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LAUREEN KAPIN:

Great. Welcome to our next plenary call. Does anyone have an updates to their Statement of Interest before we get started?

Okay. Hearing nothing, I think we will just launch in to continue our discussion of the Impact of the Safeguards paper. Whoever is in charge of putting stuff on the screen maybe can get that paper up.

Great. I'm going to scroll down to where we left off. We were just starting our discussion of Safeguards for Sensitive and Regulated Strings. Just by way of background, the implemented safeguards at issue here required basically a follow-the-law provision in the downstream contract that flowed from the registry operator to the registrar to the registrant.

Another safeguard emphasized that that obligation included laws related to privacy, data collection, consumer protection, fair lending, debt collection, organic farming, and disclosure of data and financial disclosures.

Finally, there were specific provisions in a safeguard that detailed requirements for registrants handling sensitive information, like health or financial data. This safeguard requires them to implement reasonable measures commensurate with the offering of those services as defined by applicable law. You'll see that that's in the second full paragraph on page nine.

So those are the safeguards at issue. Now you'll hear something that you've heard before with many of these safeguards, which is that it's

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difficult to figure out whether they've had an impact or been effective because, with the way information is reported regarding complaints, we can't tell– for example, that abuse – what specifically those complaints are about.

As we've been doing, I'll move to the rationale and then move back to the recommendation. The rationale is the lack of publicly-available information about whether ICANN Compliance has received complaints related to the implemented Category 1 safeguards. That's the terminology the GAC used in creating this advice, which led to the safeguards in the first instance – Category 1 safeguards.

Also, there isn't a framework to define what constitutes sensitive information. There are examples, like financial and health information, but there is not a common framework to define it. There also isn't a framework to define what constitutes reasonable and appropriate security measures.

So all of that uncertainty – the lack of information about the subject matter of complaints, the lack of definition – makes it difficult to assess what impact a safeguard has had on mitigating risks to the public. That was the whole rationale in the first place: the recognition that some sensitive strings and regulated strings more than others might create greater risk to the public.

Here are the recommendations. Recommendation #1, this is starting at the top of page nine, and this will sound familiar. Include more detailed information on the subject matter of complaints in ICANN publicly-available compliance reports.

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Then there are some specifics about the subject matter – what type of law violation is being complained of (since a couple of these safeguards were very specific; “follow the law”; that includes these particular types of laws) and indication of whether the complaints relate to the protection of sensitive health or financial information (because that again is a specific safeguard and a specific concern).

We’re noting here that we’ve made a general recommendation about this topic in our data analysis paper, so I thought there should be cross-references here. Once we have that specific cross-reference, we should loop to that because they relate to each other and, arguably at the end of the day, probably our more general recommendation would subsume this one.

So that’s Recommendation #1. I’ll stop there and take people’s questions or comments. Waudu, I see your hand is up. Go ahead, Waudu.

I’m not hearing you, Waudu. I’m wondering if you’re on mute or you need microphone right now.

Waudu? Okay, I see you’re typing. Can any of our technical magicians help Waudu also?

Okay. Jordyn, I see your comment. “We want to make clear that a general recommendation would be sufficient to replace this.” I think noting the cross-reference would be sufficient because right now we also don’t have the revised data analysis paper. So I think, at the end of the day, probably for our final report that may very well be the case. But

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here I want it related to the cross-reference so we don't lose the specificity here.

Okay. I'm scrolling up to make sure I catch these comments. For Calvin, we are on pages nine to ten of the impact of safeguards paper that I had sent around.

Waudu, I'm looking at your "Continue with another question as I type mine. I wanted to ask, "What is the practice with complaints now?"

Okay. Jamie, you can jump in and let me know if I'm misstating anything, but what I can tell you from the ICANN Compliance publicly-available website is that there's a form that people can fill out. But that's not what I'm talking about, Waudu. I'm talking about how ICANN Compliance reports to the public what types of complaints it's receiving.

What I would advise you to do is look at the ICANN Compliance website yourself so you can see firsthand what I'm talking about. They have a lot of information, actually, and I applaud that on an ICANN website that talks about numbers of complaints in very general categories, like abuse, or WHOIS complaints, or complaints about zone files. So there are very big buckets of complaint categories, and you can tell information about what the big-picture complaint categories are.

What you can't tell is more specific information about subject matter of complaints – what type of abuse, or in this case, if there's a complaint related to the disclosure of sensitive health or financial information. You wouldn't be able to tell that.

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So that's a general overview, but I've gotten something incomplete or incorrect, I'm going to rely on Jamie to jump in and amplify that.

Kaili, I see that your hand is up. Go ahead, Kaili.

