

## **Adobe Connect chat transcript for 22 September 2016**

Terri Agnew: Welcome to the New gTLD Subsequent Procedures Sub Team – Track 2 – Legal/Regulatory Issues call held on Thursday, 22 September 2016 at 20:00 UTC.

Terri Agnew: wiki agenda page: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_community.icann.org\\_x\\_tRWsAw&d=DQIFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0Algn-H4xR2EBk&m=SJ9KJ2\\_niV7cQKY3mlefnK0f9W\\_HlwnUFp1-4IE-7o0&s=DRlgnZ5ZNIv8i3WgqmfDQycJpGZZGpBKil\\_9p8m1cw&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_x_tRWsAw&d=DQIFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0Algn-H4xR2EBk&m=SJ9KJ2_niV7cQKY3mlefnK0f9W_HlwnUFp1-4IE-7o0&s=DRlgnZ5ZNIv8i3WgqmfDQycJpGZZGpBKil_9p8m1cw&e=)

Jeff Neuman: Hello all. Just signing on, but will be stepping away from desk until just before call

Terri Agnew: @Phil, I have sent you a private AC Chat

Terri Agnew: @Michael, I can hear you

Terri Agnew: @Michael, I don't think you can hear me

Phil Buckingham: hi Terri, I can hear you. Can you call back. I can't get in

Terri Agnew: @Phil, calling again via telephone

Steve Coates: I have an updated SOI.

Steve Coates: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_community.icann.org\\_display\\_gnsosoi\\_Stephen-2BJadie-2BCoates-2BSOI&d=DQIFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0Algn-H4xR2EBk&m=SJ9KJ2\\_niV7cQKY3mlefnK0f9W\\_HlwnUFp1-4IE-7o0&s=C88SoONJ5\\_imCYAuTrFF307RqUh-6PxfFG-kDk6vlzg&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_display_gnsosoi_Stephen-2BJadie-2BCoates-2BSOI&d=DQIFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0Algn-H4xR2EBk&m=SJ9KJ2_niV7cQKY3mlefnK0f9W_HlwnUFp1-4IE-7o0&s=C88SoONJ5_imCYAuTrFF307RqUh-6PxfFG-kDk6vlzg&e=)

Terri Agnew: as a reminder on the telephone to mute/unmute Press \*6 to mute or un-mute your line

Paul McGrady: Sorry! just joined. Thanks!

Annebeth Lange 2: Hello, I am here for the first time, my sound is awful, but I will try to follow.

Terri Agnew: @Annebeth, if you would like the telephone to dial out to your top toolbar, select the telephone icon and follow prompts

Rubens Kuhl: @Annebeth, are you in the audio bridge or Adobe connect audio? If one, try the other...

Phil Buckingham: welcome annebeth - good to have some GAC input

Annebeth Lange: The sound is better, Terri, so it is OK.

Steve Chan: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_newgtlds.icann.org\\_en\\_reviews&d=DQIFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0Algn-H4xR2EBk&m=SJ9KJ2\\_niV7cQKY3mlefnK0f9W\\_HlwnUFp1-4IE-7o0&s=Us\\_BW8e1y0wwtNWKkGv\\_eS508Ebz3YZI67MZPefemmc&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__newgtlds.icann.org_en_reviews&d=DQIFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0Algn-H4xR2EBk&m=SJ9KJ2_niV7cQKY3mlefnK0f9W_HlwnUFp1-4IE-7o0&s=Us_BW8e1y0wwtNWKkGv_eS508Ebz3YZI67MZPefemmc&e=)

Steve Chan: About halfway down the page, you'll find a graph that shows various reviews underway in support of the CCT-RT, a couple of other reviews, and all of the PDPs underway

Alexander Schubert: Reserved Names: The CCWG on Territory Names according to my observations won't provide useful input: Their scope of work is way broader than what we seek. So let's watch them - but do not wait for input: There won't be any.

Rubens Kuhl: One note is that any RPM not revisited by the RPM WG needs to be revisited in this WG. It's a charter requirement.

Annebeth Lange: Well, Alexander, there is at least a preliminary recommendation on use of 2-letter strings.

Alexander Schubert: 2 letter codes are blocked - everybody knows this.

