
TERRI AGNEW: Certainly, we'll go ahead and begin at this time. One moment, please.

Good morning, good afternoon, and good evening. Welcome to the ALAC Leadership Team ALT mid-monthly call taking place on Thursday the 11th of August, 2016 at 21:00 UTC.

On the call today we have Alan Greenberg, Tijani Ben Jemaa, Holly Raiche, León Sanchez, Cheryl Langdon-Orr, Olivier Crépin-Leblond, Yrjö Länsipuro, Maureen Hilyard, and Julie Hammer.

We have listed apologies from Sandra Hoferichter, Gisella Gruber, and Heidi Ullrich.

From Staff we have Silvia Vivanco, Yesim Nazlar, Ariel Liang, and myself, Terri Agnew.

I would like to remind all participants to please state your name before speaking for transcription purposes.

With that, I'll turn it back over to you, Alan.

ALAN GREENBERG: Thank you very much. Are there any comments on the agenda, specifically any other business? We may have an in-camera session but probably not at the end of the meeting before any other business.

Hearing nothing, seeing nothing, we'll go on to the first item. We do have an echo from somebody.

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

The first one is the review of action items out of the previous call. And Heidi could not be with us, but she did tell me that we do have some action items we need to review so it'll take a moment if we can find them. If anyone on staff has their act together and knows which the items are that are open, perhaps you can guide us. Otherwise, let us scroll down and look for missing tick marks.

We have open action items: Gisella, Terri, and Natalie to monitor use of additional languages over the course of a few months. That seems to be an open ongoing one. I haven't heard any what's going on there, and I don't think we need to embarrass people in the middle of this meeting, especially since Gisella isn't with us and I presume Natalie is not with us.

New gTLD Working Group to identify a new Chair. That one I would like to talk about. We're in the midst of a new gTLD process. A few ALAC people are contributing. There is no working group open and I think, although we've been talking about revitalization of working groups in a general sense, I think this one we need to focus on in specific. And I guess I'm looking for input on do we have any idea who we can finger as a volunteer to run this. If anyone has any thoughts on it, then I'd really like to hear that.

I see Holly has her hand up. Go ahead, Holly.

HOLLY RAICHE:

Just a question that there's a thing called Subsequent Procedures which is part of the issue. There's the Consumer Trust which is part of the issue. To have yet more people involved I'm just wondering if we can actually combine the people who are involved in those.

Now, you and I are sort of involved in the Subsequent Procedures. We've certainly got – I think it was Kaili and Carlton. Kaili reports back regularly. Why can't we combine those because it's like now are we going to have three different groups doing these bits of the same issues really? That just puzzles me. Thank you.

ALAN GREENBERG:

I think you're answering a different question, Holly, and Cheryl, I see your hand up. I'll go to you in a moment. You're answering who do we put on the initial mailing list of the reformed, reconstituted, new gTLD Working Group. And yes, the superset of all the people who have actually already committed to working on aspects of it are certainly the initial members. I'm asking who do we get to Chair it.

Cheryl?

CHERYL LANGDON-ORR:

Thank you, Alan. And yes, I agree with you that that superset of people which includes me last time I checked I was relatively engaged in the Subsequent Procedures Working Group.

ALAN GREENBERG:

Really? You work on GNSO Working Groups?

CHERYL LANGDON-ORR:

Yes, just occasionally, Alan.

ALAN GREENBERG:

Okay.

CHERYL LANGDON-ORR:

Anyway, enough of that. I wouldn't have thought I was that easy to overlook, Holly, but we'll talk about that later [inaudible]. It's alright. It's morning here and Aussies are feeling [fine] because we're watching the Olympics and we're doing really well. All that aside.

Two things, I think let's make sure we don't put cart before horse here as well. And that is, I'd like to see us as a quick little refocusing of the Charter, in other words, actually do one, for this to be a "fit for purpose" activity. Because, as Holly said, with the very specific things that are going on, we need to get edge community feedback into those activities.

So I'd like to suggest that whilst we look for someone to Chair, and a Chair is going to feel more comfortable if they know what their job description is going to be and what the expectations is going to be, that we also do a bit of wiki work and develop a specific mandate for this reconstituted, revitalized, whatever it is, group. I would like to suggest on that that how Olivier and you, Alan, ran the support for the CCWG and the CWG is not a bad – although I would suggest less intensity is required – not a bad template. In other words, we have a regular but not brutally so unless it is required, meeting that role is to update those attendees at that meeting of what is going on in relevant work groups, therefore bringing in the subsets that you and Holly were talking about. And also to discuss any seeding that is required into those particular activities as well as capture sort of general type stuff.

Because if you looked at our list recently, there's no shortage of general type stuff. We have some highly opinionated At-Large individuals or individuals At-Large perhaps and their thoughts and desires need to be captured as well. But I wouldn't want to see that sort of activity being the focus/proliferation of various colored discussion papers, etc. etc. – being the only output. I think if we can focus them on seeding into these other activities that would be a good thing. It shouldn't be a tough job to do, but that model means that we can find someone to administer it as Chair more easily. Thanks.

ALAN GREENBERG:

Okay, thank you. I guess I come from the school where the Chair likes to have a part in crafting what the group will do, but yes, the reverse also has some merit. Anyone else want to speak on this?

Cheryl, you suggested that there be some wiki work to come up with a mandate, a mission, if not a full Charter. I tend to prefer the lighter versions at this point. Are you volunteering to run that, or is this something else that somebody else should do?

CHERYL LANGDON-ORR:

I'm volunteering to work with, let me tick a couple of names off the list – León and Maureen with it.

ALAN GREENBERG:

Okay. Sounds like you just volunteered three people. Staff will be glad to set up a wiki space for you.

Alright, next item on the unticked: Alan Greenberg to review the cleaned up At-Large mailing list, database, and let Ariel know which mailing lists [to] retire. That has not been done. And there was another mailing list – this is the long list. This is an old long list, not the current one.

Newly assigned items: Olivier to lead an informal discussion with the Commercial Stakeholders Group and understand whether there is a potential interest in holding a meeting at ICANN 57. Olivier, have you gotten around to that yet? I know you've been just a little bit busy.

