ICANN Transcription
New gTLD Subsequent Procedures Working Group
Monday 23 May 2016 at 1300 UTC
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The audio is also available at:

http://audio.icann.org/gnso/gnso-new-gtld-subsequent-23may16-en.mp3

Michelle DeSmyter: Good morning, good afternoon and good evening. Welcome to the New gTLD Subsequent Procedures Working Group call on the 23rd of May, 2016, at 1300 UTC. In the interest of time today there will be no roll call as we have quite a few participants. Attendance will be taken via the Adobe Connect room so if you're only on the audio bridge today please let yourself be known now.

Thank you. I'd like to remind you all to please state your name before speaking for transcription purposes. And also keep your phones and microphones on mute when not speaking to avoid any background noise.

I'd like to turn the call over to Jeff Neuman. You may begin, Jeff.

Jeff Neuman: Thanks, Michelle. This is Jeff Neuman for the transcript. So I guess we're going to start this meeting off like we start all the other meetings, we'll review the agenda and then go through statements of interest.

So the agenda is up – for those on Adobe which I think is everyone. The agenda is on the right. I'm going to – so we'll do a statement of interest then go into the review the action items, which Steve will help us review, we'll do a discussion on the community comment Number 1 and there's a link to the working draft which everyone, hopefully, has gotten to take a look at. And then discuss the draft work plan just to the second reading so hopefully people have reviewed that since last week.

And finally under AOB, I'm going to add an item that I was asked to add which is just the – a review of some of the key points coming out of the GDD summit last week. There was some lengthy discussions on the introducing subsequent new gTLDs. So I'll go over just a couple key points from that.

So with that said, is there anything else that anyone wants to add to the agenda or any questions on the agenda? Okay seeing none, Avri and I are the two cochairs here. Steve is actually, although a number of us are at the INTA – the International Trademark Association conference, Steve is intimately involved in setting up a lot of sessions and so he's not – Steve Coates is not able to join us today.

Is there anyone that has any updates to their statements of interest that they want to make? Okay with that said then let's turn to the action items which I will turn over to Steve Chan to help me review. So Steve, turn it over to you.

Steve Chan: Thanks, Jeff. This is Steve Chan from staff. So there are actually just a few pending action items that we're still working on. And so one is the work plan which remains outstanding; the – let's see, what else? We're still looking for a liaison to the Rights Protection Mechanisms PDP Working Group but a communication has gone out to the members that are of both groups so we're still seeking a volunteer there and working through that process.

It's an item on the agenda today but we're also working on the constituency comment 1. And I don't believe we actually added any new action items so

this is actually going to be a really brief review of the action items. So I think I'm going to turn it back over to you, Jeff, already. Thanks.

Jeff Neuman: Thanks, Steve. And we're still also collecting data on the top 10 applicants really to help us address the sixth subject – or Number 6 above it on the subject reviews which is the application submission limits pros and cons, so we're still doing that as well. Any questions on the action items?

Okay I'm not seeing any so, Avri, you're up to do a – lead the discussion on the community comments Number 1.

Avri Doria: Thank you. This is Avri speaking. So, yes, we've got on the agenda today is the first draft of the Comment 1. I am – for anyone that wants to look at it in the Google drive version where comments can be seen and comments can be added I just put the URL in the chat.

I want to also point out that in the sort of schedule that we put out for this, this was the date that was targeted to review the first draft of it. Next week the schedule has reviewing a final draft of it because of the schedule for sending it in in time to have it in in review by the time we're in Helsinki. So you can follow along – this is unhinged, yes okay so everyone can move it as they wish. I'll be looking on the Google doc itself.

So basically the first part, and I'll do a work through, I want to thank first of all Steve Chan who created much of this first bit of the text. And also we've had at least one substantive review of the text by Tom Dale who has reviewed it largely for correct language usage and things making sense so very much appreciate that. I'm not sure who else who had a chance to review it but in all honesty it only got finished very recently this first draft.

So this first part is basically what would essentially end up a cover letter to this that explains that, you know, this is our second mailing to them reminding them of the first mailing, reminding them of the working group charter and

what we're here to do, a little bit of history about creating the group and such. This is the kind of history that shows up at the front of most every document to give people the context.

I'm not going to through this line by line. I do invite people to comment on it now, raise your hand as you're looking through it if you see anything glaring and please send it to the list or make them in the Google drive.

Then the last paragraph on the first page there continues where what we've done, how the deliberations went. If you notice, I put in the footer the drive document. This would obviously not be part of what we sent in but that's there (unintelligible) especially because I have ear buds in.

Okay I'm assuming we're all still here?

Jeff Neuman: Yes.

Avri Doria: Okay thank you. Okay so then basically we get into on the second page discussing the six subjects that we are considering at this stage. And we discuss the fact that is in stages and on which views are sought are listed below. And then basically discussing that (unintelligible) each of the six questions and it may not be the following sections, it may be in the accompanying document, I wasn't quite sure when I was writing this particular sentence how exactly this thing gets structured in a normal sense. So it's either the same document or another one that can be changed.

And then basically reviewing the six questions here, should there in fact be additional new gTLDs in the future; two, should there be (unintelligible) of gTLDs and the type of TLD, for example; three, should the subsequent procedures for further new gTLDs be in the form of further rounds; four, predictability and flexibility, how should the two be balanced; five, how can community engagement be improved in the processes; six, should there be

limits on the number of (unintelligible) either in terms of processing at one time or application – and that should be applications, not applicants.

So that's basically setting up the – then finally discussing that we are aware of other efforts. We list some of the efforts. And we ask them to – if there are any efforts that we have missed to please inform us.

Oh and then there's the paragraph saying (unintelligible) and that we will beginning on remaining subjects and other constituency comment requests will be made. Thank yous, etcetera.

