
LAUREEN KAPIN: Okay. Thanks to ICANN staff for joining us, and also David, who I will note for the record was the first one to join the call. I'm hoping he's going to be joined by others.

David, what you are seeing on the screen now is the discussion paper topics, so this is what you and I were talking about just previously during our one-to-one phone call, which I'm trying to have with all of the leads.

DAVID TAYLOR: Got you. Okay.

LAUREEN KAPIN: I think everyone has individual scrolling, which means you can scroll, but if you scroll down, you will see designated who's lead on what. You'll see on the bottom of the first page that you're a participant in "Have new gTLD registry operators complied with the safeguards?" Fabro is taking the lead on that, but you're lead under Rights Protection Mechanisms, "Have the new dispute resolution processes reduced trademark infringement?" Also, you are lead in the Effectiveness of Procedures to Enforce Safeguards. Jamie and I are on that team with you. That's your resource for figuring out what big issues you're supposed to be tackling.

Alice, is it possible to project the Safeguards Team wiki? Because I want to show David just the places where all the data maps to the discussion paper topics.

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.

ALICE JANSEN: Sure. Happy to. One moment.

LAUREEN KAPIN: Perfect.

DAVID TAYLOR: When we've looked at this as well, maybe go back to the template. I've got a query, just as I was looking through it. I'll remember what that query is [inaudible].

ALICE JANSEN: Sure. Okay, Lauren. I think you should be able to see my screen now.

LAUREEN KAPIN: I do see your screen. If you go, for example, to Impact of Safeguards. Actually, go to Procedures because that's actually going to be one of the topics that David's tackling. There, that's a lot of ICANN compliance data. I'm also going to send you, Alice... Did I send you the spreadsheet that Maggie had put together on certain information that I had requested specifically? I don't know if I sent that to you.

ALICE JANSEN: Yes, I did receive a copy, but I'm not sure it's for public consumption, though. [inaudible] information [inaudible].

LAUREEN KAPIN: Okay. Actually, that was one thing. Thank you for reminding me of that. That was something that I wanted to check. I'll check with Maggie about that. Your data sources basically are going to be focusing on both ICANN compliance and some of the registry agreements.

DAVID TAYLOR: I did look through this, and this is where I think I'm struggling. When I'm looking at the question of have the dispute record DRPs, the URS Trademark Clearinghouse. Not the UDRP. That exists already, but all of them, in effect, legacy or after. Have they reduced trademark infringement? I wasn't sure. When I started looking [at it], I'd go, "Do I have to look through every single document and every single bit to try and identify if it talks about trademark infringement?" That's where I got a bit lost because there's nothing specific that when you pull it up there, which is a good one, the procedures, and look at compliance related metrics, compliance, that may help us. We might find something there.

[inaudible] on every day practice, it's not specific. There's no research answering this point in the [inaudible] report, etc. I look at that, and [inaudible]. That's a lot of reading. I'm going to get started on it. Then when I run out of my ten hours and I'm not through it. That's why I think I've turned certainly around, going, "I've got to concentrate on this INTA study, which is asking exactly the answers to the questions we want." That will get us to the end point more efficiently. That's where I may be wrong in what I'm doing.

LAUREEN KAPIN: No, I think that for everyone, these are rough maps of data that speak to the topic generally. For example, when I'm looking at the Nielsen survey, only select parts of that are pertinent to consumer trust. I have to read it. Albeit, I can scan it and go over quickly. I can look at the table of contents, too, and figure out what's relevant and what's not, but I think part of this process is figuring out of this data set, what's relevant.

I assume parts of this will be relevant and other parts won't, but the only way you're going to be able to figure that out is to at least take a quick look at these things.

DAVID TAYLOR: Okay. For the discussion papers, am I just looking at the safeguards and trust and the one, two, three, four, five, six sections? Or am I also going to go through the competition and consumer choice and see what's in there? Where do I look, and where do I limit myself to?

ALICE JANSEN: I think we may have lost Lauren.

DAVID TAYLOR: I think we may have because that was a long time thinking for that reply. I thought, "My question wasn't that complicated."

ALICE JANSEN: Yeah. Let's give her a minute to rejoin.

DAVID TAYLOR: No problem. That could be the computer problems, I guess. While we're doing that, I'm going to copy those links you sent me in the chat over to my Evernote so I can make sure I don't lose them.

ALICE JANSEN: Sounds good.

DAVID TAYLOR: Lauren is typing. A basic question for me. These are all on the Google Docs. Are these in the wiki, as well?

