ICANN Transcription
New gTLD Subsequent Procedures WG Call
Monday 18 April 2016 at 2200 UTC

Note: The following is the output of transcribing from an audio recording of New gTLD Subsequent Procedures WG call on the Monday 18 April 2016 at 22:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.
The audio is also available at:

http://audio.icann.org/gnso/gnso-new-gtld-subsequent-18apr16-en.mp3

Coordinator: The recording has already started. You may now proceed.

Avri Doria: Thank you. This is Avri…

Michelle DeSmyter: Thank you…

((Crosstalk))

Michelle DeSmyter: Good morning, good afternoon, good evening. Welcome to the…

((Crosstalk))

Avri Doria: Go ahead, sorry.

Michelle DeSmyter: Thank you, Welcome to the New gTLD Subsequent Procedures Working
                    Group call on the 18th of April, 2016 at 22:00 UTC. In the interest of time
                    today there will be no roll call as we have quite a few participants. Attendance

will be taken by the Adobe Connect room so if you're only on the audio bridge could you please let yourselves be known now.

Avri Doria: Okay, I was going to hold off doing the roll call and such until after the agenda so we'll come back to that. Thank you. I also would assume the you have the list of names that you get when people call into the telephone.

So the first thing I wanted to do was review the agenda. This is Avri speaking. So after we've reviewed the agenda then we'll go into the roll call and the SOIs. And in this case I want to point out that the SOIs is not only requesting them from people that are newly joining the group but also asking if anybody has got any updates. People that have updates would be requested to fill it in on the SOI form and then also to speak of it when asked in the meeting.

Then we go on to Point 3, which is listed as continued discussion on the catalog of advice and statements from 2012 round of new gTLDs. What I've actually got in that section is basically three slides. One harkening back to the chapter in terms of rooting ourselves into what we're doing; one on the need for the catalog of advice, and then one just giving a quick preview of an upcoming milestone that's being suggested and discussed.

Then we'll go into a continued discussion on Subject 1, should there in fact be no other additional new (unintelligible) in the future. Can I ask everyone to mute please? Thank you.

Then we'll go – continue discussion on Subject 2, which is the TLD type and differentiation. Both of those discussions will be led by Jeff. Then we have any other business looking at wiki workspace and discussing liaison to the review – to the review of all rights protection mechanisms and etcetera.

So those are the agenda items. Any issues or questions with them? See no hands. Any additional items? I see no hands so we'll go through with this agenda.

In terms of roll call now, as Michelle said earlier, that the roll call will be based upon the names of everybody that's in the Adobe Connect. I'd like to ask at this point if there is anybody who is not in the Adobe Connect but is participating through the phone bridge to please speak up. Okay, I hear no one. If someone comes into the call later they can probably be captured in the names list or they can add their names later when the minutes come out – when the notes come out.

In terms of SOIs, as I mentioned, does anybody have an update to their SOI that they'd like to mention? Okay, I hear no one so proceeding on to the slide that I loaded up. Can we see the – the first slide when it comes up you'll see a few words from the charter.

One of the questions that came up at the last meeting when I was listening to it was a question on why we were going back to the GNSO recommendations and why we were discussing that, almost as asking whether we shouldn't just be talking to what was in the Applicant Guidebook. So that's why I wanted to put up the – of the charter, again, just to sort of indicate where we're at on that. Steve, any chance of putting up the slides? I sent you a PDF as well as the slides.

Steve Chan: Hi, Avri. This is Steve from staff, I actually didn't get to it.

Avri Doria: Okay, I'll go on leading.

Steve Chan: Let me go ahead and work on trying to get convert into PDF.

Avri Doria: Oh I sent them about 45 – I – but that was an older copy. Sorry, I will send them to you again.

Steve Chan: Thank you.

Avri Doria: Okay, they've gone off. Now the first one – anyone can actually find it in our charter. And the first bullet was "the new gTLD subsequent procedures PDP working group is tasked with calling upon" – and then it gives the reference to (unintelligible) part A and that is "the recommendations that were made by the GNSO, communities collected experiences from 2012 new gTLD program to determine what, if any, changes may need to be made (unintelligible) introductions of new generic top level domains policy recommendations from 8 August, 2007."

Then a later bullet says "these policy recommendations remain in force for subsequent rounds of the new gTLD program unless the GNSO Council would decide to modify those policy recommendations via policy development process."

Later it lists three bullets. The first one is clarifying, amending or overriding existing policy principles, recommendations, and implementation guidelines. And those have been the specific items that we have been talking through now.

The next bullet is developing new policy recommendations, as needed. And then the final bullet, supplementing or developing new implementation guidance.

Now the Application Guidebook is certainly a critical piece. I'm not quoting any longer. Is certainly a critical piece of what we have to look at and what we have to understand. But basically what we've been doing on this is basically following the charter in the first instance of going back, making sure we've understood the policy recommendations that were accepted and moving on from there.

So I just wanted to bring that up. We will certainly be getting to the Application Guidebook and I think as we develop recommendations we will need to map these against how they were expressed in the implementation.

Okay any issues on that one? The slides haven't come up but before I go to the next slide, and the next topic, I wanted to see if there was any further discussions. Steve, have you received the email or am I getting lost in a – something somewhere? Steve says I've been lost in the ether. Wonderful. Is there any chance that I could be promoted to host so I would just load the PDF?

If not I will go – okay, I just got promoted. Share the documents. (Unintelligible). Has anybody come up with any questions on that last one or comments? In which case I can't see the hand.

Steve Chan: There are no hands, Avri.

Avri Doria: Okay, thank you. And I want to put the (unintelligible) version of them up. Okay (unintelligible). But anyhow we're on the – okay. And then going to the next one – okay thank you. And you can demote me now if you haven't already.

Okay then the rationale for the inventory of advice, because there had been some questions as to why that was an important thing to do and whether we should be doing that. And one – the point starts with the board has made it clear that any proposals this PDP puts out need to respond to GAC and other advice that was sent to them as they need to do their due diligence.