Then on what is now Page 4 start to discuss the six specific issues. Now in terms of each of the questions the way it was structured was the first – at the first cut of this that first paragraph was taken from the final issues report. And now it has been altered a little, one of the editing passes it went through basically took that and just sort of changed the grammar to deal with something that was done in the past as opposed to something that was in the future because the final issues report was put out in the past.

It changes it from a direct quote to an indirect quote and so we can discuss how we should deal with that. At first when I saw it changed and as quotes I was a little concerned but then I just changed the footnote to say, you know, taken and amended, though it should really say taken, not take, but anyway. So, I said I wouldn't word-smith while I was talking but I'm breaking my word.

Okay and then basically going into the questions. The questions were mostly built out of discussions, all of the content was taken from the discussions that we've had over the previous weeks of pros and cons. Oh, I see a hand up. Let me stop (unintelligible) please Susan.

You may be muted, Susan? I'm hearing nothing. Does anybody else hear Susan?

Susan Payne: Hello?

Avri Doria: Oh now I hear you, thank you.

Susan Payne: Oh good. Okay sorry, technical problems from my hotel room. Yeah, it was just kind of a really quick one, and I don't really – it's possible that I'm leaping in a bit too early really but it was in relation to the section where we talk about there being other efforts in the community and listing out some of them.

And I don't know whether it's appropriate to send a slightly different version of the letter to one constituency, for want of a better word, or whether they all need to be absolutely standard. But I think given the nature of the sort of specialist nature of GAC advice, and the deference that it's given, I wondered whether we could specifically ask in the GAC letter for them to identify what issues that, you know, what working groups that they have and what issues that they are working on which are directly (unintelligible).

Avri Doria: Okay this is Avri. I don't know, you seemed to stop sort of abruptly at the end. Were you finished? I don't know if you are having technical difficulties. I don't see any problem with us deciding to include a separate cover note for the GAC or for any of the other groups where we decide it's appropriate. I don't see any reason why not.

And that does seem to be a good suggestion. We may want to – and we've already asked them for, you know, a list for that. But we could ask even a general question, which is I guess something we can think about, about whether we want to add a line that says, you know, and on any of these issues that pertain to previous advice, you know, or comments that you have made, to please, you know, point those connections out so that we're making that same request of everyone.

But as I say, if we decide that that a special cover letter for the GAC is warranted I would personally see no reason why we couldn't do that. And so

we can certainly come back to that issue if nobody else wants to comment. I see, Susan, your hand is still up. I don't know if I cut you off or – no, okay.

So as I say, we should make a note that that is something that we need to decide on when we're finishing this up but thanks for the suggestion and perhaps add a line in there about linking it to previous comments.

Okay so now basically moving back to I guess it was page – and please just shout out at me if I don't see a hand up because I'm looking at a different screen where I've got the Google doc open.

So in the first one…

Jeff Neuman: Sure.

Avri Doria: …basically lists on each of – thank you. On each of them at the moment I have a note in there saying "further explanation" basically on all of them the explanation that has been rested upon is the one from the final issues.

Sort of that's an open request to those that are being part of the drafting team but also to anyone else in the group or call who basically says, no, I think we need to explore more, explain more, at which case I will ask you to suggest some wording even if it's not final word-smith wording indicating what it is you think we need to explain telling you that we need further explanation might be less than helpful if I don't know (unintelligible).

I think that the original instructions may be adequate but I can quite understand why others might not think they were. Then basically I go through the draft goes through question, and I say I at the moment because I did write the first draft that has since been edited somewhat.

I decided in doing this that I wanted to mock up a form with a space there just until we saw how big this thing was for our mock-up. In no way am I saying it

will be an empty box and it will be this big; I really don't have a clear view yet of how this is presented, is there an online thing that we do? Do we just put it out there as a questionnaire such as that? So that's just – those (unintelligible) indicate.

First question, is there a commitment to a continuing mechanism for the introduction of new gTLDs? And these things try to be as moveable as possible but of course in people's readings it may or may not be (unintelligible) as intended so please speak up if that's the case.

Would the absence of continuing mechanisms be a risk to competition? Would continuing mechanisms for new gTLDs contribute to diversity in terms of Internet names? Is it too early in the review cycle to make the decision on continuing mechanisms for new gTLDs? What additional considerations are (unintelligible) decide on continuing mechanisms for new gTLDs?

And then, a question that will appear in each of them is any other issue related to this overarching them so that question appears in all of them just in case the reviewer (unintelligible) constituency, stakeholder groups, advisory committees, etcetera, supporting organizations, have things that we did not think of.

I'll stop there before moving on to the next one to see if there's anything that's blatantly missing. Please also contribute word-smithing suggestions though I'd prefer those come on the list or actually in the document (unintelligible) reading something here is outrageously long. I see no hands on that. As I say, please even after this walk through.

Okay yes, Jeff.

Jeff Neuman: Yes, thanks. I keep getting kicked out of Adobe. I'm not sure if other people are or if it's just the hotel that we're in. I'd like to – and maybe when I talk a little bit about what happened at the GDD summit, I think instead of asking

something like is there a commitment to a continuing mechanism for introduction of new gTLDs, I think the burden really is on the other way around.

So for me, again, just speaking personally, I would rather ask if circumstances have changed or there's a, you know, there's a belief that this is – we'll word-smith it later but basically if there's a belief that this is no longer the case. Because I think the burden really should be that circumstances need to have changed or the burden should be on the side against the current GNSO policy as opposed to hey do we still believe this to be true. Because I think you'll get different answers depending on how you ask the question.

So I think – and I'll make some additional comments in the draft itself just to kind of change a little bit of the tone. Thanks.

Avri Doria: Okay. One question I have, would it be reasonable to ask both questions because in some of the discussions we had, that (unintelligible) the emerging question but asking the question both ways. If as you say, different ways of asking it will get different answers perhaps we should ask it both ways. Just a thought.

Okay I see your hand is still up. I did ask you a question so please.

Jeff Neuman: No, I'm good – this, I'm good.