KAILI KAN:

Thank you, Laureen. I see that these recommendations are categorized as non-prerequisites. My understanding of [some of the] recommendations is that they're not prerequisites for the next round because it might take too much time and it might become a reason to block the next round when it comes, and so forth.

However, as I see it here, just to include more information for the public I don't think is very hard to implement. So I don't see why we don't want to put that as a prerequisite in order for the public interest. And I don't see that being a major reason to block the next round or so. So I just wonder why we're not putting this as a prerequisite if it's not difficult to implement. Thank you.

LAUREEN KAPIN:

Thanks, Kaili. I don't know whether this would be difficult to implement, but I imagine that Jamie, who has his hand up also, could give us some more information on that. But just to make sure I understood your point, you're recommending that this would be a prerequisite for the next round.

Jamie, it's your turn.

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JAMIE HEDLUND: Thanks. You anticipated my comment already. We tried to talk about this – do you hear me?

LAUREEN KAPIN: Yes, I can.

JAMIE HEDLUND: Okay. Sorry. So I tried to explain this yesterday or talked about this with Jonathan. It's really important to get specificity not only around this one but the one in the data analysis and a couple that we talked about yesterday about exactly what the requirements might be because there are systems changes/process changes that would have to be implemented in order to publish some of this data. Right now, a lot of this data exists but it is in text form. It is not easily gathered, and with the amount of volume of complaints, particularly on WHOIS, it is not a trivial effort.

So if the recommendation is to gather this information and publish it after decisions have been made, as opposed to during an investigation, Compliance will do that. But there needs to be – Laureen, you've seen this in the GAC advice context generally – a common understanding of exactly what's required and how much the effort is and how long it would take to implement.

So this is not at all resistance from the ICANN organization. It's just getting clarity around the requirements so that we can all have an understanding of just exactly what it would take to provide this information.

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Since we don't know that, tying it to the potential launch of the subsequent rounds would seem to me to be inappropriate. Thanks.

LAUREEN KAPIN:

Thanks, Jamie. Your comments about specificity make perfect sense. I think that's also something we probably would benefit from with some input from the community in the public comment period as well. Also, part of this I think is going to be informed by, besides the desire, a better understanding of what the present state of play is and timing concerns as well that you raised, all of which is to say I'm not sure we're going to be able to provide that level of specificity now that we ultimately could provide after further discussions with Compliance and also the benefit of some community weigh-in through the public comment period.

Jordyn, your hand is up –

JAMIE HEDLUND:

Right –

LAUREEN KAPIN:

Go ahead.

JAMIE HEDLUND:

Absolutely. The more discussion on this, the better, particularly after public comment. It would be okay with me for this to be TBD,

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depending on the scope of requirements and available resources and all the rest. Or it could be as soon as practically possible.

LAUREEN KAPIN:

Thanks, Jamie. Jordyn, your hand is up.

JORDYN BUCHANAN:

Thanks, Laureen. I'll make two quick points. The first is that, as I think Jamie is alluding to, I think it's going to be very hard for us, in general, to estimate exactly how much work is involved with any items of these items, or certainly with the totality of the items. It actually looks there'd certainly be some sort of implementation phase of our work, as there have been for other Review Teams. I think Jonathan's intent is that Review Team members will be more engaged in that implementation phase because that has been the case in the past.

But, first of all, it's a little bit of a mistake for us to guess exactly what the effort involved in these things are. For example, Waudo is making a totally reasonable recommendation, which may be how you want to implement this, which would be that you would gather more structured data at the time that the complaint was submitted. That would make it easier for Compliance to do that. But that would require not just a change in reporting but also a change in intake systems as well. Then we're asking [inaudible] to do a bunch of stuff. So it easily expands the scope of the work.

I think, secondly, that I would just step back and say that I think we should be conscious of how likely these requests are to block



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subsequent [release] of TLDs, but that shouldn't be a principle driver of whether we decide that they're blocking or not. The reason why they should be blocking or not is because we think that they absolutely need to be addressed before we allow additional TLDs to be released.

I think, in general, that should be where we have found evidence that there's significant problems in this round. Therefore, we want to make sure that those problems are addressed prior to allowing more to be released.

I think a lot of our data-related requests basically are in the form of "We didn't have enough information this time, so we're not 100% sure what's happening." But here, we're not saying, "Oh, we see a bunch of laws being broken, and we want to make sure that they're not broken in the next round." It's like, "We're not really sure. Some more information would help us do that." I think that, to me at least, ought not to rise to the level of saying, "Oh, you can't do any more of them until we get this information about the previous one," because there's always going to be more information that will be helpful to this sort of review. Even if we had all the information we wanted this time, I'm sure we would identify things that we would want as part of the next review.