So our recommendation documentation needs to show that this working group takes full consideration to all advice. Having a clear inventory seems to be a necessary first step in making sure that we have covered all of the advice that the board receives.

Now we've talked about this and, you know, what (unintelligible) terminology is the chair's and others group and basically looking at this, you know, and, you know, think it'll be important to make sure that this bit of fact of went on in

the past is linked always to the reference letter in the board archives so what we're really looking for is the things that were sent to the board and can be found in their archives, things that they would need to be deal with – that they would need to deal with.

And then the suggestion that if we move along that we should mark these pieces of advice with references to which, if any, of the GNSO recommendations or staff implementation – also called the Guidebook – and additional applicant material that is directly affected by this or which it affects. So that's really the rationale for starting to collect that.

You know, Jeff and I think Steve already did some collection over the weekend. I don't know if either of them wishes to speak to what they've done there. I still think that from the discussions that I listened to, that it really does make sense to have a point person from each of the groups that did submit such things to the board to basically be participating and able to say, yeah, you got it all so that we really make sure that we don't have any holes in this particular process.

I see one hand. Jeff, please.

Jeff Neuman: Yeah, thanks. This is Jeff Neuman for the transcript. And, yeah, I spent some hours this weekend just trying to find some Registry statements online. I found that a number of them the links were not working so I actually reached out to the secretariat of the Registries to get those links to work again. But if Steve wants to just put that up on the screen. It was pretty easy. It took a little bit of time but not too bad because the Registries actually have a pretty good – they have all this up on their public Website so it's not – it wasn't too difficult.

Now I think the GAC also has a pretty good database that's online that's viewable so it shouldn't be too difficult to collect all of those as well. I've asked – I've spoken to the Registrars this morning to see if we can their

statements. And I'm going to work on that. But it would be great to see if we can get other statements up there. I don't know Steve is – you got my document, right? There we go.

So it's kind of small but it's got – it's got a link – I made a link for each of the documents and a quick description on the subject matter. And then we'll start to fill in kind of the other columns which can't see right now but it's on a Google doc so we can fill it in with the other columns eventually of date of board action (unintelligible).

Wow, okay. What any action was, and notes for just future procedures. So that's it. It's not that difficult. And it'd be great to get someone from each constituency, stakeholder group, AC, to kind of help us coordinate these. Thanks.

Avri Doria: Thank you, Jeff. This is Avri speaking again. So as I say, I'd like to reiterate that perhaps one of the things we can add to our – the standing agenda is basically asking for an update on that at each meeting and just – and working with the staff as necessary to capture all of those. Are there any other comments or questions on that? Not going to ask for volunteers from each of you this time but next time when one of us goes through asking from the various groups hopefully someone will speak up.

Yes, Alan, please.

Alan Greenberg: Thank you. Just for clarity, has a formal request gone out to the various groups asking for this inventory or has this just been done through the people in this meeting?

Avri Doria: At this point it's been done through the people in this meeting. Are you recommending that we send a formal request to…

Alan Greenberg: I would think so.

((Crosstalk))

Alan Greenberg: You know, this is really important and we don't want to have someone saying – waving something afterwards and saying you forgot this. And I think this puts the onus on the various groups and that doesn't make it easier for me as chair of ALAC. But I think it puts the onus on the groups to try to do the inventory and make sure that nothing is missed.

Avri Doria: Okay thanks. That's probably good advice. Steve, please.

Steve Chan: Avri, it seems like we're having some audio technical issues with some people not able to hear you or Alan. I'm not sure if it's consistent or not, that's what I'm not sure.

Avri Doria: Oh, I have Carlos saying he can only hear me. So he did not hear Alan. I guess did not hear you. Craig saying he hears all fine. There has been certainly a couple places with a lot of noise and breakup, they seem to have stopped. So, Carlos, you really only hear just me? Of course no one else is talking at the moment.

Steve Chan: Sounds like Rubens has the same problem.

Avri Doria: So right okay I don't really know what to do about that. So you've been talking and people have not heard you.

Steve Chan: Nobody can hear me?

Avri Doria: So – yeah, I can hear you but I don't know if others can.

Alan Greenberg: I can hear him.

Michelle DeSmyter: This is Michelle. I can hear you. Yes.

Avri Doria: Okay so let's try and continue now and maybe someone in the background can track out which lines are having problems.

Alan Greenberg: Avri, it's Alan. Maybe you could repeat what I said for Carlos.

Avri Doria: Yes, that's exactly what I was about to do. Thank you. So just to reiterate, Alan has suggested that it would be a wise thing to do for us to send a note to each of the SO/AC, stakeholder group, constituencies, requesting the list – requesting these items and not rely on just the people in the group carrying their message as he didn't mention but there could be a group that has no one here. So I think that's good advice and, yeah. I see no other hands, I'm seeing lots of comments. I saw that Susan had a comment that was longish so I didn't have a chance to read it.

It would be useful to make it clear what the type/status of advice is. In the case of the GAC, for example, there should be clear (unintelligible) between GAC advice and something is less informal GAC advice. (Our guys) mentioned some principles from the GAC working group. If she would like to share we'll need clarity on the status of those principles since I do not believe they are GAC advice or indeed – that they're – or indeed formally adopted by the GAC.

So, yeah, I think that – okay you're saying basically there should be another column in this thing that indicates – and I think that we can talk so basically a sort of – a statement on form of advice because it could be a letter to the board from a (unintelligible) or some other point. And as you say, it could be formal GAC advice or some other communication. I think that column is probably a good column to add. And we can look at the material (unintelligible) when we get it.

Okay any other questions or issues on that particular item? No? Okay. Now is it possible to go back to my slide or the – should be right there. It is right there. Yeah, okay it's there.

Okay to the third slide, which was just a preview of a next milestone. And basically in our conversations I won't go so far as to call it a formal decision but the group seemed inclined to divide the customary so-called constituency comments that one goes out with at the beginning of a PDP working group into two parts.

First of all these would be sent to the, you know, to all the constituencies and stakeholder groups and the other AC/SOs for consideration. There are specific procedures in the working procedures, the PDP, that discuss this.