Avri Doria: Okay thanks. Alan, please.

Alan Greenberg: Thank you. I may not have drunk enough of the Kool-Aid for a sociological reference that some may catch. I don't even – I don't understand what the question means of – will this increase – sorry. I've lost it now. There was a question on whether introduction of new gTLDs will increase diversity –

names diversity. If you can tell me where it is I can actually read the right words but I've lost it. Anyone know?

Avri Doria: Would continuing mechanisms for new gTLDs contribute to diversity in terms of Internet names?

Alan Greenberg: Yes, that's the one. I don't know what that means. I can't think of anything more diverse than Internet names right now and we certainly have, at this point, thousands of top level domains. I'm not sure – we'd certainly increase the counts but what does it mean to make it more diverse?

Avri Doria: Okay I don't – I see Carlos has his hand up perhaps he has an answer to that. My initial reaction was other people may see something that was not possible in this last round in terms of diversity that should be possible, I don't know. But, Carlos, I go to you.

Carlos Raul Gutierrez: Yes, thank you very much, Avri. When I – when you were reading the questions, particularly the first question, and my comment is in the same direction to Jeff's comment, I would have a very hard time translating the question into Spanish. Every time I look into this questionnaires, I imagine how to motivate my Latin American friends to get into a discussion here. And I agree with Jeff and I look forward with this restatement of the first question and then sorry, I have no answer to the diversity question. I agree with Alan, we're very diverse but I see that in the second segment we get into a better explanation of how diverse it is.

So probably just because this is the first question that we get stuck, so we should maybe make one run to go through the whole document and then make comments as you suggest. Thank you very much.

Avri Doria: Okay, I have noted these comments briefly in that hopefully either Steve or Julie is also taking some (unintelligible) and of course we'll have the

recording to go back to these. But thank you for the comments. And, Alan, yes I see your hand again.

Alan Greenberg: Thank you. Just an anecdotal comment. Periodically I have need to go find a contract of one of the new gTLDs or find out the status of an application. And I start wandering through the space where all of them are listed and I am, every single time, totally amazed at some of the TLDs that are there that I hadn't heard about yet. So just a quick comment on diversity. It's an interesting exercise to just go through the ones that are currently in the root, and see just how diverse that group is. Thank you.

Avri Doria: Okay thanks. Okay I'll move on then to the next set of questions. Thank you for those comments. Okay so the next set of questions was should there be differentiation of gTLDs into types of gTLDs? Again, the paragraph is slightly altered from what was in the issues report. And asking if people have indications of further explanation they would like to see there.

Being somewhat of a lazy sort, I'm fine with having no further explanation, but of course if other people do if there's a need then tell me what it needs to say.

Next question, should subsequent procedures be structured to recount for different types of gTLDs? Then the next question, and I was thinking that perhaps we need to set it off slightly (unintelligible) done is it lists the types of gTLD that have been suggested in the group open, geographic, brand, intergovernmental (unintelligible) validating, not for profit, highly regulated, exclusive use, closed generic, open TLD with minor charter registration challenges.

And (unintelligible) asks a set of questions referring to those possible types. Are types missing from the list? Do all the types belong on the list? Should each type have different application processing? Should all types be offered in subsequent procedures? Any other issues?

So those were the questions that were collected from there. Even while reading them I could see why – oh, and which come to you, Carlos, what I really ask you to do is perhaps take an editing (view) and other people for whom English is not the first language and who are concerned with translation to basically take a pass through this and (unintelligible) the comment mode and try and give some clues, some suggestions of better wording for what translates better with the same mind.

I see from Carlton that we have a major definitional challenge with the category Community. I would probably personally argue that, yes, possibly but then again we also (unintelligible) sensitive, if what excludes (unintelligible) meaning, with what is a generic in the definition of generics. So I think once we get to defining these types I think is when we'll really hit those definitional challenges.

But, you know, I definitely agree that, you know, some of the words in this, you know, validated, geographic even, is it a bounded notion of geography? Or is it anything that pertains to geography? So each of these is definitely – needs to be definitionally bounded but the rest of our process, I would think.

I see no hands (unintelligible) and burbling on like that I did give you a chance. So if there's no comments on that one at the moment, and this is just a first walk-through, just a first reading, and that- but we are going to try and reach the final by the end of the week so please don't delay very long.

Question 3, should the subsequent procedures for further new gTLDs be in the form of further rounds? Again, this is from the first issues report. Then – and again, (unintelligible) for further explanation if needed. This one could possibly use some that got into the whole discussion about rounds versus (unintelligible) if we want to go into some more detail.

Questions. Should we continue to have rounds until pent-up demand is exhausted? If your answer is "yes" how do you suggest pent-up demand be

measured? Instead of rounds using the model of round of 2012, should some of the cyclical evaluation (unintelligible). Are rounds or other cyclical (unintelligible) models better for rights holders?

Do rounds or other cyclical application models lead to more consistent treatment of applicants? Should rounds or other cyclical application methods be used to facilitate reviews and process improvements? The rounds lead to better predictability. The rounds and other cyclical application will lead to longer times to market either something was forgotten or that (it is) extraneous.

The rounds create artificial demand and artificial scarcity. The timing between rounds lead to pent-up demand and the other issues related to this overarching (theme). So our questions pertain, again, I'm sure there's a general comment about wording and translating (unintelligible) et cetera.

But let me look at the comment. Need to watch matters of interpretation carefully. (Need to make sure) this is not altered. Procedures (unintelligible) to get the approval is much more demanding of modifications.

Carlos Raul Gutierrez: Avri, you're fading out.

Avri Doria: Yes, I probably am. I'll try to keep my energy up. So I see no hands on this. I'll move onto the next section. So question four. Yes, I just finished my first cup of coffee Carlos and unfortunately I still had this meeting (unintelligible) at the old time but didn't have time to make my (unintelligible) before the meeting. So be it.

