RECORDED VOICE: This meeting is now being recorded.

DENNIS CHANG: Thank you. So Michelle is manning our room. And she will be helping with our team.

Okay. Theo is awake. That's good. We need everyone to be awake today, because it's a very important meeting that we're going to… We're going to have final meetings, final reviews for public comment for two policies.

One is the revised policy for CLND, the other is the transition policy for dot com, dot net, and dot [job?].

So before I get started, let's see who is on the call from the IRT.

Let's see.

Joyce is there, Marc, Roger, Steve, Theo. Anybody else on the call? I don't see the name of the Adobe Connect room.

Okay, well, we shall proceed because we just have to make progress. And I understand that not everybody can be at every meeting all the time. We do have a lot of meetings, even with just policy development and policy implementations. So the first question is the agenda. We talked about how to be switching the thick WHOIS versus CLND. Anyone have any suggestions to the agenda? Or anything that they want to bring up?

No? Okay. If that's the case, I have provided the last revision of the CLND policy on Sunday, and requested support. And I've received support from many of you, and let's see, everybody on the list here, I see Steve just joined, that's good.

Steve, Roger supported it, Theo supported it, Marc supported it. Let me see. Is there anyone else who has not voiced their support or possibly have an objection to the way forward with our CLND revisions? I know Joyce supported it.

KRISTA PAPAC: Can I jump in Dennis?

DENNIS CHANG: Go ahead Krista.

KRISTA PAPAC: Hi everybody. It's Krista Papac with ICANN staff. I know Steve wanted to get to the transition discussion today, so it looks like we can just wrap the CLND portion up. We just wanted to make sure of two things with the IRT. I know lots of people have expressed their support and re-expressed the one change since we talked about this a couple of weeks ago, was that we weren't initially thinking we would put the revised CLND policy out for public comment again, but we are going to do that.

So the reason we're bringing it up here one last time is, everything we told you over the last two weeks, except we will also be putting it out for public comment. On the mailing list, I didn't see any pushback on

that. We didn't see any pushback on that. I see Roger supporting the public comment bit. I know Theo asked if it has gone for comment yet, it has not.

But it would be going out very soon, CLND, that is, for an additional public comment period. And then hopefully we can wrap up that policy, publish it, and notify the registries to start working on implementation. I also see Theo has agreed in the chat, and I know Marc has his hand up, so I'll turn it back over to Dennis to manage that, but I just kind of wanted to wrap up the conversation with you guys so we can then move onto transition and focus on that. Thank you.

DENNIS CHANG: Go ahead, Marc.

MARC ANDERSON: Thanks. This is Marc. I don't want to take up any more time. I agree with everything you just said. I just had a quick question. Do you have a timeline when the old policies, the old policy is still published and in effect for 1 February 2017, so I was wondering if you had a timeline or an update when you would be rescinding or removing that existing one? Thank you.

DENNIS CHANG: Yes, Theo. Our plan is, when we go up for the public comment, which we intend to do this month, and when we announce it and put up the revised policy for the public comment, we will issue a legal notice, rescinding the existing policy at the same time.

So we're going to synchronize those events. So, we felt that it doesn't make sense to be opening up a revised policy, while the other policy is still in effect. So that's what our plan is.

KRISTA PAPAC: And if I could just add to that, Dennis. Marc, as soon as possible is the short answer, because we realize that people might be working to implement this, and we don't, you know, want to get them, we're trying to let them know that this is delayed, for lack of a better word, implementation is delayed for a little bit longer, before they've invested too much into developing it.

So as soon as possible, but we really felt like we couldn't move until we had, we were sure we had the support of the IRT, and if we… I guess, in a sense, we do have that. So if anybody is not in support of that, please speak up now, otherwise we're going to get the wheels in motion to start making those things happen as soon as possible.

MARC ANDERSON: Great, thank you.

DENNIS CHANG: Thank you very much IRT. So we are going to take this as a support of the IRT, and move forward with the CLND revision. And move on to the next topic, which is the transition. So, for version six, I have distributed, I added the clause for the unless otherwise required per the suggestion of Marc and Steve. And then or so I have spoken out the public things that came later.

Marc suggested that maybe we should make it clear when one is documentation, the other is the requirements for the [inaudible] to deploy the OTNE. So let me just quickly browse the document first, and then we'll take one thing at a time, and furthermore, Roger came back with some suggestions making, improving the document for readability.

