by mid-September, a second draft ready by early October, and hopefully present the Final Report to the Board by the ICANN Meeting in LA in October.

This is I suppose a bit ambitious, but I think we're far enough along that we can start drafting the Report, and I want to hear comments and recommendations to start pulling it together. I think from a staff viewpoint I think this is realistic, but I wanted to hear your thoughts on it.

JONATHAN ZUCK: Let's do it. Anybody else chicken? Steve?

STEVE DEL BIANCO: Not chicken at all, just a question for staff. You know there's a motion in Council today asking staff to explain the status of surveys and Review Teams. What is the staff's best estimate of when the Review Team itself would first convene?

[CAROL LANCE]: The Affirmation of Commitments text provides that the [assess 01:02:28] to convene the Review Team a year after new gTLDs have been introduced. Using the first delegation date of October 2013, that would put us at October 2014 to be beginning the process of convening the Team.

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JONATHAN ZUCK: Thanks. Follow up would be that it turns out there's a lot of work in the community as we designate Team Members. I believe looking at the experience of the past four Review Teams under Affirmation, we'd be challenged in the community to name the people and get them all approved by the GAC and Board Chair by October. The timing is probably...

MARGIE MILAM: Let me clarify, I don't think it's a year from introduction. It's a year that new gTLDs are in operation, and there are different ways of interpreting that. I just know that within staff we've looked at it from different perspectives, and that's certainly the earliest, but if you start at the very earliest point the data may not be that useful, if you don't have a lot of TLDs actually live and experienced out there.

There's a Council Motion today, I believe, on the next steps, and that might drive an earlier review process, because you don't want to start the next program without at least having started some of this work.

JONATHAN ZUCK: Has anybody started the process of asking the community to begin naming Team Members?

MARGIE MILAM: No, that hasn't started yet. Carol, does that make sense?



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[CAROL LANCE]: Yes, I just wanted to add in relation to this as well that no, the process to actually convene the Review Team, there's been no action taken on that. I mentioned the date October, and we have looked at, as you alluded to, there's a whole process for actually seeking submissions from the community and convening the Review Team, which looking at the past is typically a three-month process.

Our target for the earliest that we'd need to have data, to be giving it to somebody, would be January 2015, just as a market.

JONATHAN ZUCK: That's what I remember as well. Mason?

MASON COLE: A question for Margie – when you say a year from when it first goes operational, are you talking about the first day that the first IDN went into the root, or the first day or sunrise, or...

MARGIE MILAM: That's the problem, the AOC is really vague on that, so how is it interpreted? There are different ways of looking at it. The earliest for sure could be October, as the very first date. The question is, is there enough data and experience yet to be able to conduct a meaningful review? Those are all issues that are being sorted. Clearly, if the gNSO is pushing that, for example, then we'd have to move sooner rather than later, and it could be as early as January, as Carol suggested.

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JONATHAN ZUCK: That would still be the beginning of the convening of it, as opposed to the first meeting or... The formation could happen in October.

SPEAKER: If we get behind we'll just re-interpret it.

JONATHAN ZUCK: That's exactly right. We want it to be useful, so... any other comments, or questions about the schedule? Steve?

STEVE DEL BIANCO: When the actual comments come in – and a number of you have done this – it's extremely painful to deal with comments that were well meant and well instructed, but are completely outside the scope and irrelevant to what we're doing. It's very likely that the comments we'll get won't have any relation to our narrow Charter, and that's going to be a huge challenge for us; to maintain discipline, politely deal with the comments and get this thing finished.

We'll need to remember the narrow Mandate the Board gave us, as well as the fact that what we're doing is refining the metrics, and we were not starting over.

JONATHAN ZUCK: Yes. For somebody that's a big advocate for public participation and openness, putting a public comment period on this interim phase already feels egregious, in some respects. As Steve said, I don't know what would be involved in skipping it, but...

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**SPEAKER:** No, I recall it saying, “This group should work with the gNSO, ALAC and staff to work on feasibility and make recommendations.” The proposed timeline that I inherited when I joined this Team had a set of steps that included a public comment period. I came in with the assumption that that’s what would occur.

**JONATHAN ZUCK:** I’m inclined to challenge that assumption, because our Mandate, particularly for this group, is so narrow, and it was all about feasibility, utility and refinement, and we’ve already received a plethora of comments about the original 70 metrics from which we were working. The only real delta is going to be these few additional metrics and things like that. I’m not sure the overhead of a comment period is justified. Margie and then Steve.

**MARGIE MILAM:** I think it’s a general thing that the Board tends to look for public comment on certain types of issues, but I don’t know if this one is one of them. We could make the choice that the Board could decide whether they want a public comment or not, and not have the Team automatically assume that. [Carol] did inherit that outline, but to my knowledge it wasn’t set in stone.

**JONATHAN ZUCK:** It’s like inheriting debt.

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STEVE DEL BIANCO:

Let's pretend we didn't see the inheritance, and proceed with a plan that doesn't call for it. That same timeline... We're going to change the timeline. We're going to take out this particular public comment, but we need to make sure that we show it to gNSO and ALAC – that's not in there, and it should be – and the Councils.

