ICANN
Transcription
Review of all Rights Protection Mechanisms (RPMs) in all gTLDs PDP Working Group call
Wednesday, 30 November 2016 at 17:00 UTC.
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Terri Agnew: Thank you. Good morning, good afternoon and good evening. Welcome to the Review of all Rights Protection Mechanisms RPMs in all gTLDs PDP Working Group call held on the 30th of November, 2016.

In the interest of time there will be no roll call as we have quite a few participants. Attendance will be taken via the Adobe Connect room so if you are only on the audio bridge, could you please let yourselves be known now?

Beth Allegretti: Hi, it's Beth Allegretti. I'm on audio right now with bad reception so may get cut off.

Terri Agnew: Thank you, Beth.

Jeff Neuman: This is Jeff Neuman. I'm on audio as well.

Terri Agnew: Thank you, Jeff. Hearing no further names I would like to remind all to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this, I'll turn it back over to our co-chair, J. Scott Evans. Please begin.

J. Scott Evans: Thank you, everyone. Good morning, good afternoon and good evening, wherever you may be. I'm sorry that I had to miss Hyderabad. I was working the election of the United States in North Carolina given that I'm a licensed attorney there so I was helping out with poll watching in the States so I apologize for having to miss the Hyderabad meeting. I understand it went very well. And that only a few people actually got sick so that's good to hear.

I think we – I've slotted here, if you'll notice on the far right hand rail of the Adobe Connect, for those of you that are in Adobe Connect, you'll see that we're going to continue reviewing the suggested questions for the review of the Trademark Clearinghouse from the Trademark Clearinghouse questionnaire sub-team. So do we have those that we could post in the Adobe Connect? I don't see them there at this point.

Okay. So here we go. Mine is sort of odd, I'm going to – I think if I make it large enough for me to see the whole thing then I can't see the chat room. So okay.

So I'm not sure – because I wasn't in Hyderabad I'm not sure where we left off what the additional issues are, but I want to make sure that we – everyone feels comfortable with this. I noticed that there's some notations here. It's hard for me to see it's so small in order for me to see the chat room. And the pod that allows us to – allows me to see people raising their hands.

Terri Agnew: And, J. Scott, this is Terri. It's also been posted on the agenda wiki page if that's helpful for you under the Documents.

J. Scott Evans: Okay. Okay well it's going to be tough for me to do that – I only have one screen, I'm in a conference room. So anyway so the question is, are there any more thoughts about this and pulling this together so we can get this finalized? And you'll notice here there are some comments that have been made. Do we want to just go through those comments? Let me make this bigger so I can see.

I see the first comment here is, "The sub-team agreed to add a focused version of the question into the list of questions addressed specifically to the sunrise RPM claims notice in private RPMs." And that is on Question Number 8. So do we know if that has been done? And I notice there's also a proposal to remove that question altogether. So, I mean, we need to decide how we're going to react to that whether we're going to do that.

So does anybody – oh, Kathy Kleiman.

Kathy Kleiman: Hi, J. Scott and thank you for doing poll watching. Much appreciated, while we were in Hyderabad. So I think – I'm not sure this document is actually going to be particularly helpful right now.

J. Scott Evans: Okay.

Kathy Kleiman: The reason why is this is kind of a working document of the subgroup. And in – and this is kind of as we go down what are the questions – the green is for the questions that – the left side is really just so people, you know, understand what they're looking at, the original question is really what was asked in the charter, and then we tried to provide in the second column the subgroup tried to go through some context, some background, then you see some comments and suggestions as we're kind of going back and forth.

But we think the document that might be useful is the questions that really go in the right hand column, the proposed edited question, which is the questions coming out of the subgroup which the full working group of course

does not have to accept. But it's kind of where we came out as we tried to merge the questions and come up with more neutral forms of asking them. Ones that didn't suggest one answer but suggested much more open answers.