And what I've done is, I've gone ahead and red lined it. And this version is now called version 6.1. So this is our candidate for our final document. So you will see the changes here. It looks like several, but a lot of it, again, was Roger's suggestion on readability. So let me take it right from the top. Everybody in sync?

I'm assuming everybody is okay with seeing the screen that I'm sharing, the document? Okay, let me see.

So, first, very [inaudible] debate. The second is the first suggestion from Roger, that instead of an and, we say or. That will be more maybe technically accurate and more clear. Okay, let me see. We have Roger. Go ahead, Roger. You want to speak?

ROGER CARNEY: Thank you Dennis. This is Roger. I was thinking the or in the next line, if I read this verbatim, if I'm a registrar and I only do dot com registrations, I don't have to follow this policy. The and in the first one probably makes sense, since it's the same registry.

Yeah, makes sense.

DENNIS CHANG: Yeah [inaudible]. Okay. I think that's what you had in mind then? Okay, good. Next item is, changes for readability, deleted these two dots, and delete the word only. Does that capture what you had in mind? [CROSSTALK] Yeah, go ahead, Roger.

ROGER CARNEY: Yeah, the only difference, I think… The only difference is domain name is singular. It probably should be singular, since it starts off domain name is singular in the first one too. Yeah. Okay.

DENNIS CHANG: Okay. We want to keep moving. Okay. Now this one, was this the one?

Yeah, this is the one that Marc suggested we change…. Was it?

Yeah, the first one is where we limited to the documentation change. And the second one, or 2.3, is what we added to facilitate or make it clear that it's a deployment. Any comments here? I thought it was a good change to make it clear, and I probably, Marc heard it from his engineers, and I think I can see why that would make this more clear.

Is this acceptable? Okay. I have a chat, who is this?

Okay. Everybody is good with this. Marc is good. We're going to move on. This is a typo, thank you Roger. Okay, the other two changes, 2.6 and 2.7, again, readability improvement. I made a change to say monthly by time of the first day of the next month. Yeah, I think it reads more clear for me, and works for me.

Everybody okay with that change?

UNKNOWN SPEAKER: Checkmark from Roger.

DENNIS CHANG: Thank you, thank you.

UNKNOWN SPEAKER: And Theo, and Marc.

DENNIS CHANG: Everybody is good with this? And finally, 2.11, the clause that I added, unless otherwise required by registry agreement, per a suggestion from Marc and Steve, put in that.

And that was it. That's the only change, final change. Now I'm looking for the IRT support of this version, 6.1, and taking it to public comment. Let's see.

Marc, do you want to speak? Go ahead.

MARC ANDERSON: Thanks Dennis. I have what I think is a non-material change request here. In a number of places throughout this, the language reads, just taking 2.4 as an example, there is language requiring the registry operator to implement something, you know, based on section one of

specific four in the base registry agreement, and the registration directory services, consistent labeling, and display policy.

I think that's a little redundant and not necessarily complication. The registry/registration data services consistent labelling display policy already requires registry operators to implement these in conjunction with section one of specification four. So I guess, you know, I was reading through it, and I thought, yeah, it's sort of unnecessary to have that language in there and it might simplify the document a little bit, to just say…

I think the purpose is to just to tell comment and jobs, when they're required to implement the CLDN policy. So, that's just my feedback there. Thank you.

DENNIS CHANG: Thank you Marc. Krista, you're up.

KRISTA PAPAC: Thanks. Hey Marc and everyone. Sorry, I'm raising my hand in the room here, Dennis, so you don't see it in the Adobe. Yeah, Marc, I understood your point about that. I think that, if it doesn't hurt, the thing that's nice about it… This is clear to us because we've been in the weeds working on both of these policies, and I mean the collective us on the call today, but…

And I do get your point, but it seems… Like for people who aren't… You do have to follow a number of threads to make sure you're getting all of the requirements, and this is, you know, just I think one place where

we're trying to be overtly clear. So I don't know if it's… If you're, if you have a serious issue, then maybe we should talk about that, or if it's something that you think you could live with it, maybe we could just leave it to make it crystal clear for some of the people who won't be as well-versed in what we've done here.