We had talked about dividing them into two. One of them only includes the over (unintelligible) issues, issue questions, including whether there should be subsequent procedures and the issue of types that we've been discussing. Then a second constituency comment would be done later that focused on questions concerning the theme.

And there has been some – oh unresolved discussion in the chairs group on whether that was one call or several. So that's a question that – at a later time we'll bring back to the group to see where we're at but that's not an issue for now since we're talking about the first one.

So assuming that that's a reasonable milestone and one that the group is willing to accept, we would like to actually time doing that by the deadline for the Helsinki meeting. Starting to schedule backwards from document delivery requirement dates, this gives us about six weeks.

So we're in the process of putting together the draft. There's a copy of the working thing in comments on the page that's shown, you know, looking for people's comments over the next week either in the comment file there or on

the list and then next week would like to put a more detailed discussion of this on the agenda so that we can then move ahead with that. Comments, questions?

Okay fantastic. Hearing nothing, seeing nothing, it means that we've concluded Item 3. And we'll move on to Item 4. And I'll turn the microphone over to Jeff to continue discussions on Subject 1, should there in fact be additional new gTLDs in the future. Thank you.

Jeff Neuman: Thanks, Avri. This is Jeff Neuman again for the transcript. I will – Steve, are we going to put a copy of the page – the Subject 1 – up on the screen? I notice that there's – oh, I can't be heard? Sorry, Carlos, I'm speaking. Can anyone check why Carlos can't hear me? I usually don't have that problem.

Alan Greenberg: You are crystal clear at this end, Jeff. It's Alan.

Steve Coates: Hear you, Jeff.

Jeff Neuman: Okay.

Avri Doria: I hear you.

Jeff Neuman: All right great. So if you remember the last time that – last call we talked about, you know, the overall question of whether there should or should there in fact be additional new gTLDs in the future, we came up with a whole list of pros and a list of cons as to why it should or shouldn't – we shouldn't have new gTLDs.

And it was really a brainstorming session. We were not evaluating whether these statements were true or not. We were not saying that we agree with them or not, we were just kind of listing what we either know ourselves, have heard, our impressions and things like that.

So, sorry, I'm looking at the chat and there's still people having some difficulty. I wonder, can anyone hear me through the audio of Adobe or is it just if you're on the phone?

Avri Doria: I hear you in Adobe though you do occasionally break up and then it comes back but I don't know if that's me or you.

Jeff Neuman: Oh okay, sorry about that. Okay so when we say that there are pros these are reasons for new – additional new gTLDs, and the cons are reasons against having additional new gTLDs. So what we want to do today is to go over these again, see if there are additional pros and – or additional cons. And then the most important exercise here is to see what data can we collect to either support or not support these different pros and cons.

So one of our exercises is really not to just – is to do a little bit of fact finding or also – and also I should say, relying on other groups that may have already done or will be doing this kind of analysis. So if we go through the list one by one what I really want are people to just kind of speak up as to where we can get data to support or not support those particular statements that are up there.

So we'll do this for a little bit and then we'll jump to question – the next question on – I guess on 5. Does everyone understand, hopefully audio is working for those that couldn't hear me earlier. Yes, okay.

So the first pros we have listed are – the first one is that in 1999 the community came to consensus that there should be new gTLDs to stimulate competition. You know what, I might just read them and see if people have additional ones and then go back to see what kind of data sources we can get.

So then the next one – pro – for having new gTLDs – additional new gTLDs – having new gTLD – additional new gTLDs which stimulate innovation. There's

an expectation that there will be new gTLDs so those that didn't apply in the first round could actually apply. So if you recall in 2012 we said – or prior to that –we said that you don't have to apply in the first round, that there'll be additional mechanisms to apply for new gTLDs.

It could be viewed as anticompetitive if we do not go forward with getting – or having an application process for new gTLDs. We – additional brands could help propel the current level of registrations and/or success of the program. We feel that – or some people felt that having additional new gTLDs would promote more – or could promote more diversity in new gTLDs.

There is likely to be further demand for IDNs for those whose first language is non-Latin scripts. Another reason, if there is just one new applicant this proves that there is a need in the market. New gTLDs have higher security demand so the bigger the protection of registrants. And finally, to further enhance consumer choice, consumer trust and competition.

So I want to leave it open to see if anyone has brainstormed any additional arguments in favor of having additional new gTLDs. And there are a number of people that weren't on the call so, Steve, good – Steve Coates.

Steve Coates: Thanks, Jeff. Coming at this from a text standpoint, I think these are really good. One nuance I would – might add is that I feel that my company is at a competitive disadvantage for not having a gTLD so similar to – or is it could be viewed as anticompetitive, a slight nuance to that is I think we're at a competitive disadvantage because of the various advantages that are listed in the pros.

Jeff Neuman: Thanks, Steve. We could probably add that on to the – could be viewed as anticompetitive. We could probably put it in that same bullet point. Figure out a way we can word that. But I think that's a good one. And thanks for coming out and saying that. I know it's – brands oftentimes have difficulties making – coming out and saying that what you just said.

So I'm going to repeat it for Carlton because Steve basically said, Carlton, that Twitter, his company, feels like they're at a competitive disadvantage because they did not apply in the last round and they are looking forward to applying in a subsequent application process.

So in addition to it being anticompetitive or kind of the corollary to that is that they feel like they're at a competitive disadvantage because they cannot get into the game, so to speak. Any other reasons? And Carlos is watching me to make sure I don't say the word "round" and it is taking a lot to not say that word.

Okay so why don't we just go through – can anyone – obviously some of this is going to be data that we're going to get from the CCT Review Team so I would suspect, for example, the first bullet point and the last one are certainly ones that we're going to expect data from the CCT Review Team. So okay, Julie, I think is writing that down or someone is from ICANN staff. Thank you whoever is writing that.

Having – so if we jump to the second one – thanks, Julie – having new gTLDs still stimulate innovation. Okay, Avri.