OLIVIER CRÉPIN-LEBLOND: Yes, trying to amuse himself because it's a locked phone and everything else. No, I haven't even started with them. I can certainly start contacting them. In fact, I'll do that tomorrow. I'll put this on my action item for right away. It's just an e-mail that I can send out.

ALAN GREENBERG: Next one is also yours: discussion about meeting with the registries.

OLIVIER CRÉPIN-LEBLOND: Neither of these I've followed up with.

ALAN GREENBERG: Actually, this one is proposed to the ALT. It is proposed. I can't remember when you raised the issue, but I think we said sure talk to them and see if we can do something.

OLIVIER CRÉPIN-LEBLOND: I don't know if I raised it in the last ALT call or not, but I might have just raised it by e-mail with you.

ALAN GREENBERG: No, I remember talking about it, so it would be either the ALAC or the ALT. I can't remember which.

OLIVIER CRÉPIN-LEBLOND: Okay, well if there is a green light or a wish to do that, then I can certainly get in touch with both the registries and the registrar and GNSO Counselors and find out with them.

ALAN GREENBERG: Sure, because that's going to be one of the actual items we're talking about later on about ICANN 57.

OLIVIER CRÉPIN-LEBLOND: Okay, are there any specific topics of interest, by the way, because just turning up and say, "Hey, do you want to talk to the ALAC?" is one thing, but are there any specific topics?

ALAN GREENBERG: You raised the issue, I think you said Paul Diaz had talked to you and I think the discussion is do we want to meet at ICANN 57 and if so, what do you think we should be talking about?

OLIVIER CRÉPIN-LEBLOND: Okay.

ALAN GREENBERG: I mean, the ALAC certainly could talk about the issues relating to the highly regulated TLDs. That's certainly a discussion we could have. They may not want to have that discussion, but it's certainly one we could have. They may have other things on their table.

Next item is later on on our agenda so that should be ticked off. Ariel to check with Alan about the AI related to metrics. And that is the discussion that is currently being had. I think the decision has been made that we will start publishing our metrics, and now we just have to get the spreadsheets and whatever in shape so we can do that properly.

At-Large to keep track of ALAC members voting. Where is that? That is in progress. And that's it. So I don't think there's anything else on that particular item we have to talk about at this point.

The next item is Policy Development. Ariel?

ARIEL LIANG: Thanks, Alan. Can I just clarify the action item about the metrics? Do you want us to set up a wiki page to [inaudible] internal to the ALAC to review these metrics or you want us to distribute it via the mailing list?

ALAN GREENBERG: No, I think we'll do it via wiki. And it's not clear it's going to be internal. I think we've decided we operate in full public view, but we just need to decide exactly how it's going to be presented. So we're going to have to do that offline.

ARIEL LIANG: Okay. Thank you. Now I'll talk about the public comments and the other policy work.

So the first one is about creating a consumer agenda at ICANN, and Garth had posted a revised draft to the wiki. And now we have opened up for community comments, and I know that the finalized proposal will not be presented until ICANN 57. So we don't have a specific deadline for commenting, but I invite all of you to take a look at the proposal on the wiki.

Alan, do you have any comments?

ALAN GREENBERG: I don't have any comments.

ARIEL LIANG: [inaudible].

ALAN GREENBERG: I will have comments on the subject, but I don't have any comments on the concept.

And then the last one in progress is the Independent Review of Trademark Clearinghouse, a services draft report. León and Alan are tasked to review this public comment and decide whether a statement is necessary. So León, Alan, do you have any updates?

ALAN GREENBERG: I don't. León, do you have anything on this yet?

LEÓN SANCHEZ: Just that I think that it might not be necessary to make comments.

ALAN GREENBERG: Yes, I suspect that is the case also. There's probably lots of comments that could be made, but relevant comments related to users I'm not sure. But I'll try to take a look at it myself in the next couple of days and see if I agree with you.

Back to you, Ariel.

ARIEL LIANG: Cheryl has her hand raised.

ALAN GREENBERG: Sorry. Go ahead, Cheryl.

CHERYL LANGDON-ORR: Thanks, Alan. I thought Ariel had run through her list. That's why I was putting my hand up. I just wanted to come back to the one that Garth and Jimmy are looking at, the two-letter code string confusion issue. If they say to you they don't believe we need to do a comment, I agree with that. If they don't get back to you by Monday or Tuesday next week, then I would suggest that the ALT take that as an approach that we don't need to make a comment.

The reason I'm confident in saying that is that this matter is being looked at and will be actioned from a number of different points. So even if there were consumer issues, and confusability is often a consumer issue, I'm pretty confident that anything that is going to be significantly influential in outcome we can pick up in those other places, not the least of which is the various uses of country codes/country names. I don't think we need to make a comment on this particular one, but if they feel opposite, then they'll need to get onto the job pretty quick.

ALAN GREENBERG: I tend to agree. I personally tend to side with the arguments that there have been plenty of cases where two-letter country codes are used and there is never – I've rarely or never seen a case where someone thought it was confusing. I get confused between Canada and California on a regular basis, but California is not a two-letter country code. So be it.

Alright, Ariel. Back to you. We're on the ones requiring a decision.

ARIEL LIANG;

Olivier has had his hand raised.

ALAN GREENBERG:

I'm not paying attention to hands today. Thank you for pointing that out. Olivier.

OLIVIER CRÉPIN-LEBLOND:

Thanks, Alan. I was actually waiting for you to go through the whole lot and then I start commenting on them.

ALAN GREENBERG:

Okay. Ariel, I think it's back to you.

ARIEL LIANG:

So the next one is about the public comment that we haven't made a firm decision. And the first one is the proposed amendments .com Registry Agreement which will close tomorrow. I guess we will not do a statement on that.

ALAN GREENBERG:

We had decided not to. I have received a message from Steve Metalitz. If you remember correctly, when the .com agreement was revised last time, both the Intellectual Property and the ALAC people were quite up in arms that we didn't take the opportunity to – the major point was not taking the opportunity to force a Thick WHOIS on them. That, of course, ended up being a PDP and has a life of its own at this point.