DENNIS CHANG: Thank you Krista. So, Marc, Francesco and I actually remembered this, adding it at the request, in one of the IRT conversations, because we wanted to make it more clear. So I think there was value in adding it. So my proposal is, let's leave it in, and I think you already said you don't have any strong objections.

So let's leave it in and move on to the public comment, and if we find, you know, comments like, you know, it's redundant like, why do we need this? And maybe then we can remove it. Is that okay?

MARC ANDERSON: Yeah, I guess… I don't feel strongly about this. I don't think it's a material change, but you know, I was actually, you know, prior to the meeting, I was trying to give this a thorough review, and I found it created, you know, additional threads. I think, I get your point that you're trying to make it clear, but for me, it made it unnecessarily complicated.

You know, here I need you to check, okay, are we in compliance with section one specification four, the base registry agreement? Okay. Does this comply with consistent labelling and display? Okay.

Consistent labeling and display requires that we comply with section one specification four, the base registry agreement. Wait, what? That's duplicate.

I brought it up because I ended up chasing circles for a little bit there, before I realized that. I don't feel very strongly about this. I don't know, but I don't know if it makes things more clear, which might have been the original intent. Thank you.

DENNIS CHANG: Are there other comments on this from anyone else?

Francisco, did you want to speak?

FRANCISCO ARIAS: So, [inaudible], oh Krista, you have your hand.

DENNIS CHANG: Krista, go ahead.

KRISTA PAPAC: Thanks. Hey everybody, Krista again. I just realized something which I should have noticed before, we refer to the base registry agreement, approved on 9 January 2014. That agreement can change, and I think many of you people, if not all people on this call, are probably aware that some proposed changes were published for public comment a couple of months ago, and we're going through…

There is a process in that… Let me back up. There is a process in the registry agreement, where ICANN and registry operators, or the registry stakeholder group on behalf of registry operators, can negotiate certain changes to the agreement.

And there is a whole process outlined in the contract on how that would work. We're actually in the middle of that process right now. And we're evaluating public comments and things like that. But should an amendment occur, it seems like we wouldn't want to tie to this to the January 9, 2014 base registry agreement, because if there is an amendment to that agreement, that wouldn't translate.

So maybe we would want to call this instead, like the base registry agreement as published on ICANN's website at blah, blah, blah. Because we have a link where that definitely gets published, and the most up to date one will always be there.

Because I don't think if there are changes to that base agreement that get approved that we want to have those changes ruled out by the policy, or have the policy say use an old version of the contract. Because certainly, there could someday maybe even be changes in [inaudible] four, that we would want implemented.

So, I don't know if others have thoughts on this, but I think we would want to be, not tie it to the specific agreement, but to the most current base, iteration of the base registry agreement.

DENNIS CHANG: Marc, you have your hand up.

MARC ANDERSON: Yeah, thanks Dennis. This is Marc. Krista, I think you make a good point there. You know, I'm thinking as I go here, but I think that the correct way to handle that would be to say, in conjunction with section one specification four, the base registry agreement approved on 9 January 2014, or you know, have language, or any successor or subsequent, you know, some…

Sorry, I'm just not honing in on the language, but I think you want to be specific in which one we're referring to now, but also include language to incorporate any successor agreements that ICANN and the registry stakeholders approve.

I think that would probably be the better way to handle that, rather than referring to a link which can and will change over time. And then, I think that actually may be makes my point a little more valid, earlier. So I think if you have this reference in multiple places, it has to be changed in multiple places.

But if you just have the reference, the section one specification four, the base registry agreement, if you have that just in the consistent labelling and display policy, it's a little cleaner rather than having it in two documents which can be in conflict with each other. Thank you.

DENNIS CHANG: Okay. Steve suggests, or subsequent amendments [inaudible], add that clause to everywhere we see the January 9th mentioned. Does that work? I think that would work.

FRANCISCO ARIAS: This is Francisco. That definitely works. I just want to point out that the CLND policy is currently rooted to the 9 January 2014 agreement. So if we make this change to the [CROSSTALK] …have the CLD that it's rooted to one version [CROSSTALK] …or not.

But we are making changes [CROSSTALK]… We want to make a change in CLD, or we don't want to make…

DENNIS CHANG: Let's, I think Francisco makes an excellent point. I like the clause, or subsequent amendment thereof, there too, if we go ahead and add that to where the January 9 is mentioned in this policy, and more so on the CLND revision to make that clear, so that we have consistency between the two policies, which we should, then I think that would be a good improvement.

