

FINISHED

Update on the Competition, Consumer Trust and Consumer Choice
Review Team (CCT RT)"
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>>> Good morning, good afternoon, and good evening.
Welcome to the At Large Capacity Building Program 2016. Our
fourth webinar on the topic Competition Consumer Trust and
consumer review held on Wednesday 25th of May 2016 at 1300 UTC.
We will not be doing a roll call as it is a webinar. If I could
please remember to everyone on the phone bridge as well as
computer to mute your speakers and microphones as well as state
your name while speaking not only for transcription purposes,
but to allow our interpreters to identify you on the other
language channel.

We have English, Spanish and French interpretations.
Thank you for joining. I'll now turn it back over to our
moderator Tijani Ben Jemaa. Please begin.

>> TIJANI BEN JEMAA: Thank you very much. Good morning,
good afternoon, good evening, everyone. This is the fourth
webinar in our 2016 program. The topic today is an update on the
competition, consumer trust and consumer choice review team. We
will have today the luxury of having four speakers. We will
have, first of all, our two representatives on the team, Kaili
Kan and Carlton Samuels, and also Margie Milam and we'll also
have Jonathan Zuck. I leave the floor to Terri to have some
housekeeping announcement, and then we will proceed to the
presentation. Terri, please.

>> Thank you, Tijani. Just a few housekeeping items we'd
like to go over. If you do have a question for our presenters,
in the back from the bottom left-hand side of your screen, if

you could please type in your questions there and we'll make sure our presenters receive the questions. If there's not enough time to answer your question, we will post the question and answers on the Wiki page. Our caption pod is in the bottom, middle of your screen. In addition, today, we'll have the three pop quiz questions, as well as an evaluation.

When it is time, the pop quiz question and evaluations will appear in the bottom right-hand corner for you. Thank you very much and with this, I'll turn it over to Margie Milam.

>> MARGIE MILAM: Thank you, Terri. And good morning, good afternoon and good evening to you all. As Tijani mentioned, my name is Margie Milam and I'm in the department called the Multi-Stakeholders Strategy and Strategic Initiatives Department. And that department is responsible for lots of interesting projects at ICANN. But the one that takes up most of my time relates to conducting reviews for ICANN. And reviews are a very important feature of ICANN and very important to ensuring that ICANN continues to evolve and to address the needs of the internet community.

And so, as we look at reviews and we'll focus in on a specific review later on in the presentation, we look at reviews from different perspectives. At ICANN, we really want to foster a culture of continuous improvement. And the reviews are designed, the whole process is designed to do that.

When we have reviews at ICANN, we try to look at either a particular topic or a particular structure within ICANN to see how it can be improved. For example, we might look at a topic such as security and resiliency as a domaining system. And we'll see whether we're applying industry best practices to that area of ICANN's performance. We also want to keep up with different business trends and ensure that we're doing things as efficiently as possible.

And one of the things that the reviews also do is take a look at ICANN's commitment that you see in the bylaws and you see in the affirmation of commitments to ensure -- the future processes also are meeting our commitments. And the other thing that reviews do, they actually take a look at these various subjects and structures within ICANN. And we want to make sure that we are fitting in within the vision and the strategic plan of ICANN. And we also want to make sure that ICANN stays on its mission and does not go outside of its scope and mandate. So that's some of the benefits of the reviews that are being conducted at ICANN.

As I mentioned, you know, reviews are very important. And they're important because they improve accountability and transparency. And especially at this time when we're looking at

the transition and the stewardship function, it's an important time for ICANN to be able to show the world that we are evolving and we are keeping pace with the way that the internet community's changing and the world is changing. In particular, reviews are a way that we bring in the community input to ensure that we are fulfilling our commitments and that we're staying true to our mandate. One of the features you'll see as we talk about the reviews is that we really strive to get a geographic and global coverage. Both in terms of nationalities represented. We try to look for gender balance, we want to bring in diversity of viewpoints, as well, as we look at the different topics that are being reviewed.

And so that's a very important aspect of the review cycle. And in particular from the staff perspective, it is always our goal to ensure that we're bringing in a new perspective had and bringing in participants that can share their expertise to help improve ICANN. And so as we talk about the types of reviews, there are two types of reviews that are done at ICANN. One is done under the affirmation of commitments or the AOC as it's called. That is the document that ICANN has signed with the U.S. Government that outlines the relationship between the US Government and ICANN. Under the affirmation of commitments, we've committed to looking at different aspects of ICANN's work. So we have, for example, a commitment that every three years, we're going to take a look at the accountability and transparency of ICANN and have a review team that focuses specifically on that. And that's called the ATRT.

We also, as we will go into more detail on this call, we're looking into the aspects of competition, consumer choice and trust. As it relates to the launch of the new GTLD program. And so, that review team is looking into how the new GTLD program and the new extensions contributed to the areas of competition and consumer choice and trust. Another area is taking a look at the security and stability and resiliency of the internet. And so, we will have a review that will be kicked off later this year that's going to take a look at how ICANN handles a security, stability and resiliency issues.

