

Chat Transcript from Adobe Connect CCT-RT Plenary #34 – 26 Jan 2017

Pamela Smith: (1/26/2017 07:38) Welcome, all, to the 34th Plenary of the CCT Review.

Pamela Smith: (07:38) Please note that this meeting will be recorded. Please mute your phones by pressing *6. Press *6 to unmute.

Carlton Samuels: (07:56) Morning all.

Carlton Samuels: (07:57) I just got off an At-Large call with fine audio.

Carlton Samuels: (07:57) I just changed the at-large page to cctreview in the browser.

Carlton Samuels: (07:58) And now I have a constant 'frying' sound, like I would hear back in the day when I tried getting a SW radio station on my little pocket radio!

Carlton Samuels: (08:00) Hi Margie

Kaili Kan: (08:00) Hi, Carlton! So we both have switched meetings. :)

Carlton Samuels: (08:00) Good am to you too

Jordyn A Buchanan: (08:00) Any chance we can do DNS Abuse first today?

Carlton Samuels: (08:00) @Kaili; Yessir!

Jordyn A Buchanan: (08:00) I am making some tweaks to the Consumer Choice Recommendation format right now.

David Taylor: (08:01) Hi All

Jean-Baptiste Deroulez: (08:01) @Jordyn ok let me know once I can prepare the doc

Jonathan Zuck: (08:01) I just spoke. Was everyone able to hear me?

David Taylor: (08:01) no

Jordyn A Buchanan: (08:01) Yes.

Carlton Samuels: (08:01) Hi Jonathan. Hearing you loud and clear..atop the continua 'frying' sound

David Taylor: (08:01) ok yes

Jonathan Zuck: (08:02) David, I'm sure you kids enjoy your humor. Take heart.

Jonathan Zuck: (08:04) Jean-Baptiste, my doc is ready for you to prepare if you're able to do that in advance.

Jean-Baptiste Deroulez: (08:04) @Jonathan, yes replied to your email saying I prepared the doc

Waudu Siganga: (08:04) k. im on but no audio...

Jonathan Zuck: (08:05) oh, made changes since then sorry.

Brenda Brewer: (08:05) No one is speaking yet, Waudu..will beginsoon

Carlton Samuels: (08:05) Lordy...Now I'm in a tunnel!

Jordyn A Buchanan: (08:06) Sorry, that's what I had suggested earlier.

Carlton Samuels: (08:07) @Staff: This platform has a problem with audio. I know because I haven't changed my setup from 8a but the audio has deteriorated

Pamela Smith: (08:07) Drew, you have scroll control for all.

David Taylor: (08:08) I can't believe Drew can't scroll whilst walking on a cellphone....

Drew Bagley: (08:16) Thanks everyone - look at it when you get a chance now that it's much cleaner

Drew Bagley: (08:16) to see if you dispute any of the factual assertions or believe they could have more context

Jonathan Zuck: (08:19) and it was HEAVILY criticized by the IPC

Calvin Browne: (08:20) Drew - looking good - will sink my teeth into it again

Waudu: (08:21) Please re-capture the question

Waudu: (08:21) re-cap

Calvin Browne: (08:22) *teeth

Carlton Samuels: (08:23) @Jordyn: I'm good with recognizing DR as fact. In keeping with our decision to be fact-based, I would be happy to annotate by referring to authoritative, credible reports, probably a low-end and a high end as bookmarks.

David Taylor: (08:23) Can we get individual scroll rights as I'm trying to run through this section on Trademarks

Jonathan Zuck: (08:23) instead of that, Pam, can you get David the google link?

David Taylor: (08:24) thanks also for that option Pam

Carlton Samuels: (08:24) @Jordyn: Fact +1

Carlton Samuels: (08:24) @Jordyn: Fact +2

Eleeza Agopian: (08:25) David, here's the Google doc link:

https://urldefense.proofpoint.com/v2/url?u=https-3A_docs.google.com_document_d_1fZCHITKkmzMMoInhLETNhTGYhM63IkiG9-5FVCHKF01CA_edit&d=DwICaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=SrPC-O-cilcZC5F31PRqfMUQ3XzmWiDQ1JpylgR2lqE&s=SOcZxPIKORqADVILb6OneI547TDyZBLkp3qQ3xNDBpl&e=

Carlton Samuels: (08:25) Then add a quantification number, I suggest a range, because we decided we will be fact based!

Jordyn A Buchanan: (08:26) Yes, Carlton--I'll try to extrapolate from the TMCH study.

Waudu: (08:30) could we have some standardization regarding to whom the recommendations are addressed? e.g. ICANN community appears not targetted enough to me

Jonathan Zuck: (08:30) subsequent procedures wg, perhaps Waudu?

Waudu: (08:30) Ok. Just seen down its actually to the PDP - sorry

Jamie Hedlund: (08:31) Apologies for the delayed response on Drew's paper. There's one sentence and associated fn that I don't think is accurate: "However, ICANN compliance does not monitor registry procedures for handling complaints." Contractual Compliance responds to complaints but it also takes proactive measures to ensure compliance with the agreements' obligations. While we do not have real-time monitoring of compliance with these obligations, we do more than just wait for complaints. Recommend deleting this sentence and associated fn. Thanks.

Jonathan Zuck: (08:34) Thanks Jamie. Drew said he was going to provide more context or specificity for this assertion so let's make sure THAT conversation happens.