ALICE JANSEN: Sorry. I was calling Lauren.

DAVID TAYLOR: [inaudible].

ALICE JANSEN: Yes, the links are on the wiki. Yes, they are.

DAVID TAYLOR: They are, as well. Okay, good. [I think] I've got those in now.

LAUREEN KAPIN: Sorry. I don't know what happened there. Can everyone hear me now?

ALICE JANSEN: Yes, perfectly well. Thank you.

DAVID TAYLOR: Yes, we can.

LAUREEN KAPIN: Okay. Sorry about that. I'm sorry. Can we go back to the wiki? That's what I wanted to focus on. I'm not sure where I dropped off. I think what I was saying, David, was that not everything is going to be relevant. If it turns out that you're not able to address the topic through the data, then that speaks to a need for data.

DAVID TAYLOR: Right. Okay.

LAUREEN KAPIN: I think going through a quick look at some of these things will allow you to assess its relevance. One of the things compliance enforces are the Rights Protection Mechanisms. There should be some data on that. Isn't that true? At least as to numbers of complaints and such. Even if they're resolved or unresolved, there should at least be some numbers there.

DAVID TAYLOR: I think a lot of it's comparative data, isn't it? You go into the providers. We can get the data from the providers, whether it's [inaudible] or whatever. As to the number of disputes, you've got to look at the number of disputes on top of the number of disputes that were

happening previously and then break them down. I very much doubt there's anything in compliance about the breakdowns in comparison. That's where you've got to dig through the data and start interpreting it, which is obviously not what I would do before next [Vienna] meeting. [inaudible].

LAUREEN KAPIN:

I would focus on what you think will speak to this most directly. The other thing is if this is the wrong question in the first place, then we should talk about that because we're free to formulate these questions in a way that's going to be the most helpful for us. If we need to reconsider the question based on where we are in this process, then that's what we should do. I don't want you to feel hemmed in to –

DAVID TAYLOR:

Constrained.

LAUREEN KAPIN:

Yes, what you might conclude is not the right question. Maybe the question isn't, "Have the new dispute resolution processes reduced trademark infringement?" Perhaps the question is, "Are there more and better venues now for rights holders to seek protection for their intellectual property?" I'm just brainstorming with you. Maybe that is a better question.

DAVID TAYLOR:

A lot's in the question, and again, I think that's where it comes down to this questionnaire, which I was talking before, the INTA questionnaire, which we're doing. The question that you're answering needs to be a question which is being posed in that questionnaire, or else we'll have question A, which will begin over [data] and then we'll have an answer to another question which isn't quite the same. Then we're trying to extrapolate, and we end up having some sort of review of a review of trying to do something else.

Again, that's where I think for me, I've been trying to concentrate on getting those questions finalized and then mapping it back to what we're asking. In other words, any of the key questions in that questionnaire, can we answer them today with the data we've got or can we preliminarily have an answer and then we wait a little bit longer to have an answer from this main survey?

I'm going around it that way. It may be wrong because in effect, nothing really happens because I'm waiting and just trying to concentrate on trying to get this questionnaire formalized and out there. It ties in. I think it's worth the exercise because I think we need to look through these and see what we've got. That might jump out with some of the questions, which might help me to add some questions into the questionnaire. Then we can obviously look at them on this side. It makes [inaudible] sense.

Do I just stick with the documents under safeguards and trust? That was my question when you just dropped off. Do I also need to look at the competition and consumer choice materials?

LAUREEN KAPIN: You do not need to look at the competition and consumer choice materials, not for our project.

DAVID TAYLOR: [inaudible].

LAUREEN KAPIN: Yeah, not for the RPMs, unless you think that there's something there that would be useful. I don't want to preclude you from looking at something that you think is relevant, David, but I don't want to add to your list, either.

DAVID TAYLOR: Absolutely, yeah. I'll concentrate on safeguards and trust, and then [inaudible] if I have time, I'll have a look at that thing. Because until you look at the documents, you don't know, do you? You might find things in there.

LAUREEN KAPIN: Yeah.

DAVID TAYLOR: You look at so much stuff. I just think, "In a limited amount of time, how much stuff can you look at?" That's just the thing. Anyway, I'll dig into

these because it's all good stuff and it's all stuff worth looking into. I'll just say it's the time element on it.

LAUREEN KAPIN:

No, I totally understand, but I want you to know along in the wiki that Alice put up. If you look on the left hand side, the materials are all mapped to the specific topics, so impact of safeguards and PICs. See if you can click on that, Alice: Impact of Safeguards and PICs. Thank you.