Avri Doria: Hi, yes, seeing that last note – this is Avri speaking – seeing that last note added reminded me that we should report that we will be having a communication with the CCT hopefully later this week, need to make sure Carlos can get involved in that if possible. And we should be able to report something back on that next week as well and so that just gave me a good opportunity to say. Thanks.

Jeff Neuman: Thanks, Avri. And even if we have up here that we want data from the CCT Review Team, that might not be exclusively the CCT Review Team. So if there's other sources for the data for some of these questions then, you know, let's list those as well.

So on the second one, thanks Julie, for numbering these, having new gTLDs would stimulate innovation. So what do people think are sources for that information? I do know that the CCT Review Team is looking at this as well so we could say one source of data is the CCT Review Team.

But this could also be questions to the – I mean, this could be – we could, in theory, do a survey or questions to different communities – I use that small communities – to see if they've seen any innovation. I mean, it's a tough term so it's not – and it may be a little early.

Steve Coates.

Steve Coates: This is Steve Coates. I think – I hit the button maybe a little prematurely. I think the early topic is certainly true. And I think the topic of innovation is both theoretical. I think it's mostly theoretical at this point. So having hard numbers, hard data, to put on that Number 2 might be difficult in my opinion. But I know from my own team and my peers there's a lot of things that are theoretical that are very exciting in this space.

Jeff Neuman: Thanks, Steve. That's a good point. And perhaps we will see during the course of our work during the next however long it takes us, what types of innovation may come from brands or what other types of things we see that are new services or new ideas. Steve. Steve Chan has his hand raised. Steve.

Steve Chan: Thanks, Jeff. This is Steve Chan from staff. And so I just – I guess I wanted to add a little bit of context to this conversation and say that what was a part of the original recommendations from 2007 is an assumption that there would be continuing rounds. And so I guess I would pose a question to the working group whether or not we need to reestablish that there is a need for new gTLDs as – I guess I'm saying there's an assumption there is going to be new

gTLDs, do we need to reestablish that there is new – given the existing policy?

Jeff Neuman: Thanks, Steve. That's a very good question. Avri.

Avri Doria: Thanks. Yeah, I thought that that was essentially what we were in the process of doing is trying to determine since everything in that policy is up for review, even the fact of having other ones is up for review. Now we're seeing some incredible arguments that say yeah but it really looks like there's a lot of good reasons for doing what it said we would be doing.

But I don't know that we can actually presuppose the answer. I think we can have an expectation of what it might end up being but I don't know that we could presuppose it without due diligence and making sure that we've taken the pros and the cons into account and balancing them and then collecting the comments from others and then coming to a recommendation. Thanks.

Jeff Neuman: Yeah thanks, Avri. And I do think that to the extent we can find some data sources to test some of these out I think that's a good thing. So like Steve Coates coming forward and saying, look, Twitter has – does want to apply. They didn't apply in the first round. There was an expectation there'd be additional rounds, or mechanisms to introduce the new gTLDs, that, you know, I think that's a good statement for us to capture.

Alan, you have some thoughts.

Alan Greenberg: Yeah, thank you. I guess I want to reinforce what Avri said. Certainly we have expectations of where this is going and some people have high hopes. There's also been a lot of discussion on negative aspects of this whole program and if, for instance, the CCT Review Team comes out with some reports of things which may well make us, you know, believe there's a balance of things.

And maybe we're not quite ready for another round or another call or whatever it is because we have to address some issues that they've come to understand better than we do right now, I think we have to presume that this is an open question until we have all of the information in our hands. Thank you.

Jeff Neuman: Thanks, Alan. I think that's an important point because there will be a number of groups that will argue the cons as to why we shouldn't go forward and what's the need. So to the extent that this group feels like, you know, we agree with the notion that there should be or could be additional new gTLDs, having some data to support that is I think vital.

Or, alternatively, if this group thinks that there should be no additional new gTLDs, and certainly having more than just statements out there saying that it's, you know, like Number 3, new gTLDs has been a playground for rampant fraud and abuse for trademark holders and others, you know, obviously there should be some data to support that if that's what, you know, the group comes to believe that a lot of decisions from ICANN working groups can be made on feeling or – but I think we should make the decisions based on data to the extent we can get them.

Greg Shatan, you have your hand raised.

Greg Shatan: Thanks. Greg Shatan for the record. I think as a general matter, especially with cons, we should – we might want to separate them into two rough categories which if and when some of these are kind of when cons, like reviews have not been completed; and others are if cons that might indicate we should never have any more new gTLDs or, you know, would tend to be problems no matter when we have a new gTLD round.

And, you know, I think that in terms of the first one, reviews have not been completed, I think that's an excellent con of the if – of the when variety. It seems like, you know, it feels like we're putting the cart before the horse. I've

even seen some calls in the GNSO Council, or elsewhere, to postpone the reviews because of volunteer burnout. And it seems that, to me that seems to be exactly backwards. If anything, you know, we postpone the forward planning to allow time for the backward reviewing and lessons learned post-mortem type stuff to percolate.

I'm not saying that we should do that or even if such a thing is within our remit but, you know, clearly something like figuring out what worked and what didn't is always a good thing to do before you do your next version. Thanks.

Jeff Neuman: Thanks, Greg. Yeah, I think that's a good – I think it's good to separate. I believe – if and when – I believe only Number 1 – let me see - is the when. I think the other cons relate to if. So there could be others that relate to when, we just may not have listed them. So if there are additional ones let us know.

On the issue of – or one thing I did want to ask you, Greg, since you've come out and said you were a supporter of – or that you think that that's a good argument – con argument. Which reviews do you think are critical for – to be completed prior to the introduction or has the IPC or other groups that you're involved in, have they discussed which reviewed they think this should be contingent on?

Greg Shatan: Well this is Greg again. First off, I'm talking personally and not in my role as President of the IPC or even necessarily as a member of the IPC, just as a concerned citizen. But no, we've had kind of – and I've had various loose discussions around reviews and the general concept that if you're going to be reviewing the first round in the general scheme of things it would seem like you'd want to figure out what your – what you've learned from that before you go and actually implement again.