And so I don't know, again, going through the table, while I'm really glad it's here, it's – and people should look at it and join the subgroup if they want to kind of help with the finals, and again the green is what we've decided to retain of what we're urging as a subgroup that the working group retain, those are the green highlights.

But there was a summary document that we showed in Hyderabad of what's already – what's already kind of percolating up out of the subgroup. But it might not have been updated with our most recent subgroup meeting. So, sorry, a lot of information but hopefully some useful background that what we're looking at really is kind of the notes of the subgroup in progress. Thanks. And almost finished. Thanks.

J. Scott Evans: Okay. All right so I see here that for the most part a lot of it is in green. We do have some white spaces and we have some yellow spaces. So all right, does anyone on the sub-team want to speak to this other than Kathy? Is there anybody on the sub-team that can tell us where their work is and where they're headed with regards to this? Okay, I don't see any hands.

Well, I mean, it looks like, you know, the work is progressing and we need to get this out because until we can get this out and get some information back from the providers and the various parties involved so that we can then take that information in to study sort of what the state of affairs is now, we, you know, don't have anything that we can focus our work on.

So that's something that I think that we need to get going. And that we are close, so, you know, hopefully within the next week or so we can get this

finalized so that we can get this out. That would be my suggestion. Is there anyone that believes that that is not workable? Kurt.

Kurt Pritz: Hey, J. Scott. Hi, everyone. First I think that's workable. Second, I think that looking at the agenda for the meeting there's really two sets of questions, right? One is this set of charter questions, which is kind of the, you know, raison d'être for this whole group that we collectively thought at one time needed to be honed some. So that's the task that you're looking at that's about 3/4 done.

But there's also a list of questions for the providers for the Trademark Clearinghouse and also questions for registrars and registries. And I think that, and I'd ask someone from ICANN staff here, but I think that that list of questions that's prepared to be sent to the Trademark Clearinghouse is, you know, done. And that's another part of this agenda.

So I'm wondering if we could look at that set of questions because they've been massaged and then staff came in with clarifications and those clarifications were more or less accepted with some tweaks by the group and then staff was ready to have the – those questions sent out. So I think we're ready to send questions out to the Trademark Clearinghouse providers, and I just wanted to make a check of that.

J. Scott Evans: Okay thanks, Kurt. I see that Mary has her hand up. Mary.

Mary Wong: Hi. J. Scott, Kurt, Kathy and everybody. So a couple of things, I think one in terms of the charter questions, which you see on the document on the screen here, as Kathy noted, some of these questions were presented in Hyderabad. And what was presented in Hyderabad were (unintelligible)…

J. Scott Evans: Did we lose Mary? Hello?

Terri Agnew: Hi, this is…

((Crosstalk))

Terri Agnew: Oh, you're back now, Mary.

Mary Wong: I'm sorry, is this better?

J. Scott Evans: Yes.

Mary Wong: Okay great. Sorry, I'm on a terrible connection from Kuala Lumpur, so I apologize. But what I was saying was that on the questions from the charter, in Hyderabad a list of questions that have been agreed by the charter question sub-team was presented, as Kathy notes. These are the questions that are in the table as the guidance category, the verification category and the first question under the balance category.

                 So one intention of today was to have the full working group look at those questions and see if there are any comments, and also that there are a few additional questions that the sub-team has agreed on since Hyderabad in the balance category and see if there are any comments on those.

                 In relation to what Kurt said about the questions that a different sub-team, but also on the TMCH except that they were doing data collection and gathering, what we can report is that these agreed sub-team questions for registries and registrars have been sent out. What we probably need to know – I think the registry and registrar members of the working group are aware of this is that (unintelligible) the amount of work and requests that are going out, not just from (unintelligible)…

J. Scott Evans: We've lost you again, Mary.

Mary Wong: I'm sorry, am I back?