Everybody agree with this? Any other comments on this?

Any other comment? So what we are saying, just to make sure we're clear, we're going to type… Let me just try here.

And we're going to say…

This is the clause that we'll be embed wherever I see 9 January 2014, and I think Marc is right. We have this mentioned in several places.

Several places, like here, right? And here.

That's the idea, right?

I think that's clear, right? This agreement, we made the change to this policy, embedding the clause or subsequent amendments there to. I want to hear, at least in your chat, green plus one if you agree. You don't need to speak necessarily, but let me know if you're in agreement, give me some indication. Thank you.

Yes, thank you Joyce.

Okay.

[SPEAKER OFF MICROPHONE]

Yeah, okay, I see the checkmarks from Roger, Pat, Steve. Anyone object to this? Theo agrees. It seems like everyone is in agreement. So this is a good change. Thank you very much.

So on this policy, this version, that 6.1 is what I'm calling it right now, is the final version. Anyone else? And also, just to make sure that we're very clear on this, on the CLND policy, we are going to make the exact same change. So just to be consistent with this, and there is no confusion.

Go ahead Roger.

ROGER CARNEY: Thanks Daniel. This is Roger. Just a couple of more items, I'm not sure made it from my email into your edits. You can go back up to the transition progress definition matrix definition.

This looks like a few typos.

DENNIS CHANG: Here?

ROGER CARNEY: In the last line, looks like, in the last line a definition should be, domains should be plural. There should be a period at the end of the… Yup.

DENNIS CHANG: Thank you very much, Roger.

ROGER CARNEY: And then under, yup, you bet. And you've got that one, and I think that was it. Well, maybe show me 2.5, it was a type I didn't know if you got it or not.

DENNIS CHANG: 2.5.

ROGER CARNEY: Yes, you got it. You made the change, so looks good. Thanks Dennis.

DENNIS CHANG: Thank you Roger.

Okay. So final call, anybody have any last minute items that requires us to address this a final version and go to public comment? Remember,

we are going to public comment with this. This is not the final policy language that will be announced for effectiveness. Francisco, you're up.

FRANCISCO ARIAS: Thanks. Just [inaudible] everyone [inaudible] pending item, is the [inaudible]. I think there was already, there was quite a conversation, and we need to keep working on that to help fix, I hope that should be fixed pretty soon, and then we can share any edits to the policy and development.

I think more on it, the additions [inaudible] policy.

DENNIS CHANG: Thank you Francisco. So what I'm hearing is we may have one more addition. It may be a new section that we would add for data escrow, but there will be one last thing. So hopefully, we can get that done quickly, because we do have to post it for public comment in October. And this has to happen before we all travel to Hyderabad.

Go ahead, Steve.

STEVE METALITZ: Yeah, this is Steve Metalitz. I was going to ask, I didn't… Maybe I didn't hear what Francisco had said, what the timeframe would be on that. Will that be something that will be presented to us no later than next week? So that we can review and approve it and get this out for public comment?

FRANCISCO ARIAS: Steve, this is Francisco. I think that's a good timeline. Let's aim for that so that we can discuss it in the next IRT.

DENNIS CHANG: And just throw out the idea that if the IRT, when reviewing whatever is proposed, if the IRT is in agreement, we can actually try to do that online too, so that we save some time on our processing of the public comment.

Any more comments? Or transition or transition policy?

So the idea is for us to finish the public, finish the, [inaudible] the document, go to a public comment, and then, of course, announce on 1 February 2017, and that is the important date that we all have to remember and then strive to go ahead. Theo, you're up.

THEO: Thanks Dennis. This is Theo for the record. How long is the comment period going to be, by the way? The standard 45 days? What is it? Thanks.

DENNIS CHANG: So Theo, it would be a standard 40 days…

KRISTA PAPAC: Actually, it's Krista, real quick. Depending on when it gets published, we typically, or there is an expectation that we extend the public comment for a little bit longer if it goes across an ICANN meeting so that people don't lose time because they're at an ICANN meeting.

So the standard would be 40 days, but because, if it's published during an ICANN, while an ICANN meeting is going on, we would typically extend it by the length of the meeting so that people get a full 40 days and don't lose time because they're at an ICANN meeting.