So that aside, predictability and flexibility, how should the two be balanced? Again, taking the text as modified from the Issues Report. Again, if further explanation is necessary, we need to add it. Looking forward to suggestions of content that belongs there.

Questions. Was the round of 2012 sufficient predicable given external factors and the need to be flexible? Can predictability be improved by developing a policy across community working environment? And does the GNSO open working group methodology support sufficient cross-community involvement?

In the policy recommend of incident seven, the GNSO Council took an approach that it is possible to create a perfect application process. Got the best it could with the assumption that the round could provide guidance on what the actual issues were for future possible rounds.

Is this a good approach for the next set of procedures or should the goal be to respond in advance to every possible imaginable situation? Imaginable. Does a lack of predictability cause applicants to lose faith and trust in the process? Is there a concern that attempt for predictability put flexibility at risk?

Any other issues? Alan, yes.

Alan Greenberg: I question the merits of asking should be have a round that addresses every possible imaginable situation? Clearly there's no way to do that and actually start the round. So I think we need to be focused on how much effort we should put into it, not are we going to achieve this unachievable end.

So I think when we look at the wording we have to come, and it applies, I've thought similar things as we've gone through some of the other questions of what is my answer going to be? In some cases it's going to be I don't care but in this case, if we answer yes, we're saying, yes, never get to a round.

Because I have a lot, you know, we have people with a lot of imagination that can go with scenarios that we need to address which are not likely to happen. So this is all a game of probabilities. So I don't think these questions should be worded in absolute senses like that. Thank you.

Avri Doria: Okay. Thank you. I wrote down a note here that said unachievable. Tone it down. And basically yes, even as I was reading it. Every imaginable situation, I was getting carried away with myself.

But, you know, perhaps it could be toned down so the goal would be to respond in advance to known situations, so all known situations. There's some other working but I did not want to get into words that (hang). Yes, (Christina).

(Christina):   Thanks. I have a comment about the comment, lack of predictability causes applicants to be (unintelligible) and trust in the process. And I actually have two suggestions regarding that question. I'm not, I have a feeling that including the word (face) in there could cause some diversion in terms of the outputs, the input, if we're looking to receive.

So perhaps it would be better to really focus on losing trust in the process. Then, I guess there are really three comments. The second is that it's one thing for an applicant to mistrust the process but its (unintelligible) for applicants to mistrust the outcome. And I think that, none of these questions could go to that and I think it's important to include that component as well.

And finally I think it's also important to recognize that the predictability to process is not something that's important to each applicant. It's important not only to the broader ICANN community but internet users and third parties who may have no interest in becoming a GNSO applicant or GNSO operator but very much interested in ICANN's operations.

So I would suggest a third question, perhaps a way to run that question so that it's not, it includes applicants but also includes, you know, individual, well any of you that were not applicants.

Avri Doria: Okay. Thank you. I've written a couple notes on it and of course invite you to (take notes) at some point and probably (unintelligible). But I did capture the

three points about the work that could cause focus on trust, focus on process versus trust (unintelligible) and then what's important to the broad opinion as well as just applicants. As I say, others are taking notes as well so it's noted in there.

Any other hands. If you look at the (line). (Unintelligible). What we need is well defined protocol to (suggest) any questions which may arise during the process. But a point to be careful about is the difference between applicants, users and people who don't care at all.

((Crosstalk))

Jeff Neuman: This is Jeff. Avri, this is Jeff. (Unintelligible).

Avri Doria: Yes, okay. All right. I see it now. Thank you. Paul, please.

Paul McGrady: Hi, this is (Paul McGrady) for the record. My question has to do with first of all the word imaginable which I know we've already looked at. Maybe we could call it foreseeable. And secondly, the way that this question is written, is there any concern that attempt for perfect predictability would put flexibility at risk?

It sort of begs the answer yes. So maybe we should ask that question but also ask the flipside of the question which is, is there a concern that and attempt for, you know, you know, for extreme flexibility could put predictability at risk.

And that way if we asked it both ways we reduce the risk of answer bias. Thank you.

Avri Doria: Okay. Thank you. I've added a note on that one. So (unintelligible) as well. And thank you for the comments. And I will add the word foreseeable as a possible word to us in recasting the first sentence. Or not the first, of that

particular question. Any other hands on this one? If not, I'll go to question five.

How can community engagement be improved in the process? Again the "follow the same pattern all the way through on these." The quote from (unintelligible) perhaps for secure past et cetera. Again, they request whether further explanation is needed.

Moving to the question, is there more that can be done during the PDP to ensure or enable greater community engagements? Should there be a special post PDP policy consideration? Should there be a special post PDP policy consideration methods besides those already defined by the GNSO?

Oh, is there, it should be is there a (comment)? I'm sorry for the mangled sentence? Is there a time and I'm making (use of time) which of course you don't see on the screen. Is there a time at which the application procedures in one application window should be frozen until after a new application window is opened?

And that misworded. As I read it I realize the problem is not until a new application's window is opened but until a new application window is in planning is perhaps, would be more correct on that one. I did proof read these before putting up the thing.

If the Board is faced with questions that cannot be addressed by the policy considerations, they were sent, must the Board bring the issue back to the GNSO and PDP process? Next. Can a standard be established to discriminate between issues that must be solved during an open application window and those that can be postponed into a subsequent application window?

Any other issues? Any comments on this one? I have a question from (Christina) and an example of what might be a specialist PDP policy

consideration method? At the moment, I don't know of any. We do have, you
know, the new rapid PDP for PDPs that have already been on the
(unintelligible) as new issue. And we have the other methods.

So it's quite possible that nothing's needed but there has been discussion.
And (unintelligible) about recommendations of some special circumstances
that group might put into its recommendations, ways that the Board might
treat such things. So that's where that question came from. I don't have any
guesses at the moment as to what it might be.

So it's basically, yes Alan I see your hand.