Steve feels that there is perhaps a comment necessary, and I'm going to try to find out from him exactly what the subject is. I don't think we saw anything that was particularly relevant at this point. This, if you remember correctly, is a very short amendment simply extending the contract. So it does push out a few years the opportunity to see other changes in it. But to be honest, I think it's part and parcel of the transition and I don't see a lot of harm in it. That was the conclusion we came to the last time it was discussed.

Go ahead anyone who wants to speak.

ARIEL LIANG: Okay.

ALAN GREENBERG: Olivier? That's a new hand, Olivier. Go ahead.

OLIVIER CRÉPIN-LEBLOND: Yes, thanks Alan. I thought we were going to go through the whole list and then comment. Since we're going through them one by one, I could certainly comment on this one.

ALAN GREENBERG: Why don't you.

OLIVIER CRÉPIN-LEBLOND: As you said, it's just an extension to line the contract that Verisign has with NTIA on the one side, this contract on the other. If we're okay with extending the contract of years and I think that it's a significant number. It's like five years extra.

ALAN GREENBERG: Three, I think.

OLIVIER CRÉPIN-LEBLOND: Oh, is it three?

ALAN GREENBERG: I think so.

OLIVIER CRÉPIN-LEBLOND: A certain number of years. If we're okay with that, then I don't see any point in commenting on this. There are no other changes to the contracts but just the alignment of these two. And I don't think, looking at what it's asking here, it's the right location to be commenting on anything else.

ALAN GREENBERG: Other than objecting to it being extended so that we could comment when the regular renewal comes up.

OLIVIER CRÉPIN-LEBLOND: The question then becomes, in any case we will always be able to comment when the renewal comes. It's just a question of whether we don't like the three extra years.

ALAN GREENBERG: Yes, that's right.

OLIVIER CRÉPIN-LEBLOND: If we don't like the three extra years and we want to renew it ASAP. But I would believe that we would certainly need to provide some reason for being particularly strict about this, because I think it certainly brings forward some kind of a way of saying, "Well .com has not been run properly. We need to be able to review this as soon as possible." This kind of a thing. At least it sends this kind of a message if we don't agree to this extension, that's all.

ALAN GREENBERG: At one level I sympathize. At the other level, if we had a .com contract review right now would we really comment on it, and I'm not convinced. Certainly if you go back into the history, and Ariel, could you as soon as this meeting is over pull out the comment on the last .com renewal and see if there was anything else that was really substantive other than the Thick WHOIS. My recollection is the Thick WHOIS was the main item. If you can do it during the meeting once we finish the quick review, that would be even better.

Alright, seeing no other hands let's go onto the next one: gTLD marketplace health index closes 6th of September, which is about three

and a half weeks from now. Has anyone looked at this document? Is it something we want to comment on?

CHERYL LANGDON-ORR: Alan, I thought we discussed this last time.

ALAN GREENBERG: I thought we did, too, but there's nothing saying there. So either it didn't get logged properly or we didn't discuss it. I don't remember which.

CHERYL LANGDON-ORR: I cannot imagine why it's still [inaudible].

ALAN GREENBERG: Sorry, I couldn't parse that with Ariel talking.

CHERYL LANGDON-ORR: Sorry, I said if we didn't discuss it, I cannot imagine why else I would remember reading it.

ALAN GREENBERG: Ah. Ariel?

ARIEL LIANG: I just want to let you know I sent the public comments to all the relevant working groups but nobody came back to me or you about their review.

ALAN GREENBERG: Alright, let's keep it on hold but let's try to make a decision really quickly. If no one has any interest in it, then by default we're not commenting.

IANA Naming Function Agreement.

OLIVIER CRÉPIN-LEBLOND: Alan, my hand is up.

ALAN GREENBERG: I can't tell a new hand from an old hand, Olivier. Thank you for speaking up. Go ahead.

OLIVIER CRÉPIN-LEBLOND: Thanks, Alan. The document which is up for comment has got a very nice set of graphs, really beautiful and shows all sorts of things about having great competition and things, but it certainly has its flaws. The first one that I can see on there is that it counts a registrar and a registry as being a registrar and a registry. In other words, you could be Verisign with I don't know how many millions of things registered their .coms or you could be .nothing with 10 registrations – I don't even know if .nothing exists – but they would count that as being a registry in each

region. So they equate all of the registries, and it's just a numbers game. And it's the same thing also with the jurisdictions with at least one ICANN accredited gTLD registrars and everything. It doesn't show anywhere, for example, that in the registrar market nearly – is it 70% or more than 70% - of the market is cornered by one company. It doesn't show that.

ALAN GREENBERG: It's even larger when you include Wild West domains.

OLIVIER CRÉPIN-LEBLOND: Yes, there you are. So all it does is to show you a whole number of statistics which are good to look at, but frankly none of them have gotten me particularly excited.

And it shows gTLD registrars being accredited and de-accredited, and the trusts and things, but the numbers just don't seem to be meaning much. So I don't know. I'm not fully happy with this document although it looks nice.

ALAN GREENBERG: Alright, if you read the Skype chat that's been going on At-Large recently, you'll find that some people care from the regions that are essentially affected. For some reason some people care passionately that there are no registrars in some areas. Others seem to think it's not ICANN's problem.

So I'm not sure we have a single view within At-Large, and at some level I would like to have this discussed and maybe it's something that we need to be discussing in Hyderabad. Is this really a user issue or is it not? You'll get people who basically say, "Our users are disadvantaged because..." and will give a number of things, and other people who say, "That's an industry problem. We don't really care." I have my personal views, but maybe it's something we need to pursue further.

We have a queue at this point. Olivier, I'm assuming that is not a new hand. Or is it new?

OLIVIER CRÉPIN-LEBLOND: Now that I see that there are others in the queue I'll yield to the others. I think it's discussion that we just need to have probably on the ALAC calls because it's probably quite [important].

ALAN GREENBERG: Okay. That's a good idea. If staff can make a note to make sure it's on the ALAC agenda for the coming meeting. Tijani, go ahead.

