
RECORDED AUDIO: This meeting is now being recorded.

PAMELA SMITH: And we will move on from there. Okay. So for roll call. It helps if my screen is in place. Drew Bagley?

Okay Drew is not here yet. Stanley Besen?

STANLEY BESEN: Here.

PAMELA SMITH: Thank you sir. Calvin Browne?

Not here yet. Jordyn Buchanan?

Dejan Djukic?

DEJAN DJUKIC: Hello. Dejan speaking.

PAMELA SMITH: Okay. Carlos Raul Gutierrez?

CARLOS RAUL GUTIERREZ: Here.

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PAMELA SMITH: Carlos, thank you can't speak. There you go. You're here. Thank you. Laureen?

LAUREEN KAPIN: Yes, I'm here.

PAMELA SMITH: Yes ma'am. Kaili Kan?

KAILI KAN: Yes, I'm here.

PAMELA SMITH: Thank you. Gaogalelwe Mosweu? Megan Richards? Carlton Samuels? Ravi Shanker? Fabro Steibel? Waudu Siganga? David Taylor?

DAVID TAYLOR: Yeah.

PAMELA SMITH: Wonderful. Jonathan Zuck.

JONATHAN ZUCK: Here.

PAMELA SMITH: Wonderful. Thank you so much everyone, and with that, we will hand it over to Margie.

MARGIE MILAM: Hi everyone. I think we're actually handing it over to... Jonathan, do you want to say anything and then we'll move on to the scheduling topics?

JONATHAN ZUCK: Sure thanks, Margie. Thanks everyone for making the call, call number two. And the little sub-team on the terms of reference has been hard at work since the last call, so I'm looking forward to sharing that work with you. But I think we're going to start with looking at what the scheduling looks like going forward, and for that I'll hand it over to Margie.

MARGIE MILAM: Great. Thank you. Next slide. Eleeza, you want to walk us through some of the scheduling issues?

ELEEZA AGOPIAN: Certainly. Good morning everyone, good afternoon, good evening, for those of you in other time zones. So I quickly just wanted to spend a few minutes on scheduling and future meetings before we get into the meat of our discussion today.

Also just because, before we lose anyone towards the end of the call. So we've been working through all of your different time zones, which has been a bit of a challenge because there are nine time zones to work with. You may have seen in the slides I sent out yesterday, it's difficult to find a time that works for the bulk of everyone without inconveniencing about half of the team.

So our proposal is to alternate every other Wednesday, from 13:00 and 14:00 UTC. This would make it a little bit more, doing it a little earlier time would make it a bit more convenient for those of you in the Far East, for example. So that's our proposal for now.

The alternative would be to just do a Doodle poll each time and try to find a time that works for the most people who can attend. The benefit to the first option, of course, being that you have a set time and everyone knows when to be available for those calls. So we wanted to just put that out to the group and see if there was any further consensus around that.

RAVI SHANKER: Hello. Ravi from [inaudible] joining in.

ELEEZA AGOPIAN: Thank you Ravi.

Carlos asked [inaudible] Wednesday. Yes. So we intend to do these every other Wednesday.

RAVI SHANKER: [Inaudible] for my [consumption?] please. So the next meetings will be every Wednesday?

ELEEZA AGOPIAN: Yes, Ravi. I think you may have missed the beginning, but I said we're proposing calls every other Wednesday at 13:00 and 14:00 UTC and we would alternate times.

RAVI SHANKER: Every other Wednesday, not every Wednesday.

ELEEZA AGOPIAN: Correct. Yes.

RAVI SHANKER: Thank you.

ELEEZA AGOPIAN: Jordyn, I see your hand raised.

JORDYN BUCHANAN: Thanks, yeah. We certainly can. I guess it seems odd to only be rotating by an hour difference, I guess. I haven't seen that before. Is that just based on the particular geographic makeup of the review team?

ELEEZA AGOPIAN: Yes, it is. And I'll just pull up the next slide. You can see that trying to rotate between other times would be really difficult without losing, putting a good chunk of the team at a significant disadvantage.

JORDYN BUCHANAN: I guess I wonder if the, given that the small amount of difference in the rotation, whether there is... I guess I would argue given that, it might make more sense to just leave the time consistent from meeting to meeting, as opposed to doing the rotation, which would be easier to manage our calendars if we kept it at the same time, if there is only going to be a one hour difference.

ELEEZA AGOPIAN: Thank you. Yeah, I think the difference would be that the 14:00 time is 10 PM in China, and 7:30 PM for Ravi in Delhi, so it makes it a little bit earlier for them, not pushing it quite so late into the evening, that's what we were trying to figure out. But I certainly understand what you mean by a one hour differences on that particular difference.

Carlos suggests 13:30, or starting on the half hour rather than on the hour.

Any other comments or suggestions?

DAVID TAYLOR: David here. I was just going to say that I like the idea of having a fixed time, whether it varies by one hour, one and a half hours, I certainly see Jordyn's point. It seems a little bit bizarre, depends whether the hour

does make a difference for those people concerned. But I just prefer that idea than doing a Doodle poll and having that each week where some of us miss it, and we end up with calls where we're not quite sure when it will be, because I think that just might cause more problems.

If I know that it's happening every two weeks, I can make sure I set that time aside and plan in advance, and that's probably the case for most.

ELEEZA AGOPIAN:

Okay. And I'm sorry, Kaili could you, I see your hand raised, go ahead.

KAILI KAN:

Hi. It's me. Kaili Kan speaking. Yeah. Well, if we are to [inaudible] between 13:00 and 14:00 UTC, I would suggest we just take the 14:00, because I'm an owl person, so actually 8 PM for me is actually preferred. So that will make it easier for the people in Los Angeles. That's just a suggestion. Thank you.

ELEEZA AGOPIAN:

Well, we thank you very much for those of us in Los Angeles. Well then, it sounds like there is some consensus that we should just stick with the consistent time of 14:00 UTC, and we'll do that every Wednesday for, I don't know, 90 minutes or 120 minutes, depending on what we, how we see the agenda shaping up.

I get a sense that the group agrees with that. I see a few green check marks here in the Adobe Connect room. Okay. Kaili, I see your hand is

still up. Did you have something else you want to add? Took it back down, okay.

All right, great. Well then we will stick with that time. Thanks everyone.

Margie, did you want to touch on future meetings?

MARGIE MILAM:

Sure. As we think about the next meetings before our face to face, particularly the next one, which is February 10, we were wondering whether it would be a good idea to invite analysis group to come and talk to you folks about the work that they have done on the economic study.

Eleeza, do you want to elaborate on what you have in mind there?

ELEEZA AGOPIAN:

Yes. So, we have seen, obviously on the email list, there has been a lot of discussion about the competition issues. [Inaudible] all of your minds, and we want to make sure that you have the most information at your fingertips. So the economic study that we commissioned last year, based on a recommendation from the previous group that was working on metrics, they're getting ready to do the second phase study, as I think I've mentioned to some of you, to do a comparison with the baseline results that were gathered a year ago.

So the group is planning to... Sorry, not the group. Our vendor is planning to send out their data request in mid-February. So we thought this would be a good opportunity for them to come and speak to you

about what they've done, what they did in the first study with their methodology and approach was, what data they were able to ask for, as well as what they received and what they didn't receive, and how they're changing the approach this time around.

And for them to collect some feedback and input from you. So we've spoken to them about this. They're open to this possibility and are eager to talk to you and hear your ideas. So we'll plan for this presentation for the next teleconference, which is on February 10th. And then we would have a similar presentation from our survey vendors, Nielson, who conducted the surveys of consumers, what we're calling consumers, which are Internet users and registrants.

That would also likely be a short presentation on their methodology and approach and what they're changing moving forward, because we're working with them now on the questionnaires for the next round. So I wanted to propose that to the group, if that would be interesting to all, and if there were any specific requests you had for either of these sessions.

JONATHAN ZUCK:

Eleeza, it's Jonathan. I think it would be a great idea to have this presentation on the next call, because the work is starting so soon and there do appear to be, just in the list, some fairly strong opinions about this report. Further to that, I think it might make sense if they can to share some sort of methodology outline, or something like that, a description methodology, in advance so that folks who care to can

spend a little bit of time thinking about the questions and suggestions that they want to ask and make.

ELEEZA AGOPIAN:

And I think we can have that sent to the whole group shortly.