So I think we should really carefully think about, "Have we identified this specific problem that we believe needs to be addressed," before we can release more of these things. If so, I think it's totally reasonable to make a blocking. But if we're just seeking more information, as in this case, regardless of whether it's easy or hard, it doesn't seem like it rises to the level of something that should block the release.

LAUREEN KAPIN: Thanks, Jordyn. That actually strikes me as a sensible principle to keep in mind when we're deciding whether things are prerequisite or not.

Waudu, your hand is up. I'm wondering if now you have a better connection. If not, I'll allude to your comments in the chat. Are you able to talk yet?

Oh. Now my connection is being lost to the chat room, although I think people can still hear me.

WAUDO SIGANGA: Yes.

LAUREEN KAPIN: Okay. Waudu, as Jordyn pointed out, if we had a more specific complaint intake form, where the complainers themselves would categorize what their complaint is about, that might help have more information available for ICANN Compliance to then do more transparent reporting.

Okay. So that was an old hand. Kaili, is that an old hand or is that a new hand?

KAILI KAN: A new hand.

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LAUREEN KAPIN:

Okay. Go ahead, Kaili.

KAILI KAN:

Thanks, Laureen. From Jamie's comments, what I understand is that the difficulties of these recommendations are mostly only technical reasons. As I recall, yesterday I think it was mentioned that the next round, at the earliest, would be well into next year, that is, 2018. I'm not sure if any such changes are purely technical or would take that long – like, two years?

Also, what we can do, if we want to do it, is have new complaints follow the new format, that is, to include this more detailed information. After that, we can convert old complaints into the new format, piece by piece, or just leave it there. So I don't think time is a factor here and should not be.

Regarding Jordyn's comment about the principle, yeah, I agree that we all want the next round to be better than what was done before. My feeling is that there's no blocking that would be created. If we can do things better next time, then why not?

In that case, I would say: why don't we just see if something can improve this round? If it is not likely to create a blocking effect, then let's do it. Because we all know that, with how things run in ICANN, if we do not say it's urgent, then it'll never be done. So let's have these consumer safeguards implemented and make the next round better. I think that's the goal of everybody.

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So I would say, if we do not see any substantial harm to include this as a prerequisite, as a principle, then let's set this as a prerequisite. Thank you.

LAUREEN KAPIN:

Thanks, Kaili. Jordyn in the chat I think is responding to your comments, Kaili, stating that, if what you're saying is that we should make this a high priority but not a prerequisite, Jordyn would say, "That's non-blocking." But I think Jordyn is saying in the chat that he would disagree with putting something as a prerequisite just because it's going to have a positive impact. I think his argument is that we should be guided by evidence of actual harm before we make something a prerequisite. That's the whole concept of adding both the concept of priorities and of prerequisites.

Now, Jordyn, your hand is up, so if you want to amplify your comments, go ahead.

JORDYN BUCHANAN:

Thanks, Laureen. I'll just say that the rationale, if we're saying we're making something a prerequisite because we don't think it will actually block the next round and the reason why we want to do it is because we think it's important but we don't think it'll block the next round, that's the definition of something that's not a prerequisite. We're basically saying we want this to happen as long as it doesn't block the next round. So that's definitionally not a prerequisite for the next round.

It may be that it's a very high priority, and we want to indicate to ICANN that, as Jonathan said yesterday, of all the things ICANN could do and

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the time that we have available from now until the next round happens, this is very high up that list. I think that's totally reasonable, and that's why we agreed yesterday to be able to indicate priorities separate from whether something is blocking or not.

Something where we identify a concrete problem that we think needs to be identified and corrected with the program we should mark as blocking, regardless of whether we think it's going to take six months or 20 years. But for something where we're just like, "We'd like some more information because we couldn't really do our study this time," unless we think that lack of information makes it likely or probable that the program has actually been a net negative, it just seems like we're basically saying, "Because we couldn't do a very good review, we shouldn't allow the process to proceed." That just seems like an incorrect approach to me.

So I want to get us out of this mindset of saying, "We could fit this in this space between now and the next procedures, and therefore let's make a blocking." That's not a definition of blocking. The definition of blocking is something we believe absolutely must be done prior to the release of any additional gTLDs. If we're saying that the reason why we want to put it that priority is because it wouldn't do that, then that's exactly the opposite of a prerequisite.

LAUREEN KAPIN:

Okay. I think we've now heard Jordyn and Kaili go back and forth expressing different opinions on this. Kaili, unless you're going to say

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something new, what I would propose is to table this for now because I think both views have been clearly expressed.

What I would prefer to do is talk about each of these recommendations one by one and decide what we're going to do for the specific recommendations because otherwise were not going to have time to get to things in the call.

KAILI KAN:

Okay. Please.