Annebeth Lange: They have been so far, and I hope they will continue to be.

Heather Forrest: Yes -

Alexander Schubert: No one right in his mind would try to pry 2 letter codes out of the hands of the GAC.

Alexander Schubert: prey

Rubens Kuhl:Annebeth, you were on mute for the beginning. Could you repeat from start ?

Alexander Schubert:I don't think that there is one single entity in the world dreaming of applying for a 2 letter new gTLD.

Rubens Kuhl:Alexander, HP is eager to apply to .hp... in fact, they were the first to ask Jon Postel for a Brand TLD.

Heather Forrest:In terms of waiting, I think we're suggesting that the CWG's report will be useful to future work on this topic. We have recommendations and an extensive amount of background materia.l

Heather Forrest:A chance to coordinate between the two groups would be very helpful in my view

Avri Doria:With Annabeth and Heather participating in this group, we effectively have a lpoint of liaison.

Alexander Schubert:We should look at their "outcome" - but not hold back to start to look into the matter. There won't be any "recommendation".

Heather Forrest:I fully support Annebeth's comment that we should meet in Hyderabad

Alexander Schubert:2 letter codes are OFF LIMITS.

Rubens Kuhl:2 letter, yes. 2 char, perhaps not... like a1 or 1a .

Alexander Schubert:Rubens: or like .aa as AA can't be allocated to a country (reserved like 192.162....)

Rubens Kuhl:BTW, any digit in new TLDs were forbiddent last time. Including perhaps abc123 , much longer than two chars.

Alexander Schubert:aa.com - the airline :-)

Heather Forrest:Another of the CWG's co-chairs, Carlos Gutierrez, is also a member of this WS.

Heather Forrest:We will be happy to provide an update.

Alexander Schubert:Agreement!

Phil Buckingham:thanks heather

Alexander Schubert:For sure shoud look into the CCWG results.

Terri Agnew:Reminder for all, please raise your hand in adobe to speak or if on telephone only, say your name and the chairs will put you in queue. This will ensure when listening to the recording everyone will know who is speaking.

Cheryl Langdon-Orr (CLO):Annabeth clearly stated that Paul

Terri Agnew:to raise your hand in adobe connect/ top tool bar/ person icon/raise hand

Annebeth Lange:I agree, the work of the CCWG was not a PDP. The mandate was to see if we could find a common framework for the treatment of c & t names in the next round. But the result would be fed into the GNSO PDP.

Heather Forrest:Paul makes an excellent point and this is indeed one of the things the CWG has identified as a 'weakness' of its own mandate. This is not something that everyone in the CWG agrees on, but definitely a point of discussion.

Rubens Kuhl:I don't have a problem with Hewlett Packard not having .hp, American Airlines not having .aa, Ernst Young not having .ey due to possible future country codes. But the rules must be 3 ASCII chars or longer, 2 IDN chars or longer, no ASCII digits prevent much more than possible country codes.

Heather Forrest:your'e fine!

Paul McGrady 2:@Avri - agree. All thoughts and inputs into our process welcome.

Heather Forrest:It's a "cross community working group" - some of us use the acronym CWG

Heather Forrest:to prevent confusion with that "other" CCWG

Heather Forrest:)

Cheryl Langdon-Orr (CLO):Its really the CTN-CWG for fuller acronym => County and Terratory Name - Cross Community Working Group

Cheryl Langdon-Orr (CLO):Call it whatever you like :-)

Phil Marano (Mayer Brown):Is it possible to circulate this draft document to the email list?