Thanks for the suggestion.

I note that Jordyn said in the chat that we may need to talk to them more in a LA meeting, and Jordyn I agree with you. There might be more discussion that would be worth having. We would want to see how this first conversation goes first, but I think that's a good suggestion.

Any other comments or thoughts on the meetings, or what would you like to see on the next two agendas?

MARGIE MILAM:

Sorry Eleeza, this is Margie. And just for the face to face meeting in Los Angeles, obviously there is going to be a lot of work that is going to get done there, but as staff, we're just trying to make sure that we prepare at least the briefings that you would like to see before, before the face to face meeting so that you have sufficient information to really start digging into the work that you need to do.

And so to the extent that there is anything else you think you might want to hear from staff, or have us prepare for the Los Angeles meeting, that would be great.

ELEEZA AGOPIAN: And yes, we [inaudible] to discuss this on list. And I note that Kaili is asking us to have the meeting available remotely for those of us who aren't, for those of you who aren't able to attend the face to face in Los Angeles. We are absolutely planning on doing that.

Jordyn, yes.

JORDYN BUCHANAN: Yes. This is to follow up on what Margie just suggested. Where do you guys stand in terms of...? You guys have already outlined a series of five briefings, [inaudible] many of them prior to LA. Is that going to be scheduled into our existing meeting spots? Or are you guys planning on doing separate meetings for those briefings?

ELEEZA AGOPIAN: We haven't really decided yet. I think we are waiting to hear more from the group on what other things you want to add to the agenda. I think, I see an opportunity to do maybe one or two, probably one briefing I should say, on the next teleconference, a little bit more on the history and the development of the applicant guidebook.

And then for the face to face in LA, we would like to do perhaps one or two, set aside an hour or two on those two days, where you can talk about some of these implementation issues with staff, because I think those are going to be particularly relevant as you get into the [program] implementation part of the review.

Particularly with the [program] implementation review report, that you'll be in looking at and the staff that worked on that for all of Los Angeles, and will be happy to spend some time talking to you about how they put that together. So that's kind of how I see that shaping up at this point, but nothing is firm.

RAVI SHANKER: Ravi here. Can I request...?

ELEEZA AGOPIAN: Yes Ravi, go ahead.

RAVI SHANKER: One factor that I would like to bring in is, comparative analysis across the regions on the growth of new gTLDs, vis a vis the legacy gTLDs and the ccTLDs. I just give an analogy. I just spoke to the Afiliis representative in India today in the evening, and asked him about the growth of new gTLDs and the new IDN ccTLDs. I was told that new gTLDs and the new IDN ccTLDs are miniscule in comparison to the legacy gTLD and the ccTLD.

So just put it in perspective. [Inaudible] in the Indian ccTLD is around 1.8 million. Dot com is around 1.6 to 1.7. And the other new gTLDs are a few thousand, four to five thousand. And the IDN ccTLDs which have been introduced are also in that range. Now I really have to put this thing, [inaudible] dot come and the dot IN country, so that gives me [inaudible].

It's like a brand [inaudible]. So this particular facet gives me the thing. Let's not restrict our study only to the [inaudible] of and consumer trust on the new gTLDs. Just like any brand which gets focused, [inaudible] or any other, Windows 9, Windows 10, etc. One of them gets cannibalized and then moves on, and gets merged into the other.

I just thought we need to have a little broad based study, which will get us [inaudible] to the growth of new gTLDs. [Over?].

JONATHAN ZUCK:

Ravi, this is Jonathan. Oh sorry. Thanks for your comment. We're going to, as we discuss the terms of reference, we're going to be discussing this very thing. I'm in complete agreement with you, because are mandated to look at the [data] which the new program, the new gTLD program has promoted an increase in competition and choice.

And so the only way to discuss a delta is to discuss in the context of the existing legacy TLDs. So, while obviously you're not going to catch up to 16 years' of registration in a month, in a year, it's going to be something where we need to talk about the new gTLD program in the context of the legacy TLDs for sure, I think.

But we'll be discussing this part of the terms of reference discussion that's coming up next.

ELEEZA AGOPIAN:

Thank you Jonathan. I think with that, we're done with this section of the agenda, so maybe this will be the time for you to transition to the terms of reference discussion.

JONATHAN ZUCK:

Sure. Thanks. This is Jonathan again. And so there has been a little sub-team working on developing the charter for the group, or the terms of reference for the group in terms of what we're going to try to accomplish. And that's all been circulated, and so we will hopefully everyone will get a chance to read the document and comment on the specifics.

But what I thought I would do is just give a high level overview of where we ended on some larger questions, and open those things up for discussion, as well as anything specifically what you saw as you read through the document.

If you, hopefully, all have a copy of the terms of reference that Eleeza sent via email, but I just wanted to go over some of the larger issues, as I said. One of them is we decided to separate what we might otherwise call a work plan out from the terms of reference. So that is still something that we need to do next, once we have agreed to the terms of reference.

So actually how we would go about accomplishing the objectives that we led out in the terms of reference is not in the document and it's still something to be discussed in the next document we need to create. Also at a high level, we made a couple of important distinctions. One is that we would make a distinction between findings and recommendations.

Because we are called on, by in this review to report on the degree to which the new gTLD program has improved competition, choice, and

consumer trust, and to discuss the success and/or challenges encountered with the application process and the mitigating procedures that were put into place.

There is some portion of our final report which will be findings. About, you know, how we feel the new gTLD program did in reaching those objectives. There is also the notion of interim recommendations and I think that's important. It came up, a couple of people asked about it on the email list. And the idea behind interim recommendations, and we discuss this a little bit in our last call, is that if there are recommendations that policy development processes or a specific implementation processes be improved on or launched, it makes sense to have those, and there is a broad consensus about the need for those things.

It makes sense for the group to come out with some interim recommendations so that those processes could begin, rather than waiting arbitrarily for a year to begin and thereby extending the overall time that it takes the organization to consume this review.

So also built into the terms of reference is the notion of interim recommendations that will take both the staff activity and GNSO activity, that might happen in tandem. And then finally, our final recommendations, if you will, will be broken into a couple of different categories.

One is things that staff could implement directly that don't require further policy developments, so those might be new things for the staff to do, or they might be revisions of old policy recommendations, or just

implementation strategies for staff. And then there might be further recommendations for new policy development that needs to be done. And those will be part of the recommendations that go to the Board.

It's our goal that for each of these recommendations, is to justify why we're making those recommendations by wherever possible, objectively looking at the data and the conclusions that we drew about competition, choice, and trust, and how we documented the reality of those measurements. And then use, if possible, that same data as means of measuring the success of those recommendations.

So built into the recommendations, ideally will be the means by which their success can be measured by the next review team. So that we're trying to get more objective and more data driven in the way that we both measure the success or failure of the program, but also how we measure the success or failure of the recommendations we make when they get reviewed by the next CCT review team.

So that's the overall structure of the document. As Eleeza says in the notes, it's a 12 page document so we're not trying to go through it piece by piece like that, but that was the overall structure of the terms of reference, and I'd love to just open that part of it up for discussion, and then we'll go into some of the specific open questions that we didn't resolve completely, and wanted to discuss with the group as well.

So I wanted to open up just this overview for any questions that you might have or clarifications that you need. Thanks a lot.

Or did all of that make perfect sense?

RAVI SHANKER: Well I think, this is Ravi here. I think that [inaudible] very succinctly, and maybe we need to go through the metrics, because I feel the metrics are little, I mean, too many in number. So if we can perhaps bring down the number of metrics, so that can lead to more insight, total insights.

JONATHAN ZUCK: So Ravi, I think that's a good suggestion, and we will need to figure out how to build that into our work plan. I mean, one of the things that we had discussed on the first call is potentially dividing up the substantive work by issue, whether it's competition or choice, and even some of those probably will have some subcategories.

And having sort of team leads on each of those issues that drive that process. And I think as we go into the substantive work of looking at the metrics, we should definitely try to consider which ones seems to be most valuable. There was some effort to do that by the implementation advisory group, which we'll talk about in the next section, but that will be one of the tasks for the substantive review is to look at those metrics, and try to determine which ones are most useful in drawing conclusions.

So we didn't go into that level of detail in the terms of reference document, Ravi, but I definitely think that that's an important part of the process going forward.