LAUREEN KAPIN:

Okay. Thanks, Kaili. I appreciate that. My recommendation here is that we make this a high priority but not a prerequisite. What I would propose for getting a consensus view on this is recognizing that, ultimately, as Jamie points out, we're going to more detail. We're going to need some sense of timing. Again, what I would propose is that those are the sorts of things that I anticipate will evolve between our preliminary report and our final report.

I'm going to ask whether we have consensus on this first recommendation on page nine. What I'll do is, again, ask if anyone disagrees with this recommendation. You can disagree either verbally or by using the Vote button. Absent hearing disagreements, I'm going to say we have consensus on this as high priority but not a block.

Okay. If we can – okay, good. The ever-efficient, magical note-takers have already noted this.

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Okay. Let's go on to – ah! Now it's wildly scrolling. Let's go on to the second recommendation, which is to initiate discussions with relevant stakeholders to determine what constitutes reasonable and appropriate security measures. That discussion can include identifying what falls within the category of sensitive health and financial information and what metric could be used to measure compliance with this safeguard.

This was responding to a comment that I received from Carlton: if we're going to be trying to figure out whether this is being complied with, we really need to come up with some common framework here. So that's where the recommendation is coming from.

Questions and comments on this? This really is an attempt to further define what the safeguard actually means. Questions and comments?

Okay. I'm not seeing any. I think this goes hand-in-hand with the other safeguard in terms of it being not a block but a high priority to have these discussions so that future registrants and other contracted parties having to follow these safeguards know what it means.

Jordyn, go ahead.

JORDYN BUCHANAN:

Thanks, Lauren. I think, just as with a couple of the other recommendations, we just want to be really clear about who we imagine doing this, whether that's staff leading a discussion, and what the output is. Is it just paper, or is this part of one of the policy processes? I just think framing it in terms of some specific process I

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think would be helpful because otherwise it will be a little bit unclear on how to implement this.

LAUREEN KAPIN:

For those who are very ensconced in this process or have been in the past, what's the view about what's most effective for this sort of want? Is this something that makes sense for staff to initiate, or an existing PDP group or working group? How do these things usually evolve?

JORDYN BUCHANAN:

Laureen, it's Jordyn again. I think a good example for this one might be the Spec 11 group that both the GAC and the registries have been involved in. That's a good example of where staff essentially plays the role of mediating the discussion between various communities' stakeholders. I think that was a staff-initiated effort.

I think something like that seems to me to resemble what you're looking for here, but I'm not 100% sure.

LAUREEN KAPIN:

Okay. That's actually very helpful. I can edit that to be more specific about a staff-initiated process of discussions between various stakeholder groups.

Okay. Jamie, go ahead.



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JAMIE HEDLUND: Thanks, Laureen. Just to be clear or level-set on expectations, staff can certainly call for and facilitate a discussion. What staff can't do is force anyone to show up or to discuss a particular agenda. But more importantly, we can't force the contracted parties to do anything more than what's in the contracts already absent the community policy development.

One of the most important roles for the ICANN organization is to facilitate discussions and convene meetings of stakeholders, but once that has happened, it is really dependent on the community for any changes to be introduced, which normally requires either a PDP or a willingness on the contracted parties' side to amend their contracts to clarify something or add additional obligations.

LAUREEN KAPIN: Thanks, Jamie, for a reality check. That's helpful. Any other questions or comments?

Waudu, I see your suggestion about adding respectively. I assume you mean after the second use of sensitive health and financial information there, the one in the second-to-last line.

Okay. Absent other comments, I'm going to ask whether we have consensus for this Recommendation #2 on page 10, noting that we will add the language about directing this to ICANN staff to initiate discussions between –

JAMIE HEDLUND: Laureen?

LAUREEN KAPIN: Go ahead.

JAMIE HEDLUND: Sorry. Just quickly, it's probably better to direct it to the ICANN Board – to direct the organization – because the way the Board resolutions usually work is for the Board to direct the CEO to do something. Since this will ultimately go to the Board, it would probably be best to direct it to the Board.

LAUREEN KAPIN: Okay. Thanks, Jamie. That's helpful. Okay. With that refinement in mind, I'm going to call for whether we have consensus on this. Again, I'm going to ask if people disagree. If you disagree, please indicate that either verbally or through the button. But if I don't see disagreement, I will state that we have consensus on this recommendation with the tweaks that we've just discussed.

Okay. Great. Now we're going to move on to –

KAILI KAN: Hello? Laureen?

LAUREEN KAPIN: Oh, okay. I'm sorry. Go ahead, Kaili.

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KAILI KAN: In general, I agree that we do reach consensus. However, as I remember yesterday, Jonathan will have a job to do. That is to provide the definition of priorities. So I give a conditional consensus on this.

LAUREEN KAPIN: Okay.