And then the last type of review under the affirmation of commitments is the who is related one. So that takes a look at the who is policy and how it's implemented and whether it meets the needs of law enforcement and the broader internet community. And so, those are the reviews under the affirmation of commitment. Those are conducted by community members. And what we typically do with reviews. And this is all specified under the affirmation of commitments is that there will be -- there are a group of individuals that are designated to represent the

different supporting organizations and advisory committees of ICANN. And so a review team is a closed group, it's a specified number of people that represent different perspectives related to the topic being reviewed. And the affirmation of commitments, also, ensures that there's the opportunity for independent experts to participate in the review under the affirmation commitment, as well.

So when you're looking at a topic like Consumer Choice and Trust, you would see experts that have expertise, individuals with expertise in areas of competition, for example, or economics, or consumer protection. And so that way, those perspectives are reflected in the recommendations that come out of the review team. And the other types of reviews we do are the organizational reviews. And those look at the ICANN structures themselves to see whether they're properly being managed and operated. And as many of you may recall, we are in the process of concluding the review on the GNSO and we're kicking off the review of At Large organization. And that type of review is a little bit different than the AOC review because it's actually conducted by independent experts, independent reviewers, that is. That are under contract with ICANN to take a look at how that structure works.

And so, the organization reviews look at the different structures such as the GNSF, non-com, and those are mandated by the bylaws and involve groups of staff and these independent reviewers taking a look at the organizations and how they can be more effective.

And so, what comes out of reviews. When you look at these reviews, what comes out is a very important series of recommendations. But they don't come to the board until they've gone through a vetting process with the community. So what these review teams will do, these community-led review teams is they will come up with recommendations for how to improve the particular area. So if you're looking at, for example, the who is reviews, you would be making recommendations -- you'd see recommendations that relate to how to improve the who is policy and there would be public comment opportunities where as people who are not members of the review team can come in and share their perspective on whether the recommendations make sense.

And then those recommendations get fed to the board and they decide what to do with the recommendations. The board of directors might have some of those recommendations be fed into some -- the long-term planning process for ICANN. And you will see, for example, in our strategic plan, our five-year strategic plan that there's a lot of projects and goals and portfolios that relates to recommendations that came out of the review

team. The board also accepts the recommendations, sometimes, there might be changes to the recommendations. And the board can also reject some of the recommendations if it feels that the recommendations weren't appropriate.

From the organizational review side, the independent reviewer would make recommendations. And, again, those would be vetted through a public comment process and some of you may have seen that with respect to the GNSO recommendations where there was a community feedback on how those recommendations were perceived and whether they were appropriate to be accepted for further implementation. And so, as part of the work that comes out of the independent reviewer, these recommendations go to the board and the board goes to the same process of determining whether some of the recommendations should be adopted or all or whether there should be changes to the recommendations. And some of the recommendations may, in fact, be rejected.

And in the case, for example, of the GNSO, there was a working party that took a look at the recommendations and felt that some of the recommendations that came from the independent reviewer weren't ones that made sense. And so the working party from the GNSO made recommendations that not all of the ones that came from the independent examiner should be adopted. It's the process that you will see as many of you may be involved in dealing with the issues that came out of the review of the At Large organization. And from the perspective of the board and staff, we really as we work through both of these types of reviews, we're looking for recommendations from the review teams that are clear and can be prioritized and are measurable and actionable.

One of the things we've learned from the early reviews that were taken right after the affirmation of commitments was signed is that sometimes recommendations might be vaguely written and the intent of the recommendations may not be always clear. And so as we guide the review teams going forward, we're looking for the review team to really take a look at the recommendation and prioritize and to show how important they are. And also, how they can be measured. What is considered success for a recommendation. That is something that is an important part of the review team process. And then, we always want to be mindful of the resources because as it may happen, some recommendations may take a lot of the resources and time and planning in order to implement. And others may not need so much financial backing. And that's part of the process that we're looking for when we're supporting a review team.

And now, with respect to the role of the community, the community plays a tremendously important role in the review

cycle. Even though the review team itself is a confined group of individuals that are selected to be on the review, there's opportunities in the review process for the community to participate. So, for example, the very beginning of a cycle, there would be a call for volunteers where community members submit their names of individuals to participate in the review team. At that point, there's an endorsement process where the supporting organizations or the advisory committees can endorse candidates. And that's a very important part of the process.

And then, as the review team continues its work, there's a plan for action that is presented. The community participates and consultations that take place during the ICANN meetings when the documents and recommendations become a draft report. There's an opportunity for input. And then, there's always opportunity at the end when the final report is delivered to present your opinion as to whether those recommendations make sense.

And this is an important slide that I wanted to share with you so you can plan your work over the next year or so. It's a very busy time right now for my department, and in particular, for the review process. As you look at the slide today, we -- as I mentioned, we are concluding the GNSO review, we've kicked off the consumer choice and trust review, and we're moving into the At Large review. All of that is essentially occurring right now.

Well, next month, we'll do the call for volunteers for the next review team, which is the second review team on security, stability and resiliency of the domaining system. And that will kick off a series of work-related to that topic. Later in the year in October, we'll do another call for the second who is review team. And that is will look at the Who Is policy as I mentioned before. To be followed up in the year 2017 for the third review team that takes a look at accountability and transparency. Just so that you can keep that in mind as this work progresses, we will be looking for the At Large community to come up with names of individuals that might want to volunteer for those activities.

And with that, I'll pause. Terri, do we want to do the pop quiz now? Or wait until the end?

>> Hi, thank you, Margie. Let's conduct our first Pop Quiz. You'll see the pop quiz question appears in the bottom -- in your right-hand side of your screen. And the question is, what is the CCTRT review? Please select your answer now.