RAVI SHANKER: I agree with you.

JONATHAN ZUCK: Any questions about our overall structure about what we're trying to do? The notion of interim recommendations so that some things could happen in parallel, and the idea of having these final recommendations be based on, you know, hopefully it will be possible to be based on data and building recommendations that are also based on aspirational outcomes of that data, down the road.

RAVI SHANKER: Just to respond to your [inaudible]. I just would like to say that competition, consumer trust, and choice, on which you have said that, let's focus on both findings and recommendations, findings will emerge out of the, that are statistics. And the recommendations would be broadened category. Now if we looked at this terminologies, someone has tried to definitely focus on what competition means, what consumer trust means, and what choice could be.

Now, they could be isolated and they could be interconnected. I mean, I'm looking at this from the way in which the real work of products, whether it is on an ecommerce platform, or on a regular commerce platform, it's particularly [inaudible]. In this whole game, could we segment it into A) competition, B) consumer trust, and C) choice?

And [inaudible] try to see the interlinked between, among the three, because it's a very tenuous argument as to whether competition fosters consumer trust, or it's on the basis of choice that consumer trust is built and then that leads to competition. When you say, they are bottom up or topped up? That's the way we can perhaps alter it.

JONATHAN ZUCK:

And so Ravi, I think that's a good conversation when we get into how to create some sub-teams. And I think that we need to have that conversation. One of the other things that I didn't discuss specifically, and we can, is that we did come up with some definitions for consumer choice, competition, and consumer trust in the terms of reference.

So if you get a chance, open the document and let us know what you think about those definitions. I don't know how easy it is to bring them up now, Eleeza, to look at those definitions in particular, but we did try to define them, to some extent, in isolation so that they could be studied separately without necessarily making the assumption that competition would lead to choice.

So just looking at competitive behavior as a definition, for example. So that's how we try to define it in the terms of reference, and but as we try to divide up into separate issue teams. I think we will be both addressing those issues, you know, alone and how they kind of interoperate.

I mean [CROSSTALK]... The discussion in the working group about how to divide them up.

RAVI SHANKER:

Right. [CROSSTALK] I go by the broad consensus, because I think while, I mean, I'm just triggering a response, because I'm trying to see things from a consumer's standpoint. And then did I [inaudible] into this particular, working. Yes. That's [inaudible] looked at. [CROSSTALK]

JONATHAN ZUCK: Great. Stanley?

STANLEY BESEN: A quick, just a quick comment on competition. The definition seems to focus on non-price competition. I assume that doesn't mean... I assume it's the case that we will be focusing on prices as well. Those are a couple of the metrics that we joint proposed, and I assume we'll focus on price as well as not price competition.

JONATHAN ZUCK: Stanley, again, I don't know how easy it is for Eleeza to get that definition up on screen. It doesn't specify price or non-price competition at all, so the definition we settled on, simply talked about behavior. And so price could certainly be a part of that.

STANLEY BESEN: The point is, I guess I was just struck because it talks about differentiating products, which sounds like non-price competition to an economist. And the word price never appears. That just struck me as something that I assume we're going to focus on as well.

JONATHAN ZUCK: Yes. And that's a reasonable assumption. So, I mean, the definition was written by me, not an economist. So it simply actively attempts to

differentiate their products, and I guess in my mind, the notion of price would be one of the ways we can differentiate your product.

STANLEY BESEN: I guess the economists usually distinguish the two.

JONATHAN ZUCK: I see. Okay. We can put in parentheses so my examples or something like that [CROSSTALK] we can go forward with the assumption that price is part of the conversation.

STANLEY BESEN: I'm not worried about getting the definition right at this point. Changing it as this point... The metrics seem to focus on both kinds of competition, and you reassured me...

JONATHAN ZUCK: And they're meant to, that's right. They're meant to. That's exactly right.

And I see here in the chat, there is some discussion. And so, I've fallen behind on it. So, if you haven't had the time to look at these definitions, we can either try to look at them in some detail now and discuss them, or you can post some comments to the list, after you've had a chance to consider them in some detail.

Like I said, those were just some discussions that took place on the terms of reference sub-team. So you can see the definitions that are

here, and if you have some recommendations or suggestions now, then go ahead and raise your hand, otherwise please post them on the list.

RAVI SHANKER: I will go with the existing definition. Thanks. Ravi here.

JONATHAN ZUCK: Okay, great.

Should I take the green ticks to mean that you're happy with the definitions? I guess?

RAVI SHANKER: I am happy with the definitions.

JONATHAN ZUCK: Thank you. Yeah, I got your vote, I'm looking at the screen that people that are on the Adobe Connect, Ravi. Thank you.

I see that Carlos has asked us to define the market. And I think we're talking about the DNS market. That's right, or the gTLD market. I think that it will be worth talking about, one of the conversations that has come up on the list is the degree in which we're trying to incorporate the ccTLDs into that market definition as well.

But I think as Jordyn says, we don't need to come up with a definition of the market, or the boundaries of the market right now. We can make it as part of the sub-team on competition.

Any other questions or comments right now based on the definitions that are on the screen?

Okay. So seeing none or hearing none, we're going to move on from this, but this does not block you from posting something to the list, a query to the list, of something you think needs to be updated as part of the terms of reference. Let's do that quickly, within the next week though, please.

And as Jordyn says, give consideration as to whether or not it could easily be done by the sub-team devoted to that category, or if it's something that we need to make sure and get clear in the terms of reference. Otherwise we will seal this document and move on to our work plan going forward.

Eleeza, if you would be willing, could you go back to the slide about the open questions and things we wanted to make sure and discuss on the call today?

So one of the key... I'm sorry?

So thanks for the slide. So we had some open questions that we thought should be brought before the entire group instead of decided definitively by the terms of reference of team, and wanted to open them up for conversation to some extent. One of them is the issue of scope, and this is a question that has come up on the list and has already come up on this call, which is how to interpret the language of the review, and define our scope in such a way that it is most useful, but also doesn't involve, as we say sometimes, boiling the ocean.

Trying to take on more than we can handle. But the... We specifically asked, you know, whether or not the new gTLD program has been successful in enhancing competition, choice, and consumer trust. And so one of the questions is about, whether or not we should be looking at all at the competitive behavior among legacy TLDs.

In other words, do we need to look at...? Is it enough to look at whether or not the new gTLD program, was itself competitive among new gTLDs, or do we want to look at how legacy TLDs play into the overall competition within the DNS market? So I open that up for conversation.

Stanley. Do you prefer Stan or Stanley?

STANLEY BESEN:

Stan. I think the answer is, we obviously have to look at the legacy gTLDs. I guess, one of the obvious questions, for me, is what effect does the new gTLDs have on the behavior of the legacy gTLDs? And one of the dimensions of that would be the extent to which their prices have been affected. It's probably going to be very difficult, but do that because of data limitations, but it's an important question to ask.

This is an interesting, economists often call it an event study. We have a major [inaudible], the entry of hundreds of new gTLDs, and the question is, what effect did it have on the market? And one of the most obvious things, questions to ask is, what effect did it have on the behavior of the incumbents?

JONATHAN ZUCK: That's right. I think, I tend to agree with you Stan. Are there others that feel different about that?

JAMIE HEDLUND: So I apologize, I can't put my hand up. But this is Jamie. Can you hear me?

JONATHAN ZUCK: Yeah, thanks Jamie. Go ahead.

JAMIE HEDLUND: Sure. So obviously, I completely agree with Stan. I was a little confused by the way the question was asked. Does it look like it was asking about competition among legacy TLDs only? And it would seem to me, while that may be an interesting question, it's less relevant to... So for example, how was dot com now competing with dot org? Just throwing out random example.

That's an interesting question but it's somewhat detached from the impact of new gTLDs. I mean, unless there is a line that goes from new gTLDs versus legacy, has impact on legacy versus legacy, I think that we would want to stay out of the...

JONATHAN ZUCK: I think you're right Jamie. I don't mean to cut you off. I think that's just the wording of the question. So I don't think anybody had the intension

to look at it that way. I think the use of the word among probably was not right, and was misleading. So I think, this was just meant...

The reason that, I think, that among should be by, by legacy gTLDs. On the call, the sub-team call, we were looking at the term of reference. I was trying to come up with a terrible example, but if, for example, a legacy TLD had, I don't know, let's say PIR decided that they weren't going to allow you to renew your dot org if you bought a dot club, because that was, in theory, a competition with the nonprofit market or something like that.

