RECORDED VOICE:	This meeting is now being recorded.
MARGIE MILAM:	Hello, it's Margie.
UNKNOWN SPEAKER :	Hi Margie.
JORDYN BUCHANAN:	Hello, good morning everyone. It's Jordyn.
PAMELA SMITH:	Good morning Jordyn.
	Jordyn, I already have the recording started and paused. So, when you are ready let me know, and we will take it off pause and begin.
JORDYN BUCHANAN:	Okay, great. I think we've only got Megan and [inaudible].
PAMELA SMITH:	We got a few minutes. Yes, sir. Thank you.

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.

STAN BESEN: Pamela? Pamela, this is Stan. This is not the latest version of the Trademark Paper. I circulated one yesterday.

PAMELA SMITH: Okay, let me bump back into my email and see what I've got. I'll be right back. Thank you Stan.

                         Could you possibly send me that revised version again? I don't have any e-mails from you from yesterday and I have checked all files.

STAN BESEN: I will do so. But, I can talk you through the changes, it's not a problem at all. I will do that right now.

PAMELA SMITH: Okidoki. And I'll get that up as soon as I can. Thank you.

JORDYN BUCHANAN: [Dan], is that you?

[DAN]:   Hi. Hello.

JORDYN BUCHANAN: Okay, great.

Sorry. And so now that [Dan] has joined, we probably got a quorum. So, Pam, do you want to go ahead and resume the recording? Alright. So thank you everyone for joining this morning.

As a reminder, you're here for the latest version of the CCT RT Subteam on competition and consumer choice. I'm your host, Jordyn Buchanan, and we'll start off by seeing if anyone has revisions to their Statements of Interest. No? Alright.

In terms of the agenda, today, I suggest that we discuss three of our [inaudible] papers, either actual paper in the form of a write-up, those write-ups in Stan's trademark paper, or templates that Stan and I have put together to discuss two other topics, and that's the issue of trademark registrations [inaudible]; secondly, a related topic, which is duplicate registrations in gTLDs vs. .coms; and then finally, [Dan's] write-up of policy differences across various new gTLDs.

Then, at the end, assuming we have time, I'd like to get a quick status update of where we are with some other write-ups that are in process.

Does anyone else have any other agenda items they would like to add? Okay. So why don't we jump to Stan, then?

Stan's president for [inaudible] write-ups; and Stan, I don't know, looks like we still have the same version here, so maybe a helpful starting point would be a quick [inaudible] then obviously the differences in the paper that you updated yesterday.

STAN BESEN: Yeah. I think I have benefited from useful comments on this from both Megan and David Taylor, and that's not reflected in the version you see on the screen, by the way, one thing [inaudible] they were very specific and pointed comments. They were easy to respond to, if that makes sense, I knew what they were asking for and that was helpful.

Let me just sort of describe the two additions because, basically, you've seen this before, it's just reports on the results that the analysis group has presented in [Indiana].

Two issues came up. Megan raised the point that not all duplicate registrations are defensive. And the new version, actually, explains why you might want to duplicate registrations even if it's not an issue of trademark protection, the basic argument being that in a word with a lot of domains, being more of them, you can be found more easily. So that's one point.

But at the same time, David raised the question, which is the need for defensive registration, as also raised by Megan, given the fact that one could test the use of his trademark in another domain.

I think David made a very useful point that often, in his experience, duplicate registrations are cheaper than the dispute resolution mechanism. And so the new draft—there are a few sentences that reflect them. At least Megan seems reasonably pleased with the revision. I haven't heard back from David. But that's the main difference between this version, there's more pros if you like, no more [inaudible].

One of the things I should say is that it still needs a verification from the analysis group, both in terms of the description of how the sample was

selected, and verification of the numbers that appear in the trials. But other than that, this is a work in progress. I welcome any comments, particularly if they are specific and in writing.

JORDYN BUCHANAN: Alright. Thanks. I have a couple of questions and comments.

STAN BESEN: [Inaudible] in writing?

JORDYN BUCHANAN: Well, some of these questions might be helpful for discussion today.

STAN BESEN: Sure.

JORDYN BUCHANAN: We have a class in civilization in [inaudible]; I really don't like working in the offline world which obviously tends to push you, Stan, into [inaudible] as well. So we have to figure out the best way.

STAN BESEN: By the way, the comments I got from both Megan and David were in the form of e-mails, and they were sufficiently specific that I knew what they wanted to say and I was able to insert them in the document.