TIJANI BEN JEMAA: Thank you very much, Alan. I do agree that this subject has to be discussed and I think that it is not a users issue. I am afraid it is wrong. It [inaudible] a users issue and I want to remind everyone that the ALAC end users are defending the public interest. They don't have financial interest. They don't have political interest. They have only the public interest. And this is an issue of public interest. So I want it to be discussed deeply perhaps in Hyderabad. Thank you.

ALAN GREENBERG: Thank you, Tijani. Just to be careful, I think you were saying that you believe that is wrong. I don't think any of us can state facts about whether something is or is not a relevant user issue. I think it's got to be the average of our overall positions. I tend to agree with you but –

TIJANI BEN JEMAA: That's my point of view. I didn't say that the others think what I think, but this is my point of view.

ALAN GREENBERG: Thank you very much, Tijani. Holly, go ahead.

HOLLY RAICHE: Just to pick up on Olivier's point, I think if we say nothing else we should question what is meant by market health and what its measurements are because if in fact they're just counting numbers and they're not counting percentage of the market, we should perhaps say at the very least if you are reporting on health what do you mean and you have to explain what [it specifically] means and what it says because clearly numbers alone aren't going to tell the story.

Thank you.

ALAN GREENBERG: Thank you, Holly. Anybody else?

Alright, Olivier, that is a new hand.

OLIVIER CRÉPIN-LEBLOND: Yes. Thank you, Alan. It's exactly what Holly is saying – what do they mean by health? And to me, that paper looks really it's somehow flawed. It's already got a header called "Robust Competitions." It's already saying the competition is robust before it was just competition. But reading it, it looks like a set of statistics that make it look as though ICANN is indeed delivering on enhancing competition, consumer trust, etc. and the New gTLD Program is delivering on this. And to me, it then opens the door to saying, "Well, that really says we can move ahead with another round beyond that." I'm very concerned about the way that is [inaudible].

ALAN GREENBERG: It sounds like we want to comment.

OLIVIER CRÉPIN-LEBLOND: ...put together. Yes, that's all. Discussing it on the ALAC call could probably be a good thing. Just discussing this point, and certainly I agree that that would be a fantastic policy topic in Hyderabad as well.

ALAN GREENBERG: Okay, but Hyderabad is way after this comment closes. I would suggest that –

OLIVIER CRÉPIN-LEBLOND: Further discussion in Hyderabad based on [inaudible].

ALAN GREENBERG: I understand, but Tijani, you and Holly have made comments now. It would be useful if you added them to the wiki.

IANA Function Naming Agreement. Ariel?

ARIEL LIANG: Yes. Thanks, Alan. That's a new public comment just opened yesterday and I don't believe we have got a chance to read through it yet.

ALAN GREENBERG: And exactly what is it?

ARIEL LIANG: Sorry, I haven't got a chance to read through it either. I can report back if you want me to provide [inaudible].

ALAN GREENBERG: Has anyone looked at it? No, let's quickly find out right now what is it?

CHERYL LANGDON-ORR: The opening of it, as Ariel said, happened yesterday. It is simply – and we should be supportive of it – it is the product of our work in the CWG. The specifics of it is looking at the IPR Assignment Agreement, the IPR License Agreement models, and the IPR Community Agreement. So it's

stuff that is being chewed over ad nauseam in the case of one part of it by the CWG, and where we are also reflects the agreements that can be wrought from the potential and probable, I hope, Intellectual Property licensees and owners. So I would think this requires a comment certainly, but I would think it requires a comment in the affirmative and we should probably own it as an ALT with the addition of the people who are members of the CWG specifically because it is a product of our mutual work that has been being put through the filter of the client community and the Sidley expert external legal advice and ICANN Legal. Does that help?

Let me quote for you: “The proposal requires that the domain names that ICANN uses to perform the IANA functions and IANA’s trademark – nomenclature there is the IANA IPR – be transferred to an entity independent of the IANA Functions Operator and held for the benefit of the entire community.” So has that clarified it for you?

ALAN GREENBERG: I believe that that is the public comment which will be opening today, or maybe tomorrow. I’ve lost track. This is one I think is the agreement between PTI and ICANN.

CHERYL LANGDON-ORR: Okay.

ALAN GREENBERG: I think.

CHERYL LANGDON-ORR: Can I suggest other than me reading a different quote, the same goes?

ALAN GREENBERG: Maybe the same answer but it's a different contract.

CHERYL LANGDON-ORR: Repeat everything I've just said and quote a different proposal specificity.

ALAN GREENBERG: I'm happy to be silent on it. If someone feels we really do need to say yea, yea, then I'm happy to allow someone to [graph] something. Do we have a volunteer? Olivier says yes. I think that's what he's saying yes to. Olivier, your hand is up also.

OLIVIER CRÉPIN-LEBLOND: Yes. Thanks very much, Alan. I was saying yes first and then I put my hand up but I had to say yes not. But by putting my hand up, I'll say yes. Okay, I'm confused. No.

This thing is indeed another – it's the IANA naming functions contract. It's the legal document itself that needs to go to public comment before it gets signed by all parties. It's very legal in a sense. The only push-back that we've seen in some of the implementation discussions was from some people who were not happy with the making up of the PTI Board, but that's nothing to do with this contract. And I think that we haven't

seen on our working groups any push-back towards the terms of this contract itself, except if nobody's read it so far. I must admit I haven't read it myself.

ALAN GREENBERG: I object to it conceptually that it shouldn't be there because we shouldn't have had a PTI, but I'm not going to start that discussion now.

OLIVIER CRÉPIN-LEBLOND: Maybe you want to start this discussion [inaudible].

ALAN GREENBERG: No sir. Only with friends over a beer or a vodka or a scotch.

OLIVIER CRÉPIN-LEBLOND: Okay. So perhaps if we don't make a decision on it yet, but we try and really put this over an action item until the next ALAC call to scope through it in our own time over the weekend and then come back to the ALAC on [inaudible].

ALAN GREENBERG: Alright. Let's defer the decision, but as I said, I'm personally happy to be silent on it. But I'm just as happy to say yes, let's go ahead. So we'll defer to the ALAC call, but I'm happy either way.

Proposed renewal of .tel, anyone have any thoughts on that? I have no interest.

CHERYL LANGDON-ORR: Really low-key a factor on .tel.