THEO: Thanks Krista. [Inaudible] what I was aiming for, due to the fact that it's going to be a long ICANN meeting, and there is going to be lots of traveling involved. Thanks.

KRISTA PAPAC: Yeah, absolutely. We'll get you guys a final number of days. You know, I'm thinking something like, because the meeting, I think, is eight days, but you've got travel on the front and backend, so maybe we add 10 days to the standard 40, and that should help to cover it.

DENNIS CHANG: Any other question about public comment?

Okay. Thank you so much for your help on this transition policy. We're going to move to the next agenda item.

This is the timeline for RCLND. This is the timeline for our transition. Okay, so next agenda item I had was the draft memo to GNSO Council on the privacy. And I open up the discussion to the IRT so that you may continue to discuss. Who would like to speak first?

Go ahead, Steve.

STEVE METALITZ: Thanks. This is Steve Metalitz. I think we started to get into this last week. I guess I'd have two points to raise. One is that the question was raised, I believe by Alan Greenberg, who I guess is not on this call, about whether instead of this memo, we should [inaudible] we should be asking for an update of the legal review that was undertaken pursuant to the Board resolution, and presented to this review team about 16 months ago.

And I believe, from my notes, that Krista was going to check on… That was being discussed internally, and so I wanted to see if those discussions had resolved this, and whether the staff was prepared to ask for an update of the legal review. Thanks.

KRISTA PAPAC: Hi Steve. It's Krista. Thanks for the question. Yeah, I was… We are having that discussion internally. Unfortunately, I don't have a solid update for you guys today, which I was really hoping to have. I'm close. But I just didn't quite make it, didn't get quite what I needed from our internal discussions to give you sort of a response on that, but I am, I should have something soon.

STEVE METALITZ: Okay. Well, since this draft letter, as I read it, says since a short period, since the legal review memo was provided, there has been change and uncertainty. I think it would make sense to consider having an update of the legal review. Again, remember, the legal review was to try to identify were there any other issues that haven't been already flagged.

Wasn't intended to, you know, provide a legal opinion that this system was valid under every law in the world, but it was, are there issues that hadn't been addressed, or hadn't been flagged by the expert working group, or by the thick WHOIS policy development process.

I think the answer, if I could summarize what the legal review said, was no, there aren't any. And then there is a belief that because of some subsequent changes in the law, that maybe that is outdated. So, I'm not sure, I guess I would like to hear from the proponents of this memo, why they believe we should go forward with it, before we find out whether the legal review can be updated.

DENNIS CHANG: Thank you Steve. Theo, you have your hand up.

THEO: This is Theo, Dennis. And I agree with most of what Steve just said. And it looks to me that we don't have, as we don't have a follow-up on anything from ICANN staff legal wise, there is not a whole lot to discuss at the moment. It appears to me, or it sounds to me like, this is the way to go, to handle this memo draft.

I would like to point out that it is sort of like a moving target when it comes to the validation of a safe harbor in conjunction with proxy shield, and proxy shield being the moving target here. I send a little update on it earlier this week. No, last week.

It seems things are moving there. So, and as an European registrar, I want to make sure that we are doing the right thing here, because we've got a lot of money riding on this. Thanks.

DENNIS CHANG: Thank you Theo. Go ahead, Krista.

KRISTA PAPAC: So, thanks Theo and Steve. Just from the legal memo, I mean, the policy recommendations… So what we're looking at and what we're trying to understand, and again, we're still looking, we're almost there. From the policy recommendations direct us to do a legal review to see if there are any other privacy issues, that were not looked at in the expert working group report.

So one of the questions there is… Safe harbor is a tool for dealing with privacy requirements in the EU. And so be invalidating it, you know, we're just trying to assess. Like a privacy issue, is that about laws? Or is that about the tools to deal with laws? And so that's one of the open questions that we're looking at.

And again, I hope to have something to you… I'm sorry I don't have something today. But there is quite a few things that we need to just

kind of look through further before we can come back and tell you sort of what we, what we're seeing and what we're thinking.

DENNIS CHANG: Thank you Krista. Steve, did you want to speak again? Go ahead.

STEVE METALITZ: Yeah, this is Steve again. I think one thing we have to keep in mind here, is that there is, you know, there may be a difference between what registrars, and potentially the registry, have to do in order to remain in compliance with the applicable laws. And that's one point, and the other point is, the other aspect of this is thick WHOIS.