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JORDYN BUCHANAN: Okay. Great, so that's probably the right approach then. So let me see before I get off then, does anyone else have questions or comments for Stan on this [inaudible].

STAN BESEN: By the way, the new version is up on the screen.

JORDYN BUCHANAN: Great. Thanks. [Inaudible] and Pam. Alright since no one else has questions, the first question I had for Stan was the—I can't see where—Pam, can you make this scrollable for us?

The second study that you cite of the historical studies, I think, is the strategy from the international study. Do you know, Stan, if that is specific to trademarks or that's just looking at duplicate registrations across [inaudible]?

STAN BESEN: It's duplicate. Yes, that's correct.

JORDYN BUCHANAN: OK. I would argue that we may want to move the discussion about non-trademark specific duplicates into the next topic that I worked on, which looks exactly at that issue, sort of separates out the trademark from—

STAN BESEN: Actually let me say just one more thing.

                       To some degree, the [Neelson] study should have been helpful in understanding better the motivations for duplicate registrations. My reading of where they ended up was that that analysis will not help us sort out who registers for essentially better search and who duplicates for trademark protection.

                       But I may be wrong. If there are people in particular places in the [Neelson] study that we can cite for that purpose, it will be very useful.

JORDYN BUCHANAN: Yeah. No. Yeah, I agree. I think it's going to be hard for us to get to motivations or to look—[inaudible] saying about the analysis group study that we are going to lack basically every other bit of analysis that we do here. We actually looked at compared registrars at least. So at least, when we are looking at the data, we have the same, even the same registrars or not. I am sure we'll get some motives. But all the other data sets we are looking at, all we know is whether there is duplicate registration. And it could be totally—we don't even know if it's the same registrar, much less getting to the question of whether it's defensive or not.

STAN BESEN: Actually, I think you're raising a writing point which I can think about, which is again setting this up, I guess, and this was written earlier, I should have been clear. This [inaudible] should be clearer on the identity of the registrant, and where the name is duplicated.

And I get to your point which is, is it a trademark issue or something else. This could be restructured in a way that makes it more general at the outset, not specifically focused on trademarks.

I think the only thing that fits the trademark well is the [AJ] study, where the identity of the registered appears.

JORDYN BUCHANAN: Yeah. At the least, some of these other studies restricted themselves to looking at trademarks, while it seems like, in other cases, they were looking at general registration.

STAN BESEN: I will go back and look at this strategy international thing, to look at it again. I looked at it a while back. Good point.

JORDYN BUCHANAN: My second question or thought is, at the end where we talk about the number of registrations per mark, it's the very last sentence, I think we're still waiting for updated statistical data from the analysis group, but it would be helpful to explain the difference between [inaudible] I think by pointing out that there is a small number of registrars registering a very large number of matches, whereas most people are mostly trademark holders or registering a very small number of trademarks.

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STAN BESEN: Like the guy with 406.

JORDYN BUCHANAN: Pardon?

STAN BESEN: Like the guy with 406.

JORDYN BUCHANAN: Yeah. So we know that there is a match of 406. So I think what I have to know [inaudible] something to sort of see.

[Inaudible] make a histogram so we can sort of see how it trails off.

STAN BESEN: I think the more general point is that they really ought to go through this, and both check the numbers and suggest other statistics that we might record.

JORDYN BUCHANAN: Sure.

What I am trying to get to is that we sort of narrow it around, which is like there is a small number of registrars, of trademark holders, that are registering a very large numbers as much as across many gTLDs. And then, there's sort of the typical behavior, which is registering one, two, three, up to five maybe. We'll have to see the histogram to see.

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STAN BESEN: Point taken.

JORDYN BUCHANAN: Speaking of narrative, my last question is, so you conclude your opening paragraph with "Nevertheless, it appears that defensive registration is a significant phenomenon." I am wondering is significant here intended to be in the statistical sense of the word, or like, because I look at this data, and maybe, Stan, because I was around before the program launched and listened to the rhetoric at the time, when people were talking how it cost trademark holders tens of millions of dollars to register in all of the TLDs that they would have to, and so on. And I see what's actually happening; like I said, most people are registering beyond 3 TLDs. And I sort of [inaudible] yet it's happening, but it doesn't seem to be like a wide fraction of the overall registration volume.

STAN BESEN: I wrote this yesterday in response to what David Taylor sent. I'm not sure he would agree with that characterization.

JORDYN BUCHANAN: [Inaudible] tweak for the wordsmith.