Once again, you should be seeing the pop quiz question on your right-hand side of your screen. And we'll give everybody just a few seconds longer to read the answers. And Margie, if you could go ahead and please share the answer at this time.

>> MARGIE MILAM: The answer is, it's the review team on competition, consumer choice and trust.

>> Thank you. We now turn to our -- Jonathan Zuck who will give you details on the consumer trust review.

>> JONATHAN ZUCK: Hi, everyone, and thanks for having me. I personally voted for the Cross community team review on that because I felt it was a creative answer. But the CCT review is, indeed, a review of the new detail program in particular. Through the lens of how it enhanced competition in the DNS space as well as choices for consumers, and overall, consumer trust.

Am I able to advance the slides? Or does somebody else do that?

>> Hi, Jonathan, you should have the ability to do so on the arrow.

>> JONATHAN ZUCK: That's fancy. Okay. So the CCTR mandate is competition, consumer trust, consumer choice, to look at the effectiveness of the evaluation and valuation process and the effectiveness of the safeguards that were put in place to prevent some of the downside consequences of the, of the rapid expansion of the new GPLDs. So you can see the language from the affirmation commitments at the bottom.

But the idea is the review, the first one of the reviews should happen a year out. From when the new program began. Of course, there's a lot of question about what that should mean. In many ways, the program is still undergoing because there's strings that have not been yet delegated, et cetera. So in some ways it's early to make this assessment. But this is a review that will continue to happen over time. And so, we'll do our best now and it'll get reviewed, again, in the future.

The CCT Review team members as Margie described were selected in large part by the community and there's six in North America, three in Africa, three in Europe. In the Asia Pacific and seven overall, also includes some independent experts, including an economist who is going to be a great help to us in doing some of the rigorous math associated with determining increases in competition and choice.

And then, the ICANN CEO and chair of the designated representatives of the team. So I think in some form of punishment, designated Jamie Headland to be part of the team and designated FTC who has begun to chair the sub team on consumer trust and safeguards. So you can see sort of where people came from here, Drew Stanley, Robby Stankern are the experts we have onboard. And the two representatives of ALAC are Kaili Kan and Carlton Samuels, also who will be talking to you.

This is a little bit of a dense slide, but you'll be able to read this at your leisure. But one of the first things we had

to do was to define what we meant by consumer. And that ended up being fairly broadly defined. And then, the notion of trust, competition and consumer choice. So choice was sort of demand side, and competition was supply side, if that makes sense. And one of the most intriguing exercises is to find the relevant market.

You know, the one possibility is to look at the new GTLD market. One is to look at the overall GTLD market. Another aspect of the market is the role that CCTLD play as competition for GTLDs. Whether they're marketed that way like that TV or .LY, or if they happen to be competition for different regions. There's been a suggestion we ought to be looking at the broader internet identity market so that what is the extent social media like Facebook and elsewhere are competition for new GTLDs? What is the extent to which third level domains, such as the ones square space represent competition? And so, there's the net result is that we're going to probably be looking at a number of different markets and trying to determine the competition levels in each of them and the effect the new GTLD program has had on them.

So one of the things that's interesting about this review team that makes it somewhat distinct from the others is that the work actually began about five years ago with a board resolution requesting that the GNSO and ALAC come up with recommendations for data that should have begun to be collected and Cheryl Langdon participated on that effort along with me to come up with a set of metrics that we might begin to measure and collect so that by the time that the review team actually began its work, there would, in fact, be some historical data to make use of. And so, between the GNSO and the ALAC, we came up with different metrics and data sources that staff have been busily collecting over time. And so you can see on the -- on our Wiki page, which is CCP.wiki, you know, the documents associated with our team, but you can see the metrics that were created and then where to find the ones that have already been published by staff. As far as our own MO for the team, we're trying to be transparent. We're trying to introduce a new concept of fact-based evaluation as Margie raised at the beginning. And tried to make objective measures of these issues of competition, trust and choice. And so wherever we can make a quantitative analysis, we're doing that as opposed to an anecdotal analysis, which is so often the case. So there's data collection, surveys done by Nielsen. There's economic report being done by analysis group. All of things being input into this process.

So we're very focused on trying to make our findings measurable so the success of our recommendations can likewise be

measurable. And so, those are the primary objectives of the review team. And I'm happy to take any overall questions. Otherwise, I'll hand it over to Carlton to talk about some of the substantive questions that we've decided to address.

>> CARLTON SAMUELS: This is Carlton, for the record. Thank you, Jonathan. These next ones are going to be voiced by Kaili, but unfortunately, he cannot be reached at the minute. So we are divided into some teams that are looking at specific parts of the mandate. And we have a team that is dedicated, a sub team dedicated to looking at competition and consumer choice. And we're diving down into something deeper as we say into certain aspects of it. Both Jonathan and Margie emphasized that the review team is really very committed to evidence these deliberations and the recommendations.

So we are looking for data. We are engaging in the field that can provide us with data and analysis of data. Mentioned Nielsen doing surveys and the analysis group doing some analyses of what's happening. Price competition, we're looking at the price competition. The idea, there's a whole thing with price associated with the names and they're also retail prices. We're trying to see what we can find relative to competition using price in the markets. And how that is effective overall. We know that there are nonpriced aspects, service elements and so on. And at various levels, we're looking at those things. We -- I don't know than mentioned the intriguing look at market conditions.