It's quite possible that in order to implement a thick WHOIS system, a registrar will have to change its business practices, to some extent, in order to remain in compliance with the applicable law. I mean, if you just look at the European situation, we will have in 2018, a new privacy law in Europe, general data protection regulation.

Instead of having a patchwork of laws subject to this framework directive. And so that might mean, you know, there might be things that registrars have to do differently. They might have to gain consent differently than they do now.

But the question of whether consent, this is basically the thrust of the legal review, whether consent is a basis on which this system can operate within the law, that principle, I don't think, has changed. The question is, what do you have to do to obtain consent that will [inaudible] that?

So that's more, to me, that's more of a question for each registrar, and potentially for VeriSign as a registry, it's not necessarily a question for ICANN. So, I think we have to, again, be careful to make that station. I think, Theo is right. This is a moving target, and I think any legal, you know, and most, many areas of the law, there are, laws do change.

Things happen that mean something you were doing yesterday, and it was sufficient, might not be sufficient tomorrow. That happens. And that's something that each registrar has to take a look at with its own counsel, and figure out whether, for example, this new data protection law in Europe means that they have to change their practices in order to remain in compliance.

But to me, that's a separate question then whether there is some legal issue that has an impact on the viability of thick WHOIS in general. So I just think we have to make it clear that those are two, maybe two separate questions.

And just to say, well the legal landscape has changed, and we as a registrar have to make some changes in our agreements or in our practices, that to me, is not the kind of issue that this resolution is really talking about, as something that is supposed to be reported back to the GNSO Council and might need new policy development.

That's a question of compliance with applicable law on the part of each registrar, and the part of each registry that's effected. That's not what this recommendation was about. So I just urge us to keep those distinct issues, you know, make a distinction between those two issues, and

hopefully, Krista, as you guys discussed, that will also be the case among the staff. Thanks.

DENNIS CHANG: Thank you. Theo, you're up next.

THEO: Thanks. Thanks Steve. You made a couple of good points there, and I agree with most of them. And you know, I'm sort of confirming that we are dealing with a moving target here, and that is most precisely the point that I am having a little bit [inaudible]… For the last years, we never dealt with safe harbor, because not in the sense that was a major part of our concerns, because the majority of our business, we relied on the thin WHOIS and we never sent any data to VeriSign anyway.

And now, we're going to change that. So we sort of need to deal with privacy shield and all of that stuff. And I'm pretty cautious here, I'm very… And you are very right when it comes to 2018 and the new European law, DPA that's coming into effect, I'm sharing your concerns there.

And perhaps we need to make the changes to our business model, and perhaps we need to go about this in a different way. On the other hand, looking at the [inaudible] model, that's saved us, in retrospect, from a whole lot of legal issues back in the day. And I think most European registrars in the center last week in Serbia, and I talked to several EU registrars, and they actually ever realized what kind of blessing the [inaudible] was [in a better off speaking?].

We are always looking at a technical side of things, and the legal side of things is, the thinking that we are starting to catch up real fast here in the last couple of 12 months or so to speak. But like you said, I'm in agreement with most of your stuff, but I'm also cautioning, mostly for myself, at least that, I have some reservations moving to thick, although I also see the Achilles' Heel in the thin WHOIS, by the way. Thanks.

DENNIS CHANG: Thank you Theo. Joyce, go ahead.

JOYCE LIN: Yeah. I don't think that we can do too much about the privacy issues, just like Steve and Theo say. It's really government that set up those laws, and then they change all of the time, and then we IRT, we are here, that we really… I don't really see what kind of name we can draft and send it to the GNSO, because there is very little that we can do about that.

And their government laws or whatever, there will be the dominant force of this whole issue. And so maybe we should, in this group, priority all of the, most of the attention on the transition from the thin to thick. And regarding the privacy issue, the safe harbor in everything is really beyond something that this group can detect. That's my opinion.

DENNIS CHANG: Thank you Joyce. Anyone… Any more comments on this? We have nine minutes left to the call, so we need to be wrapping it up. Marc, you have your hand up. Go ahead, Marc.

MARC ANDERSON: Thanks Dennis, this is Mark. I guess, we [inaudible] last week, I thought we were going to sort of pursue both in parallel. The option or the possibility of staff updating the legal review. I note that that was well received by many. But I also think, like we discussed, I think to Joyce's point that, if there is indeed an issue, or the changing landscape presents new challenges, I think that's, that really is beyond the scope of what we can do within the IRT, and that really becomes a GNSO question, a question for the GNSO Council.