KAILI KAN: I hope that Jonathan can come up with the definition and we discuss that as a blanket approach, that we all solve other problems together. Thank you.

LAUREEN KAPIN: Thank you, Kaili. That's a very fair point. Can we add that as an action item? And I would say put that at the start, Jonathan, to provide guidance on the priorities here which I think will either be low, medium, high, prerequisite, non-prerequisite, or just low and high. I don't think we came to closure on that but I think it's perfectly fair to have that conditional until we get agreement on what these priorities mean.

Jamie, is that an old hand?

JAMIE HEDLUND: Yes. Apologies.

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LAUREEN KAPIN:

No worries. Now we're going to move on to the safeguards for highly regulated strings. For context, these in a sense were the most sensitive strings of all. They're in highly regulated sectors in multiple jurisdictions. This arose out of GAC advice which had identified certain sectors – financial, gambling, professional services, charity, etc. – and the rationale here was that these safeguards most of all might require more safeguards to address specific risks and bring registry policies in the online world in sync with policies offline, i.e. if you're a lawyer you need to be a member of the Bar, if you're a pharmacy you need to have credentials depending upon your specific jurisdiction, the same thing if you're a charity, etc.

Here there was a lot of back and forth between ICANN and the GAC about the implementation process. This was one of the areas where there remains disagreements between the GAC approach to the safeguards and the ICANN approach to the safeguards, the major difference being that the GAC had advised a screening mechanism to take place at the start where the registry operators made sure that applicants for these strings had the credentials necessary. ICANN's approach was to require the registrants to represent that they possess the credentials. So one's a screening beforehand. The other is a representation.

There were also differences in approaches about what sort of monitoring should go on. But as implemented, here's what was required. There was a representation required from the registrant that they possess the necessary credentials. If there was a complaint about credentials, registry operators had to investigate and registrars had to

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require registrants to inform them about any changes to the validity of their credentials.

That's what was required. The concern here by the ICANN Board as a rationale for the change in approach was that when you're dealing with multiple jurisdictions there's practical difficulties in trying to verify credentials and so there was a concern that as advised by GAC this would have been very difficult to implement.

Here are the recommendations. Again, these recommendations like the prior recommendations, to put it in Jordyn's language, are really trying to find out more information to see if there's a problem here or if it's working well. At this point we don't know. These recommendations are really aimed, again, at gathering information.

Another one of the safeguards was to require that these registries actually establish a working relationship with relevant government or industry bodies. The language in the safeguard was basically implying that you have to invite the regulatory body to have a relationship with the registry.

The first recommendation is to ask registries to determine what steps they're taking to establish working relationships with the relevant government or industry bodies. I'm going to handle these for discussion purposes the first two together.

The next safeguard relevant to this category was also requiring registrants to have contact information so that the public was going to... so that if the government was going to complain they would have a portal to complain. Again, this is another request for information to

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survey a sample of the registrants to figure out what the volume of complaints they're getting from regulatory practices and then what they're doing to respond to those complaints.

Those are the first two recommendations. Again, they're really trying to get at the particular safeguards to figure out if there's complaints regarding these safeguards, and if there are complaints, what's happening. That's the second one. The first one is really trying to figure out how that first safeguard, which is to establish a relationship with the relevant government body, how that's actually working.

Questions and comments on that?

Calvin, go ahead.

CALVIN BROWNE:

I'm just wondering if we're actually going to get any complaints in the survey at all. It just seems to me that I'm not getting a feel for how many there are there and if we'll actually get any of these complaints at all in the survey. I guess there's no harm in doing this if it doesn't.

LAUREEN KAPIN:

I'm sorry, Calvin. I'm not sure I understood the comment. Is your comment that you're not sure that registrants are receiving any complaints?

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CALVIN BROWNE: Yes, that's correct. I'm not sure that the registrants will actually receive any complaints, to be honest.

LAUREEN KAPIN: We don't know. And I think that's the point. There's the safeguard to make sure that regulatory bodies have a way to communicate complaints to registrants involved in these highly sensitive domains, for example, a charity, if someone is running ABC.charity and a state consumer protection organization is receiving a lot of complaints about that or the BBB for example, that they would have a way to complain directly to that registrant. But we don't know whether that's happening.

The other issue this gets to, though, is also whether people know where to complain. Again, the Nielsen Survey tells us that people don't necessarily know that. So this also might bear on that as well.

Other questions and comments? Okay.

For this whole category I would put it as a – can people hear me still?  
Yes, good.

For these two I'm going to suggest a high priority but not a prerequisite. With that in mind, I'm going to ask whether we have consensus on these first two recommendations. Again, I'm going to ask if people disagree, if anyone disagrees, please designate by using the buttons or verbally.

Okay. So then we have consensus on these. I'm going to move to Recommendations #3 and #4.