>> Pardon me, Carlton, this is Terri from staff. I do apologize for the interruption. But it seems our interpreters have lost their audio. Do you mind if we could pause for one moment and we can see if we can get them reconnected?

>> CARLTON SAMUELS: Not to worry, Terri, not to worry.

>> Thank you so much for your patience. It'll be a moment longer. And once again, thank you, everyone, for your patience. Just a moment longer. Thank you, everyone, for your patience. We are still trying to get our interpreters back online. It does appear we have one back. We're waiting for confirmation on the other one. One moment longer, please. And thank you, everyone, for your patience. It'll be a moment longer.

And I have confirmation our interpreters are back. Carlton, thank you, again, and pardon the interruption. Please, begin.

>> CARLTON SAMUELS: Thank you, Terri, this is Carlton, again, for the record. We're back to competition and consumer choice. And we're looking at market structures, we are looking at the elements in the market, we are looking at market channels. So we are interested in things like is there market

segmentation? How do we define the market? How do we define segments? And so on. We're looking at issues surrounding the number of choices. Does it involve confusion? We're looking at the impacts in regions and the choices by language available with new coming in and so on. These are substantive questions, competition and choice, the team is doing. As we go along, we intend to involve more of the community in all of this, you will see from the team requests to communities, members, specific communities, registries for help with data and so on.

This is an ongoing process, we'll be coming to you time and again for assistance in gathering information, getting data that we can examine to ensure that we arrive at evidence-based conclusions. The safeguards and trust team is looking at the issues specific to safeguards. You probably know this has been several levels of safeguards. Most of you are familiar with the category one categories safeguards. If you don't remember what they all are, I believe they are outlined in the community. And essentially, what the safeguard is that there are some strings that are linked to regulated or professional sectors that they think should operate in a way that is consistent with applicable law. That's a direct law. That's a direct quote. And for those strings they identify and notice they are not identified them exhaustively, they would want to see specific safeguards applied and they have a category related to regulated market. And there's a whole long list you can go look at that and communicate. And it'll tell you what all of those are. Similarly, category 2 safeguard, they were related to what they call generic terms. And they said, exclusive registry access should serve a public interest goal. And, again, the long definition of what they mean by generic string and so on.

And then there's the public interest commitment. And members of the ALAC will know that the ALAC has been very interested and this has been a major project in ALAC. And our interest, of course, is public interest commitment, should safeguard the global public interest and user interest. And that they should be substantive and they should be enforced. And respect to the ALAC position, the ICANN as a duty of care to ensure that public interest commitments by new GTLD registries are in compliance. Then, of course, there's all sorts of other ones that are strictly related to contractual obligations and registry agreements. Those would safeguard. So then, with respect to trust, there are those things related to behaviors. And consumer and behavior, what happens, how do they engender trust as a whole. We are interested in looking at those in detail. We are looking at the impact of the GTLDs in developing economies, most of you will know they have heightened interest

in this topic, and was very instrumental in development of the applicants of court, that has been an ongoing issue with the ALAC, we are looking at what happened there. We are reviewing how this has impacted the new GTLD. And a whole set of procedural issues. It would be mindful that we had an applicant guide book.

And that has all procedures that set out. There are certainly a lot of opinions to go around. And so the question is, what are the gaps? And how do we mitigate them in the round. These are the issues that the safeguards and the team is interested in doing deep dive on. We have a team looking at the evaluation process. And here, we're looking to see whether or not the application and the violation process did not impact the participation of the market and how those processes might be tweaked to remove those disabilities. There's the opportunity for equal opportunity in the program at large. And whether or not the application and evaluation process discriminated to that extent.

We have other issues, delegation of that will -- the gap public policy advice, category to safeguard and the implementation framework for those. And the last one might be of heightened interest, again, at large. And the issue in the community with definition of GLDs and how do we serve communities and what do we put in place to ensure that is better understood and may be with better outcomes for communities. I'll hand this over now to Margie. And Margie will take the next slide, the Q & A session when we'll come back to you. Margie?

>> MARGIE MILAM: Thank you, Carlton. Actually, we will do a pop quiz question right now. And we will ask the second question. Which is --

>> Thank you, Margie.

>> MARGIE MILAM: Go ahead, Terri.

>> No, go ahead, please.

>> MARGIE MILAM: The question is, what is the CCTRT reviewing?

>> And that was our previous question. Let me quickly bring up the other one. I apologize and there you go.

>> MARGIE MILAM: I thought that sounded familiar.

>> Our current pop quiz question --

>> MARGIE MILAM: Go ahead, Terri.

>> Thank you. Who is conducting the review? Please complete your answer now. Once again, the pop quiz question is who is conducting the review? And Margie, if you could please share the answer with us.

>> MARGIE MILAM: The answer's the first one which has 27%. It is a group of appointed community members and

independent experts. That is the correct answer for that question. Thank you, Terri.

>> Thank you.

>> MARGIE MILAM: And before I hand it off to Jonathan to go through the next slide, is there anything you want to add about the subjects that Carlton was talking about in the prior slide?

>> JONATHAN ZUCK: I guess not necessarily. Maybe we'll leave it for the question and answer period. Yeah. I can't think of anything specific to bring up.