So they made you choose. If you want to keep your dot org, then you can't get a dot club. Right? That would be, in theory, anti-competitive behavior on the part of PIR, and so that's why it was phrased this way. It was because of an example like that. I think what we're trying to discuss is whether or not we're looking at the market as a whole, and the competitive impact on the market as a whole.

It sounds like we have rough consensus about that. David, go ahead.

DAVID TAYLOR:

Yeah, thanks Jonathan. I was just going to agree with Stan and Jamie, because I think there an inevitable relationship between the two, and we've got a question mark on there being, is there an even playing field? For example we need registry agreements being identical for new gTLDs and old gTLDs etc.

So the even playing field discussion certainly comes to bear on what we're going to be looking at.

JONATHAN ZUCK: Well, and that's a good segue David, thanks for your comment, because it almost seems like it's too easy a question if we're just looking at our findings. Where it might get more complicated... And Stan, is that a new hand or an old hand?

STANLEY BESEN: It's a new hand. I just...

I've learned to put my hand up and put it down again. I've just been thinking of an old example, which I always thought would be a kind of interesting sort of reference point. It's, what's the nature of competition between dot biz and dot com? I mean, they've been around for a while, let us learn something of something that has taken place over a longer period of time, that might give us some inkling of what's likely to happen over a longer period of time with the new gTLDs.

So I even think that the competition among the legacy gTLDs is actually, could be somewhat interesting.

JONATHAN ZUCK: Interesting observation, Stan. [CROSSTALK] Okay, go ahead.

JAMIE HEDLUND: Sorry. Just to point out that prior to the launch of the new gTLD program, there were some economic studies that included, you know,

observations of the scenario that Stan just outlined. So before we start commissioning other studies might be worth looking at the old ones. I'm not, you know, vouching for the quality of those studies, that we should just look at them before asking for new studies of competition between the [inaudible].

STANLEY BESEN:

I absolutely agree with that, and I would like to see those.

JONATHAN ZUCK:

So let's just make sure that we get a hold of those studies and put a pin in that conversation, and make it part of the competition work, for sure. So the other question I was going to raise then had to do with recommendations. And this is where David started to tread, and where, obviously push back will be are more considerable among the community is making the decision amongst us that we should include legacy TLDs in our findings is one thing.

Suggesting that the group is empowered to make recommendations about the directly impact legacy TLDs is another one. And I think that's going to be a tougher question to answer. I don't know if people have immediate feelings on that, but that's going to be a more complicated question to get answered than one that would be politically sensitive, I think.

I don't know if there is any thoughts on that.

RAVI SHANKER: Just a thought. Ravi here. Are there any [boundary layer?] conditions? Or is it possible to go beyond the [boundary]?

JONATHAN ZUCK: Say that again. Is there a set boundary around the review team you mean?

RAVI SHANKER: No, no. Are there any boundary layer conditions that thus far [inaudible]? Or are we, as a group, entitled to go beyond the boundary and extend the boundary?

JONATHAN ZUCK: Well, that's just it. I mean, the language is just somewhat vaguely worded, in the review, and to some extent, we're generating a document at the end of this. And it will be up to the Board, the GNSO, and others to decide what to do with the document that we create.

So there isn't... I don't think there is really going to be boundary police confining us to discussing or making particular recommendations, but neither are we empowered to impose any reforms on the organization either. So whatever we will do, we would have to make a good case for it, I think.

RAVI SHANKER: Correct. I get that point. I only feeling for understood by other members, legacy gTLDs. And as I mentioned, ccTLDs. I think we need to

get them into the loop to get an understanding of how the pie is growing, and the share is growing. So I think the two are related and interconnected.

JONATHAN ZUCK:

Sure. And certainly the ccTLDs that are used like gTLDs, I guess is the one of the areas in which people are curious. I mean, obviously dot TV has become a pretty popular domain name for a number of folks. So, it feels as though as we've got some consensus around incorporating and doing this review in the context of the entire market, and not just a new gTLD market.

And we will set a high bar, but look at any competitive behavior among legacy TLDs and by legacy TLD operators, and when looking at the causes of some of our findings, and I guess we'll cross the bridge when we get to it about recommendations within that scope.

And again, let's try to wrap up this terms of reference as quick as we can. And Jordyn, I think you're saying essentially the same thing. Let's try to wrap this up as much as we can. So please, I know you just got this document, so if you can, take it as a to do item after this call to look at this in some detail and make some detailed recommendations back to the sub-team, that would be really great so that we can put a bow on this term of reference and move on to the work plan. Okay?

So another issue was defining competition, which we already managed to discuss. The third question that was discussed was the role of observers. One of the questions is, under the moniker of transparency, how do we want to allow people outside the group to follow along in

the work, and/or provide feedback to the group as it goes along. And so there are a number of different suggestions that came out. What seemed to be the consensus of the terms of reference sub-team, was to allow anyone to listen on the teleconferences that wanted to, but that actually providing feedback would be via an email alias that went to a subset of the team and the staff.

That would then try to take this feedback and integrate it into the appropriate place in the agenda as those topics came up. Because as you know, the feedback can be kind of random, and not fit the schedule or work plan that we have set for ourselves, but that we would try and compile the feedback that we received from the public in such a way that we could inject it into the process at the appropriate time.

So that was sort of the conclusion of the sub-team which is, let people listen in on the calls, obviously they can still listen to the MP3s after the fact and read the notes after the fact as well. And that there would be a single email alias that folks would use to provide outside feedback to the group, as well as having the ability to reach out to their representatives within the various stakeholder groups and advisory committees to provide direct feedback to their representatives.

So the email list is really about capturing the individuals that don't know or don't feel as though they are adequately represented on the group. So that was the conclusion of the team, but I wanted to open that up for conversation for the broader review team and see how you felt about that. So let's open the queue if people have some ideas.

Laureen please, go ahead.

LAUREEN KAPIN: I want to make sure I understand the process here. When you say an email alias, does that mean we are not going to know the identity of the folks who are hearing feedback from the public?

JONATHAN ZUCK: No Lauren. What I mean is that we're going to publish an email address that people, that will be like feedback at CCTRT. So we'll definitely capture who the stuff came from, it's more like... And again, this is the open question, do you want them to be able to write to the group as a whole? So that everyone would get every email that came from the public, or would we want to setup a specific alias for that feedback?

LAUREEN KAPIN: Yeah, so what I'm hearing you suggest is that sort of a curated funnel so that we don't get each and every comment, but there is some filtering, which personally I would be in favor of because I think as everyone knows, there tends to be an avalanche of email in working group just among the members, much less the public who have views on it.

JONATHAN ZUCK: That's right. Any other...? So you're in agreement then, it sounds like. Are there any other comments or questions that people have about this approach?

Carlos in the chat, you said something to the effect to open to all identified observers please. So can you explain by what you mean by that?

If you're speaking, then you might be on mute, because we don't hear you.

Oh he can only participate by chat. Okay. So Carlos, if you could rewrite that line, open to all identified observers, what you mean by that, and if you mean that you agree with our approach or if you're trying to make a modification then I would appreciate it. Thank you Carlos.

Meanwhile, [Gao?], would you please go next?

GAOGALELWE MOSWEU: Thank you. I agree that there are a lot of emails even on this discussion...

JONATHAN ZUCK: Can you speak up? You're very, very faint.

GAOGALELWE MOSWEU: Hello? Can you hear me now? Is it better?

JONATHAN ZUCK: A little bit, it's just very soft.

GAOGALELWE MOSWEU: Oh, okay. I was just saying that I agree that we might be overwhelmed by the responses on the mailing list, because you know, there are always a lot of comments and sometimes you just get [inaudible] by everybody saying thank you, thank you, thank you. And so that might be a bit much.

JONATHAN ZUCK: Okay, great. It sounds like you agree with our approach, that we should have a curated email address for outside feedback, and that we'll then integrate it into the agenda as those points come up in the schedule. So thank you. Stan?

STANLEY BESEN: Yeah, I like the fact that our timeline includes the issuing of a draft report for public comment in December. I think we're likely to get better comments when we've actually put something on paper than we're likely to get kind of along the way. So I've had experience with something like this in the past where I've been on groups that have released reports or draft reports, and you tend to get more focused responses that way.