ALAN GREENBERG: Alright, we're done with this section, thank you, Ariel. Update on the CCWG Accountability, the work groups are starting, one of them has met thanks to Cheryl, other ones are starting to meet soon. Well, other ones have met that I'm not active in, and we've beat the drum a lot asking people to participate. I'm not quite sure it's worth doing again. We could certainly do it once more on the next ALAC call. Other than that, I don't think there's anything to report unless León has something, or unless Olivier has something.

I see a hand up, and I see a hand from Ariel, and I see a hand from León. Ariel first, then Olivier, then León.

ARIEL LIANG: Thanks, Alan. Sorry, I was still talking about the previous agenda item, because you gave me this challenge to find the previous .com agreement renewal [inaudible] statement.

ALAN GREENBERG: Okay. Yes, let's do that quickly then.

ARIEL LIANG: And I found it and I read through it very quickly, and so I think the position ALAC took last time is about the extreme disappointment that

ICANN has not taken the opportunity to require Thick WHOIS model for .com, and the second point the ALAC made is to recommend there should be some legal language in the contract to add applicable [inaudible] of subsequent policies ratified by ICANN post-contract stage. And this would prevent a need in the future to wait for contract renewal to harmonize contracts which are out of sync. So these are the two points of the previous statement.

ALAN GREENBERG: Okay, thank you.

ARIEL LIANG: And I hope that [inaudible] in the chat.

ALAN GREENBERG: Thank you very much, I'll get hold of Steve and see if he has some other issues that he wanted to push. I don't think either of those are something that we would push strongly again at this point. Clearly, the Thick WHOIS is no longer relevant. And the other one, we're not going to see a change in how these contracts are renewed. So it was a nice thought but I don't think it's relevant at this point.

Olivier, go ahead.

OLIVIER CRÉPIN-LEBLOND: Thanks, Alan. I was going to comment on also the previous section regarding the two-character ASCII labels to avoid confusion with

corresponding country codes. I agree with what Cheryl has said, especially since – well, my view on this one is that if we've got two-character country codes at a top-level domain that are confusing with each other, such as for example .it and .It, you have very similar problems at the second level. I'm not quite sure why we would want to treat two-character ASCII codes at the second level to be any special from three-character or four-character.

Avoiding confusion with corresponding country codes is an interesting one, because there are some things like for example cs.com, which, until a while ago, was countryserv.com, I think now it's creditsuisse.com, moved from Countryserv to Credit Suisse, but it's still also the Czech Republic, if I can remember, or it used to be Czechoslovakia. Anyway, just to say I don't think we need to comment on this, either. It's one of those things that's going to be a can of worms and people can just go on forever about it, which is probably what I'm doing now, so I'll shut up.

Thank you.

ALAN GREENBERG:

I wasn't going to mention that. León.

LEÓN SANCHEZ:

Thanks, Alan. Just to second you on not needing to update on the work group's work, since they are in a very early stage of their work. I don't know if you're wanting to speak a little bit about travel support for Hyderabad.

ALAN GREENBERG: I was going to mention that one next, and I was trying to look while you were speaking to find the page to see how many people had requested travel support and I cannot find it very quickly. Maybe you can. Travel support is available for members of the working group. Tijani, I know, has requested travel support. I have, you have, Cheryl has, and that leaves only Sébastien. I presume Sébastien has, but I haven't checked to see if his name is there.

LEÓN SANCHEZ: He has and I can tell you that we received somewhere around 15 or 16 applications. Some from non-members, which, of course, don't qualify for travel support and some others, I believe somewhere around maybe nine from members. The travel support requested varies from requests for full travel support in some cases to just the extra night of hotel for the CCWG meeting.

ALAN GREENBERG: Yes.

LEÓN SANCHEZ: So I can tell you that we ran the review of the approval process yesterday for the first cut for the first batch of applications. I'm glad to inform you that all ALAC applications had been approved.

ALAN GREENBERG: Very good. Even mine that only went in today?

LEÓN SANCHEZ: I don't recall. No, I don't think so, because this cut is only as per yesterday's applications. So if you filed your application today, I'm sure you don't have a lot to worry about.

ALAN GREENBERG: I thought I sent it last night, but it turned out my mail program hadn't sent it for some reason. In any case, very good. So at this point there is no one else to urge to send in an application. As you mentioned, there have been requests, at least one request that I saw from an At-Large person who was not a member. I'm presuming that's not likely to be accepted, but there's certainly no reason to encourage more people who are not eligible to apply at this point. So I think that's a closed item.

Anything else on CCWG that we want to raise at this point? León, that's an old hand, I presume, or not?

LEÓN SANCHEZ: Yes, that is an old hand, sorry.

ALAN GREENBERG: Okay, very good. Next item on the agenda is ICANN 57 planning. There are a number of issues. There's currently a call out for high interest topics. This closes on September 1st, and I don't believe we have

submitted any. If anyone has any, please raise them now, raise them at the ALAC meeting, which I think will be the main focus of this.

I don't know if this meeting is just one session like it used to be on the Monday, or are there multiple sessions a la the B Meeting? I don't really recall. If anyone knows that – so are we looking for multiple topics or just a single topic that will have to be chosen? I'm not quite sure on that, and Heidi unfortunately couldn't make it today. So that's one item on the agenda.

We're starting to accumulate requests for meetings with other ACs and SOs, so if anyone has a request for a meeting, please make sure Heidi and Gisella know about it. I think at this point we will investigate possibilities, and will have to make a decision shortly, but I'm assuming there will be sufficient time, and that we will be meeting with ACs and SOs.

The same question goes – it's not on our agenda, but meetings with staff at ICANN. We didn't do very much of that in the Helsinki meeting, and there actually were a lot of good comments saying that time is largely wasted. Other people clearly have asked for those meetings before, so I think we'll be sending out a similar survey to what we last did in Marrakech, and seeing just what people feel about those.

And lastly, we will have to start planning pretty soon for what we want to be doing on our first couple of days' meetings, which is largely discussion within the At-Large leadership, and we have the development session, which is the Friday. We have two development sessions, in fact: one for RALO leadership and one for incoming ALAC,

and thoughts on how we use that time? You will recall we do not have any external facilitators, we could not get funding for that, but we do have a number of people internally who can do that kind of stuff if – we have to decide exactly what we want. So I don't think we're going to talk about it much anymore, but we will over the next week or two have to start putting together some ideas.