>> MARGIE MILAM: Great. Why don't you go ahead and walk through the next slides, then?

>> JONATHAN ZUCK: Okay. Sure, so one of the other things you can find at the CCTWiki are the draft work plans for the various sub teams. And the overall work plan for the review team itself. We are trying to get some findings done by the end of the year. Because we are working in conjunction with the PDP on subsequent procedures, which is trying to look at what future applications for new GTLDs may or may not look like. So we want to make sure and be an input with our findings and recommendations. So we have determined issue areas thus far and the next part of this has been requesting additional data. So as I mentioned at the top, we've been doing some data collection over the past few years, but as once the review team convened, we had to look at where there might be need for additional data.

One of the areas that Carlton talked about was participation in the program from the developing world and that is a tricky issue to study because it involves kind of interviewing the people who didn't apply, which isn't the list that we have in front of us to try to get an understanding of why more potential applicants from the developing world didn't apply for new GTLD strains is something we're very interested in trying to figure out as part of our findings. We may engage some outside research on that, for example.

As I mentioned, there are surveys and economic study that were launched a year ago to create a baseline look at what prices look like in the case of the economic study and how consumers were feeling about the new GTLDs. Now, a year later, both of those studies were being repeated, essentially. So we can see if there's been a change over the course of the past year and whether or not consumer feelings about the new GTLDs have changed, good or bad in terms of their trust of the system, if their behavior has changed. And also, whether or not pricing or pricing strategies or nonprice competition has changed over the past year at the GTLDs have begun to enter the market.

So in May and June, we'll see the results of the consumer

survey and the economic survey published. We're hoping, then, in the fall to issue some interim findings and then for community feedback, et cetera, and then in December look toward a draft report for public comment and to get people's feedback on both the findings and the recommendations. And to incorporate that feedback and then hope to deliver a final report and recommendation to the ICANN board next April.

So, obviously, we're interested in having you follow along with what we're doing and to provide input, in particular, via your representatives who are Kaili and Carlton. They stand ready to take feedback from you. And bring it to the review team. You can see our activities on our Wiki on CCT.wiki, our email archives, listen to our calls and meetings. They're all public. You can always listen in. You can't speak, but you can listen in and then speak to Carlton or Kaili to raise the issues that are important to you.

If you'd like to send an email to us directly, you can reach us at inputtoCCTRT.org. If you have thoughts or feelings, things we may be looking at, reach out so we can make sure to do the best possible review.

And this is us at our first face-to-face in Los Angeles. We're about to have our second face-to-face, well, I guess our third face-to-face. We had one, as well, about to have our third face-to-face in Washington, D.C. on the 6th and 7th of June. I look forward to seeing everybody back. Yeah. Go ahead.

>> TIJANI BEN JEMAA: I would like to mention that we have a liaison from the GNSO. Carlos is from Costa Rica, but he is our liaison for the GNSO as well as the working group. Just to mention that.

>> JONATHAN ZUCK: Thanks. On subsequent procedures, that's the group that's looking at the what the shape of the new GTLD program might be going forward and Carlos is serving on that working group as well as review team. So he's our agent on the inside.

>> TIJANI BEN JEMAA: Thank you very much, Carlton, Jonathan and Margie. I hope that everyone (inaudible) I hope that everyone has questions to ask you about this work. We'll try to first ask you a simple question. Your recommendation, go to the guide book to change it for the upcoming (inaudible). It is only generic recommendation because everything you said here concerns very much the guide book.

>> JONATHAN ZUCK: Thank you, Tijani, that's a very good question. And I believe that the best way to think about it is that the PDP Working Group on subsequent procedures will be the ones that actually make the direct modifications if any to a future guide book. So we'll be making recommendations to the

board that are larger in scope to deal with some of the issues associated with the developing world or potentially increasing competition and choice where, perhaps, it did not take hold. But the actual specific changes to the guide book will come through that PDP working group.

>> TIJANI BEN JEMAA: Thank you very much, Jonathan. First of all, I will ask Terri if we have still other questions.

>> Hi, Tijani, we do have one final pop quiz question. One moment, please. While I bring it up on screen. And our final pop quiz question will be what will the review team be producing? Please select your answer now. Once again, the question is, what will the review team be producing? And Margie, if you could provide us with the right answer.

>> MARGIE MILAM: You are all correct. The answer's the one that's about 100%, which is the recommendations measurable and implementable recommendations for ICANN board consideration. Thank you. Now, Carlton had a question he wanted to pose to the ALAC folks on the call. Carlton, would you like to read your question?

>> CARLTON SAMUELS: This is Carlton, yes. Concerning safeguards. Are there any that we can point to as significant as successful to the intent for which it was originally devised? And this is to my colleagues in At Large.

>> Could you repeat your question?

>> CARLTON SAMUELS: We have a set of safeguards, the public interest commitment, the category ones and twos and the contractual ones. And I wanted to hear from you all whether or not you think any of them, any one has been successful in terms of what the intent was.

>> I'm sorry, perhaps it's not fully successful. But I think (inaudible).

>> Thanks very much, Tijani. I can answer this and I can ask my question, as well. I have a question afterwards. I pass on to Alan for taking the floor. Thank you.

>> Alan?