All the materials that are relevant to that thus far. It's not a set universe. It's an expanding universe, but the sources, at least that we've identified thus far, are there. Those are the things to look at. You'll find that things are of variable relevance. Certain things may be right on point. Certain things may be more tangential, but it is a matter of wading through and figuring out what's going to be most pertinent. That's what I found in going through the procedure myself.

Since it's just you and me, David, which I will express on tape.

DAVID TAYLOR:

Again, it's a [inaudible]. I told you it was an overlap, didn't I? When I said [inaudible] an overlap at the same time. I was wrong, but [inaudible].

LAUREEN KAPIN:

You were prescient. Other than David and the wonderful staff that has joined the call, I'm disappointed that we didn't have an opportunity to talk with all the leads at this point, but for those who are listening to

this recording afterwards, my takeaway here is that we're going to be having another call with leads on August 16th and that discussion paper drafts are due on the 22nd. Really, folks need to get down to work and connect with their teammates to divide the work and make sure that there are actually drafts that are being provided to the entire subteam for review by the 22nd so that we have things to discuss in a concrete way in Vienna.

The other expectation I'm going to have is that every single person or subteam is going to be having something to present. Leads certainly and the other folks also. I'm asking the leads to make sure that they are calling on their teammates to help participate. Every lead topic is going to probably have more than one discussion paper. Consumer and User Behavior is going to have more than one discussion paper, so there will be opportunities for everyone to take ownership of a discussion paper and present that in Vienna. Everyone is going to be making presentations, and it's not just going to be presentations for our subteam or the entire review team. We're also going to have observers, so it's really important that everyone get down to work.

The other thing I want to emphasize is that if people are running into obstacles, if people aren't sure what they're supposed to do or what template they're supposed to use or what data they're supposed to look at, they can reach out to me. They can reach out to Alice. They can reach out to any of our great ICANN team to get some assistance. We're all here to help, so I don't want people to feel like they need to spin their wheels and flounder when there are lots of resources for help. That's really my takeaway here.

David, since we have the luxury of this time, do you have other things or other questions that you think it would be useful to go over? I think you had a question on the templates. Should we go back to that?

DAVID TAYLOR: I did, yeah. Just one thing before we do, if we could. Could you just send me the link to this, Alice, which you're looking at on the wiki, this actual page? Because that's a great overview.

ALICE JANSEN: Yeah, of course.

DAVID TAYLOR: I've got that and to have that, copy that over.

LAUREEN KAPIN: Even though I know people probably have this already, maybe just send the link around via e-mail. Alice, let's you and I connect after the call and we'll construct an e-mail that sends around links to the things that I had highlighted for this meeting, which is basically the discussion paper topics, the revised template – although I want to make sure that Jonathan is okay with that – and the wiki page that actually contains all the data that maps to the topics, just the link to the subteam wiki page. These are the raw materials I think that folks are going to want to have at the ready.

DAVID TAYLOR: Just for [inaudible] on that. The template may change, or is this the finalized one, this one that you're going to discuss with Jonathan?

LAUREEN KAPIN: Alice, can you put the template back on screen? This is just a slightly revised template. Basically, instead of starting with a hypothesis, I've now changed the terminology to talk about subquestions. Jonathan had the high-level question that the hypothesis relates to third, which organizationally, was a little confusing to me, although perhaps not to others. Basically, I changed this in ways that I don't think are substantive at all, but made it easier for me to understand. I don't think it's something you need to get caught up in. I think you should either –

DAVID TAYLOR: Just for me and... Sorry.

LAUREEN KAPIN: Go ahead.

DAVID TAYLOR: This is where I get confused, which I'm sure is my fault. The two links I've got in Google Docs, neither of them bring me to this model issue paper. Is that somewhere else? I've gone in several times and I keep getting different questionnaires. I get lost after about ten minutes and just go and do something else, which is my problem, I'm sure. This is good. I just want to make sure I look at the right thing and start mapping my own thoughts to the right document.

LAUREEN KAPIN: We will send around a template. We will send around a template this morning.

DAVID TAYLOR: And will that also be put in the links? I'm just looking at the two links you helpfully provided, Alice. When I go into the CCT RT discussion papers with the link, I've got 12 documents in there.

LAUREEN KAPIN: Those are the prior version. I don't want you to get tied up with this. That would also be okay to use. Basically, this is just a slight reordering of the questions. I just flipped two things, and instead of calling it hypothesis, which some folks were having trouble with, I changed that term to subquestions. That's the only difference. You can also use that link and use that format. There's no problem with that.