Alan Greenberg: Thank you. I'm not sure how I would answer I the Board's faced with
problems that aren't addressed by the policy issues, do they have to go
back? It's going to depend on the nature and not, sorry not policy issues but
issues. It's going to depend on the nature of the issue.

The GNSO recommendations on policy and implementation attempt to
identify how one recognizes policy and implementation but it's still subjective.
There's no absolute litmus test. And so it's going to depend upon the issues.

If there is something the PDP was silent on that it should have talked about,
the answer is going to be yes. On the other hand once the imagined
scenarios of things that are not addressed by it but are not addressed by the
PDP because they really weren't policy issues to begin with. And to that
point, you know, there's an ad lib implementation process.

So I'm not quite sure what that question is getting at.

Avri Doria: The question as I understand it personally comes out of the discussions
we've had. But the question gets at there are places where the Board said
there was no indication of, there was no policy indication in the PDP material

that we've got on what we should do to this. Therefore, we decided X and, you know, go on with the implementation.

So that kind of issue, you know, they certainly happened. I think people could look back at the process and see things where the community felt the policy decisions were being made on the fly by the Board. And the Board (unintelligible) in accepting that, it tried to adjust implementation or you didn't give us a policy on that therefore we are free to decide the policy on our own. Yes Alan.

Alan Greenberg: Sorry, that was an old hand. I'm not really sure that addresses the issue though because it becomes, it's very clear from the PDP or not the PDP, the policy recommendations and implementation recommendations that we now have put a stake in the ground to how you recognize policy to the extent that we can implement it.

And so the out the Board had saying you didn't tell us about it therefore we made up a new rule just doesn't apply anymore. That was a world before that, those recommendations were made. Thank you.

Avri Doria: Okay, thanks, So you actually know how you would answer it. Martin, I go to you.

Martin Sutton: Hi. Thank you. Martin Sutton here. My question's probably related to the next question. Can a standard be established which is a very closed question so that there's just a yes or no. I'm just wondering whether should a standard be established and with that, could be add on any requests for examples and whether that is appropriate so the responses give us a stronger indication?

Avri Doria: Okay. Thank you. I've actually just edited that in while you were talking. I changed can to should and I added please give an example – words that (could be more complete). But thank you. Paul, yes.

Paul McGrady: Thank Avri. (Paul McGrady). I think we're missing a question here too. In the first round, I think literally we had several occasions, several different topics was the Board doing an implementation that was clearly in contradiction with the policy as well by the GNSO?

So I think we should ask the question, if the Board is faced with an implementation issue that is, that is contrary to the policy, should the, should the policy be sent back to the GNSO with a description of the problem and should the GNSO address the policy questions>

Because that's really the hard question and that's really what we ran into. It's not so much that the Board, you know, said oh gee wiz, you know, the applicant guide book and the GNSO work didn't really address any of this so we have to make it up.

It was, you know, it is addressed. We're just going to do the other thing. So I'd like to see a second question here. Thanks.

Avri Doria: Thank you. Okay, I have note of that in the comment field. And I saved that. It's also being good that we're getting duplications of notes. I see from, oh my, I don't know if I'm seeing all the chat, my ability to revive my. Okay, so we had a couple of questions here, a lot of stuff.

(Unintelligible) but I'm not sure about the link between overall question five and some of the subsequent point questions. A legitimate response might be we didn't anticipate (unintelligible) the policy framework is silent here but this is all (dependent) on what must be done. Where there's no policy then make your best decision and close from that. That's one suggestion.

Somehow it seems as much an answer to the question as a change to the question. What is meant with community in this question? What is meant with process? Okay, so a little definition there on those words. Many applicants for

the, oh (wow). I have to move my, many applicants for the round of TLDs may come from the traditional industries.

It will be quite challenging to reach out and engage these people Good point. Thank you. I'm not sure how that reflects on a question, I mean on a question. So please, if you can think of something which would improve the question there, please let us know.

And I'm going to agree with Alan. On existing GNSO (methods) to make post PDP policy considerations. The question he was asking, as I understand it, whether further mechanisms are necessary. Could this question be (unintelligible) to understand the (additional) mechanisms and point out why are they as insufficient? And how further mechanisms would add value?

Yes, that makes sense. So perhaps this should include a point to the existing other policy issues and ask the specific question. So (unintelligible). Oh Christ that's me.

Man: You're still on.

Man: If we can get that busy signal …

Avri Doria: Let me know. Cut that one off?

Michelle Desmyter: This is Michelle. I'm trying to get back the line.

Avri Doria: Okay. Thank you. Okay, it looks like we're back.

Man: Yes.

Avri Doria: Okay, I've see, are there any hands? (Let me see) by a show of hands? Let me go on onetime quickly here. Okay, the last of the main questions, of the

six questions. Again, same explanation for the top stuff. Question, should the number of applications be limited during an application?

And I guess I should say round the, I think as the writing of these is progressing, the notion of talking about application windows started in the (unintelligible) group but in some of the overall discussions they hadn't been there. So there's obviously a need to make what we call the consistent. (So let's just see what) we'd call it. (Now I have responses to that).

Okay. Would limiting the number of applications taken during an application window reduce these? Are limits to applications (unintelligible)? Are limits on applications favor insiders who follow a process? And I thank you for whoever is adding all the question marks. (Ruby), thank you. Punctuation. Should there be limits to the number of applications that one entity can submit? If so, how could such a limit be enforced?

Any other? Any hands on this one? I see no hands on this one. Obviously I invite people to continue commenting. I see more and more and more people getting into the document with their comment and think that's great. And then just going onto the catch-all question, an open question.

Are there personal issues or considerations that should be discussed and do we need to have a subsequent procedure PDP working group? Just because every questionnaire has to have a question saying what else do we need to consider so that we are not giving a closed topic?

Now the one concern I've got with this one is, there could be more issues that pertain to specific issues later but I believe that when we respond to those we can just indicate that those will be dealt with in the net in the next phase. Are there any hands?