>> Thank you. I don't think the question is answerable at this point. For a number of reasons. First of all, all the safeguards the GAC requested were not implemented. The board in its wisdom reduced some of them significantly. Some applicants voluntarily did that kind of thing. So how you can tell whether someone who did something voluntarily is successful because you don't know what the alternative would be if they hadn't done it. Moreover, last time I looked at this, and it's a few months ago at THP point. When you look at some of the potential problems you can have with TLDs, the number of registrations was too low to show up on a scale. If in a larger TLD you may see 1 out of

110,000 registrations cause some sort of potential problem if a TLD only has 22,000 registrations, the statistics will not show up. Those kinds of things. I think the numbers are certainly when I last looked for them are too early to make that kind of judgment. And in many cases, if safeguards were implemented, there's no real way to predict what would have been different if they hadn't. You're being asked to prove a negative at that point. So it's a really difficult problem. And I, you know, I'm not quite sure how you address them. But the real issue is in my mind, how do we make sure we err on the side of prudence and safety and not put consumers at risk? Thank you.

>> Thank you, Alan.

>> Thanks very much, Tijani. First, to answer the question that Carlton has asked. On the -- and this is just really my point of view that I'm (inaudible). I'm hearing a nasty echo at the moment, but I'll continue speaking. On the subject of public commitment, I once heard someone say that there weren't worth more than a bucket of spit. And I was shocked at the time of hearing this. It might have been someone on this call. In any case, all I can say is that so far, that person appears to have been quite correct on this. They are voluntary as Alan has said. And the -- one of the weird things about them. Some of the organizations that did implement them and that did come up with a number of safeguards for their domain appeared to have somehow overdone it. And one discussion that I had yesterday with some people during this internet governance forum was one of the new GTLDs for highly regulated that was on this list implemented safeguards which are so tight that none of the organizations that should be able to register domains under that TLD have been able to do it successfully so far. So they've been very much too strong on this. And it reminded me very much like the work of the joint applicant support working group that had made the tightening of the regulations or the things that were required in order to qualify for applicant support so tight that no one ever qualified or just very few people managed to qualify for it. When it comes down to category 1, domains, or the one in the category 1 list that the GAC had supplied as Alan said, there doesn't appear to be any interest in the board to push forward with something like this. It's very disappointing and I have -- I don't think there's even any interest from anyone in the whole process from proceeding forward pushing one way or another about this. So I'm particularly concerned about that.

We're delayed, or the process to try to find a solution was delayed again, and again, we had to run around the block a few times and at the end of the day, nothing came out of it. And

it seems to be a pattern, unfortunately. So that's the end of this process as well as at least as I see it. Although, there was a lot of good will from At Large to try to move things forward. It seems this is the kind of -- the last word. The only word. But I do have a question, but I've seen that Alan has put his hand up. I'll give the floor, I guess, back and ask my question afterwards after we finish discussing this. Thank you.

>> Thank you. I also have a separate question. I'm going to be a little bit more generous than my colleague. The board implemented most of the requirements with the exception of prior verification and validation of the credentials before granting a domain name in the list of TLDs they specified. The ALAC did a pretty extensive review of those TLDs and our conclusions were among other things, the GAC was somewhat overreaching in the list. In that were a number of TLDs where the verification, validation a before granting the domain name was certainly valid. And some TLDs, in fact, have done that voluntarily. A fair number have done it voluntarily, but the list was too extensive. So if it was a do it for the whole list or not at all, the board may well have taken the right decision. But sadly, there should have been a middle ground. And I'm still optimistic that between the review team and the PEP, both of whom were requested by the board to consider that issue, there will be a look at the granularity and what might be required for a subset. Thank you. Are we still here?

>> TIJANI BEN JEMAA: Sorry, I was speaking to myself. I was muted. Thank you very much Olivier, Alan, back to you. Olivier?

>> I was unfortunately imitating you also speaking to myself. Let's start again. And I was going to follow up on the answer that Jonathan had provided and the process by which the secret procedures PDP is going to take in the input from the CCT. And the CCT is going to send this, it's going to go to the board. And then from the board, it will go to the PDP. But by that time, the -- we won't be operating under the AOC anymore by the end of the work of the CCT and we'll be operating under community power system. Does that mean that the community could overrule the input from the CCT?

>> I think the nature of the community powers is that they can overrule the findings of any review team. But, remember, that part of the accountability reform is, in fact, to bake the review commitments from the affirmation of commitments into the bylaws. So it's not as though there will be something automatic that happens that makes the review irrelevant or something like that because it'll be an ongoing requirement to review the new program for competition, choice and trust.

If the actual community empowerment mechanisms are put in place to override board approval or disapproval, I guess, of our recommendations, then that would be the community operating, you know, within its purview. Does that make sense?

>> Yeah. It does make sense. And then I can just say I do have concerns about this because of the unwillingness of the -- well, of the -- this part of the AOC being transported into the new bylaws. I understand that -- and I might be wrong now because things might have moved on. But I understand that this review was only going to happen for the current round of new GTLDs and I'm not sure if it's baked into the new bylaws for the future ones.

>> It is at this time baked into the review for future rounds. There's, in fact, a community mechanism to change that fact. But, again, those are fairly high bars. In other words, the community has the ability to add and remove reviews if they want to. But that's a very high bar, and difficult to do. So I think for the foreseeable future, we'll see an ongoing CCT review. But at the very least, there's no reason that the recommendations of this team will be disrupted by the new community mechanisms.

>> Thanks, Jonathan.