And so I like the fact that it's on our timeline.

JONATHAN ZUCK: Agreed Stan. It's just, I think, folks felt like there needed to be some way for people to listen in and provide feedback along the way, in addition to those more structured comments that would be the result of a draft.

STANLEY BESEN: Maybe we can have them all directed to the chairman.

JONATHAN ZUCK: Yes. I think that will be the case with the help of the staff, right? So I mean, that's probably what the sub-list will be is me, Eleeza, sorting through the feedback that comes in from the public. But I'd rather than have the entire list inundated with those comments. Thanks for that.

Jordyn, go ahead.

JORDYN BUCHANAN: Yes, thanks. I'm mostly reacting to what Stan just suggested. And I think, by way of context and Jonathan just pointed out, it's usually in these ICANN processes there are periodic opportunity to react to documents that are produced and usually explicitly in public comment period, probably look back at some of the other review teams and sort of see that [inaudible].

As a long time participant in these ICANN processes, I think it would have often been helpful if these processes were a little bit more open early on in terms of getting feedback as opposed to periodically just dumping a bunch of information and expecting the public to respond in a specific comment window.

And so I was one of the ones advocating for a more ongoing feedback process as well. And I think the idea is, for example, we would have meetings and so on where people could listen in, not necessarily

participate in the discussion in real time, but react to meeting notes and so on. Just so if there were sort of minor points on the way that would allow us to find [inaudible] get that feedback earlier rather doing a bunch of work, dumping it on the public, and then hoping that we don't have to have significant course corrections as a result of feedback at that point.

So I think the idea is to do both what you're suggesting, but have some real time responses as well.

JONATHAN ZUCK:

Thanks Jordyn. That's a good explanation of why we came up with the approach we did in the terms of reference. I guess I will say that part of the success of this, I think, will be with each of us going back to our various constituencies, and providing reports on a fairly regular basis, informal reports, as opposed to drafts coming out of the review team. So this doesn't apply to you Stan, as much as the rest of us, but going to our constituencies and saying, here is how things are going, and here are some decisions that got made, and gathering that feedback on a proactive basis, I think will help to remind people that they have representation on the review team, and that you are the conduit, and the most efficient conduit, for feedback.

So that the actual sort of random feedback via this alias will be the conduit of last resort rather than the more considered interactive process that hopefully will take place among the various constituencies. And so, you know, those of us that are part of the GNSO will go back

and talk to the stakeholder organizations on a fairly regular basis and keep them up to date so that we can gather that feedback.

Does that make sense to everyone? So part of it will be on us to proactively solicit feedback from our constituencies to remind them that they are our constituencies.

Carlos, does that make sense for you? I don't want to lose your comment. I'm specifically not a fan of how things went down in the CCWG. I feel like that's too much probably. Okay, great. Thank you.

I think we've settled, Eleeza, on those mechanisms for observation. And that was similar to what we rested on in the terms of reference conversation. And then the other question, and I may ask Jordyn to introduce this question a little bit, is this notion of delegates or substitutes.

You know, can the meetings only be attended by the members of the team or can someone delegate a substitute either in their absence or because they have specific expertise etc. to participate on a particular call? Margie, did you want to speak to that issue as well? Is that why your hand is up?

MARGIE MILAM:

Yeah. Actually I wanted to close the loop on the prior discussion, you know, as this role of observer is one of the questions we were considering. [Inaudible] tell people that they can observe. So I was suggesting perhaps an email to the SO and AC list so that others can,

you know, that aren't members of the review team know that that's a possibility.

JONATHAN ZUCK:

Yeah, why don't we work together? I'm happy to compose such an email like that to describe the way to participate as an observer. Once we have the email alias setup, and then maybe we can detail who their reps are, if you will, as well, as the first line. And then put the email as the sort of catchall for anybody that falls through the cracks.

So let's take up the next couple of days to figure out how to construct that email. So, Jordyn, I don't mean to put you on the spot, but can I ask you to discuss your thoughts on delegates or substitutes, and the role that you've seen them play, that you would think would be useful here so that we could open that up for discussion?

JORDYN BUCHANAN:

Yeah, certainly. I don't have actually strong feelings here, I just know from some familiarity with previous review teams, the practices here have varied somewhat in the past, but certainly some of the previous review teams have allowed members to appoint delegates whether they're on the team or you know, participating, or perhaps someone who often participates as an observer to temporarily be appointed as a delegate by a member.

In some cases I know that members of the review team have been receiving staff support within their own organizations. And so from time to time, someone who is staffing the effort might be appointed as

a delegate instead. And I just wanted to open the question in the terms of reference as to whether we thought it was useful to be able to temporarily, having members temporarily appoint someone to act on their behalf on the review team, or would we just consider sending an observer and helping the member send the policies and situations where they weren't able to participate or thought some other participation model made more sense?

JONATHAN ZUCK:

Thanks Jordyn. Are there any thoughts on this idea?

Margie, is that an old hand or a new hand?

MARGIE MILAM:

It's a new hand. Jonathan, not Jonathan. Jordyn, which review teams are you thinking of? Because as I explored it with staff, as we were speaking about some of the best practices, I believe it has been mostly related to the backup for the chair or the vice-chair, or the...

Sometimes review teams have [inaudible] or designate or the... I think on ATRT2 we had Larry and Fiona was able to participate on behalf of Larry at times. But I didn't it stand out to the rest of the review team. One of the things that I worry about from the staff perspective is if the person isn't tracking all of the discussions and all of the work that has happened before they participate in a meeting, then it might actually effect [inaudible] of the team itself, because it might be rehashing issues that have already resolved.

UNKNOWN SPEAKER: [Inaudible] feedback [inaudible]...

JORDYN BUCHANAN: [Inaudible] feedback. All right, it seems to be gone. So Margie, I think, yes, I think the examples I can think involves relatively more senior members of some of the efforts. Fiona acting in Larry's stead, or I believe sometimes Brian Cote had a delegate acting on his behalf in HTRT 2, would be examples that I would think of in the past.

Carlos earlier raised a point about CCWG there were a lot of observers, and I think periodically members of the CCWG would appoint observers as delegates in the discussion. So I think there have been a few different models, I didn't do any particular research but certainly, I appreciate the point about folks staying up to speed, but at times I would imagine it might be useful to advance the conversation if a member wasn't able to attend but had stayed, or had been working with someone on something, to be able to make sure that the conversation was advanced without necessarily having the member present, which I think is the general intent of the notion of the delegate.

JONATHAN ZUCK: Perhaps we can play it somewhat by ear and make adjustments as we go. I kind of like the idea of being able to bring somebody in to talk about somebody like if you had a senior staff member inside Google that has worked on a particular issue, or has some crunched some particular numbers and let them make the presentation.

Rather than thinking of it as a substitute for somebody that can't make the call, which feels a bit unruly, I like the idea of being able to invite to participate on the call directly in advance, and say, this person, you know, is going to make a presentation or explain this effort.

And it can come from, you know, a variety of sources, whether it's an expert or like the Nielson is an example, but it could be, like I said, employee at Google that did some specific work that Jordyn wanted that person to share with the group. That might be a better way to think about it rather than, I've just appointed this person to be my substitute because I can't make it.

There ought to be motivated a reason for that person to be on the call, rather than the absence of the other person that doesn't seem arbitrary. Does that make sense?

Thanks Carlos. Any other comments on this topic?

ELEEZA AGOPIAN: Jonathan, can I add something? This is Eleeza.

JONATHAN ZUCK: Of course.

ELEEZA AGOPIAN: So I was just listening to your discussion. It sounds like what you're looking for here is outside expertise or people to bring in a different perspective. Maybe we should change the language to delegate to

something that's more appropriate like outsider, outside expertise, outside experience, and perhaps even move this to a separate section or just include it in the work plan.

JONATHAN ZUCK: I think that's where I was heading. I again don't want to steamroll the consensus of the group. I think I was heading toward getting rid of the term delegate and instead of, making it guest speaker or something like that.

ELEEZA AGOPIAN: Okay, great.

JONATHAN ZUCK: If folks feel strongly about being able to have someone they work with, or if I wanted to have somebody from the IPC to have Greg [inaudible] to participate in my stead when I couldn't make it, and people think that that's what we should do, then please speak up. I'm less inclined in that direction. And personally don't care what previous teams have done. So we just decide for ourselves.