J. Scott Evans: Yes.

Mary Wong: Okay, I'm sorry. I really am sorry. But so on the registry and registrar
                    questions from the second sub-team, we may not get as many responses in a
                    timely a fashion as had been hoped but we're going to try and pursue that.
                    On the questions to the Trademark Clearinghouse providers, as Kurt noted,
                    we had gotten some feedback to the sub-team that some clarifications might
                    be needed. And after some discussion on the sub-team mailing list those
                    questions, as clarified, should be going out to the providers before the end of
                    the week.

                    So J. Scott, hopefully that's helpful. And of course we're happy to take more
                    questions.

J. Scott Evans: Yes, I think that's very helpful and I appreciate that very much, Mary, for that
                    update. So, Kurt, I hope that – Terri, I don't know what's going on but if we
                    can clear that up?

Terri Agnew: We've isolated the line.

J. Scott Evans: Okay thank you. Kurt, I hope that that answered your questions and so that
                    we can move on now to looking at the work plan, if we can get that up into the
                    window, because of course this is all going to affect how our work progresses
                    and our work plan. So I think that that was adjusted accordingly.

                    So you see here the work plan as it's currently in its form. We are on the 30th
                    meeting. We still have review and scoping. But I'm not so sure that we even
                    need to do that next week. I'll put it to the group as they can think that's
                    something we continue to need to do but it looks like we just need to – what
                    we need to have is the sub-team to present us with the final questions as
                    they want to send out so that we can approve those and get those out.

And then we can start – we may be able to move our review up a bit if we can get those questions to the group by next Wednesday, the 7th. If we can get those questions out and approved at the very beginning of that meeting we could move right into discussing the materials.

Okay, my – all of a sudden I've gotten a strange message from Adobe Connect saying that I've lost the connection. But I'm still connected to my Internet so I'm not sure what's happening.

Terri Agnew: J. Scott, it's Terri. And I still have connection. Are you able to log back in, quickly?

J. Scott Evans: Well no, I'm in but what's happened is all I have the agenda and notes are live but okay I'll go back and try again. Calendar. I don't know what's going on. So I can't see anything at this moment but, I mean, we see the work plan. Do we think those people that are working on the TMCH sub-team, can we have the questions finalized and ready for approval by next – the beginning of our next meeting, which is the 7th of December?

Somebody is going to have to tell me what's going on because I have no insight into Adobe Connect at this moment. Here I come.

Kathy Kleiman: Hi, J. Scott, it's Kathy.

J. Scott Evans: Yes.

Kathy Kleiman: I think for the subgroup working on the TMCH questions for the providers, I think we're actually done. Somebody can correct me. I think Mary is putting together – we actually circulated those for review online. And so I don't know if we're having another meeting. We had done extensive work on the questions, ICANN GDD staff had raised some – mostly clarifications really. We've responded to those. So I think those are actually when Mary kind of

merges, you know, the edits that came in from a few people I think those will be ready to go. That's my understanding.

So that will go out and then the subgroup that's working on the charter questions, and this is just for the TMCH section, of course we'll have to go on and do other work for the sunrise, for the trademark claims, for other uses, but just for the main questions for the Trademark Clearinghouse, the questions that our working group will be looking at I think we'll probably wind up finishing those this week.

J. Scott Evans: Okay.

Kathy Kleiman: Thanks. So I think with the work plan, one of the things that changed in our co-chairs meeting one of the things that changed is just that we're going to kind of focus – we kind of changed that we're not spending five weeks kind of evaluating TMCH questions. So anybody – if someone did a comparison of the current updated work plan versus the slightly older work plan, they would see that we kind of decided to take one piece at a time.

So Trademark Clearinghouse and the database first, then we'll move on and take sunrise, look at the questions, look at the issues, then we'll go onto trademark claims, same thing, look at the questions, look at the issues. So we've broken it up slightly differently so that we could get into the meet of the matter of the Trademark Clearinghouse providers and database faster. You can probably say that better than I can but that's what I remember is kind of the main change of the work plan.