STAN BESEN: I'd be very interested. He's the person appearing on this committee whom I think has the most experience with this. And I send this back to

him, but I haven't gotten a response from him whether this accurately reflects what his e-mail to me says.

JORDYN BUCHANAN: Okay. Great. So I guess we can continue to tweak the language based on feedback from David and others.

Okay those are my questions. Does anyone else have any other questions for Stan?

ALICE JANSEN: Hey Jordyn, this is Alice. I do.

JORDYN BUCHANAN: Yeah, go ahead Alice.

ALICE JANSEN: Actually not much a question. You guys were talking about whether the registrar's survey asks why people were registering the duplicates, and looking into the report, I didn't say it included in the report, but I knew that we ask that question. [Inaudible] data table. And the way the question was asked, it was a select all that applies, so I can [inaudible] why but 52% said [inaudible] found in searches. 51% to protect my brand or organization name. 51% to keep someone else from having my domain name, and then it drops off from there. 31% said for reasons of different geography. 27% it's for future potential use [inaudible] future, and then one person [inaudible].

	About half are talking about either protecting their names or hoping it will come up in searches.

STAN BESEN: That's actually a good idea. I think that will be a good sort of- that can go after the material that was written here. And we can cite the [Neelson] survey; we should. So I appreciate that. And when you send it to me—the next version you see will include some references to that.

ALICE JANSEN: Okay. I will send you the relevant file.

JORDYN BUCHANAN: Alright. [Inaudible]

ALICE JANSEN: Sure.

JORDYN BUCHANAN: Anyone else has questions or comments for Stan? Okay. Why don't we move on to the next write-up then?

UNIDENTIFIED SPEAKER: Someone had a question in the chat.

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JORDYN BUCHANAN: Yes. The last sentence on the first paragraph based on some data. What data? I think Stan already clarified that's him attempting to capture the sentiment that David put in his e-mail yesterday, so we're going to first get David's interaction, then I think we can all suggest some—I think that will be the most controversial sentence in this write-up, so hopefully we can get—

UNIDENTIFIED SPEAKER: I did say he was very clear on that point, which I think makes good sense to me, which is if protecting your mark through essentially required legal processes is expensive, that might explain why you would choose registration for more than one domain. That argument seems to me to make sense, and he certainly has experience with clients for whom that's a relevant consideration.

JORDYN BUCHANAN: Yeah. So I think it is probably correct to say that there is [inaudible] some amount of defensive registration happening. I think all the questions are going to be around what does the word significant mean, and is that the right word.

UNIDENTIFIED SPEAKER: And the word many.

UNIDENTIFIED SPEAKER: Yeah, exactly. Sorry, yeah. So we want to get the right language to make sure that we are characterizing this in a way that people don't read too

much into and, you know, have the data actually say what it says. But you know, it is obviously the case, and I think that David's point makes sense. Some registrars will choose to register defensively to avoid the need to engage in dispute proceedings. It seems like some other registrars may choose to go in the other direction. So it's probably just work.

Well, one of the things that we should marry this to, that is not in our remit, but hopefully the other subteam is working on, so I will follow up with [inaudible] is has the number of disputes increased as the result of the introduction of new gTLDs? Because David asserted in his e-mail that they have seen a large cost to registrars who don't engage in defensive registration. So it would be good to see whether or not that's actually substantiated by the data and presumably we can get that.

STAN BESEN: I do have one more question. What is the status of the project that you were doing, Jordyn, the matching strings project?

JORDYN BUCHANAN: We are about to talk about that.

STAN BESEN: Okay.

JORDYN BUCHANAN: [Inaudible] corrected a point on chat that one thing that we are not capturing here is that some registries offer defensive only product, which is a blocking product where you buy not a registration but the ability to prevent other people from registering the name. [Inaudible], for example, has a product that you can pay for one time and receive a block across all of their two hundred-ish TLDs. I mean that won't—

STAN BESEN: That's actually is useful. Could somebody send me the site of that, or even better, some language?

JORDYN BUCHANAN: Maybe, Jonathan; I mean I probably could, but Jonathan brought it up, maybe—an example?

JONATHAN ZUCK: About blocking?

JORDYN BUCHANAN: Yeah.

JONATHAN ZUCK: Yeah. Let me look into that, Stan, and I'll see if I can point you to some sources. Like I said, I don't know if I've seen anything that looks like data in that respect, but we do know that it's something that a number of registries have been offering. I think it began with Triple-X actually with the ability—an alternative defensive registration just saying please block

this domain so that no one can register it. And it's cheaper than doing an actual registration.