DAVID TAYLOR: Okay. I'll have a look at that. Then when you send this last one around, I'll just make sure. Like I said, it's my problem. There's so many sources, and most of the time, I go offline to do things. Then when I'm offline, I can't get back online and then I find I haven't got the documents. That's the thing. I keep trying to download things into Evernote so I've got them in my own work space, you would say. I'm not getting the right documents. You see you have to live online in this world now, and I'm not always online, unfortunately, where I am.

ELEEZA AGOPIAN: Laureen, can I ask you a question?

LAUREEN KAPIN: Sure. Hey, Eleeza.

ELEEZA AGOPIAN: Hi. I think you said you were looking for staff help on... Was it writing these papers? I didn't quite catch your meaning, and I want to make sure.

LAUREEN KAPIN: Oh, no. No, I'm not.

ELEEZA AGOPIAN: Okay. Was there something else you wanted our help on in providing the data or formatting? I missed it and I didn't write it down fast enough.

LAUREEN KAPIN: Sure. No, what I was saying is that if folks need help finding the data or have other questions about where things are, that they should reach out to staff because staff can point them in the right direction very quickly. I don't want people to be wasting their time. "Where is this? Where is this? I can't find it. I'm looking through all these things," when

they could basically reach out to a staff person who could say, “Here it is.”

ELEEZA AGOPIAN: Sure. No problem.

LAUREEN KAPIN: I just wanted people to know, as they should already, that staff is a great resource for them.

ELEEZA AGOPIAN: Thank you.

DAVID TAYLOR: We know that.

ELEEZA AGOPIAN: You’re just buttering me up because it’s 6:30 in the morning here.

LAUREEN KAPIN: Exactly, but it’s true also.

DAVID TAYLOR: You need buttering up for that.

ELEEZA AGOPIAN: I do.

DAVID TAYLOR: Can we go back to the page where we've got the leads and the teams?

LAUREEN KAPIN: Sure.

DAVID TAYLOR: I just have a question on that.

LAUREEN KAPIN: Alice, can we? I wasn't sure if you heard that. There we go.

DAVID TAYLOR: You did hear it.

LAUREEN KAPIN: She did hear it. Great. Go ahead, David.

DAVID TAYLOR: I'll open [that]. Impact of Safeguards and PICs. I saw that obviously the team Fabro/Carlton on number three, "Have new gTLD registry operators comply with the safeguards," where I'm helping. I can't remember how many I was volunteered for and how many I said yes to, so that's beside the point. I'm contributing to that one. Then when we

go down to the RPMs, I can see I'm working again with Carlton on the first one. No, I'm not. Sorry.

LAUREEN KAPIN: I know that Carlton has done –

DAVID TAYLOR: No, sorry. That was my point. I'm not working with Carlton because the, "How are RPMs for new gTLDs different from those for legacy TLDs?" That was Carlton, Jamie, Fabro, but not me. I was just thinking it made sense probably if it's RPMs that it's me. I'm not wanting to get more work because I'm not doing the work I'm given. I'm just trying to make things logical. It's like I'm [being] one of the two. "How are RPMs for new gTLDs different from those legacy TLDs?" I probably know that off by heart. That's what I advise on a daily basis to people, so you could probably stick me on that.

LAUREEN KAPIN: I was going to say then we should make a switch.

DAVID TAYLOR: Again, I'm just thinking. I'm not sure how it was done, but it strikes me there as if there's myself, Jamie, and Carlos on number four and then Carlton, Jamie, and Fabro on number three, it's almost like we should be a little subgroup doing it all. But then I see Carlos and Fabro are doing so many things, and maybe that's why. Maybe we just leave it as it is, and when we talk, if they're flailing in any way, I'm quite happy to step over

and try and help out on that one. So maybe leave it like that and I'll just concentrate on the data, whether it's reducing trademark infringement and look with that in mind. Then the other one, I can obviously come in at a later date on.

That probably makes sense. I just wondered why it was split up like that, but again, it's probably how we volunteered I guess, or got volunteered.

LAUREEN KAPIN:

Yeah. This took place while I was out of the country, so I can't answer the question, but that doesn't mean it can't be adjusted as needed or you can't participate in this as needed.