J. Scott Evans: Yes.

Kathy Kleiman: Thanks.

J. Scott Evans: Yes, I agree. I agree. So if those questions are done, then we don't need to have a TMCH review and scoping meeting next week; we can just move right

into – Greg, I see your hand has gone back up. I'm sorry, it had gone down and now it's back up again. Go ahead.

Greg Shatan: Thanks. Greg Shatan for the record. I just think it's important that we make sure that the group as a whole reviews the subgroup's proposed questions and, you know, I think we've done that in the earlier set but, you know, we should not be just moving questions directly from the subgroup out into the world. So just want to make sure that were leaving time for that in the plan. Thanks.

J. Scott Evans: Okay well if those questions are ready I think we should circulate them to the list now with the idea that at the beginning of next week's meeting, as I suggested earlier, we would then see if there are any concerns or questions regarding those that had not been brought up on the list during the intervening week and then we would approve those and they would – we would be finished with that and we would move right on into discussing the TMCH. So that's my proposal. Is there anybody who disagrees with that?

Because it isn't my intent, nor is it I think Kathy or Phil's that we would somehow circumnavigate the larger group with regards to looking at what our proposal is and getting buy in and consensus with regards to everyone before we send things out. Okay. So that's great.

So then the – you see our work plan here. We might be moving up and starting our discussion on the TMCH on the 7th rather than waiting until the 14th if we don't have a huge discussion with regards to finalizing the questions on the 7th, which is next Wednesday.

Then you notice that we – ICANN is closed on the 28th so we're not going to have a meeting that day. And then our TMCH work goes pretty much through January, then of course we're going to get more specific into the RPMs within the TMCH in February and then we'll be preparing to go to the ICANN meeting, I think it's in Copenhagen in March. So and then we'll start a sunrise

review. And you can see it's all laid out here, that we have a great deal of work to do and it's all mapped out.

Of course, as we – these dates, again, may have to adjust as we find that we haven't gotten the responses in a timely manner from the group so we don't have that information to react to and incorporate into our discussions but it's our hope, with the help of staff, and any prodding that you all can do personally within your own constituencies, that may have received these questions to ask them to be timely as possible so that we can keep our work moving on that would be great.

So that's where we are right now. You know, so I don't have any other business today. We've got the work plan. Are there any questions with regards to the work plan as it's laid out now as it's been adjusted to reflect where we see ourselves today? Seeing no questions, let me scroll down here. We have so many people on the phone today. I don't see anyone raising any questions.

So we will then – I ask if anyone's got any other business that they'd like to bring before the group today? Okay so then it looks like our next meeting is going to be next week, which is the 7th of December. And I'm sorry that I am not up to – if I could ask Terri to let us know what time slot that call will be taking place in? Or Mary, one or the other?

Terri Agnew: Hi, J. Scott, it's Terri. And I wasn't ready for the question quite so soon so give me one moment, I'm going to get that…

((Crosstalk))

J. Scott Evans: Okay.

Terri Agnew: I apologize.

J. Scott Evans: That's all right. Of course I know we'll be getting a reminder, but it's just I'd like to – before we sign off today make sure that everyone's heard it since we have such a large number of participants today. Is there any other questions or concerns that anyone has on the call today? Okay.

Terri Agnew: And, J. Scott, it's Terri. So if we're sticking with our rotation of 16, 17 and 2100 UTC, it would actually be the next rotation of 2100 UTC.

J. Scott Evans: Okay so our next call will be at 2100 UTC on December 7, which is next Wednesday. And unless anyone has any other business, I'm going to give you all back 36 minutes of your day and we will look for the information to be circulated by email for everyone to comment on. And I would ask that people take time to make any comments or concerns known to the list through the list so we can maximize our time on the call and keep moving along in our discussions. Thank you all for your time today. Have a great day and I appreciate everyone's participation. Ciao.

Terri Agnew: Thank you. 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.

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