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Here again it's moving to the effectiveness of this safeguard, and the recommendation is to assess a sample of domain websites within the highly regulated sector to see whether contact information to file a complaint is sufficiently easy to find. Again, one of the safeguards is that the registrants have to provide this contact information to the public so they can file complaints. The recommendation is to look at a sample of domain websites within this highly regulated category to see if that information is actually easy to find.

The fourth recommendation here is to see whether the system of having registrants represent that they have the necessary credentials is actually effective in limiting the registrants to those who have the necessary credentials. Here basically the gist is – can someone who doesn't have the necessary credentials still buy these highly regulated domains? So this really gets at the effectiveness of this safeguard to actually look at the registrars and resellers offering the highly regulated TLDs and find out whether the people they've sold these TLDs to actually possess the proper credentials. This goes to the gist of whether this safeguard is effective or not.

The third is about whether contact information to file complaints is sufficiently easy to find. The fourth goes to the gist of whether the safeguard requiring the proper credentials is actually being enforced by taking a look at the registrants within these domains.

Those are the recommendations on the table. Questions and comments? Calvin, I still see a hand up. I don't know if that's an old hand or you have a new comment.



CALVIN BROWNE: Old hand.

LAUREEN KAPIN: Okay. Jordyn is making the two reasonable points – “We’re accumulating a lot of high priority items so we may need to loop back and make harder choices at some point.” I agree. You’re also making the point that, “We are proposing a lot of items connected to these highly regulated domains and we might consider bundling up the points that way.” I agree with that also, and I think Eleeza had made this point. I’m not sure if it was on this call or a different call but Eleeza had observed that we may want to actually slice and dice these recommendations in a number of different ways so it may be presented in the preliminary report within the papers themselves and then there may be another table of recommendations by subject matter and there may be another table that groups the recommendations by priority. I agree with that, too.

Other questions or comments on Recommendations #3 and #4? Okay, then I will call for consensus on those. All of these would not be... I think [this] is a study even though it says here, “Must be completed prior to subsequent rounds,” I would change that and say, “Not a bar,” because I’m not sure about the timing of these studies and also because we don’t have any indication that there’s actual harm here. I’m adopting Jordyn’s concern and approach that if we’re trying to figure out what the state of play is, then that shouldn’t be a bar. If we know the state of play raises a really problematic issue then it would be a bar.

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I am going to observe based on the lack of objection, that we have consensus on Recommendations #3 and #4.

Moving on to #5 and #6. These are similar to recommendations that we've had in other... these are similar to other recommendations. They're just applying these safeguards. Again, #5 is to get more information from ICANN Compliance so we can actually figure out what the volume and subject matter of complaints is regarding highly regulated industries. And #6 could relate to our DNS Abuse study which is to try and compare rates of abuse between TLDs who have voluntarily agreed to verify and validate credentials to those highly regulated gTLDs that haven't.

Here the context is that there are certain domains in highly regulated industries that have adopted some sort of variation of GAC original advice which is that they are going to engage in a screening process at the beginning to determine whether registrants have proper credentials. There's a group of domains that have joined an initiative called the Verified Top Level Domains by way of an example, and there may be others as well. But there are groups of gTLDs that are engaging in this screening process and the recommendation here is to compare rates of abuse between gTLDs who have voluntarily decided to engage in this process to those who have not, again, to determine whether this difference has any impact on DNS abuse.

Questions and comments on these recommendations? Okay, I'm not seeing any so I'll call for consensus on #5 and #6 along the same lines – high priority, not a prerequisite. I'll ask people to register objections. If you have an objection, speak up or use your voting buttons.

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Okay, then we have consensus on Recommendations #5 and #6. We're on the home stretch of the Safeguards paper.

The next to last category actually covers two safeguards. These were the so-called special safeguards. One deals with inherent governmental functions. Those are your .army, .navy, .airforce. The safeguard here is to basically avoid misrepresentation. Don't imply that you have a relationship with a governmental authority when you don't if you're a registrant in these domains. And then the other special safeguard deals with cyberbullying, that there may be certain domains that have a greater risk of cyber bullying and harassment and so the domains involved here are .fail, .gripe, .sucks, and .wtf.

Here the rationale is, we have no idea whether these safeguards are the subject of complaints and there are also no consequences for a failure to comply with these safeguards as recommended and as implemented. There are just no consequences. So we don't know if they're effective in mitigating the risks they were intended to address.

Here the recommendation is again, to determine whether there's complaints about these, and then also to seek some information about how these safeguards are enforced. Again, this is gathering information.

Questions, comments on these two recommendations – the special safeguards and these are on page 13? This would be not a bar, and I would say because these relate to a very small group of categories, I would put this as a low priority.