But I don't have kind of a full list of the reviews or a parsing of which ones would be – it would make more sense to wait for. Clearly the CCT review is one, you know, as we're talking about simulating competition, that's one of

the first probes, you know, we don't - and you want data from the CCT Review Team. That's coming, you know, tomorrow. So. And same thing on the last point. So, you know, those reviews that are intended to provide kind of a wrap up of the first round are clearly ones that, you know, should, A, not be postponed; and, B, you know, to mind, you know, rational process, you know, this is not necessarily a rational process. In a rational process, we'd want to complete those and figure out what they're telling us before we relaunch. Thanks.

Jeff Neuman: Yes thanks, Greg. And I think, you know, there's a lot of people that certainly agree with your views. One thing I would mention is there are a lot of reviews that are - have been popping up either that are required by like the affirmation of commitments, which is the CCT Review Team which will eventually be part of the bylaws in post-transition. The - but there are other reviews that some groups have taken it upon themselves to do.

For example, there is - ICANN staff has taken it upon themselves to do a bunch of different reviews. The GAC has taken it upon itself to do some reviews of things like geographic names and, you know, Public Safety Working Group is reviewing a bunch of things. So it's just a question of which reviews do people feel are vital. And don't need an answer now but just something to think about.

And also we are talking to the CCT Review Team. There has been some documents, and their mailing list is public if you want to read those. There are some topics that they're not going to address. And hopefully by the next call, we'll be able to circulate some of the topics that the CCT Review Team will leave exclusively to us to do the work. So not everything falls within the remit of competition, trust, and choice. So that'll be good to get that conversation and some things that we know that they're not going to look at.

Alan, you're next.

Alan Greenberg: Thank you. I'm sorry to feel like this is a tutorial for how to be a reporter but some of these are not only when and if but how. For instance, number three, new gTLDs have been a playground for rampant fraud. You want - you can continue with spam and phishing. It's not likely to be true for all new gTLDs.

If it's true, it's likely may be true for a subset and therefore we may want to impose restrictions on any future calls for new gTLDs if it's not around to put restrictions on so that doesn't get repeated again. So there's a lot of subtleties in what we're talking about. These are not likely to be black-and-white questions completely. Thank you.

Jeff Neuman: Yes thanks, Alan. And I will also state that we will keep coming back to these questions as we get new data and new findings, new reviews, so these two questions. And we'll also seek input from the relevant - well all of the ACs, all of the SOs and constituencies, stakeholder groups. So this is not something we're going to discuss and conclude today or even this week or month.

So, Greg, is your hand a new one or one that was left up? Okay. Tracey. Oh okay.

Tracey Hind: Sorry I was on mute. Yes hi. At this time I think (unintelligible) reviews to be (unintelligible) or at least repeatedly the way this, you know, this data coming out of the group makes it the best data to continue as an evidence based for evidence-based policy development, which is the Holy Grail of policy development.

There are things like (unintelligible) the CCT review is one of the really important ones, but there's also (unintelligible) not things that are just embedded within one constituency. Things like rights protection, things like trademark clearinghouse review, which that one's almost finished, things like the stability reviews, things like the DNS abuse review, which is also nearly finished.

And I believe there's an exercise going on about the development of metrics now and I wouldn't have thought that the development of metrics would have been a conversation that the whole community would want to investigate to a really serious degree before proceeding too far in policy development on new gTLDs because, you know, that can only be a good thing, it can only be a great thing for - it doesn't matter which part of any argument you come from, it is found metrics to demonstrate how successful or unsuccessful or, you know, beneficial or not beneficial a particular policy has been. And that's a great thing.

So the development of metrics exercise would be useful if it also came before detailed policy development on new gTLDs. So that's just an answer to the question of what else (unintelligible) as new activities going on that perhaps should be either completed or significantly underway before too much details were to get done on defining policy for new gTLDs.

Jeff Neuman: Yes thanks, (Tracy). I think metrics is absolutely important for any policy development process. I believe there are a number of metrics that the CCT Review Team has - actually before the CCT Review Team there were policy efforts underway to give the CCT Review Team sample metrics to look at and to measure the I won't say success because there's never been a definition of what success is, but there are metrics to measure or attempt to measure consumer choice, consumer trust and competition.

So it's hard to - there's never been a definition of success or what success would be all about. But we do have those metrics that the CCT Review Team is compiling, and Carlos Raul Gutierrez has said on the chat there's 70 metrics. So I do think that that's something we're going to look forward to seeing their review of those metrics.

And we'll also include in the reviews the ones that you had mentioned on DNS abuse, the trademark clearinghouse, the rights protection mechanisms, the root stability, the root server stability study -- I probably got the name

wrong -- and the others. So on the next chart we'll list those out, because I think those are important. If there are any others that we missed off the list when you see it the next time, please let us know.

All right, is there any other data - so if we look back and taken Alan's and Greg's comments that some of these are when, some are if and when, or sorry, some of these are if and then some of these are how, are there - is there any data that we can look to in how to on some of these cons, because we know that these arguments have been made and we do need if we believe that we do - we should go forward with additional new gTLDs we should address these cons, at least the if cons but also the when cons, we should be able to address those. I think groups are looking to us to address those questions.

So if I just take one out here -- I'm looking at the chat -- so like number three, new gTLDs has been a playground for rampant fraud and abuse for trademark holders and others. Do we know of any organizations that are collecting this data? Carlos Raul Gutierrez, is this something that's the CCT Review Team is looking at as well, do you know? Because I know they're looking at safeguards. Carlos Raul Gutierrez, yes please.

Carlos Raul Gutierrez: Yes this is Carlos Raul Gutierrez. Thank you very much. Yes, there is a full collection of issues. First there is two external consultants checking on the development of (unintelligible) looking at registrants and consumers, the other one is analysis looking at some economic numbers, prices, et cetera. And now we're developing some on the related to the protection issues, abuse, et cetera. So there is a lot of discussion at that very level of all these common indicators. I don't know if I answered your question. Thank you.