DAVID TAYLOR: David here. I'd agree with that. We can do that on an ad-hoc basis if necessary, and I think it's more for external expertise that would be good, so I would shift it. Yeah.

JONATHAN ZUCK:

Okay, great. So those were the primary questions that we, as the sub-team on the terms of reference have identified, and but again, I encourage you hopefully very soon, to read through the TOR in some detail and to raise some issues on the list if you think they were overlooked on this discussion.

We talked about the biggest [inaudible] and not the details in a way, so if there is something that you see as an issue then please raise it quickly so that we can put a lid on this particular effort and move on from it to work on our work plan. Okay?

So what is next on the agenda? That might be me and Karen talking about the CCT review.

Oh Jamie, go ahead.

JAMIE HEDLUND:

Thanks. So one, I can send in a note about this after the call as well, but one thing that struck me thinking back on of the, I think one of the last economic studies that was put out before the launch in which this is done, I think, it was Greg [inaudible], Sam you know him, and some others, but they had predicted in one of their studies that it was unlikely that the introduction of new gTLDs would have much of an impact on market share or price levels.

But did have the potential to have an enormous impact on invocation, the introduction of new products and services that were not available under the thing. So my, so while we may not find a huge impact

especially since some of these haven't even been delegated yet, on pricing structures or on market share.

There could be a finding of innovation which is increases consumer welfare, and so I would hope that, I don't know how exactly how you go about measuring that except in a totally, but Stan you may have some better ideas.

STANLEY BESEN: Yeah, I guess one way to do that is to sort of identify previously unserved market niches in the new gTLDs.

JAMIE HEDLUND: So an example of that, because it has been cited a bunch of times, is dot bank. Dot bank is a closed gTLD essentially, that's open only to credentialed banks from around the globe. And their pitch is that, and it's run by financial services roundtable, part of that outfit. And their pitch is to provide a trusted space for consumers to use, and not be subject to hacking or going to, get redirections to fraudulent websites.

They may attract only 100 registrants, those being some of the largest banks, but if consumers use it a lot, even though there is only 100 registrants, than arguably it's a really successful gTLD.

STANLEY BESEN: That actually suggests a kind of, some sort of non-qualitative study, we might want to do a few case studies of new gTLDs [inaudible].

JAMIE HEDLUND: Yeah. And there is even an example in the legacy world, dot cat, which is Catalina, which only had like 50,000 registrants. Now apparently, my understanding is for their target audience it was an important TLD, and viewed somewhat extensively in Barcelona, but by, if you compare it against any of the, you know, dot com or some of the others, it would look like a failure.

JONATHAN ZUCK: So I think were you are headed, Jamie, I want to cut this off a little bit because I think we're a few steps ahead, maybe, with this conversation. But it could very well be that there is two areas that are worthy of some consideration by the group. One is looking at what might be called factorial competition. So in other words, rather than looking at the market share dot bank against the market share of dot com, you'd be looking at the market share of dot bank among banks, versus the market share of dot com among banks, to see if it had created competition in that respect because of the differentiated service.

And then we'd also look at the impact that dot bank had on consumer trust, which was another part of the review. So I think there is two things there, one which is making sure that, which is why market definition becomes the incredible, the most difficult part of any kind of competition analysis is market because if you look at the market for dot bank, it's not the entire universe of dot com.

And so you want to look at it on a factorial basis and so I think those two things are probably both true, that there is going to be areas where

choice was created, that didn't have a dramatic effect on market share right away, that provided interesting and innovated choices, but there is simply factorial competition as well as improvements in consumer trust, potentially from these kinds of new gTLDs.

Does that capture where you are headed Jamie?

JAMIE HEDLUND: Yeah, it captures a lot, but I think also figuring out how to look at quality as well as quantity is going to be a challenge.

JONATHAN ZUCK: That's right, which I think will probably, quality will probably be about trust as much as anything else, I guess. But yes, we certainly can't focus on a pure price based definition of competition. I mean, for no other reason than some of the legacy TLDs have, you know, price caps on them. There isn't really a market there either.

Okay, shall we go on to talk a little bit about the CCT working group and the work that was done leading up to this review, or are there other questions about the terms of reference?

MARGIE MILAM: Jonathan, it's Margie. If I could just jump in about the last part, the building the work plan including the remaining team leadership structure. I just wanted to identify what the next steps were for that.

JONATHAN ZUCK: Oh sure. I didn't know if this bullet was one of the things that was part of the terms of reference, or if it was... Because this is its own effort. I didn't think of it as a bullet. I thought that was more about the fact that we had separated the work plan from the terms of reference. If we want to dive into that discussion, we could do that as well.

I mean, we obviously need to do it, so we can do it now.

MARGIE MILAM: Or just, how to build a work plan? Do we want a sub-team? The same sub-team that was working on the terms of reference to try to start scoping out some of the work issues? And then along those lines, a question about... Originally we were talking about once we identified perhaps work streams or subjects to explore, that we might also identify additional leaders depending upon the issue.

JONATHAN ZUCK: That's exactly right, Margie. My guess is that it's not exactly the same work team, so maybe we should just take volunteers to be on the work plan sub-team, because I think it would really good to have Stan on that team, for example, to talk about how we might divide this effort up into its different substantive categories.

So it might not be the same, a group of people, and so I guess I would like to make the call for volunteers to be on the work plan development team.

STANLEY BESEN: Did I just get volunteered?

JONATHAN ZUCK: Yeah, so you don't even need to bother volunteering Stan. I did that for you. I'm a full service chair.

STANLEY BESEN: Thank you.

JONATHAN ZUCK: So, you don't need to volunteer right here, but please send an email to, I guess, Eleeza or me if you're willing to be, or put in the chat here, if you're willing to volunteer. And this is about coming up with the subcomponents of the findings portion of our report.

So if you have some ideas about that, then please be a part of that time. One thing that I want to put out there for discussion, and maybe it's for the whole group or the work group team, the work plan team, is that given the fact that we're just now starting the new economic study and the survey, does it make sense to focus our efforts on the parts of our review that are less quantitative, which include how the application process went and the mechanisms that were put in place to mitigate difficulties associated with the new gTLD program.

Does it make sense to put those first in front of the CCT part of the review, to allow the accumulation of more data? I say that also because as we talk about interim recommendations, more of those interim recommendations may come out of the examination of the application

and the mitigation mechanisms then they do out of the more interim recommendations might come out of those than do out of the CCT review.

So I don't know how folks feel about that, if you have immediate observations there. But it might be something that we discuss on that particular sub-team. Stan, you've got your hand up.

STANLEY BESEN: I know I'll start getting impatient about looking at data long before we get the next report from the analysis group, so I hope we're not precluded from doing that in this regard. Yesterday I came across a website that had data. I don't know if people know about this, you probably all do, called N TLD stats dot com. Do you all know about that?

JONATHAN ZUCK: Yeah.

STANLEY BESEN: I looking at my spreadsheet and started doing calculations. And I think this is interesting. I would not personally prefer to wait until the analysis group gets the report done.

JONATHAN ZUCK: Okay, thanks Stan. Any other thoughts on this?

And so my only caution to you Stan, obviously, is don't... Make sure you don't go off and try to form conclusions on your own based on data that you find on the web. And bring those conclusions to the group. Try to make sure that you're part of a collaborative process to reach conclusions.

STANLEY BESEN:

Trust me, you already know, I've already sent some preliminary calculations to the group, and you can rest assure that I will continue to do so.

JONATHAN ZUCK:

All right. So beyond that, let's just take volunteers for a work plan. Hopefully the staff have captured the ones that are in the chat, but please email if you're willing to be on that sub-team to define the subcategories of the review, if you will. And I think, again, we don't mean to shut you down entirely Stan, but we probably will need as part of our work plan, to figure out a mechanism to come up with these interim recommendations sooner rather than later, if they're going to require extensive policy development work in tandem with our review efforts.

So figuring out how we get to those interim recommendations in the quickest way possible has got to be part of the work plan as well.

And I'm assuming... Is that a new hand Stan?

STANLEY BESEN: I'll lower it. Thank you.

JONATHAN ZUCK: All right. And so Margie, I think that's our next step, is to have a little sub-team work on the work plan, and then we'll identify the leaders once we define what the work streams are going to be.