So, you know, okay, what needs to be done, if anything, about this? Certainly, we raised it at Helsinki because we have concerns. There are concerns that there may be issues that this presents challenges that we didn't anticipate or foresee when we first started this. That's why we raised the point of notifying the GNSO Council. I think it's something that we still need to pursue in parallel.

Like I said, it's not something we can solve on this IRT, but I think it's a question for the GNSO Council, and what I would like us to pursue in parallel, some form of letter notifying the GNSO Council of this. Thank you.

DENNIS CHANG: Go ahead, Steve.

STEVE METALITZ: Yes, thanks. Just to respond to Marc, the law challenges, that creates challenges. The question is, challenges for who? Are these challenges for registrars and the registry to make sure that their activities are in compliance with the changed law? Or is it some type of challenge to ICANN policy that we need to review, or re-look, or change the policy based on these changes in law?

I don't actually see any evidence of the latter, I think these are, these are real issues, they're real questions, but I think they have to do with how, as Theo said, in some cases there may be big changes that would be needed in how a particular entity does business. There may be smaller changes if it's an entity that has already been handling registrations in a thick WHOIS environment.

Obviously, this would expand the scope of that activity. So, I guess the thing we need to ask ourselves is challenges for who? And I would suggest these are challenges primarily for the individual companies that have to make sure that they're operating in compliance with the applicable law, in the way that they carry out their contractual obligation, which will include thick WHOIS.

So that's a distinction that I was trying to draw. I also think we were kind of awaiting, you know, some feedback from the staff, which is not available yet, but hopefully by next week, or before next week, will be available, and I think that can be… I don't see, I mean, I think we need to get a greater clarity on that first. Thanks.

DENNIS CHANG: Marc, I'll give you the… Go ahead, Marc. We have five minutes left to the call, just a reminder for everyone.

MARC ANDERSON: Yeah, thanks is Marc again. I'll be quick. Steve, I think that you put that very nicely. You know, I'll say, you may be right, but I'm not sure I agree with you. It maybe, you presented it sort of two possibilities. Maybe it's just a question of how registries and registrars do their business. And you may be right, but I'm not convinced you are, I guess is where I am.

You put it very nicely, much, much more eloquently than I could. But I am concerned about how, the latter scenario. I think that's a concern, and I think that's a concern that I want to raise and it may be the GNSO Council looks into it and says, no it's just, it's not, but I think that's the concern that I want to raise to the attention of the GNSO Council, and raise it up to that level of visibility. Thank you.

DENNIS CHAN: Joyce, go ahead, you have the last word on this.

JOYCE LIN: Okay. All I'm saying is the [inaudible] is fine, we can draft that and send it to the GNSO, but there is really little that GNSO can do either. I don't think the GNSO can say, tell a registry is going to follow this or that, because you know, each registrar still has to live with the local law. So GNSO is not going to be the final ones that detail everything.

So whatever we put in there, to me, I feel it's pretty, in terms of value or any path is very insignificant. That's just my point. Okay, thanks.

DENNIS CHANG: Thank you Joyce. Thank you for your comments. So we need to wrap this meeting up, and we will look at our next steps. So public comments start, SLND we're ready to start, and I'll give you the final update to the policy document today. And send that out.

The transition, we have one more thing that we need to consider, and then we'll get back to you on that. We're not quite ready, but based on what happens, I suppose. The next two IRT meetings have been scheduled, they should be on your calendar. 18th and 25th. And those are the two for October.

And we do have a session scheduled in ICANN 57 Hyderabad. That schedule will likely to be posted on Thursday, that's what we are aiming for. And of course, I'll let you know when that happens. And also, let me see. Anything else from anyone else? I think I want to wrap this up then. Any final comment?

Thank you. I was just advised by JD he only had the 18th on the calendar, not the 25th. So I'm going to ask Michelle, who is on the call, to go ahead and make sure that an invitation is sent to secure that time spot.

Michelle, acknowledges, Roger says thank you. And I want to thank everyone. Very productive meeting today. We got the two final review

of the policies, and got support. And let's continue the good work, and we will see you next week online. Bye everyone.

[END OF TRANSCRIPTION]