Jeff Neuman: Yes thank you. And I think perhaps we'll just look through some of those and fill in these charts where we see that the CCT Review Team is collecting some data. We should also, as Avri said, get some more information on when

we talk - when the chairs talk to the chairs of the CCT Review Team later this week.

Any other comments on this? All right what we'll do is we'll leave this open. To the extent that you have additional ideas on the pros and the cons, we should keep documenting them to keep documenting sources. And this is going to - these two are going to - since they're overall issues, they're going to be ongoing topics that we will come back to periodically when we talk about specific issues that we may have on the specific item or the specific tracks, I should say.

I want to jump while we have a little bit of time to the -- unless anyone's got anything to add. Avri, anything to add on the subject or should we move on?

Avri Doria: No I have nothing. Carlos Raul Gutierrez' hand is still up. I want to make sure that that is an old hand. Yes it is an old hand. Okay so I just want to check, does anyone else have any last thing that they wanted to say on this item before we move on to the next item? Okay, seeing nothing, hearing nothing. Yes please continue with Subject Two, TLD types and differentiation. Thanks.

Jeff Neuman: Okay thanks, Avri. This is Jeff Neuman again. If we could - I don't know, Julie, how easy it is to post that chart that we did. We are - for this question, again this is kind of an overall question that I think we need to come to some position on eventually, hopefully sooner rather than later because it does impact the other tracks. So this is whether we should formally adopt the notion of having differentiation or categories of top level domains.

And what we did the last time during the last call was brainstorm some ideas on categories that either were informally or formally recognized in the 2012 round and perhaps some additional categories that were not recognized in around that perhaps we could see future applications coming in for those types of TLDs.

And this was not intended to argue who fits into those categories, because those are some very complex questions, but rather ultimately to do on this call is to just to discuss common characteristics of these groups or differentiation between these groups to see if we as a working group believe that we should be approaching additional new gTLDs from a categories standpoint.

So the categories we came up with the last time, from the 2012 round we have open registries. That's kind of your standard open gTLD. We have geographic top level domains that were also recognized in the 2012 round. And when I say recognized that if you apply for a, quote, geographic TLD you had to have support or non-objection in certain cases, in other cases for country names - I'm sorry for territory names like a continent name for example, you needed to have a certain percentage of countries.

So while there was no category that you necessarily checked off and no different terms or conditions, in order to get through the application process you had to do some different things. The 2012 round also eventually recognized Specification 13 or brand top level domains. There are unique provisions in the registry agreement for intergovernmental organizations.

And then of course we have community registries, which went through a - the process - only if there was contention did it go through a community evaluation process. And then of course if you did apply as a community whether or not you went through the community evaluation, you had a new specification that was added to your registry agreement that commit you to those requirements that you had proposed.

Those are the ones that were recognized in the 2012 round in some shape or form. And there were three others that we brainstormed and then one other one I added during the week in thinking about this question a little bit more. So the other concepts we added were validated registries, or verified

registries, and those are really restricted registries that which qualifications criteria have to be verified.

So Craig Schwartz is on the call from .bank. They have some very specific criteria in order to have a .bank registration. Plus it's not just qualification criteria but also usage rules that apply in that case. So that, you know, perhaps there's some differential - different treatment that they could have on a number of different areas.

We also brainstormed perhaps we could have some not-for-profit or nonprofit gTLDs. There were a few that applied in this round, in the 2012 round. So perhaps that could be another category. Also came up with highly regulated or sensitive top level domains. So to the extent, you know, .bank was considered by the GAC to be sensitive or highly regulated, perhaps they would have different - a different application procedure, different contract. And these are all things that we can explore going on if - moving on to different topics if we believe that there should be categorization or differentiation.

The last one I added I think is actually important and was one expected of us to evaluate, which is the notion of an exclusive use registry. So before the application round of 2012, some did not anticipate that there would be companies or organizations applying for a specific what we would call a key word or generic term in order to use that exclusively within their own organization or with their affiliates.

So we, you know, there was certainly GAC advice issued after the fact. There were lots of different letters and discussions on whether we should have exclusive use registries. But there has been no policy development on it. It really was just a decision that was made by the, you know, a decision made by the new gTLD program committee. But we really should be looking at whether this type of exclusive use registry should be allowed or not allowed in

the future so that we have some bottom up, multi-stakeholder policy on that topic.

Can anyone think of any additional new gTLD categories? And I'll turn it over to Greg. Actually he's got his hand raised, so Greg?

Greg Shatan: Thanks. A couple things. First, I'm not sure, when you're talking about exclusive use registries are you talking about other than .brands or are you kind of throwing .brands back into that discussion since, you know, .brands while there can be a lot of different innovations, you know, a common iteration of .brand is essentially an exclusive use registry but it's not a close generic, if that was the term you were trying to avoid while trying to avoid the term rounds, round, rounds, rounds.

I recall back in the day we had sponsored TLDs, and I was trying to remember exactly what distinguished those. And we had restricted TLDs and other concepts. And I'm not sure if those are kind of translate or if those are other things that we didn't kind of look at this time and, you know, whether we need to have, you know, categorization in the sense that, you know, whatever we think of if there is truly innovation we're not going to take it off. Thanks.

Jeff Neuman: Yes thanks, Greg. And I think -- and maybe Avri can provide some background from the 2007 policy process -- but my recollection is that the 2007 policy kind of divided or further evolved the concept of sponsored TLD into what became the community TLD, because the sponsored TLDs were not - oh yes, okay. Avri posted that on the chat, so I see that.

So they were - the sponsored TLDs were not the brands, so to speak. And the reason I added the exclusive use registry, and we probably should be more specific, is that brand TLDs still have the obligation that they - not only that they have to have a trademark but also that in Specification 11 it's not a generic term.

So even - it has to be more than just a trademark. So even if the Food Network for example owns Food as a trademark, they have not qualified for a brand TLD because of - the things that are required in Specification 13. For exclusive use registries, I was more referring to, you know, Google's -- not Google because they didn't do exclusive use -- there were companies out there that applied for - okay some of them dropped their applications.