Let's put in there that when the Review Team gets put together and approved by the GAC and Board Chairs, the first thing the Review Team will do when they come together is develop a Charter for the review. They'll decide which, if any, of all of our hard work they're going to use in the metrics program. You can bet that very early in that Review Team's work they'll do what?

They'll look for public comments on their Charter and their review methodology. Virtually all of our work that survives the Review Team scrutiny will then be put out for public comment. This is not eliminating public comment on our work, it's simply deferring it until the body for whom this work is intended makes its decisions, and then puts that out for comment.

RUDI VANSNICK:

I'm just wondering, not having full experience with it, could it be that this interim comment period is required due to the fact that there is a substantial amount of money linked to the work that has to be done? Could that be a reason that there is a need, before we get this RFP being sent out?

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JONATHAN ZUCK: I don't remember a public comment on the trip to Net Mundial! Okay, well, let's not go down that path. The truth of the matter is the Board has already approved that, so if there was a need for public comment on that it would have happened. Evan?

EVAN LEIBOVITCH: I'm going to speak in favor of the public comment for one reason, and that's because the nature of what this group has been doing has been culling down the original list of metrics. I think the public comment period would be useful, if there was any other members of the community outside of our little team that thinks that any of the metrics that have been left out have been egregiously so.

We may come to these conclusions, but if there are members of the community that think they need to be put back, this is where we find out about it. It's not a matter of deferring this to the Review Team, because the Review Team's only input will be what we give them. Steve, what we're doing is taking the original metrics and essentially vetting them down, right?

That means there are some things being culled out that other members of the community may say, "No, maybe these shouldn't have been taken out so hastily." That to me would be the purpose of a public comment.

JONATHAN ZUCK: I actually agree with you in principle, Evan, I feel though that in practice, the actual amount of culling we've done is so minimal that it's not worthy of public comment. That's my impression of going from 70 to 67 metrics isn't something that justifies a public comment at this point. In

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principle I agree with you, I just don't think we've done anything particularly drastic here. Steve?

STEVE DEL BIANCO:

Evan, on calls that you couldn't make, I definitely tried to advocate for even the three that might get culled, to make sure we were only culling because we couldn't deliver the metric. Having said that, there are two wonderful opportunities for you to argue to put back the three. The first is the ALAC and gNSO would both receive this, because it's their advice. It's not a public comment but it's Council and ALAC.

Second is that after the Review Team begins, if you're not part of the Review Team, you know that that Review Team when it starts will seek public comments and hold events so that they can develop the metrics they're going to use. Those three, you dust them off and put them right back into the process and into the hands of the Review Team that's then in a position to make a final decision about proceeding. They can put them right back.

It's so much more pointed there. If you go to the public comment and argue to put the three back, you still have to go through the same thing when the Review Team convenes, because they may decide to ignore 70 out of them, not just three.

CHRISTOPHER WILKINSON:

Is this an issue? I think we've decided that we'll go through a public comment period. That doesn't need to focus specifically on metrics that we've culled, does it? I think we just have a public comment period.

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JONATHAN ZUCK: I think we're trying to side-step the public comment period and focus instead on going back to the gNSO and the ALAC for amendments on the recommendations. There isn't enough here, in a delta, that differentiates itself from the public comment that we've already received on the original metrics, to justify a public comment period. I think that's the rough consensus of the room. Margie?

MARGIE MILAM: Think that through a minute. You send a communication to the ALAC and the gNSO. I assume you've got to give them some time to respond? They've got a lot on their agenda and won't be able to turn to it so quickly. You're going to have to think that through in the timeline, wherever it would land. You'll probably need some sort of deadline as to when you want this to go to the Board and have it be discussed.

JONATHAN ZUCK: I would suggest that that time period is July 25<sup>th</sup> through August 29<sup>th</sup>.

MICHAEL GRAHAM: Jonathan, could I get some direction, some help? I have been able to speak with representatives of both INTA and the IPC. The IPC as you know, there were several members who were pressing independently for some sort of study, which basically this metric might satisfy, but I've not gotten them to a point of stating that they would support carrying it out, that they have a means of doing that.

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I want to be able to leave this meeting and get back with them and get some very solid proposals from the two organizations. I just wondered if there's a timeline that I can give them that we'd like them to look at completing this by, or if we should simply make it open-ended and ask them when they think they could do it?

JONATHAN ZUCK:

I've been part of those conversations inside the IPC too, and you haven't gotten a lot of pick up when you've brought it up, but there's a lot going on. A deadline would probably help. I'd suggest that the real deadline is about making data available to the Review Team when that time comes, so given the amount of time it would take to construct this study, I would suggest it would probably need to be in that early September timeframe.

That September 4<sup>th</sup> date is probably the date by which a decision would need to be made about creating a study that would be relevant to the Review Team. I think in a sense it's more about creating product the Review Team might use, rather than this Team.

MICHAEL GRAHAM:

I think that's eminently doable, and as you may or may not know, the new CEO of INTA, Etienne, has been attending the ICANN Meeting. I think based on his experience he'll be someone to help buy into this. This is an area that he's very interested in as well.