I don't know that—the closest thing we will have to data is probably going to come from the survey of mark holders.

UNIDENTIFIED SPEAKER: Actually, I don't think I need data. This sounds like a very good point, what I propose is simply like a trade press article on it. We could make a point.

JONATHAN ZUCK: Right. Okay, I will take a look and I will get something to you, Stan. I'm on it.

UNIDENTIFIED SPEAKER: This is [inaudible]. Can I just say two things about that? One which is obvious, which is that is a [inaudible] voluntary program; it's not a requirement for registries to offer. The other is that it grew out, in part anyway, it grew out of the fact that there is no externally existing list of globally protected marks. So marks that are registered all over the world. For example, Apple is probably registered virtually all over the world, but there may be other Apple trademark owners that are legitimate, but not related to Apple. So because ICANN and the community could not point to some ISO list, if you will, of global marks, then we weren't able can do a globally protected mark, which is from what I understand what it is largely used for. The other thing is that the registries that do this on a voluntary basis also have a thing, a

procedure, for other valid trademark owners to contest the blocking. So—

STAN BESEN: Let me say two things. On first base, I like Jonathan's point because now we have sort of three things that trademark owners can do. We only had two here.

Well, I like that. It's more accurate. By adding data, there will be a more accurate description of the range of alternatives available to a trademark owner. Number one. And let me make the general point which is, I think by writing this down, I think the comments are more focused, and that's why I continue to argue that getting things on paper sooner rather than later is a good thing.

UNIDENTIFIED SPEAKER: I agree. I agree to it, Stan, and I am not objecting to including it, it's just that it's a more complicated thing than "Oh, you have the option to block rather than to register."

STAN BESEN: I will try to be as accurate as I can.

JORDYN BUCHANAN: Okay. Thanks for that update. [Dan]'s got his [inaudible], so go ahead [Dan].

We can't hear you if you're trying to speak. Okay, I'm not hearing [Dan], so—

UNIDENTIFIED SPEAKER: Regarding what Jamie mentioned, there's definitely no such a thing as a list of trademarks around the world. All trademarks must be registered local, and if the registry has a list of all the local trademarks, it also won't be useful because countries are part of treaties and it will also be impossible to have a completely [inaudible] trademarks. So it's completely impossible to have that kind of list. [Inaudible].

JORDYN BUCHANAN: Yeah, thanks [Dan]. In just [inaudible] for those who have been following us a little less long, there was a discussion leading up to the introduction of the 2012 round, whereby it was [inaudible] by some people that it might be possible to have what Jamie called a globally protected trademark list. These brands are so famous, we should block them across all TLDs. I think for the reasons that Jamie and [Dan] just cited, the community decided it wasn't actually possible to build such a list. So [Donuts] and others, and Triple-X, have sort of—and the innovation side of the equation—have decided that they will sort of provide trademark holders with this capability, despite the fact that ICANN wasn't able to come to some determination about it.

I will know—there's a difference in that these products that registries are offering aren't limited to famous global brands. I think any trademark in the [TMCH] is generally eligible. I think Jamie is right but in some cases, if you have your own conflicting markers—a generic use of

the term—you can sort of petition to use the domain. The block is not 100%, I don't think. In any case, someone has probably covered it in the documentation that Jonathan and I pointed to in the chat. So that hopefully will give Stan something to chew on and add to the write-up.

Alright, so now I'm going to move on to our second paper. Like a template.

So this is the write-up I did. This is a summary of work that ICANN did to look to see what the [inaudible] of identical registrations were in the second level in the new gTLDs vs. .coms.

We ended up looking at two things, the first of which was how common is it that this exact second level domain registered in a new gTLD was also registered in a .com.

So in the case of, I will use Jonathan's registration example again as we like to, [Big Shot photography], how often was it the case that bigshot.com was already taken. Then we asked the second question, which—so that would roughly tell us—

JONATHAN ZUCK: Jordyn?

JORDYN BUCHANAN: Yes, go ahead Jonathan.

JONATHAN ZUCK: Jordyn, it is Jonathan. I think it's not bigshot.com that was available, but it was bigshotphotography.com that was available.

JORDYN BUCHANAN: And so I think we're [inaudible] slightly different questions, but they're related. So we first asked, is bigshot.com available? And then the second question we asked is, alright well so, assuming it's the case that a lot of time there's just going to be common words registered at the second level, both in .com and in the new gTLDs, how often was it the case that the entire string that the registrar got was available in .com; so in that case, how often was it the case that if someone registered bigshot.photography was it the case that instead, they could have a registered bigshotphotography.com?