Okay. So in concluding, I think we've gotten some good comments. I think there's work for us to do. I do not get and I'm stating it this way so that people

can tell me I'm wrong. I do not think that impression. That we've taken a wrong turn here. That this is an inappropriate approach. That the overall nature of the document is problematic and we just need to throw it out and start again.

But if that statement is not true, please speak now. I'd hate to get to next week and get the comment, oh man, you totally blew it. We should have done a complete re-editing. Okay. So what I'd ask – okay Alan, you're going to tell me we should throw it away. Yes, please go ahead.

Alan Greenberg: No, not quite. There seems to be an interesting echo. I just get a feeling that it is so long and the questions are, I'm not sure vague is the right word. I think this is going to be a very tedious thing to answer and I'm questioning how well we're going to be able to analyze the answers because – so it's a huge amount of work that we're taking on here.

And I don't have a warm feeling that we're going to come out of it with better direction than we have right now. So I guess I'm looking to be convinced of that.

Avri Doria: Okay. And what's my understanding of what this constituency – remember we're not giving them all of the recommendations at the moment. What we are doing is sort of saying we have started. We have started from the issues report and now we are asking you to tell us from all the constituencies, SOs, stakeholder groups and constituencies, properly speaking, you know, are we going into the right direction? Are there questions from this?

I think a lot of these might get no answers. I think a lot of the stuff we get is food for thought that we need to throw into the mix with our discussions. We may find that we get repetitive on things. These are not so much questions and the vagueness of the questions.

I think kind of the discussions where we've had both sides of these issues discussed in here. And what I don't think we will do at this point is ask leading questions. This is really at the start of the process. It's the constituency comments on where we should be going. So I guess I'm not worried about getting a warm and fuzzy on the answers.

What I think I'm most concerned about is getting substantive comments where people have something to say. Perhaps we should add a note saying you don't need to answer every question but any question that's important to your constituency. Yes, Martin.

Martin Sutton: Hi Avri. It's Martin Sutton. I think just following-on from (Alan's) point, it is worthwhile probably to think about what likely responses will be achieved from the questions. And as an example, should the number of applications be limited during an application window?

That in fact could be a very short answer that doesn't consider many of the things that we are struggling with on the call where we're looking at pros and cons and how it could be done. So I'm just wondering to get better value added to this piece of work at an early stage, would it be useful to run through the questions?

I'll do this anyway with a few of these but for that one, as an example, is to say, you know, we have not imposed any limits on the previous round for number of applications.

Should we do so and if so, how would you, could you illustrate how that could be performed effectively and take into consideration things like, you know, some of the points that were discussed last time. Would it be considered anti-competitive and (unintelligible).

So then we probably could encourage a lot more information that comes back as a response for us to be able to work with.

Avri Doria: Thank you. I think that's an excellent situation for you and everyone else to basically conditionalize the questions in that manner and give some suggestive text. I'll certainly make a pass through it with that in mind. But remembering that I'm lazy and like to make (unintelligible) as soon as possible.

                And basically encourage the rest of you to, you know, add the kind of words that you think should be there. And you'll notice that the way the tool works, if you don't do it as comments but you do it as suggestive text, then you'll all be able to, you know, wordsmith each other texts until we get something that works.

                So for anyone that has concerns that you have, that Alan has, I really do invite you and I invite the members of the drafting team who I don't have the list of names in front of me.

                But I invite them to understand that this is the week to dive in and to do their drafting best to answer the issues that have come up during this conversation some of which have been noted by, I'm not sure who's typing.

                (Unintelligible) the agenda I have when I could type some notes in the text itself and we have the recording. But I do invite everybody to jump in. This week is the week so that next week we hopefully have something that is ready or super, super close to ready so that we can get it out the following week. I see one last hand and then I want to cut it off after Paul so that we can go through the rest of the agenda. But Paul please.

Paul McGrady: Thanks Avri, Paul McGrady here. I just wanted to end the discussion on this by saying I think we are at the macro level on the right track. I think it's a good document. I think that the next round is very important to a lot of people and the length of this document doesn't bother me. I think that people who are concerned about the second round will invest the time to answer these

questions. So I think we've got some good tweaks we've heard today but on balance we are heading down the right path here. Thanks.

Avri Doria: Thank you. I hear it with great relief. So I appreciate it. I appreciate all the comments we've gotten from folks. I encourage you all the put in sometime this week to get those to where it needs to get. Thank you. Jeff I'd like to turn it back over to you and I am – yes okay thanks. I turn it over to you.

Jeff Neuman: Thanks Avri and...

Avri Doria: And I was going to say is I'm going to run away for a second.

Jeff Neuman: Okay but make sure you come back. Okay so next on the agenda is a recap a more second discussion on the work plan. So I know Steve's going to probably multitask now by putting it up on Adobe which I keep losing connections to. And Steve when you're ready to address any items you're free to go.

Steve Chan: Thanks Jeff. This is Steve Chan from staff. So first of all I guess I want to acknowledge that having an entire project plan placed in front of you can be a little bit daunting. So hopefully you all have had a chance to take a look another look at the work plan but acknowledging again that it's a number of lines. It's something like 130 lines. And what Avri actually proposed and what is on Page 2 of this very short slide deck is a more condensed version of the work plan. So it has a high level groupings of things like preparing the issue report, initiating the PDP operations, things like the overarching issues and topics section that we're into right now as well as all of the separate tracks that the working group will go through.

                  So hopefully this gives you a better macro view of the work ahead of us. So maybe at least a little more digestible. So moving on to the third page part of the rationale why the co-chairs and staff had decided to provide the entire work plan was to give a sense of the scope of work that's going to be

required of this working group and really also to solicit opinions on how the work should be organized. So I think what we'd tried to like to do is reverse that a little bit and so ask key questions and assumptions and get some opinions on those variables that will affect the work plan. And then staff can go back and go ahead and adjust it based on the conversation that's held here.