Cheryl, go ahead.

CHERYL LANGDON-ORR: Thanks, Alan. I'm just checking, please. I assume I am not required in the day after proceedings, so as I'm going to now be organizing my air travel, I just wanted to double check I don't need to hang around for that other day [inaudible] or something.

ALAN GREENBERG: Well, the only capacity in which you would be welcome and appreciated –

CHERYL LANGDON-ORR: I'm rarely that.

ALAN GREENBERG: Maybe we want to have this discussion now – is as a facilitator.

CHERYL LANGDON-ORR: As you know, I'm more than happy to assist in any capacity that you all find useful. That said, if you can let me know, because I need to get my ticketing organized relatively quickly, and just want to put in a Wednesday or a Thursday leaving, that's all.

ALAN GREENBERG: Can I ask for an action item to put together a discussion between you, me, and Heidi as soon as we can? So that means tomorrow if Heidi is working. I don't know what Heidi's schedule is at this point. And Cheryl, to the extent you're available, tomorrow is your Saturday already, so we may want to defer it to the beginning of next week.

CHERYL LANGDON-ORR: Alan, my Saturdays have always been used for ALAC work, so that's not a problem.

ALAN GREENBERG: Okay, alright.

CHERYL LANGDON-ORR: If you want to set it up, just give me a call. The only issue would be if my day stay turned into an overnight, and I'll let you know if that's the case.

ALAN GREENBERG: That's correct, thank you. Okay, so we'll try to do that as soon as possible.

Some of you will recall, Cheryl did not participate in the last development session. Cheryl was one of the organizers of it, but there were a number of personal ad hominem comments that were not appreciated. And between Cheryl and I, we decided she would bow out to keep everyone happy, to keep some of the other people happy. I'm not going to do that again. Hopefully, we're past that at this point, but just so people know.

Julie, go ahead.

JULIE HAMMER: Sorry, just to confirm, Alan, so the rest of us shouldn't plan to be departing before late Thursday evening, is that correct?

ALAN GREENBERG: Let me make sure I know what day of the week the Thursday is.

JULIE HAMMER: Thursday the 10th.

ALAN GREENBERG: No, the last day of the meeting, which is the development session, is the 9th I believe.

JULIE HAMMER: Oh, okay. Thank you very much, just wanted to confirm.

ALAN GREENBERG: Yes, it's seven days, the 3rd through the 9th inclusive, so you should be able to leave any time after close of business on the 9th, should you choose to leave that quickly. I would suspect there are some midnight flights and things out of Hyderabad, so that's certainly a possibility, should you choose.

JULIE HAMMER: Thank you.

ALAN GREENBERG: Alright, next item is Rinalia has asked for some speaking points on issues that are of relevance to, number one, EURALO, and second of all, At-Large. Let me pull out the e-mail that she sent. This was sent as a private e-mail. I'll put it into the chat. Easier when my fingers work. Essentially, she was looking for some talking points, and Ariel was asked to try to put together the items first for EURALO, and she has done that. You can see the document.

The document is currently is much too large, so it's going to have to be cut down significantly, because she asked for a couple of pages with just a couple of lines on each of the talking points. Ariel is putting together a similar document for At-Large in general. This essentially lists all of the things that are hot topics that we are working on. I think Rinalia has a good point that it's an interesting document that we can use to try to introduce people to what it is we're interested in, why do we care about these things.

So I don't think we're going to look at them right now. We have to get them to her soon, so please, if you have any comments on the one that's posted to the agenda, please let us know through the ALT mailing list, and we'll post the general At-Large one as soon as possible. I think it's an interesting document. I thank Ariel for putting a fair amount of work into trying to pull these together although I do think they have to be made a fair amount tighter than we have right now.

Ariel, go ahead.

ARIEL LIANG: Thanks, Alan. First question, do you want me to create a wiki page like what we do for statements to post these two documents for comments?

ALAN GREENBERG: Might as well.

ARIEL LIANG: And related to that –

ALAN GREENBERG: It's as good a process as any, so sure.

ARIEL LIANG: Okay, and then the second one is about the timeline. So Heidi told Rinalia that this document will be ready by tomorrow, but I think it's

quite a rough draft and we also want more comments from the ALT. Do you have some kind of a tentative timeline so I can reply to Rinalia? And I think she doesn't need the [UPN] document until mid-September, because that's when she's meeting with the high-level decision makers.

ALAN GREENBERG:

I think this is one of the ongoing processes, so I think we want to try to get a first draft out moderately quickly, certainly for the European one. She has a target that we need to meet, so we can set dates on that. But once we do this, it's probably going to be something that has an ongoing life, so I don't think we have to make it perfect because it will evolve as we add and subtract topics. So certainly, set the time for the European one appropriately to meet that initial target. But other than that, I don't think we need to work down to a specific day timeline.

ARIEL LIANG:

Okay, thanks, Alan. Just to let you know, I'll be off from next Monday until August the 26th, but I will monitor what's going on in the [inaudible] in my spare time.

ALAN GREENBERG:

Okay, thank you.

ARIEL LIANG:

I'm sorry, and I have a –

ALAN GREENBERG: Yes, with regard to the deadline of tomorrow that Heidi set, it's going to have to be between Heidi and Rinalia to decide what the real deadline is.

ARIEL LIANG: Okay, I will let you know. My third question is about the topics for the At-Large general briefing paper, and I got the topics from basically the website, and we have 18 topics, but Olivier and I discussed, and we kind of reduced it to 13 topics, so I wonder whether we can just quickly take a look at these topics and see whether we want to add or subtract any, if you have little bit of time.

ALAN GREENBERG: I think having a superset and then taking off things is good, so I know it's a little bit harder on you, but I think what we're doing right now is a good start.

ARIEL LIANG: Okay, so I will keep working on it, otherwise I've got a little [inaudible] write the other, so it's a little – not as concise as I wanted.

ALAN GREENBERG: Yes, I understand.

ARIEL LIANG: That's all from me. Thank you.