And so, what we found was a sort of a trail of different answers, depending on which of these questions you ask. So in the case of, yes, big shot. If Jonathan had registered bigshot.photography, we looked to see whether bigshot.com was registered. It looks like, the data says, 92% of the time, sorry, 18% of the time, or the inverse of this, 82% of — alright, let's just say this again so it's less confusing.

If someone registers bigshot.photography, 82% of the time, the equivalent .com, bigshot.com would have also been registered. Most of the significant majority of new gTLDs registrations are second level domains that are also registered in .com as an exact match. And then if we take a look at the longer strings; if we look at bigshot.photography and say is bigshotphotography.com available, in most cases, in 92% of the cases, they could have registered that exact string in .com because it

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was available. Does that make sense to everyone? Let me stop there if people have questions. It's all slightly confusing. No one has questions.

Alright. I will add that one exception to this general finding is that in the IDN TLDs, it was much more likely that unique second level domains were being registered. So for example, in several of the IDN TLDs, 60% or more of the second level registrations were unique and they didn't exist in .com. Now presuming that it's because these are in a script or language other than Latin, and so there's lots of incentive to register the things in .com, [inaudible] make total sense in whatever language that IDN is registered in. It looked like, from my analysis, that the top three IDNs offering unique TLDs, one was in Indian subcontinent language, I believe and the other two were Cyrillic Russian. [Mosco] and I think the short version of Russia in Cyrillic. So in these other scripts at least, it was more likely that people registered unique scripts. And overall, in gTLDs, as opposed to 82% of the names already being registered in .com, only 70% were already registered in .com in IDN.

So I went on to summarize a few hypothetical causes. I think—the first thing I said is that, in some cases, at least 18% of cases, users register in new gTLDs even though they could've gotten the exact same [SLD] even in .com, but much more commonly I think there's a lot of common words registered in both. So we see quite a bit of overlap between the two. But it's very interesting to know that in most cases, the significant majority of cases, the user could have registered a .com name with the exact same overall string them that they ended up registering in the new gTLDs.

Now the one thing that it doesn't tell us is, presented with a choice between the new gTLD and .com, we know that everyone in the new gTLD has chosen the new gTLD, because they registered in a new gTLD. So we have a selection bias problem. And so what I asked ICANN to do, now we're just going back and forth figuring out exactly how to do it, because Eleeza just sent a note, is what if we turn it around and look at the strings that were registered in .com and could have been registered in a new gTLD as an exact match to see how common those are. And I think if we see if there are—I don't know, we'll see. Are there more of those? Less of those? But we know at least that most of the registrars in the new gTLDs could have registered bigshotphotography.com or its equivalent, and chose for whatever reason to register bigshot.photography. So I think that's something interesting about non-price competition and consumer choice.

Alright. Any questions or thoughts about that? I guess the last thing I will add, unlike Stan's [inaudible] script study on trademarks, whether there is duplication, we have no idea whether it's the same registrar or different registrars. So we don't know if these are just different people trying to use the same string, or someone registering multiple TLDs because they already have the name in .com, or someone trying to speculate or someone trying to take advantage of the fact that they're already registered in .com for some bad intents. We can't tell at all the difference between those three possible use cases, and there's probably something—[inaudible] would be useful to deal with in a follow-up study in the future [inaudible]. Okay.

There's no other discussion points. [Inaudible] is typing this. I'll give him one second, there you go; [inaudible] and went down. Feel free to jump in if you have a question, Stan, otherwise—

STAN BEZER: Jordyn, I'm sorry but [inaudible] backwards, but I came to a response for Jonathan's point. I actually found an article by an attorney at Dorsey & Whitney that in fact describes the blocking services as well as other services. They basically use five strategies for someone protecting their trademark, so that might be a source for the data that we talked about earlier.

JORDYN BUCHANAN: Yeah. Thanks Stan. That's interesting.

[Inaudible] if there's a way to tie the preference of registrars with preference by consumers. Not sure what that means. Someone is still typing though. Anyone else [inaudible]-

So for example, it appears that most consumers prefer netflix.com to netflix.netflix; so this would be an interesting question to look back at the [Neelson] consumer survey. We obviously see that there's less trust and so on for the new gTLDs compared to the legacy gTLDs, and in particular .com, but I don't know if we'll be able to quantify.