>> TIJANI BEN JEMAA: Thank you, Jonathan and Oliver, Alan, please?

>> On that last point, I think, but I don't remember the exact wording that the review will not be triggered by a new round should there be a new round. But is at this point subject to the five-year rule, I think, but I'm not 100% sure. In any case, I have a more general question. And you may not be far enough along to answer the question. The concept of competition in TLDs has always intrigued me. And this goes back to when I first started with ICANN and the expression that was used is let 1,000 flowers bloom. We need more and more of these TLDs. TLDs in my mind do not in general compete with each other. For right now, we have several, I guess, close to 2,000 TLDs floating around.

And if you look at the subset that competes in any given instance, it is a small number. So up until recently, dot com might compete with the CCTLD in the region that the domain was being registered. I run a genealogy society, and we a .ca, .org, these days, we might get a .club if we thought there was a reason. But we're not likely to get a .auto, .hotel or .puppy. A very small number of TLDs may compete with each other. And they may be successful, or not. So I'm not quite sure what the whole concept of competition in the whole domain marketplace means. Can anyone enlighten me? Or is that what you're spending your

time talking about?

>> Well, thanks for the question, Alan, and feel free to break in Carlton if you'd like, as well. That is what we're spending time talking about in the competition choice and team. As I mentioned at the top, I think addressing the very problem that you raised is one of the challenges. And that's why we're likely to perform an analysis on a number of different market definitions. So right now, we're looking at trying to divide the new GTLDs up into a number of different types of markets. Whether it's this thing so there's four or five TLDs that are -- could be used for education. For example, or photography. There's also linguistics groupings that could be created. There's geographic groupings that can be created. And I think as you say, the number that will compete against each other won't be the total, but in fact, will there be competition in these various markets? And I think it's reasonable to ask whether or not the new GTLDs are in total somehow creating competition for the more generic legacy GLDs, you know, such as dot com. So are you more likely to get Greenberg genealogy than greenberg.com? If it's not available, finding a better strain as you say in .club or .genealogy, right? So I think -- so parsing into various markets is how we're going to look at that, but we'll also look at them as a whole and as sort of verticals are they able to semantically compete? And does that have an impact on pricing.com, et cetera. So those are some of the things we'll be looking at.

And it's not necessarily going to be easy, but that's what we're trying to do, Alan. And to see if competition was created. That said, there's certainly a part of the ICANN community that believes that there doesn't need to be competition to justify new GTLDs. Let a thousand flowers bloom notion suggests that if we can mitigate the downstream consequences of expanding the numbers of GTLDs, we ought to allow people to create them at will and that performing an economic analysis on whether or not competition or choice has been created doesn't need to be the justification.

I think it gets used as a justification if we aren't mitigating the downside consequences for IT holders or others, consumer confusion, you know, increased attacks, et cetera. You end up having to come up with a balance. All things being equal, I think many would suggest we don't need an expectation to advance the program.

>> As a quick follow-on. And I don't need an answer of what you're finding, I presume you're also looking at whether this is real competition or essentially coercion to have to spend more money to make sure all of the possibilities are

covered in whatever minimal field you're in.

>> JONATHAN ZUCK: Yes, Alan, that's a good question. And, in fact, Kaili, your representative to the group has raised the specter of this kind of inadvertent, I guess, coercion of which he speaks. So the obvious one is related to intellectual property that I've got to go out and buy all kinds of TLDs in order to protect my brand. But the other possibility and Kaili has raised this is have we created the scenario in which to fully cover your business you have to get .club .Paris and .genealogy if that were one all together in order to sort of cover the different places people might look for your business. And so that's an interesting question we're trying to explore, as well.

>> Which is exactly why we have two from my genealogy group.

>> JONATHAN ZUCK: There you go. Thanks for your question.

>> This is Carlton. I just want to add and Jonathan has said, this competition issue has certainly been taking up a lot of your time. As you know as Jonathan mentioned has been closely watching. Because of that interest in this competition, especially the IP protection. Which he's thinking about -- they shouldn't be classified as competition. Those kind of moves should not be classified. Although, we have a group that says nonprice competition. That's the position that he's been involving with him. We're taking a lot of look at that. But the market segmentation attempts that we are making is what we think will probably help us to glean some answers that we can use from answering the question whether or not competition has emerged in the domain name space from the GTLD. I think right now the more information we have, the more influence we have from community as to what, for example, you gave your genealogy example. It will certainly help to kind of frame as we look at how we could segment the market to see what's happening.

>> JONATHAN ZUCK: Carlos?

>> It appears Carlos is having trouble with his mic. And this is Terri, if you send me a private chat, we're happy to dial out to you on the telephone.

>> JONATHAN ZUCK: He's withdrawn his question, he wanted to respond to Alan's question, I think.

>> And Tijani, if you're speaking, I do believe you're muted at this time.

>> TIJANI BEN JEMAA: I don't see the --

>> You're back. Thank you, Tijani. You're back.

>> TIJANI BEN JEMAA: Okay. We think fixing the problem with Carlos mic, is there any other questions? Our speakers?

>> It does appear we have one question in our chat. And

I'll read it for him. We found weak demand from Africa. What to do to have more application? And also to avoid falling on the current problem of Africa.