Jeff Neuman:That was Phil Corwin

Jeff Neuman:yes

Jeff Neuman:correct  
Annebeth Lange:Sorry, I have to leave. Talk to you next time.  
Cheryl Langdon-Orr (CLO):bye Annabeth  
Steve Chan:From a staff perspective, we would support delaying the initiation of efforts on IGO/INGO.  
Emily Barabas:@Phil, staff will include this document with the notes  
Jeff Neuman:yes  
Jeff Neuman:hopefully less controloversial today  
Cheryl Langdon-Orr (CLO):AHHH Yes the joys of VI  
Rubens Kuhl:"We will always have VI" (members of the VI WG)  
Rubens Kuhl:Which I was not part of.  
Phil Buckingham:thanks jeff for the clarification  
Rubens Kuhl:Versions of AGB prior to application implied that structural separation would be allowed;  
that changed in June 2012, after the closing of the application window.  
Jeff Neuman:Someone get Michael some water :)  
Rubens Kuhl:I can't find the water icon in Adobe...  
Phil Buckingham:what a good q - big big job - outside our remit /  
Paul McGrady 2:BIG big job. Not sure how it ended up here. Could slow down R2 significantly, I'm afraid.  
Paul McGrady 2:There is a technical term for this: "Yikes"  
Rubens Kuhl:My memory matches what Jeff is saying.  
Phil Marano (Mayer Brown):It is an infrequently capitalized, yet never defined, term in the RA. "Public Interest" Appears in a number of provisions.  
Cheryl Langdon-Orr (CLO):Agree JEFF  
Paul McGrady 2:Thanks Jeff. Would be nice if we could find a way to draw borders around this issue. If its "do PICS work and when should they appear, e.g. in the Guidebook or on a surprise basis later in the process?", I think those are good questions. As currently written, however, it looks much more broad than that and could be quite the cul de sac to get stuck in.  
Steve Chan:Sure thing  
Jeff Neuman:@Paul - agreed. We will come back to the group the next time with more context  
Phil Marano (Mayer Brown):+1. It does not make sense, specifically with respect to .Brand TLDs.  
Rubens Kuhl:One challenge to that is that a registry can change from Spec 13 to non-Spec 13, or from exclusive-use to non-exclusive use, during the term of the contract.  
Jeff Neuman:@phil - I didnt make sense, or it does not make sense to have one agreement :)  
Phil Marano (Mayer Brown):It doesn't make sense to have one agreement template. ;)  
Steve Coates:I think it's very clear we should have a separate .BRAND RA.  
Cheryl Langdon-Orr (CLO):Even I see the seense of the seperate agreement options in aa diverse marketplace ;-)  
Steve Coates:Great question. I'd love to see that metric.  
Kevin Kreuser:all "brands" were granted Spec 13, but certain "brands" TLDs were not granted spec 13  
Paul McGrady 2:[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_newgtlds.icann.org\\_en\\_applicants\\_agb\\_base-2Dagreement-2Dcontracting\\_specification-2D13-2Dapplications&d=DQIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIGN-H4xR2EBk&m=SJ9KJ2\\_niV7cQKY3mlfnK0f9W\\_HlwnUFp1-4IE-7o0&s=9X-\\_qWV8CZ2fQpl0dRFayKwRNs1l6f-Y3SL6Wq4EYC4&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__newgtlds.icann.org_en_applicants_agb_base-2Dagreement-2Dcontracting_specification-2D13-2Dapplications&d=DQIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIGN-H4xR2EBk&m=SJ9KJ2_niV7cQKY3mlfnK0f9W_HlwnUFp1-4IE-7o0&s=9X-_qWV8CZ2fQpl0dRFayKwRNs1l6f-Y3SL6Wq4EYC4&e=)  
Paul McGrady 2:Spec. 13 specifically references .brand requirements  
Jeff Neuman:We are running low on time. SO a few questions for the group. (1) Does anyone not agree with the notion of having different agreements for different types of TLDs. (2) Other than "brands", are there any other categories of TLDs that merit their own agreement, (3) with respect to brands, are the

qualifications set forth in Specification 13 the right ones to measure a "brand"?; (4) What are the processes for switching to a different agreement

Jeff Neuman:the last word should be "agreement"....my typo

Jeff Neuman:@Paul - it is not lost....it is being added to our work plan

Terri Agnew:next call for the New gTLD Subsequent Procedures Sub Team – Track 2 – Legal/Regulatory Issues will take place on Thursday, 06 October 2016 at 20:00 UTC invite will be sent shortly

Paul McGrady 2:great, well run call!

Avri Doria:thank you very useful meeting

Cheryl Langdon-Orr (CLO):Thanks everyone... Bye for now then...

Jeff Neuman:Thanks Michael and Phil!

Jeff Neuman:Lets keep some discussion on the lists too!

Avri Doria:and take the conversations to the lists.

Robert Burlingame:Thank you everyone.