So on Page 3 here's just a few questions. There may be others of course but sorry I see a question from (Carlos) about the width of the slide. You actually should have the ability to zoom in or zoom out as necessary to see the slide sufficiently for yourself. So back to the questions I just put forward the three of them for you to consider. And I'm hoping they'll allow for some discussion on this call. So the first one is should the group divide into subgroups that run concurrently? If so how many subgroups can be realistically run, can realistically be run concurrently? The second one is are there any concerns or suggestions on the way the subjects are grouped and/or sequenced?

The third question is how should the inputs from the CCTRT be taken into account by this workgroup, for example dependency for initiating the work on a particular subject versus concluding the work on that subject, those that are of high interest to the CCTRT? And there's probably other ones that we had not considered but these are presented for the workgroup to consider and hopefully promote some discussion here so we can take it back and start refining the work plan a little bit more. I see Jeff's hand. Please go ahead Jeff.

Jeff Neuman: Thanks Steve. Yes this is Jeff Newman for the record. I would add another question and I'll go into a little bit more detail when we talk about some of the input from the GDD Summit last week. But maybe another question would be are there any items that involve primarily operations that could – or that should not be – that's not worded very well that basically that shouldn't be part of this subsequent procedures policy discussion? So are their operations issues as opposed to policy issues that we can work concurrently with the

different operational team? So again not stated very well but I'll go into more detail and talk about the GDD Summit.

Steve Chan: Thanks Jeff. This is Steve again from staff. And just to touch on that point a little bit more so in the work plan if you had taken a look at the full version there are estimates, really rough estimates in fact for every single subject -- all 38 of them. And so not every subject is of equivalent complexity so staff tried to take that into account in putting forth those very rough estimates. But to Jeff's point it – so it's possible that not every subject is going to result in policy recommendations. And so some may result in amendments or changes to existing policy. There could be brand new policy recommendations. Some may just require implementation guidance to what Jeff spoke to or some subjects may not require any conclusions from this working group. Perhaps what's already in place is already sufficient. So it's probably difficult to guess exactly which one of the subjects of all 38 are going to fall into which category.

But in the final issue report there are some initial inclinations which direction each of the subjects are expected to go based on the findings from the discussion groups. So I guess I just wanted to remind the working group members that there are various outcomes for each subject. Like each of them can result in different outcomes some of which are not policy recommendations. So I don't see any hands at the moment. And if that's the case then perhaps I'll turn it back over to Jeff. But I had hoped that if there are support for these assumptions that people would come forward and say that or if there's oppositions to these assumptions that they would come forward as well. So for right now we still have a draft work plan but I'd like to make it a little more solid so that this working group has better guidance as it moves forward with its work. So I'll pause again for hopefully some hands that pop up. And I still see none so I think it's back to you Jeff.

Jeff Neuman: Thanks Steve and maybe we'll introduce these questions on the next call just as a quick third run through just to see if anyone over the week has had any

inspiration on these questions. Okay I think then going back up to the agenda the next item is are we at any other business now I think. Yes. So we had any other business in the first item is on the GDD Summit. Is there anything anyone else wants to add to any other business?

Okay seeing none last week as many of you know there were or most of you know there was a GDD Summit which involves the registries, registrars and I guess consultants and backend providers that work with the registries and registrars -- very well attended in Amsterdam. And there were I think close to 400 people that may have registered and there were well over 300 people that were there. There was a pretty packed agenda and in some cases two different streams that were going on. So while one side was talking there was one session on marketing, there was another session on operations.

And I believe it was all recorded and one of the sessions was a session on how to get to the next – it was called next round so I apologize for use of the term but that's what the session was called. And there was and I liked the discussion of the contracted parties on - thanks (Carlos). I'll give a dollar later on. So I led that discussion, moderated it and presented. We initially started with a slide on the reviews. And actually there are a lot of comments and a lot of contributions on that slide so we really didn't get to talking about individual issues necessarily.

But and thanks Steve Chan has just posted the Recordings page on the chat. So there on the session I kind of came up with maybe six or seven points that I got out of the discussion from the contracted parties. I think it was very clear that the contracted parties basically agreed that the policy of introducing additional new gTLDs that was decided in 2007 by the GNSO and approved by the board in 2008 should continue that there was no compelling reason to overturn that policy. So they all believed that new TLDs should be introduced in accordance with that policy. And they were pretty for the most part they were not happy with the timelines that were posted by ICANN in conjunction

with the reviews. So basically (Akram) was there, there were a number of board members that were there as well.

And it was pointed out (Akram) stuck to his statement that he made a couple weeks ago saying that he didn't believe in a new – and he used the term round, could start until 2020. And that got a lot of registries, registrars upset at the timeline and asking a key question of what is actually required to be done prior to introducing additional new gTLDs not the nice to have but, you know, what is actually required either in the ICANN bylaws or commitments that ICANN, the ICANN board has made. And, you know, there was a discussion that ensured. And really the key out of that was the only thing that's technically required by the Affirmation of Commitments and seemed to be I guess in the new bylaws that they're adopted this week I think or next week is the Affirmation of Commitments review, the CCTRT review. It's really the only thing that's required. Everything else it was nice to have including our policy development process and the policy development process on the rights protections mechanisms, the root scale study and all the other things are kind of nice to have.

Now I say nice to have, I think that's a little - I don't mean to be making light of it but in general they're not required by any kind of commitment that ICANN has made or to – or the bylaws. Now that said there still is an interest by the contracted parties that they would like to move on all of this stuff. So they do find value in reviewing the 2012 round and making improvements and, you know, working out the policy issues that they recognize to exist. So by no means are they saying we shouldn't do all this stuff. They're just saying, you know, if this gets tied up for too long is it possible to move on?

There was also a discussion of trying to come up with a definitive timeline, so to set some date in the sand to say okay look we are going to start the next application window on -- and I making this date up because no date was actually decided -- but let's say they said January 1, 2019 and that setting a date would help focus groups to work more expeditiously and efficiently

rather than letting these discussions drag on till 2020. So there was a discussion as to whether that would be of some kind of value to put some kind of stake in the ground on a date.