ALAN GREENBERG:

Thank you very much. Item number eight is just to the extent that anyone has anything they want to see on the ALAC call, let's get your suggestions in to me. Heidi, please. I don't think we're going to take any time right now to talk about it.

Empowered Community. At the last meeting, we decided that we have to start working relatively soon on any rules of procedure and other activities that we need, on the presumption that the transition will occur, and will occur effective the 30th of September. My hope is that we can do this in a minimalist way. I've put together a note that I've sent out to all – I think I've caught all of the people who have been very active in the accountability process, and that is the five members, plus Seun and Olivier. You can see it on your screen, it's also attached to the agenda. It's a note I just sent today.

As far as I can see, the only changes we need to make is to formalize how the ALAC will make decisions and I'm suggesting that a decision made on behalf of the Empowered Community to use one of the powers should be a decision of an affirmative vote of two thirds of the sitting ALAC members. That's not the same as a super majority, because a super majority allows a significant number of people to abstain. I think all of these activities are large enough that we need to make sure there is a critical mass of the ALAC that believes this action should be taken. So I'm recommending two thirds of the sitting members.

I think that is the only real substantive thing that we need to put in place. We're not expecting to have to exercise these powers in the very

immediate future. We may well want to refine some processes that have to do with how decisions are made or how decisions are discussed, who we involve, but I don't think they need to be in the rules of procedure.

The other thing that we're going to need to discuss either in the rules or through some process in the rules of the Empowered Community administrative person, and I'm suggesting that the easiest thing to do is to simply name the ALAC Chair, whoever he or she is at the time. The reasons are the person has no real power, so it's not a matter of who will wield the power. We have very well-specified process for removing an ALAC Chair, should the person do something that is inappropriate. We have succession plans, so if the ALAC Chair is not available, then at any given time, there is somebody who fills in that role and will take on that responsibility. And it's important that that position not go unfilled, so I would think that is a reasonable way to go forward. There may be other opinions, of course.

The last thing that we may want to consider is ALAC meetings require a week of notice. Some of the Empowered Community actions have to be taken on moderately short time. A week may be sufficient, but we may want to hold the meeting quicker so that we can do other actions related to deliberation before the deadline has passed to make a decision. So it's something we may want to think about.

Then there are a couple of administrative things. We need to formally decide that Rinalia will stay on as a Director post September 30th, and without our action, that will not happen because as of that date, if the new Bylaws are put in place, then the Board has to be appointed by the

Empowered Community and they have to do that on instructions from the ACs, SOs, NomCom. We're not likely to say no, but we have to go through that process. And lastly, if we do not have the Chair being the administrator, then we need to name the administrator.

I think that's about all we really need to go forward. I see Olivier has his hand up, so please.

OLIVIER CRÉPIN-LEBLOND: Thanks, Alan. If you are to present this to the ALAC, may I suggest that when you mention the ALAC is represented on the [EC] administration by – and you make the first one or the second one, because here, it looks as though it's actually represented by two people.

ALAN GREENBERG: Oh, okay, thank you very much.

OLIVIER CRÉPIN-LEBLOND: Either the Chair, or a person to be named annually by the ALAC. I would add that I agree with you that it doesn't seem to make sense that the person will be acting on behalf of the ALAC. It doesn't make sense that it's anyone else but the Chair. I don't know, I can't understand why someone would want to put someone else but the Chair on this.

There is one thing that I would add though, and perhaps to formalize the position of the ALAC liaison on the CSC. What is their place in this whole thing? Does the ALAC liaison in the CSC have standing to sit on the meeting of the ALAC – which might go into an in camera session or

whatever. What is the standing of the ALAC liaison of the CSC? That's the only thing that we might need to add to this set of rules.

ALAN GREENBERG:

Well, I don't think it needs to be in this set of rules. It perhaps should be in the position description document, which is one of the adjunct documents. To the extent that we described liaisons we could certainly describe that there. I think in general, in the past, we have treated liaisons to ACs and SOs in one way, and liaisons or other appointees in another way. So I think we would be following the same pattern that this is another one of our appointments. It happens to bear the term liaison, but it's not a liaison to another AC or SO, which among other things includes potentially travel responsibilities and such.

So I would not think we need to put anything in the rules and procedures. We may want to look at the job descriptions and see whether it's relevant there.

Olivier, go ahead.

OLIVIER CRÉPIN-LEBLOND:

Thanks, Alan. One last point, which was discussed today is the issue of intellectual property rights, licensing and whatever. In the case that the CWG IANA decides that it would pass this power not to ICANN, but the licensing with the Empowered Community, we would probably have to have a mention of that also in our rules. But it's an if, of course, and I would certainly think that it's probably better than ICANN gets it rather than the Empowered Community. [inaudible] to understand it.

ALAN GREENBERG: It was pointed out in the meeting today that if we wanted to do that, it would require a change to the Bylaws defining another role for the Empowered Community, and that's not going to happen on the short term. We don't have the ability to change the ICANN Bylaws that quickly, in time for 30th of September. There's effectively – if not mandatory – then essential comment periods that would have to be in place, so that is not going to happen at this point.

OLIVIER CRÉPIN-LEBLOND: Not having enough time has never stopped the group from doing anything. It's a joke, sorry.

ALAN GREENBERG: Once they put it in the Bylaws, we will worry about it, but I don't think it's anything different than another power which has to be wielded by the ACs and SOs on behalf of the Empowered Community. And a really dumb one in this case, but nevertheless.

Further comments? Then we will go on to the next agenda item. Back on this one, once I get comments from any other people – and some people have commented, a few more have yet to – we'll put it out to the ALAC.

The next one is the BCEC, BMSPC. First, a clarification, and I should know this, but I do not remember: did we formally appoint Tijani as BMSPC Chair, or did we propose it and say we need a vote?

CHERYL LANGDON-ORR: We did.

ALAN GREENBERG: We did formally take a vote?

CHERYL LANGDON-ORR: During your last – I suppose – meeting.

ALAN GREENBERG: Okay, good, thank you. As I said, I should remember, but I couldn't. Their call for members of the two groups should be going out imminently. It's taken a lot longer than it should have. The agenda points to the pages for the two committees. Please, to the extent that you care about this process, take a look at those pages and see if they're in good shape, because they will be pointed to in the call for members.