MARGIE MILAM: Right. Thank you.

JONATHAN ZUCK: Okay. Let's move on.
And so I think Karen is up next.

KAREN LENTZ: Hi Jonathan, this is Karen. How is the sound? Can you hear me?

STANLEY BESSEN: Yes.

JONATHAN ZUCK: Sounds great Karen, thank you.

KAREN LENTZ: Okay. So I'm waiting for the slides. The next couple of slides were... I thought I would give some context as to the work that's been done

leading into this review as well as some of the other activities that are happening around the same time within the ICANN space. So there is a few slides on this, and I think later we'll have Jonathan and others talk about the specific recommendations for the process leading to recommended metrics that we're using here.

So this slide is just focusing on what we have done in preparation for the CCT review team. The actual review team process is the yellow bar there, starting in 2016 and subject, of course, to the actual timeline and work plan that's established. But you see the two blue bars up there, which are the consumer survey done by Nielson, and the economic study that we've discussed.

Those were both two part exercises. And so the idea was to do a baseline as soon as possible, and then repeat the exercise a little later and we had that there is some additional data to be used. So, we expect the, about midway through the year to get those second sets of data to you.

The other bars that are below that are, relate to the other parts of the scope of this team in the AOC, which are to assess the effectiveness of the application and evaluation process, and the effectiveness of the safeguards that were put into place for the program. And so how we've gone about in compiling information on those, is essentially we have taken what quantitative data we have, what statistics are available, and then we've also tried to bring in some sort of qualitative component, whether that's through, we've held the sessions at ICANN meetings somethings to get feedback.

We're doing an open call later today to get feedback on one particular area, and then each of those things is also gone through public comment so we have been able to incorporate feedback that way. So those topics, which we call program implementation review, and then the safeguards encompassing both DNS abuse and rights protection, have all been planned out so that there is data available for you to consider.

The DNS abuse one at the bottom, which we've also been [inaudible], has started later than the others. They are not as far along as we anticipate. Around May, having that full set of information report to give to you on that. So that might be helpful for the work plan.

Next slide. Thank you. This I think, essentially, a re-type of what I was saying. So the areas that we've broken down the work in terms of preparing for the review, basically outline, they track the outline of the topics that are described in the affirmation of commitment. So there is a whole set of metrics around competition, choice, and trust. The program implementation piece to look at the effectiveness of program processes, and then the bottom two looking at the effectiveness of the safeguard.

Those are all, I think, most people know, formal recommendations from the team that go to the ICANN Board and they are to take action on the recommendations within six months. Next slide.

Thank you. And the last thing I wanted to mention is that this is one review that's occurring of the new gTLD program, and there are a few others. And so I wanted to touch on what are the other reviews and the

other activities that are happening that you may hear about, or know about, or want to follow along as this team progresses. So the vertical line on the slide is where we are in January of 2016.

As I've mentioned, the data gathering for this review has been underway for quite a while, and the review itself, which is the second yellow line there, is getting started. There is also the line below that, the green one, is [inaudible] but it says, trademark clearing house independent review.

That is a review that is a commitment based on a GAC recommendation. And so that review is also in progress. The estimated timeframe for that to be complete is mid-year, which will probably be around June. There is a session on that at the upcoming ICANN 55 meeting, and that we'll get some updates there.

The orange line is a study that looks at the impact of the new gTLD program in a more technical area, which is the impact of adding many more TLDs on the root server system. There is a study planned, the study team has posted their study plan for public comment that's open right now, but the current plan does call for a study that goes on for some time into 2017. And the timeline does include also a report and some public comment which is taken into account.

So what I've talked about so far is what we typically talk about when we talk about program reviews, and that includes all of the things we've been doing to get ready for the CCT review as well as these other activities. Then continuing on down, there is also within the GNSO, which is ICANN policy making body for the gTLD space, they are, have

done some work to look from a policy standpoint at the experience of the 2012 round and implementation of their policy recommendations. They recently have voted to initiate a policy development policy process on new gTLD process subsequent procedures, which would encompass looking at their existing recommendations and consider any changes or possible additions for the future of the program.

Their charter for that does not that they expected to be taking into account the findings from parallel activities that are happening within ICANN, and I think specifically they have in mind the CCT review team as part of that.

The next bar is still a possibility, but there has also been, sorry, preliminary steps to consider beginning a policy development process that's on rights protection mechanisms. So that is still, that hasn't been kicked off, but that is still a possibility. And if that does occur, the GNSO does have it scoped out, the scopes of those two efforts would be very clearly delineated, and there will be very coordinated efforts to make sure they're not duplicating or coming [inaudible] same outcomes.

And just to be clear on the note on the timeline, the PDP is dependent on the working group establish their work plan, their timeline. Policy development process typically takes at least a year, and so these are fairly complex, so they're extended out here just to be clear on that, speaking on behalf of the GNSO or any of the working groups as to what their timeline [inaudible].

The last effort that I'll mention, at the bottom, which has also been assessed a little bit is what's called the help index, which is also the

subject of a recent announcement. So this effort is not new gTLD related. So this is a sort of an ICANN wide project to put some measurability and data around the core objectives in ICANN strategic plan, which call for healthy, resilient, stable DNS and DNS marketplace.

And so, both in the sense of looking at the technical health as well as the marketplace health of the ecosystem, there is an ongoing effort to establish a framework by which we could [inaudible] you know, make measurements and comparisons as to how we're doing on these objectives every year.

So this would be once that index is put in place, that would be an ongoing sort of steady state operation, where the same data is considered on a yearly basis, or on a regular basis. So I think that covers the background that I wanted to give. I'll turn it back to you Jonathan over to any questions from anybody. Thanks.

JONATHAN ZUCK:

Thanks a lot Karen. Are there any questions from the group on all of this? I mean, obviously some of the interaction between these things has been a topic of some conversation, so please speak up if you have some of those questions now about how these various efforts fit into the overall scheme of things.

I see some questions on the list.

Well this will probably be an ongoing conversation about these things and how they interact. I know I've volunteered to be part of the TLD marketplace health index volunteer group, because I see a strong

relationship between what we're doing and what that effort will be doing, even though it's not 100% overlap by any means.

And then looking at some of these things as inputs into this process is an interesting perspective as well. So, there may be instances in which we're going to see some recommendations come out as we're doing our work, and we may incorporate or reinforce those recommendations in our final report. Jordyn, go ahead.

JORDYN BUCHANAN:

Thanks Jonathan. I note that there is a lot of simultaneous moving parts here, and I thank Karen for helping us understand all of them. I think that it's... I wonder if we ought to think about whether there is some, having explicit liaisons or something between some of these efforts might make sense.

I'm a little worried we're getting into a mode where a lot of work is going to happen in sequential chunks. And when you look at where sort of the CCT review stands in this last slide relative to other work that's going to look to its finding such as GNSO PDP on new gTLDs subsequent procedures, and PDP on all of our PMs.

That those efforts will probably be better served if they had information from us earlier on, and similarly... And I know that we addressed it somewhat in our terms of reference by looking to make interim recommendations, but similarly, on the previous slide we saw I think four other efforts feeding into our work, and I feel like if we wait for those to complete before understanding where they're going, and then, in turn, we have to make recommendations that are going to feed into

other work streams, it's just going to make them all a lot slower and less sufficient, whereas if we somehow have the ability to continuously understand each of the work streams that we're depending on, and work streams are depending on us, that might be really helpful for [inaudible].

JONATHAN ZUCK:

So I guess that brings up the question about whether or not we have some overlap between the two, between, amongst these. I need to find the right phrasing here. Because that would make for natural liaisons, otherwise we need to try and assign liaisons to these various efforts, but I think the idea itself is a good one.

Do other people have comments or ideas on this? And are there people that are already serving as part of these other efforts? Like I said, I'm trying to be part of the marketplace health index effort, so I can be a natural liaison there.

UNKNOWN SPEAKER:

Yeah, if people agree with the general concept which is presumably sort of solicit opportunities for natural liaisons on the various lists or start to figure out how to assign them.

JONATHAN ZUCK:

That's right. Do people like the idea generally?

Thanks Carlos. So I mean, just to sum up Jordon's recommendation, it is that we try to maintain semi-regular communication between our

review team and these other efforts, so that none of them get too far ahead of each other. So what we will do is look as people, as these groups form, for natural liaisons because of overlapping participants, and then where there is a hole, we'll try to assign a liaison from our team to that team.