I mean in reality the question is if someone is trying to buy big shot. It's the name of your company and you want it. You start off and your intent is you want to get bigshot.com, but that's not available. You could maybe get bigshot.photography. You can also get

bigshotphotography.com. You know, you start and your first choice is not available so what's your second choice behavior going to lead to?

I mean the really interesting thing to me are the 18% of people who could have gotten a .com, they didn't take this choice. They just went and got a name in a new gTLD, despite its availability in .com. At least, some of the time, that is happening but it's definitely the less common option.

Alright, I don't see any of the discussion so I'm going to move on to our third write-up today, which is [Dan]'s write-up of registry policies.

I apologize because [Dan] had sent it to me last week, which somehow slipped through the gaps in my mailbox, so I didn't respond to him until yesterday, so you all just got this last night.

So [Dan], it might be helpful to run through the high level summary for those that haven't had a chance to look at it yet.

[DAN]:   Yes, sure. [Inaudible] gTLD. It's based on a table prepared by ICANN staff, Eleeza and her team, and it was circulated to [inaudible] between this team meeting and [inaudible] meeting. So based on that table, I used our [inaudible] in order to find some conclusions.

Topics are listed in three categories. First one is priority, second one general policy and third one is related to PICs.

Within the first topic, the priority, I find that most of these gTLDs had [inaudible]. 90% of them. Generally, they have data protection provided, [inaudible] private data.

Related to general policy, one of the questions was related to [inaudible] and I find [inaudible] requirement. The other gTLDs have an open system and everyone can verify [inaudible].

Regarding the PICs, [inaudible] so I'll continue working on that especially, the first part on [inaudible]. All these companies were included previously in the [inaudible]. So they have some experience and developed policies. But one part of the [inaudible] by ICANN [inaudible] related with the WHOIS [inaudible].

JORDYN BUCHANAN: Alright. Thanks [Dan]. Any questions or comments for [Dan]? So yes. I've got one.

[Inaudible] attempt to differentiate or sort of describe the range of policies. I guess one of the original premises that we were trying to get at here was whether this had any effect on consumer choice or—I guess it has an effect on consumer choice, whether it had an effect on competition as well. I guess my question is, like does it make sense—do see enough difference in the policies that would make sense to look in and try to measure the success of the TLD relative to the policies, or do you think that they're all sort of similar enough that it's not worth digging into whether there's a competitive effect or not?

[DAN]:	That's an interesting question. [Inaudible] try to find if it's necessary to include that question, but I don't have [inaudible] on that right now.
JORDYN BUCHANAN:	Okay, thanks. I think Megan says in chat that she wonders what the impact is. And I guess she's agreeing with my question roughly. Eleeza has got her [inaudible] so I will turn it over to her.
ELEEZA AGOPIAN:	Hi. Thanks. I had a suggestion and that was a conversation we had with the safeguards team as well on how we might be able to capture the impact of this—the computer, sorry—on the consumer side, maybe competition between registries, whether it impacted how consumers make their decision. So for example, you could try registering a name like CCT review, and see what you're presented with. And if the consumer kind of aware [inaudible] which might be kind of a way to test what they can read and see.
JORDYN BUCHANAN:	So, Eleeza, you're saying that that would be something that we would manually do, or get consumers to do it somehow. I'm not—
ELEEZA AGOPIAN:	Something you would do, of course. Something you would do yourselves and write up the results of what you saw when you went to the registration process [inaudible].

JORDYN BUCHANAN: Go ahead, [Dan].

[DAN]:   I think [inaudible] how difficult it is to register my name.

ELEEZA AGOPIAN: [Inaudible] the name, the experience you had, so you can see the difference between the gTLDs. Presumably, as a registrar, you may be interested in the different restrictions around the TLD in which you are registering. Again, this is more from the consumer angle, than from a competition angle.

JORDYN BUCHANAN: Yeah. So I guess—help me understand, Eleeza, the methodology that you guys used to put together the tables that Dan is working on in the first place.

I see you guys did roughly that already. But were you looking at something other than the registration experience to put together the information.

ELEEZA AGOPIAN: We went directly to each of the registries' website, and looked for their user policy. [Inaudible] being a registrar or being a client registering a name.

JORDYN BUCHANAN: Right. Right. Okay.

ELEEZA AGOPIAN: This shows you what the policies are, what we're suggesting is, what the consumer experience is, if you're interested in the policy, how would you come across it [inaudible]?