Safeway applied initially for .grocery. Now they eventually dropped it after ICANN said that we - they wouldn't allow Safeway to use grocery - .grocery just for themselves. And there were some other top level domains that did that as well. So I think that that's my differentiation between a brand TLD and any exclusive use registry, and I'm not necessarily limiting that to brands. That could be anyone that applies for a registry which they - for a, quote, generic term that they want to use for just themselves.

So. Okay (Karen Day) does say that the Google did exclusive use for .play. Okay. So there are certain groups that do have exclusive use if it doesn't meet the definition that's in I think it's Specification 11 of the new gTLD registry agreement. So certainly a number of them were restricted if it was truly a generic term to describe a category of goods and their services. So that's my differentiation on those two different ones.

Carlos Raul Gutierrez, you had your hand raised by you just dropped it. Do you want in? Yes, Carlos Raul Gutierrez?

Carlos Raul Gutierrez: Thank you. Yes, Jeff, I don't know how much (unintelligible) but I wanted to ask how can we comment on this categorization because right now it's only list and some of the ones that you added at the end because it's not on the screen anymore are like different levels of standards for the first line. I mean we have these standard ones and then standards that are still a generic name but have more specific conditions because they're an NGO or they're a sensitive or highly regulated sector. How do you want to develop this categorization issue? Thank you.

Jeff Neuman: Thanks, Carlos Raul Gutierrez. This is Jeff. I think what we want to do now is to kind of come up with - these are not definitive categories. This is not, you know, what we're ultimately going to come out with whenever we come out with recommendations. This is an attempt to see if we can find some common characteristics between these different categories and then what differentiates these different categories, agree on the concept of whether we think there should be TLD categories after we look at the similarities and the differences.

Because this is going to play into a number of the different tracks. So an example we've been talking about is in a legal regulatory track. To the extent we look at the base agreement, the base registry agreement, there's a question in there saying should there be one new gTLD agreement or should there be different new gTLD agreements dependent on categories. So this will play into all the future or a lot of the future tracks discussions.

But as Avri said on the chat, you know, you can comment on e-mail or comment in the comment areas on the wiki and we'll certainly build them in. Ultimately my goal is to try to come up with the characteristics that these categories share and then the categories that the - or sorry, the characteristics that these categories differ.

So I'm looking at the chat. Is there anything in the chat, Avri or (Steve), that we should we bring up? I've kind of missed a couple things. There were the comments from (Kurt). I know I could look back a little.

Avri Doria: This is Avri. Yes one point I did want to make in relation to (Kurt)'s comment is that we're not trying to say that these types existed for the previous/current round. It's just that when one looks at what happened in that round, what are these types emerging. And one of the things that we have on the list of considerations is is there one type that's all, if not what are the types and what the conditions that apply to those types. Not questions for us to answer now; we're still at the analysis stage of this, the investigative stage of this.

But basically if the question of no there's not one type fits all. We need to treat different types differently. If that is answered positively, then the next step is to limit the variety, the types, decide which ones should figure as individual types and if so what their characteristics may or may not be.

So again, it's the beginning of a conversation, but there's no presumption that we're saying applies to the previous round, it's just emerging realities that we notice when analyzing that round, what kind of applications did people make within the standard set and within the community types. There was only two. Even the notion of brands came later as an emergent type. So. And then perhaps some implementation-based policies were created. Those are things we need to look at as we move forward. Thanks. Steve, I see your hand's up. I probably talked too much.

Steve Coates: Thanks, Avri. Steve Coates. I'll try and speak louder. (Ruebens) brings up a point overall that one reason for having TLD categories is to allow applicants to request a specific category and if ICANN would allow that for that application to be denied. And I think that's an important point overall that there should be - the applicant should tell the story and it's up to ICANN to decide whether that fits in with this specific category to the extent that we go down that route or not.

Jeff Neuman: Yes thanks, Steve. I think ultimately yes if we decide that there should be these categories, there's going to be a lot of work from a policy perspective to give guidance on what - how we define these categories and then ultimately how ICANN or its evaluators would determine whether it fits into one of the categories.

So I'm looking at the chat and I don't know if Greg was - wants to explain his comment but he said, "Should faux" -- I think that's how you pronounce it -- "communities be a recognized type?" Greg, do you want to address that or

should we go - let's go to Alan and then Greg if you want to address that you can. Alan?

Alan Greenberg: Thank you. I was just going to add one more clause on to the sentence, the summary you just gave and if in ICANN's view the candidate or ICANN's view, or more likely the external panel's view, the candidate does not meet the criteria to be in the category they have suggested, what happens with the application next? Is it categorically rejected, does it fall into a generic pile, or whatever? That's clearly one of the issues that we saw in this round is the fall back for not always what the various communities would have thought were logical. Thank you.

Jeff Neuman: Right and then that also weighs into the whole discussion of contention resolution as well, so there are a lot of implications of setting up these categories, and then of course prioritization. What if you have someone apply for it in one of the categories and then someone else apply for it generic, how do you - is there a prioritization or not. I mean these are all questions we're going to have to…

Alan Greenberg: If I might butt in, Jeff. Do we really want to do this?

Jeff Neuman: For the transcript, Alan really likes doing all of this, and this is what I live for, and (Cheryl) as well, with the indication of a smile face. So on that note I know we have two more topics we really want to get to, so I'm going to turn it back over to Avri, but just remind everyone to please read the notes from the meeting and go to the wiki, add comments. You know, this group can only function if everyone kind of pitches and gives their ideas. Thanks.

Avri Doria: Thank you. This is Avri speaking again to take us through the any other business. Before I start on the any other business, does anybody have any additional any other business that they wanted to mention at this point and put it in the list? No? Okay.

So the first thing on the list is wiki workspace. I believe that that's something that Steve will speak to.

Steve Chan: Sure thanks, Avri. This is Steve Chen from staff. And so I've been making some changes to the working group wiki and I just wanted to draw the working group's attention to it. So one of the things that I've done is actually create a space for each of the subjects that was identified in the charter. Let me just go ahead and grab the link and put into the AC room chat. So that's one thing.