So hopefully staff will be able to capture that, then let's keep this as an active list of liaisons, and that will try to build out as these teams come together.

Great Karen. Thank you.

Okay, any other questions about Karen's presentation?

Okay. I guess we can move on. So the next thing on the agenda is just a little bit of a discussion of the specific effort that went before in preparation for this review, in the, at the ICANN meeting in [inaudible], the Board resolved to ask the GNSO and ALAC for a set of data sources, and possible metrics for measuring consumer trust, consumer choice, and competition.

And to provide some targets, some potential targets or deltas, that could be used to evaluate that data by this review team. And so it was the [inaudible] working group to come up with a set of metrics. It ended up splintering a little bit, so 40 came from the GNSO and another 30 came from ALAC.

So as Robbie said, we ended up with quite a few of these metrics. I'm wondering if it's possible, Eleeza, for you to bring up just a sample page

from the report on the work group on the metrics to show how they were structured.

ELEEZA AGOPIAN:

Yes. We uploaded that and I think Charla is going to bring that page up now.

This is the beginning of that, but there are several pages of this, and we have a couple of documents in the background materials section of the Wiki that reference these metrics, so you can find the full document on there as well.

JONATHAN ZUCK:

So thank you very much for bringing this up. So you can start to see how this ended up being the actual report from the implementation advisory group. Skipping ahead a little, and I'll go back and talk about that group a little bit. But you can see sort of how these ended up being structured in that under each area trust, choice, and competition, there was some data.

So DNS services availability, availability for registration data and directory services, service availability, percentage of service availability for shared registration services, etc. There was a notation of where that data would come from, and then a projected target. And so the idea being the three year target, so we could look at, in this review team, a year out, see if that metric, that data was sort of on the right track to reach that target after three years.

So that was the structure of the work of the original work group. And so then the implementation advisory group, that then I guess we could go back to the slide, if you would, that was the next step. So there were 70 such metrics that came out of the original effort. And some of them had hard targets, and others just said that they should increase rather than decrease, and then some it was difficult to determine what the target should be.

And we may find that the ones that were difficult to define a target are less useful, because it was difficult to determine how to interpret the data when we came across it. So for example, use of URL short, for example, was one of the metrics that was proposed, and it was very difficult to ascertain what conclusions we might draw from that. And therefore, what the three year target should be for that data.

So the IAG made recommendations about which of these data points should carry forward, based on whether or not they might be useful. Whether that data might be useful in context of the review, even though we didn't know in isolation what that data would represent in terms of progress or backsliding on the particular objective.

So that was sort of the work of the implementation advisory group, was to look at each of these, figure out if we could, in fact, get the data, one thing, and if we couldn't, then we removed it. Figure out if it would actually be useful, and get rid of it if we couldn't agree that that data collection would be useful.

And the IAG also looked at whether or not the data would be useful, would be available after the fact. So that group was very focused on

whether or not data was going to go away and needed to be collected contemporaneously. And so, some of the data that might need to be requested or studied now, it was ascertained by the group that it could be done now by a decision by the review team, it didn't need to be collected in advance.

So that was sort of the work on the IAG on these particular metrics. In addition, there was a discussion of pricing, and in the market that led to the idea of doing this economic study, and trying to understand what the marketplace looked like and taking a snapshot of it, and that led to the analysis group report being part of the interim recommendations of that implementation advisory group, and you've seen that report, and because there is obviously, there was some concern in the IAG about some of the rather stranger pricing strategies that were cropping up, sunrise pricing versus general availability pricing, and things like that.

And so, trying to figure out how to capture a snapshot of what that looked like at the beginning of the program and what it looked a year out, was the purpose of the study. It was also determined that it was very difficult to measure consumer trust without asking consumers, and so that's why the idea of the survey was born in the IAG as well.

And so, as you saw, the Neilson survey, both as a baseline and now the upcoming one in the summer, that will be the year out version in order to see if there is some delta in how consumers are perceiving the gTLD market and the DNS generally.

Do you want me to go back to the slide? You had it before, Charla?

So those were the deliberations that you see on the second box, that led to, I guess I would say, three things, a few things. A slight whittling down of the metrics as a whole, but as Robbie suggested, they'll probably be whittled down just a little by us. A discussion of what needed to be done externally with these studies so the economic study and the survey, we've got a request to the Board that they approved that led to those studies, and then also the beginning of the staff collecting data so that they could begin to have the data available by the time that this review began.

So staff began data collection, and they started sharing it on the ICANN website as they were collecting it as well. I feel like it's been important to remind people that both the economic study and the survey were meant to be baselines, and that we were going to look at the deltas. But there are some interesting observations made in the baseline as well.

So that has been the process as a whole, as a work group, followed by the IAG, some interim recommendations. 66 of the 70 metrics carried forward. The staff began collecting the ones that they could on their own, and now it's up to us to identify if there is other data that needs to be collected after the fact for analysis. And I know Stan will have some recommendations there, and that leads us to where we are today with the CCTRT.

Any questions about the process as it has gone before? And Eleeza did you want to dive in a little bit deeper on a couple of the things that, some of the decisions we made on the ICG?

ELEEZA AGOPIAN:

Yeah, I would be happy to. And feel free to interrupt me with any questions [inaudible]... I just wanted to speak a little bit more in detail about the data collection that's actually started since last year. So Jonathan mentioned, a large chunk of that group of 66 that were recommended, we've already begun collecting data on and you can see here, I have a link to the page on the ICANN website where we're publishing, in some instances, snapshots of that data, because these come from very large Excel files that we can't really upload in their entirety or capture on a screen, but you can download them on those two pages.

So a lot of the metrics data is available there. About a dozen of those metrics were intended to be captured by the surveys, stage one of which, of course, we mentioned were published, and three of them were also going to be captured by the economics, so that's kind of a big chunk of the metrics pieces.

There is other reports that we anticipate will be, and hope will be useful to you. And the other pieces of this review, not just the CCT piece, but on the [inaudible] of the application progress, there is a program implementation review which was published in September of last year, and we anticipate a staff report on that at the end of this month. [Inaudible] report, which I think Karen mentioned earlier in her section of our discussion.

There is also another piece that I think might be relevant to this group, and you might be interested in, on which there is a discussion tomorrow

on DNS abuse, and I think some of the issues that will be discussed there will help define some of the terms you may consider, some of the terms that are referenced in the metrics that are related to DNS abuse, will look into kind of define those a little bit better, and help us to capture data better in that section.

And I've included a link here where there is more details about the discussion that is scheduled to happen tomorrow. I think there is, it's scheduled at two different times. So depending on where you are, hopefully there is a convenient time and you are welcome to join that.

I posted a lot of information on sort of the background materials that led up to the IAG work, and the initial working group that Jonathan mentioned, as well as links to all of these reports, all of these metrics. [Inaudible] Wiki page. I'm also working on putting together some additional references on that page that have to do with other sources of data that may be useful.

I know that the discussion on the list about the [censor] report that Megan brought up, thank you for sharing that. And there is a number of different websites that report statistics. I think Stan earlier mentioned N TLD stats. That's one. There is a couple of other statistics webpages that I think would be interesting to keep in mind as reference points as well.

So I'm trying to capture all of those in a logical way on your Wiki, so hopefully you'll find those lists available as well. But we wanted to share this with you just so you have an idea of all of the data that is already being captured. And I think some of the discussions that are

happening on the list are great, and you may find some information on the Wiki that can help you put some more context to those [inaudible].

And with that, I think we're nearly out of time. If there are any questions, I'd be happy to take them. Otherwise, we can probably end this call. Unless Jonathan, is there anything else you would like to add?

JONATHAN ZUCK:

I don't think so. Thanks guys. I think we made good progress. So the two homework assignments are is to go over the terms of reference in detail, and make sure that you're happy with what's there, and to make recommendations in the very near term, if you have them.

And also to get in touch if you are willing to be a part of creating the first draft of the work plan. It will still come back to the entire group for discussion, but for efficiency, we're going to try to do that for a smaller group, and get that work plan going. So please volunteer if you can to be part of that effort.

Otherwise, thanks everyone. And let's keep up the good work.

[END OF TRANSCRIPTION]