Kaili Kan: (08:34) David's voice is faint and choppy

Carlton Samuels: (08:35) Yes, difficult to hear David

Laureen: (08:35) @Jaime and Drew re: DNS Abuse paper: Rather than deleting, I recommend briefly providing the further context identified by Jamie.

Jonathan Zuck: (08:35) Duplication expressed as a percentage of portfolio somehow?

David Taylor: (08:36) apologies for my faint and choppy voice.

Kaili Kan: (08:38) @Jordyn Please stop at where you want us to read. Thank you.

Jonathan Zuck: (08:38) I agree with that. Sorry to be lazy. I guess my laziness is a bit interim waiting on the report

Jordyn A Buchanan: (08:39) Jonathan, I don't think this characterization is going to get easier by waiting.

Jordyn A Buchanan: (08:40) We have a pretty good set of facts here, we're struggling to figure out how to characterize them and I'm not sure new data is going to significantly inform the discussion.

Jonathan Zuck: (08:40) Perhaps soething like "While defensive registration remains a problem, faced particularly by those with larger portfolios, it does appear as though the incidence of defensive registration is not as significant as orginally feared."

Jordyn A Buchanan: (08:41) Jonathan, I don't mind that language but then we need a reference to the original fears probably.

Jonathan Zuck: (08:41) true

Jonathan Zuck: (08:42) the "more data" is about distribution of costs rather than really being new data on defensive registrations. I don't mind characterizing the data on defensive registrations if we provide the context that the money might be going elsewhere

Carlton Samuels: (08:43) @Jonathan: +1. I could go with this approach. it frames the issue with the facts and leave it for analysis

Carlton Samuels: (08:45) @Jonathan: I love that phrase "the distribution of defensive costs"!

Carlton Samuels: (08:46) Work that in the discussion please Jordyn

Jonathan Zuck: (08:48) agree

Carlton Samuels: (08:48) @Jordyn: Aye with making all the known costs visible, again for establishing an framework for ongoing analysis

Jamie Hedlund: (08:50) @Laureen: what do you mean by the statement that ICANN does not monitor registry procedures for handling complaints? On its face, it is simply not true.

Jonathan Zuck: (08:54) Jordyn, I believe Sony testified a pretty large number for future costs

Laureen: (08:54) @ Jamie and Drew: We should have an off-line discussion to clarify this issue.

Jonathan Zuck: (08:55) makes sense to me

Carlton Samuels: (08:56) This from a request to ICANN Compliance "ICANN Contractual Compliance enforces compliance with Specifications 11 and 12, where applicable and also enforces compliance of registry operator's RRAs when it is presented with an RRA. Please note that the registry operators are not required to provide ICANN with the RRA unless it is requested in connection with a compliance review or audit, or the registry operator has requested approval of a RRA amendment. For example, ROs must also comply with Section 2.18 of the Registry Agreement, requiring registrant consent for a registrar's collection and use of Personal Data, as well as the RO's protection of such data."

Gaongalelwe Mosweu (PC): (08:58) Lost you Kaili

Carlton Samuels: (09:01) @Jordyn: +1.

Jamie Hedlund: (09:03) Thanks, Carlton. Audits are one means of monitoring registry compliance with contractual obligations.

Carlton Samuels: (09:04) Some of us fought hard for a specific remedy in policy for so-called local marks because we thought the costs to them might be onerous. We got the TMCH which offers much more than traditional approach to IP law. But it largely left 'local marks' out in the cold

Jamie Hedlund: (09:04) So the statement that Compliance does not monitor is not correct.

Jean-Baptiste Deroulez: (09:04) here is the google doc link:

https://urldefense.proofpoint.com/v2/url?u=https-3A_docs.google.com_document_d_1341DGL2F-2DiFMZXc-2DwRhrmz95wfJqmeSZhY0kC-5Fvn-2D-5F8_edit-3Fusp-3Dsharing&d=DwICaQ&c=FmY1u3PJp6wrcrwl3mSVzqfkbPSS6sJms7xcl4I5cM&r=kbiQDH54980u4nTPfwdloDLY6-6F24x0ArAvhdeDvvc&m=SrPC-O-cilcZC5F31PRqfMUQ3XzmWiDQ1JpylgR2IqE&s=4zyWyB_RIm2xvZQmdkPr_EgKZrM2AZAwoXGUH_mpAS4&e=

Pamela Smith: (09:04) Yes, Jonathan.

Jordyn A Buchanan: (09:04) I can scroll myself.

Jordyn A Buchanan: (09:04) Now you do.

Carlton Samuels: (09:05) @Jamie: Yes, it is not that definite. Monitoring happens only in breach.

Jamie Hedlund: (09:05) What department?

Jamie Hedlund: (09:05) Otherwise looks good

Jamie Hedlund: (09:06) No, everyone gets audited.

Carlton Samuels: (09:08) I'm sorry. reprising the preferred terminology "limited proactive monitoring" does not suggest this

Carlton Samuels: (09:09) I've been around politics and diplomacy long enough - where usage is very important to message - not to see a red flag here.

David Taylor: (09:09) Thanks all

Calvin Browne: (09:09) ciao

Kaili Kan: (09:09) Thanks to all. Bye!

Carlton Samuels: (09:09) thanks all

Gaongalelwe Mosweu (PC): (09:09) Ciao