I should say that there's obviously no decisions that are made at these - at the summit. There's no, you know, there were no commitments made. It was just I just want to give you all a flavor of the discussions that took place. There was also a recognition that .brands were a key to gaining acceptance of new TLDs. So a number of the discussions focused on, you know, that some of the negative feelings towards the 2012 rounds are really because a lot of the brands haven't launched yet to show some additional utility. And so there was some discussion on that.

There was in general lots of support for an accreditation process for backend providers to have some sort of predictable process. And there was a whole interactive exercise that took place as to the reasons why that would be a good thing. But there was some pushback from some of the legacy providers wanting to instead of coming up it seemed like according to them we were coming up solutions to a problem that they did not necessarily see was defined.

I'm not going to offer any other interpretations into that but just to say that for the most part there was a lot of support for having an accreditation process for backend providers but it was not unanimously held. And finally I think there was a large desire to segregate the policy items from the operational aspects and to work on operational aspects separately from the policy. So if for example let's say we decided that accreditation of backend providers is a good idea well then kicking it to an implementation team right away to have an implementation team work on the operational aspects might be a more expeditious way to do this as opposed to waiting for a final report and before starting the implementation.

I think that was another concern that was expressed that we seem to wait until the very end before starting implementation. So, you know, the fear was okay let's say we do have a final report that comes out in according to this work plan. It's in - early 2018 or Q1 2018 the fear was that we wouldn't – we'd – and I say we being the community and staff and everyone wouldn't start working on the new version of -- I'm just calling it an applicant guidebook but who knows what it'll be called -- but that we'd be start working on that until after the final report. So if you don't start working on that till 2000 - mid 2018 you know then perhaps that's right then perhaps you want – we won't start another application window until 2020.

So I think that's – those are the key takeaways that I've had. I'm looking into comments. I know there were a number of people that were there. Sara Bockey says that we did try to call in – I did try to call it an application window instead of the R word. (Rubens) points out that there were - the three specific backend providers came out against starting the accreditation process right now. But for the most part I think everyone else kind of appreciated the value of doing that.

In addition the having an accredited - there was also discussion on having a more defined process if a registry, a current registry wants to change its backend provider and what criteria ICANN would use in order to make that decision or to consent to that decision to change backend providers. And the two things, the accreditation process for backend providers and consent to change backend providers are very much related in the sense that if you come up with ways to say that yes changing from backend provider A to backend provider B is acceptable because you've evaluated backend provider B then that's almost the same thing as approving someone for accreditation if there were new application window.

So those discussions are related. And to the extent what I expressed during those discussions was that if there is a process that they come up with to change backend providers where they come up with evaluation criteria then

that should be – that would be a good start on accreditation criteria if we were to as a policy matter decide that the accreditation process was a good idea.

So I think I'm going to open it up see if there's any questions on those discussions as Steve Chan posted. It's up on the Recordings page. And that discussion started at the two hour 15 minute mark. I will offer the caveat that my role there was to facilitate discussions not as necessarily as the co-chair of this group. So I made some statements to that I may or may not believe just so I can get discussion going. So please I would appreciate it if people don't come back to this call next week or, you know, say Jeff you took this position, or you took that position because I didn't try to take any positions. I just tried to get discussions going. Paul you have your hand up.

Paul McGrady: Thanks Jeff, Paul McGrady. I was in the room for this discussion in Amsterdam and I think that message back to that group frankly needs to be tell us what your real frustrations are and get the straw man out of it. This notion that the .brands not conforming to their timeline on launch is somehow something that the, you know, that this group had some expectation, some reasonable belief that the .brands owed them - a particular window within which to use their .brands just seems bizarre to me.

And so I think Jeff to the extent that you have further communications with those who were griping and if it's hard to tell because it was registrars who want more gTLDs or registries who want more gTLDs or perhaps it was the backend providers who want more new gTLDs. But whoever it was who is complaining and to the extent that you have interaction with them tell them it would be helpful if they could distill their complaining down to, you know, sort of real issues and real concerns.

And it's hard to sift through all the strawman complaints that they had including the one that this .brand complaint I think was a complete strawman complaint. So for what it's worth I do not think that session was terribly productive. It sort of rambled and nothing against you Jeff. You did the best

you could trying to contain herd. But to the extent that they have pointed complaints about how this process is going or things that they – or suggestions about how they could be involved either in this process or in these side processes on things that need to be adjusted for that are purely operational implementation I think that would be great. But I don't think this sort of general, you know sour grapes session that was in Amsterdam I just - there wasn't much to take away from that. Thanks.

Jeff Neuman: Yes thanks Paul. You know, one point I tried to make during that session was that look if they're not happy with things then they should participate more either this PDP – well in this PDP, in the RPM PDP and in the reviews in general. So, you know, I don't necessarily see a lot of those people that were wishing for the process to move faster, I don't necessarily see their participation in these types of groups.

And but I think in general what's good to hear is, you know, it's a step outside of this policy development process working group and it's what a certain segment of the community feels. And I think the responses we get back from the parts of the community that don't necessarily participate as fully in this working group I believe are going to be the types of responses that we heard at the summit. Plus on the other side I'm sure as we're here right now Paul at the INTA I'm sure they have views as well. And it's going to be trying to get all of those views to contribute into this working group that's going to be incumbent upon all of us as representatives of our stakeholder groups constituencies and advisory committees is to make sure that they focus those to provide meaningful input into our work and into the RPM work and into the CCT review.

So is there any other questions on that session or just any other business that anyone wants to bring up? Okay well I guess that's I'll close the call with exactly maybe 30 seconds left to go. Thank you everyone and I'll see some of you later on today I'm sure. If not we will talk next week on May 30 at 1600 UTC. Thank you.

END