DAVID TAYLOR:

Sure. It's on the [inaudible] with the effectiveness of procedures to enforce safeguards, the one below there where we talked about this before, where I'm lead on that. That goes out of the RPMs and into a different area, which is obviously linked to the RPMs. I can't remember why I'm lead on that. I don't need to be lead on that, but I'll be lead on it, except I'm not doing much leading, as you can tell. Just logically, I was thinking I should probably be involved doing the... Or leading, if need be, on the Rights Protection Mechanisms on number three and four and less leading on the new procedures effective enforcing safeguards because I will be doing a lot less reading on safeguards. In the next two weeks, if I try and pull something together so that we concentrate and do this realistically, bearing in mind I'm on vacation, if I manage to extract myself for 20 hours of those vacation time and do this, that will probably use up my time on the RPMs, that first bit, and I won't be

doing much reading on safeguards. You'll be speaking to me next week, saying, "Have you done your reading?" I'll say, "Nope, I'm reading RPMs at the moment. I'm not reading safeguards." But I think maybe you and... Who else is doing safeguards? It's just you on that one, on the enforcing safeguards?

LAUREEN KAPIN: Jamie.

DAVID TAYLOR: Jamie. I'd just say I'm probably less of a lead on that because I don't think I can lead on the two areas because they're quite different areas. So I'll concentrate on one of them [inaudible].

LAUREEN KAPIN: I don't know. Maybe you want to –

DAVID TAYLOR: Do you know what I mean?

LAUREEN KAPIN: Yeah, I do. I'm wondering. I know that Carlton has already done a little bit of work on this. Maybe we'll chat with Carlton about it and see what his views are to perhaps making a switch.

DAVID TAYLOR: Yeah, that might work and might help. It might be logical [inaudible] I could maybe help him out and take over the lead on that number three,

and then he takes the lead on the other one. I'll still chip into it. Keep me on it if you want, if that helps. I'm not trying to get off it. I just don't think I'll be able to lead on two in the time available because [I'll] struggle on one in the time available.

LAUREEN KAPIN: Let me touch base with him and see if that would work for him. I will touch base with him to see if that can happen.

DAVID TAYLOR: Okay. As I said, I'm just thinking that I can put something together. For instance, so it's data, but how do RPMs for new gTLDs differ? I could probably put a nice table together if we're wanting to show people something of the differences between URS and UDRP because that's what it relies on. It's normally quite lengthy, but I can pull that together into a nice table and it's factual. There's data. I know how it differs because I helped write the URS and I'm a panelist for the UDRP. I don't need to read tons and tons of papers to put that together.

LAUREEN KAPIN: Right. That sounds very sensible. I just want to make sure that Carlton would be comfortable with that, so I will reach out to him on that and report back.

DAVID TAYLOR: That was my query on the [inaudible].

LAUREEN KAPIN: That actually makes perfect sense. I know Carlton has actually, if you look at his paper on Rights Protection Mechanisms, he actually has taken some time to describe some of the Rights Protection Mechanisms, which perhaps is something you can use.

I will do that. Any other questions?

DAVID TAYLOR: No, that's it for me.

LAUREEN KAPIN: Okay. At least we got a chance to focus on the issues regarding your topics.

DAVID TAYLOR: Yeah, very helpful [inaudible].

LAUREEN KAPIN: That's productive. We'll send an e-mail out to the group and see where we are for our next phone call, which will be on the 16th.

DAVID TAYLOR: You should send an e-mail around saying just to let you know, you're very upset with everybody who's not turned up for this meeting. Only David did. No, actually, he's been relieved of his homework and will not need to make a presentation in Vienna, but all the rest of you will.

LAUREEN KAPIN: Right, right. I'll see how that works for incentives. Thank you for that very creative idea, David. I'll take that under consideration. Safe travels.

DAVID TAYLOR: Thank you.

LAUREEN KAPIN: Thanks to everyone who participated. I will work with Alice on a follow up e-mail, and I'll also get some clarity on the discussion paper template and reach out to Carlton about the issue of perhaps doing a swap. Does anyone else have any comments or questions before we break?

A big thanks especially to the folks who woke up very early to hear essentially a dialogue between David and I, with great support from everyone else. I regret that we didn't have a more robust participation, so thank you for your devotion and flexibility with the time.

UNIDENTIFIED FEMALE: Thank you.

ALICE JANSEN: Thanks, Laureen.

DAVID TAYLOR: Thank you for that.

LAUREEN KAPIN: Okay. Thanks so much.

DAVID TAYLOR: Bye, and have a good weekend, everybody.

UNIDENTIFIED FEMALE: Have a great weekend, everyone. Bye bye.

ALICE JANSEN: Bye.

DAVID TAYLOR: Bye.

[END OF TRANSCRIPTION]