JONATHAN ZUCK:

Steve?



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STEVE DEL BIANCO: You may not remember the weekend, but the motion that Council is considering today on studies, I informed everybody because they'd forgotten, including Brett, that in May of 2011 GAC advice on new gTLDs asked for an independent review of rights protection mechanisms. I was speaking to you about this in the IPC.

It said, "In considering how to progress the GAC proposals, the GAC proposes a comprehensive post-launch independent review of the Clearinghouse conducted one year after the launch of the 75<sup>th</sup> new gTLD in the round." They used the word "launch" not "delegation" or "operation", whatever that means. Presumably one year after the 75<sup>th</sup> would place you somewhere in January of 2015, and it's supposed to be an independent review.

According to the GAC, it should examine whether the aims, functionality and operations of the Clearinghouse would benefit from incorporating the current GAC's proposals, as well as any unforeseen questions and discusses that may arise following a launch of the round. That's a different review than the affirmation review. Much more narrow in scope, but it will occur sooner.

It's supposed to be done by an independent vendor as opposed to the community. Were you aware of this particular one? I'll forward that to you. That may actually be the review you're looking for in the IPC.

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JONATHAN ZUCK: I think Michael's talking about the metrics we had associated with the cost of the new gTLD program, in terms of registrations and things like that.

STEVE DEL BIANCO: Costs to the...?

JONATHAN ZUCK: To the trademark community.

STEVE DEL BIANCO: That's what this is about.

MICHAEL GRAHAM: Steve, send that to me and let me take a look at it. I'll work that out with 1.11 and give you what my understanding is of the two.

JONATHAN ZUCK: Thanks guys. Anything else on this schedule? I think we're going to try to stick to this schedule. I think we're going to skip the public comment period and use that same period for review by the gNSO and ALAC. Can we move on?

[ELISA]: I wanted to talk about the spreadsheet I sent out on Monday with staff feedback. We don't have very much time left. We can try and get through some of these quickly and then maybe carry the conversation over to email. You all have handouts I believe.

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JONATHAN ZUCK: Look for the number one in the first column, upper left-hand corner. That's where it starts. One page, front and back.

[ELISA]: It's a little tough to read on the screen but thankfully you have your printout there. For those of you who are remote, I emailed this to you on Monday. Just to go through this quickly, Jonathan asked me to propose categories for each of these proposed metrics, and then do a bit of an evaluation. I basically went through it, and some of them are more clear. Some of them I think we could argue could possibly fall into two categories.

We only have about five minutes left, so I'm not sure how you'd like to go through this. I could give you a quick summary? Go ahead Jonathan.

JONATHAN ZUCK: We probably won't be able to go through this in detail in the next four minutes. I thank you for your work on this, Elisa. I think it's good work. I read through this and thought that a lot of what you wrote here was sensible. I think what I want to do is put this back in the hands of the proposers.

Christa, there are several of these that you proposed, and there are some comments about the causal relationship between some of these things, that I'd like you to take some time thinking about, rather than us trying to do this in four minutes. The same for Christopher. Let's just try to refine these. Ron is not even here to defend himself. I'll deal with

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him later. He's over with the NomCom right now trying to do the Lord's work!

The ones at the very bottom are ones that we agreed to on the call together. The others, I think, if you guys could respond to them independently, via the list, let's not wait until the next call. If you could give feedback on this spreadsheet that would really be helpful. Is that okay, Christopher?

CHRISTOPHER WILKINSON: Yes, that's fine. However, I would like to thank staff for producing the printout, because the detail was such that it was rather difficult to absorb on the screen. Since I've got the floor, my main point is not that it shouldn't be in the economic study – I can see the professional economic point about doing that through a study – my point is timing.

I think some of these aspects are quite critical in the short-term, and I don't want to postpone, unnecessarily, an appreciation by ICANN as to what they should do about it.

JONATHAN ZUCK: Yes. Again, we are very short on time. Christopher, I know you've expressed a real interest in the signaling benefits of this effort. I'm sympathetic to that, but I also feel that that's outside our remit, in large measure; to be trying to dictate how individual registries operate – even though we are making some value judgments on some issues. I think we're looking generally to see...

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It's to facilitate the work of the Review Team, and some of which will in fact feel too late. If we get the economic study RFP out soon then I think there will be an opportunity to have what amounts to baseline information. If it's based into the RFP, that will have some signaling benefit, I think, as well. Do look through these and see if you can answer the questions, because if they are easy-to-identify data sets that we could collect as metrics, then we could make that happen.

This isn't meant to be a complete dismissal of them from the metrics portion, but let's make sure that we can actually collect data in an efficient way, all right? Thanks everyone for your participation and hard work. As I said, we're on the final sprint here for the finish line. Thank you so much. I'm very excited about the work we've done.

I think we've made some incredible progress, and I think we'll be putting the Review Team in a good position to make some data-driven analysis, which will be a great change. Thanks everyone. You guys are going to respond via email prior to the next call, but we'll get the next call shortly. Thanks again.

**[END OF TRANSCRIPTION]**