JORDYN BUCHANAN: I will make a comment only somewhat initiated by data, but based on the registrars I am aware of, I believe this is going to be a relatively uninteresting experiment in that most registrars just have a giant page with all the registry policies, and so you would go through and basically it would say "Oh, you agree on all the policies." If you click on the link, it will take you to a giant page. You could read through just to read the policies, but they wouldn't be particularly distinguished from any other registry. Like I don't think there's a summary table or something like that, or I don't think there's a particular call out to the particular registry's policy. Probably with the exception of .nyc which [Dan] has already flagged has a nexus requirement, so you have to pay attention to it during the registration process or you're not going to be able to get the name in the first place.

ELEEZA AGOPIAN: Great. And I think that might be interesting to know, because unless you are specifically interested in the policies or want to see what the differences are, you would have to go directly to the registry's website.

EN

Otherwise you won't be able to find it [inaudible] maybe it's not important. Because there could have been another way of asking the question. I don't think you're going to get a huge [inaudible] out of it either, but it's just a question.

JORDYN BUCHANAN: You know, I got the [inaudible. [Dan], if you have time and you know want to explore that, just to make sense and try to consider it, I certainly know what the experience would be like on Google domain. It wouldn't be differentiated between the TLDs. But I imagine there's other—it's probably worth looking at other registrars as well, and I see Jonathan is looking at Network Solutions right now. Another opportunity-

So back to my question for a moment, [Dan]. Maybe the usual thing to do would be for you to identify, you know, one, two, three, I don't know how many it is, places where you see the biggest differences in policies and then we could look to see whether we see any competitive differences with those big differences and policies. I will just act under the assumption that if the smaller differences and policies are going to have smaller effects, even though we're not actually testing that.

[DAN]:   Okay. I'll do it then. Finding differences between [inaudible] and report them to you.

JORDYN BUCHANAN: Alright. Great. Any other questions or comments for [Dan]?

EN

Alright. So we talked through these three formal elements of our agenda, so 10 more minutes to talk a little bit about the next steps and maybe just ask whether it's useful to compare ccTLD policies with gTLD in this respect before we jump ahead.

I'm not sure the answer—I don't want to try to answer that question. I think we may have a data problem. Eleeza, the ICANN effort didn't take a look at any ccTLD policies, is that correct?

ELEEZA AGOPIAN: Yes. That's correct.

[DAN]: Yes, ccTLDs are not included in the data.

JORDYN BUCHANAN: Right, so someone will have to do a bunch of extra work to gather that policy information if we were to try to conduct a comparison. And I think—My information says we are late enough in this process; it's going to be hard to add—I mean I get the impression that this is a lot of work to put together in the first place, is that a fair assessment?

ELEEZA AGOPIAN: Yeah. It took some time to go through and read each of the policies and categorize them. I think we could certainly do it for the ccTLDs, but we would get some help obviously with the definitions of which ccTLDs you want to look at for sort of a fair comparison [inaudible]. The really big

ones, only those that are open to registration, it would kind of depend on what you're looking for.

JORDYN BUCHANAN: Okay. So maybe I'll suggest Megan and [Dan] and Eleeza you could chat a little bit offline and see if we can define a scope that we think is manageable, because [inaudible] and this is a fair amount of work, so we want to make sure that we'll actually be able to get the data, to be able to do an apples to apples comparison.

ELEEZA AGOPIAN: Sure. I will write to Megan and [Dan] about that.

JORDYN BUCHANAN: Alright. Now we have 8 minutes to talk about the next steps.

[DAN]:   [Inaudible].

JORDYN BUCHANAN: Go ahead, Dan.

[DAN]:   [Inaudible] but the question is also what you want to compare. Because one thing [inaudible] WHOIS policies and ICANN has a general policy for [inaudible] for the time I know about it without looking but the question

is what do we want to compare. Policies or general policy or some question on measuring [inaudible].

JORDAN BUCHANAN: Yeah, thanks [Dan]. I think that would be useful to a part of the discussion with Megan and Eleeza, to see—I mean, we probably want to be comparing consistent things if we're looking at differences across gTLDs; we may want to look at the same things to see if there are differences across ccTLDs. Even acknowledging, and maybe this is something we call out in the report, that because the ccTLDs aren't constrained by the gTLD ICANN agreement, there's actually much wider possibility for variants. A gTLD cannot just decide that it wants to change what it does with WHOIS, because it's constrained by the contract with ICANN, while the ccTLD, you know, according to, however, its governance model works, could just decide that it didn't want to provide WHOIS at all, that it was only going to provide it to people who paid $1000 or prove that they had a good use for it or something. You know that is a big difference, but it might be more something to [inaudible] with than try to dig into because we can't make that comparison across gTLDs.