>> JONATHAN ZUCK: Thank you for your question. And there is a separate sub team that is looking into the application and evaluation process. Specifically, to see if there were either disincentives or a lack of incentives for applicants from Africa, Latin America and Asia that might otherwise have applied. So one of the things that we're trying to determine is the cause of that lack of application. The easy answer is that it's about money.

>> Jonathan, this is Terri. I apologize for interrupting you during the answer, but it appears our interpreters have, again, disconnected at this time. There appears to be some technical issues with their connection. If we could just give them a moment to rejoin.

>> JONATHAN ZUCK: Sure. As the person asking the question is on the French channel, as well.

>> This is Terri, our interpreters are back at this time. Thank you so much for your patience on this. Jonathan, if you could please continue.

>> JONATHAN ZUCK: Sure. I was trying to put something in the chat in case they didn't come back. But the -- the idea here is that we are trying to explore the reasons for the lack of applications from the developing world generally, including Africa. And so, as part of that, we will be trying to reach out to the same kinds of entities, whether they're brand owners or communities or registrars, et cetera, that did apply from the developed world or the global north and try to find those people and ask them why they didn't apply and the answer may be about money, lack of awareness, about the program, it may be a lack of confidence in the market for new GTLDs in Africa. So once we have a better idea about what it is that prevented those applications from taking place, we'll be able to make recommendations to the boards to better facilitate applications from the developing world in the future.

>> TIJANI BEN JEMAA: The same person asked why the GTLD application are stopped for some years. If you want to answer this question.

>> JONATHAN ZUCK: Sure. So one of the interesting things that happened is that the new GTLD program, I think, in an attempt to keep it from being overwhelming was designed as a round that had a limitation on the time. And ironically, I think that led to more applications than we would've gotten had we just had open applications. Ones of the things considered both by the CCT review team and the PDP on subsequent procedures is

whether or not a new application should be handled in the future, or if there should be an easy way to apply in an ongoing basis the way there is for registrars today. So that's why there's a break now is because there was planned to be so there would be time for these reviews. And in the future, those applications may be ongoing.

>> TIJANI BEN JEMAA: Thank you. And he also spoke about Africa.

>> JONATHAN ZUCK: I feel like I should only speak about Africa with my attorney present. So I don't have anything specific to address on that. I don't know if Carlton or Carlos would like to speak to that.

>> TIJANI BEN JEMAA: Thank you. I think that's Carlos.

>> Hello, can you hear me now?

>> TIJANI BEN JEMAA: Yes, good evening.

>> Thank you. Sorry. I just want to comment to Alan Greenberg's question or comment that we have -- the definition of competition, consumer choice and consumer trust. And it's worthwhile in the chart of the review team. That gives you a first step into the explanation. And the second comment I wanted to make to Alan is that competition normally is seen from the point of view of the consumer and the consumers here are either applicants or users of the internet. And as already mentioned, the barriers to entry you cannot get a new TLD that were related to the applicant's guide book. But the test is -- if there is no competition, prices should be lower. And the moment you see (inaudible) others are being sold for very high sums, amounts of money. At least we see a lot of activity. We will have to find out if that's competition. But in any case, we think a lot every day about that. And please refer to the charter where I think clear definitions have been made about competition, choice and trust. Thank you very much.

>> TIJANI BEN JEMAA: Thank you, Carlos. We have four minutes left. Terri, can you please proceed to the evaluation questions?

>> Certainly, thank you. At this time, we'll now conduct our evaluation survey question. There are total of 10 questions. The first question, the captioning feature of the Adobe connect room is part of a pilot. Please choose a suitable term.

Moving on to question number two. Please identify all categories that describe who you are. Survey question 3, what benefit did you get from accessing the captioning stream?

Continuing from that question, if you would like to describe what benefits you were able to get from accessing the captioning stream.

>> TIJANI BEN JEMAA: This is the last question.

>> And Tijani, since it's a webinar, there's actually several more questions. There were a total of ten.

>> TIJANI BEN JEMAA: Okay. I would like them to finish this addition after the last question. Because we have one hand raised now and I'd like to give the floor. To please, go ahead.

>> Go ahead with the person who has their hand raised and it'll give folks a few more minutes to free form type into the section, then. And we can continue after --

>> TIJANI BEN JEMAA: Thank you very much. Thank you. Renata, go ahead. Renata? Okay. So continue. She has lowered her hand.

>> Thank you. Survey question number four. Where else do you think captioning should be required? Question five, how do you rank today's session in terms of quality of information? Question six, how was the presenter's delivery? All the presenter's delivery, apologies. Question seven, do you plan on using any of the information directly with your At Large structures? If yes, please explain. And finally, any further comment or recommendations about the content of the session. I will leave the evaluation question up. And please feel free to take your time to fill in your survey. Tijani, I'll hand it back over to you for any closing.

>> TIJANI BEN JEMAA: Thank you very much, Terri. So you may continue to answer this question. It is better to do it on the Adobe connect, but if you don't manage, you can do it. Thank you, all, thank you very much. I'd like to thank all our speakers, Margie, Carlton and especially Jonathan who is the chair of the review team and I'd like to also thank the interpreters. Thank you very much. And see you on the next webinar. Bye-bye.

>> Thanks, everybody. Bye.

>> Thank you. Once again, the meeting has been adjourned, thank you very much for joining. Please disconnect all remaining lines and have a wonderful rest of your day.

(Webinar ended at 6:34 p.m. CT,) I