And so I think why this is important is I think we all envision this may be taking however long it's going to take, but I think what's going to be important is to make sure that we capture the conversations that are held in the deliberations and make sure that each of these subjects has a complete record behind it so that we can have the rationale for the decisions we've made and so it's very easy to track down what has happened.

And so towards the decisions I've also created a decision log, which is currently at the moment empty, and so hopefully we'll be able to populate that as well. And so I guess I just want to draw attention to the wiki. It's a resource. I think it will obviously be added to. One of the other things that is - that I recently added was a link for catalogues of statements and advice from the community.

I think we'll also want to document the parallel efforts related to the new gTLDs, thing like the CCT Review Team, the GAC efforts. I think just making this as complete as possible is something that staff will try to do but also we'll rely on the members of the working group to help populate this space to make it useful for everyone.

So just a few of the things I just wanted to bring to everyone's attention. And that's all I had to that. But I just to remind everyone that working group wiki space is here as a resource for everyone. Thank you.

Avri Doria: Okay thank you, Steve. Yes so I don't know if anybody has any questions on that. One thing I did want to point out, you mentioned a decision page, and I just wanted to remind people that in terms of decisions we're operating on that at least two readings type of process. And then also to note that decisions made at that point are always still subject to the, you know, comments we receive and also, you know, how things are put together and, you know, nothing is fully closed until everything is type of ideas.

But we do want to start recording the decisions that have been through a first reading, that have been through a second reading, et cetera, so that we can go back and track things and have dates and documentation. So any comments on the wiki?

It's a useful space. You can add comments that have a degree permanence so you can also delete them. And so you can also mark yourself to follow so that you hear about every time a change is made. Though if you do that, I recommend you stuff that in a folder because it can become quite active.

Anything on the wiki and the wiki usage? Okay. Moving on to the other issue, -- and there is one any other business I just remembered; it's a matter of timing of the call -- is the liaison to the protection mechanism group. What we are doing with the CCT is we essentially have someone who is a member of both groups acting as sort of a bidirectional communication point between the group.

We think it would be a good idea to do that for the RPMs. So the first thing would be to see if people in the group think it's a good idea as the chair's group discussed it. And then we would need to find someone who was in both groups who was interested in doing it and check with the RPM group to see if they were willing to accept the idea.

So I open it up to discussion to see whether this is a idea worth following or what have you. Anyone? Okay does anyone think it's an awful idea and we should forget about it? Please either say something - okay a hand went up. Jeff?

Jeff Neuman: No sorry. I was raising my hand before you asked that last question. It's definitely not an awful idea. In fact it's actually required by I think it's the RPM charter. So we are going to have to come up with a liaison that's in both groups. Mary's posting that the RPM Working Group is meeting this Thursday and they'll discuss the liaison as well.

So for those of you I think there's at last count 27 people that are in both groups, if you want of you is interested please be, you know, willing to volunteer to serve in this role. I think it's an excellent role for someone to be in. And if no one does volunteer then the chairs are just going to have to randomly appoint someone. So. I'm kidding on that last part because I know there's going to be lots of volunteers. But we do really need someone to be a member of both groups to be the liaison. Thanks.

Avri Doria: And - this is Avri. And there are many people that want to do it, we'll probably ask you to figure it out amongst yourselves, you know, how you want to work it and try to put one person forward if possible. Because I don't think the chairs should be the ones deciding, but we always can in a pinch.

Any comments on this further? I see no hands on it. So the last thing was two people from the European time zone mentioned that the call at this time was a hardship. I had mentioned that the two alternating times we had were considered to have been the best worst case we could find on a global calling but I also mentioned I would ask the staff to take a further look at the issue and, you know, perhaps we have nobody from a particular time zone and therefore do not need to be as a concerned as we were theoretically at the beginning thinking we would have people from around the world.

So, you know, I'm making that request. I open the floor briefly to anybody that wants to comment on the time zone issue, though I don't want to spend a lot of time on it and I realize that it is hard, and I also realize that for some reason those of us on the East Coast of the U.S. seem to get the least raw deal and I know that sometimes doesn't look so good to people. But basically, you know, asking the staff to take another look at it and come back with any other proposals if needed.

Yes, Carlos Raul Gutierrez.

Carlos Raul Gutierrez: Yes thank you, Avri. This is Carlos Raul Gutierrez. We found in the use of country and territory names that rotating times would cover from Australia to the West Coast. But although you want to limit the discussion on the time zone, I would go with the question differently. I mean what is the relation of all the areas of the world in this PDP and then ask the question if the time is a barrier for better participation. Thank you very much.

Avri Doria: Thank you, that's a good point. And I would ask people, you know, as we talk about this I think we need to make this a list discussion as we get other recommendations. And if you could send to the list the time zone rotation that they had so we can see it as an example, that would be a useful poll in this. I would prefer not to spend a lot of time on this process issue, but as you say, if it's a barrier to participation, and we did have a fair number of people saying, "Sorry can't make it at that time," then we really do need to take care of it. So taking it seriously, want to look. I know it's one of those nearly intractable problems but we have to try and track it.

Any comments on that? I see none. And Steve and Julie, do you accept this problem being laid back on your table? If you don't, it leaves it to me to do and that's a mess. Okay, Alan, I see - oh no your hand was up but it went away.

Okay well I guess we'll leave that as an open discussion. We'll take it further to the list and see what happens. If it gets too complicated, we may find a quick ad hoc group of people from various time zones to figure it out.

Okay anything else? We have seven possible minutes left but absolutely no reason to use them if someone doesn't have an issue they would like to point out at this point. I see no hands. I hear no voices, and so if there's no objection, I will end it and thank everyone for their participation today at whatever time of the day it was. Thank you.

Man: Thank you, Avri.

Woman: Thanks, Avri, thanks, Jeff. Bye everyone.

Man: Bye.

Man: Thanks everyone. Bye.

                                    END