[DAN]:   Okay.

JORDAN BUCHANAN: Okay. Five minutes. So in terms of next steps, as the first matter, it seems like we got some minor refinements to do on Stan's paper, but

we have some concrete next steps there. Obviously, people, send suggestions to Stan if you have any. I'm doubly open to feedback on my write-up as well, but those two both seem like probably in good shape to present to the broader group as soon as we get those follow-up refinements.

And then, [Dan], depending I guess on where your conversation with Megan and Eleeza lands, and your own follow-up, we may be in a position to present your document as well in the near future. But I'd like to bring some of this forward to the plenary call next week, so I will coordinate with [Dan] and see if we think we're ready to do that, with his paper, but the other two will be ready at least.

In addition to that, as we discussed on last week's plenary, I'm hoping to start to pull together a high level gross framework for the entire document in parallel to some of these write-ups to see how the parts start to fit together. And I [hope] Alice starts that by the next plenary call. I'm kind of swamped the rest of this week, so it will probably come early next week if we get to that. So expect to see that soon as well.

Then we have a few different outstanding projects that I just wanted to check in on. Hopefully, we can discuss them on our next call in two weeks. And those are: I think, Waudo, we are waiting from you the registrar competition within registries effort, and also the use of the [dot] brand TLDs. I think we'll be able to discuss those in two weeks; I will follow up with Waudo offline since we don't seem to have a direct response from [inaudible]. Yes, Stan, go ahead.

STAN BESEN: What you just said to Waudo reminded me, there is a placeholder in [like think of as] the industry structure piece that has a table, I guess we're asking [AG] to fill in which basically is supposed to report effectively the number of registrars for each domain and the frequency distribution of that. Does that overlap with what Waudo is doing?

JORDYN BUCHANAN: Yes. He, I think, was going to look at some of the price competition that presumably, I think, [inaudible] policies that are more registrars for a particular TLD will result in better or less markup to that TLD.

UNIDENTIFIED SPEAKER: Yeah. Yeah. I guess—and [AG] has done some stuff on that already, correct?

JORDYN BUCHANAN: Right. Yeah. That's what I think what I was intending to write-up.

UNIDENTIFIED SPEAKER: So mine is more sort of the industry structure side. And there, we can use data from [NTLD] stats and just essentially compile some, having some idea of how many of the new registries have five or fewer registrars, and how many have more than a hundred, that sort of thing.

JORDYN BUCHANAN: Right.

EN

UNIDENTIFIED SPEAKER: Right. It's the right-hand side variables. If you like, it's the right-hand side variables in the regression that [AG] is doing or has done.

JORDYN BUCHANAN: Yeah, that's right. The one thing I worry about a little bit, just using them for one side, and TLD stats for the other is making sure numbers agree on both sides of the equation.

UNIDENTIFIED SPEAKER: But I just think the idea is convenient, because they actually—I know they have exactly the data. If you have another source, that's fine.

JORDYN BUCHANAN: Yeah. I think that we are already going to have this problem a few places, but I'd like to avoid the number of places where we say TLD X has Y registrars, and in another part of the report we say TLD X has 0 registrars.

UNIDENTIFIED SPEAKER: I guess my only point is that this—if they have the data, that's fine, but this project should not be held up because of the actions of [data] because at the back it was always [NTLD] stats.

EN

JORDYN BUCHANAN: Right. Yeah. So maybe, Eleeza, we can just ask [AG] to look at the chart in Stan's paper and see whether that's already addressable with the work they put together in the registrar's concentration on price data.

Alright. We are out of time.

UNIDENTIFIED SPEAKER: Jordyn, I think they only did that for a sample of registries.

JORDYN BUCHANAN: Right. So that's right. So that may be possible, and then like I said, I think we're going to have situations where we just have to use different data sources and there will be some disagreement in the final numbers, but yeah. Stan can double check with them and see whether we can synchronize; that would be useful.

Alright, we are out of time. So I'll follow up with the remaining task items offline, and we hope to line up our agenda for additional items to discuss on our next call in two weeks. Alright. So for now, thanks everyone, and we'll see you at the plenary call next week.

UNIDENTIFIED SPEAKER: Thanks, Jordyn. Do you want to decide to do another separate call to talk about this overview thing?

[END OF TRANSCRIPTION]