Calvin, go ahead.

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CALVIN BROWNE: I did not reach out to ICANN Compliance about this. Shouldn't we just ask them and it's quick answer or am I missing something there?

LAUREEN KAPIN: We didn't ask them specifically about these but my sense from asking them about other issues is that it's hard for them to find a quick answer because of the limitations of their systems. As Jamie told us, basically I don't think their intake requires people to check a box saying, "This is about cyberbullying. This is about government functions," and they could just capture that data set. I think someone actually has to do some sort of search and review and reading of text files to figure out where those terms are. This is really asking Compliance whether they've received complaints, but it wasn't easy for ICANN Compliance to just provide us with data quickly because their systems don't work that way.

Jamie, go ahead.

JAMIE HEDLUND: Sure. There's a difference between obviously providing stuff once and then providing or disclosing data sets on an ongoing basis. It's generally a lot easier to provide something once like this one seems to be asking for than it is to... it will take more effort to set up the system such that this data is spit out every time there's a report.

That's one, but this one also if it is an ongoing request it would seem to be captured by the other recommendations about getting more granularity on the types of complaints. I'm happy to take back to

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Compliance to find out what's the level of effort required to get this information once so it doesn't have to be in there as a recommendation. You can have that information and we can publish it or whatever. Or we can leave it like this, but it might be confusing for people to see this to think, "Is this a one-time thing or is this an ongoing obligation?" which it would seem from other recommendations it would be.

LAUREEN KAPIN:

Thanks, Jamie. That's a fair point. It strikes me that the general recommendation would subsume this. That if there were complaints in these categories that it would be called out. So perhaps a cross-reference in Recommendation #1 would be helpful. The reason I shy away from having it just be a one-time request is that things change, so if we just got it at a point in time, that would let us know about the point in time but it wouldn't let us know about a spike or it wouldn't let us know about an ebb. That's why I think it would be better to do a cross-reference to say we realize this is off of the subject of our [biggest] data requests.

Did you have a response or is that just a hand that's not down?

JAMIE HEDLUND:

It's a hand that's not down and I do have a response. Again, looking at the final report it would be good to have all of this consolidated so it's clear and there aren't any unintended ambiguities or conflicts between... For example, if this is just cross-referenced I could see ICANN staff being confused – "Are we collecting and displaying this information

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regularly or is it just the one time?” – and how do you do it one time and not do it [regularly]? Ultimately it would be good to have these related recommendations roll up into one pretty whole if possible.

LAUREEN KAPIN:

Okay. What I would suggest then is to make sure that this is consistent with the other recommendation which in my mind would be to have ongoing disclosure of complaint categories which would include this as well as other complaint categories. What I hear you calling for 1) is to make sure we publish these altogether, and 2) to make sure they're consistent. And also – although you haven't quite said it – what I'm hearing is that it's going to be a lot more confusing and challenging if we have a combination of, “This is a one-time request,” versus, “This is an ongoing request,” unless we're very clear about that. Is that fair?

JAMIE HEDLUND:

[Eminently].

LAUREEN KAPIN:

Thanks. That makes sense to me. Other questions or comments on these recommendations?

Okay, then I'm going to call for consensus on these as a low priority but not a prerequisite. I'm recognizing that this may be a potential inconsistency. If we roll it all up into one it's probably going to have the same priority as our general recommendation, but if for some reason it's separated out, I'm designating it as a low priority. So just for the purposes of consistency, I'm pointing out that this may change if it gets

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rolled up into something else. But if it stands alone, we have consensus on this.

Does anyone have objections? Speak up or indicate your objections by using your voting buttons.

Okay, then we have consensus on the recommendations regarding the special safeguards.

Finally, last topic. This last topic relates to restricted registration policies which we've discussed in the context of our Consumer Trust paper, but the GAC also had issued its Category 2 Safeguard advice that was specific to this topic of restricted registration policies. ICANN implemented this advice via two contract provisions in the Registry Agreement. One, that there were restrictions that registries had to operate in a transparent manner – basically tell us what the restrictions are, adhering to the principles of openness and non-discrimination. And two, if there were generic strings, that registry operators couldn't restrict eligibility to a single person or entity or that person or entity's affiliates.

The GAC's original advice was different. They had advised to make sure that registration restrictions were appropriate for risks associated with particular gTLDs and that there was an ongoing back and forth about this in the form of continued GAC advice.

These recommendations really relate to the specific issue of restrictions and they would go hand in hand with some of the recommendations we had in the Consumer Trust chapter which really related to finding out

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more information from the public about why things are trustworthy and the impact of restrictions.