I have one other thing that I need to check on this, give me half a moment, because I should have done this before the meeting but I didn't.

TERRI AGNEW: Alan, while you're checking, Tijani has his hand up. Do you want him to go ahead and make his statement?

ALAN GREENBERG: Just give me 30 seconds, and then we'll go on to that. Okay, the only issue that I wanted to raise is there's something that we effectively forgot or didn't pay attention to with regard to the BMSPC alternate members. The BMSPC is composed of people selected, and it's a confusing – it's an unclear statement of people selected by the ALAC and the RALOs.

Tijani, can you confirm, was last year, last time around, was it from each region one person from the ALAC and one person from the RALOs?

TIJANI BEN JEMAA: Yes, Alan. Last year, it was the two members appointed by EURALO. But go ahead and I would like to think about the other things regarding this issue when you're finished speaking.

ALAN GREENBERG: No, I understand. So they were all RALO selects, there were no ALAC-selected ones on the last BMSPC. Is that what you're saying?

TIJANI BEN JEMAA: No.

ALAN GREENBERG: Okay, then we don't have a problem. The problem is the wording in the rules of procedure is somewhat vague, and it's unclear whether one person is selected by one group and one by the other, or they're all selected by the RALOs and ratified by the ALAC. The wording is

somewhat confusing. If the latter was the case, if some were selected by the ALAC, it would be a problem of where the alternate comes from. Okay, it looks like we don't have a problem though.

Would you want to speak about the BMSPC or the BCEC?

TIJANI BEN JEMAA: The BCEC.

ALAN GREENBERG: Alright, I do not want to speak about the Chair of the BCEC right now. Do you have some other issue you want to speak about?

TIJANI BEN JEMAA: No, it was about the Chair.

ALAN GREENBERG: Okay. At this point, we are having some significant problems related to selection of the Chair. If the group wants to discuss this in any detail, we will have to go in camera to do that. And I'm happy to do that. If you'd like to have a more in-depth discussion, Tijani, or anyone else, then we will go in camera and do that.

TIJANI BEN JEMAA: Alan, I do think that it is urgent to sort out this issue. We are getting – okay, go ahead.

ALAN GREENBERG: There's no question it's urgent, you don't have to convince me of that. If you want –

TIJANI BEN JEMAA: I want to raise it now.

ALAN GREENBERG: Okay, if you want a discussion on it as opposed to simply reminding people that it is urgent, then we will have to go in camera. That is your wish?

TIJANI BEN JEMAA: Yes.

ALAN GREENBERG: Okay, can I ask staff to take the regular arrangements? We don't have anyone on this call, I believe, who is not part of the ALAC or liaisons, so we just have to stop the recording, and make sure that the chat and such is segregated.

TERRI AGNEW: Thank you, one moment, please.

CHERYL LANGDON-ORR: Do you want me to leave?

ALAN GREENBERG: No, Cheryl, you're welcome to stay. We will be talking about you, but you're welcome to stay if you'd like.

CHERYL LANGDON-ORR: I [inaudible] elephant, but that's not a problem.

TERRI AGNEW: Just one moment, I'm just getting confirmation about the recording. I confirm recording has started.

ALAN GREENBERG: Thank you very much. The ALAC Leadership Team and –

TERRI AGNEW: Oh, one moment, sorry, I'm just confirming. I apologize, Alan. And confirmed, we're back. You're out of camera, good to go.

ALAN GREENBERG: Thank you very much. The ALT and liaisons, and at my invitation, Cheryl have met in camera and we were discussing options for selecting the Chair of the BCEC. We are rather behind schedule at this point and we've had some difficulties in identifying the correct person and verifying that they couldn't indeed do it. We seem to have a number of options going forward and hopefully an announcement will be made in the near future.

I thank you very much. Any Other Business?

TIJANI BEN JEMAA: Not on my side.

ALAN GREENBERG: Alright, then can you just give me a moment? I have to respond to a message before I can adjourn the call.

CHERYL LANGDON-ORR: Just while Heidi is on audio, just letting you know, Heidi, I'm not sure that you were on the call at the time but we're going to try and set up a teleconference between you, me, and Alan on one of the action items, so I'll leave that organization up to you and Alan though. You know my Saturday morning routine.

HEIDI ULLRICH: Yes, I'm free now.

ALAN GREENBERG: I'm not quite free at this moment. Cheryl, how much longer –

HEIDI ULLRICH: Not now, yes.

ALAN GREENBERG: Cheryl, how much longer are you free?

CHERYL LANGDON-ORR: As long as you don't mind being in interesting places while we're on the phone with me, I can manage now for a while.

ALAN GREENBERG: Can we say in 30 minutes?

CHERYL LANGDON-ORR: I'll try.

ALAN GREENBERG: Or 15?

CHERYL LANGDON-ORR: Whatever.

HEIDI ULLRICH: I meant actually a little later, can we say like two hours? Is that okay?

ALAN GREENBERG: Probably not for Cheryl.

CHERYL LANGDON-ORR: We can but try. I'm going to hospital this afternoon. I have surgery this afternoon, so I'm a little occupied with a very brutal –

HEIDI ULLRICH: Cheryl, then if you can put up with [inaudible] who might be talking in the background, then I can stay on, or I'll call in in 30 minutes. Is that okay?

ALAN GREENBERG: I have something I have to do first, maybe less than 30 minutes. I'll Skype both of you when I'm free.

HEIDI ULLRICH: Yes, you have to call me, because I'm going to be just on my mobile.

ALAN GREENBERG: I'll send you an SMS then.

HEIDI ULLRICH: Okay, bye.

ALAN GREENBERG: Okay, bye.

UNIDENTIFIED FEMALE: Thank you.

TIJANI BEN JEMAA: Bye, thanks everyone.

UNIDENTIFIED FEMALE: Is the call over?

TERRI AGNEW: Yes, I believe so. Once again, the meeting has been adjourned. Thank you very much for joining. Please remember to disconnect all remaining lines, and have a wonderful rest of your day.

[END OF TRANSCRIPTION]