Here we have some recommendations that relate to data gathering. I want to go to the rationale here first. We have the Nielsen Surveys indicating the positive relationship between registration restrictions and trustworthiness, but these also really touch on some competition issues also. So there may be benefits in trustworthiness, but restrictions could also impact competition. We don't know whether the safeguard has met its intended goal in a way that balances benefits to the public in terms of the trustworthiness and impact on competition.

Again, this is a call for more information to figure out the state of play. Kaili, so I see are we talking about cases like .bank? Dot-bank is definitely an example of a TLD with restricted registration but it's not just .bank. There's a whole category of TLDs that have elected to use registration restrictions, and some of them are in those highly regulated categories like .bank and .pharmacy. I think .med. And then there are also some community gTLDs. This actually would apply to gTLDs that have restrictions, and those occur in a variety of scenarios.

Here the recommendation is to collect data comparing the trustworthiness of the new gTLDs with restrictions to new gTLDs with few or no restrictions. And then a related recommendation, too, to repeat or refine the DNS Abuse study to determine whether the presence of additional registration restrictions correlates to a decrease in abuse.



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Those are the first two recommendations. I see Kaili's comment that he believes these should be prerequisites.

Jamie, go ahead.

JAMIE HEDLUND:

Sure. Is the intent here to compare similar TLDs that do have restrictions with those who don't? Just to make something up - .bank with .savingsandloan which doesn't exist. Dot-bank has restrictions. .savingsandloan does not. Or is it to compare the trustworthiness of all TLDs regardless of what their target audience might be? So .bank has registration restrictions and has a level of trustworthiness. Dot-dog does not have registration restrictions. May not be as "trustworthy" but the need for registration restrictions may be a whole lot less.

I just wonder, if it's the latter whether it would be important to put context around the vector for comparing the presence or absence of registration restrictions.

LAUREEN KAPIN:

That's an excellent question and I think brings a good point about what would be most useful for this comparison. It strikes me that the first comparison would be more useful because – I won't say it's apples to apples – but the similarity and subject matter I think creates a more useful comparison. What your question raises for me is the need for more specificity about the types of gTLDs we want to compare. My suggestion would be that we can phrase this to include the notion that

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we want to compare gTLDs of similar subject matter. Does that respond to your question, Jamie?

JAMIE HEDLUND:

Yeah. Something like that – either similar subject matter or you could go back to the category of sensitive or highly regulated strings because I think – I may be incorrect in this assumption – but I think that’s really where you’re... You don’t care about registration restrictions so much around .dog as you do around –

LAUREEN KAPIN:

Right. That’s a very useful observation and I’m happy to add that to Recommendation #1. That’s very helpful.

Other questions or comments? The discussion in the chat is in response to Kaili’s comment that these should be a prerequisite for further rounds and Jordyn asking what harm are we trying to fix? I think we don’t know if there is harm and I think that these questions are trying to get some information to determine whether there’s harm and in a more nuanced way ultimately to figure out what are the benefits? What’s the harm? Which side of the equation is this falling on?

Kaili, your hand is up. Go ahead.

KAILI KAN:

I did not directly answer to Jordyn because I think the rationale provided here in the text itself is self-explanatory. I think these are what we are trying to prevent. Thank you.

LAUREEN KAPIN: I'm sorry, Kaili. I just wanted to drill down. When you say, "This is what we're trying to prevent," what are you identifying?

KAILI KAN: Excuse me?

LAUREEN KAPIN: When you say, "This is what we're trying to prevent," I just wanted to bring out when you say "this," what you're referring to.

KAILI KAN: Okay. Here as I read it [inaudible] some text I don't want to read it. But the rationale of this recommendation I think itself explains why we want to install this recommendation. It also tells what we want to prevent. I think that is the text provided here itself.

LAUREEN KAPIN: Right. And to build on what you're saying, Kaili, here is the rationale provided is that these safeguards are intended to balance protecting the public through these restrictions and there's a relationship to trustworthiness, but also by their very nature, restrictions may impact competition and so the gist here of the recommendations is to gather more information so we can figure out what the balance is. You could view it as an existing harm, to put it in the rubric of Jordyn's rationale because by their very nature a registration restriction restricts

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competition. It has an impact. It's a barrier. But in terms of the big picture, we don't know if that's outweighed by benefits in terms of increased trust or decreased levels of abuse.

Jordyn, go ahead.

JORDYN BUCHANAN:

I think that's an interesting framing, Lauren. I think you're right. Obviously, there's some cost to implementing registration restrictions. I do think in terms of making it a prerequisite, the harm is largely mitigated by the fact that, assuming that unlike the last round, the framework was in place going in, that you knew that these – in this case the PICs existed as an applicant – then you could make an educated decision as an applicant as to whether or not you wanted to apply for a string that was likely to have restrictions to it understanding that that would affect your business model. Or maybe as in the case of .bank, fully intending to implement those sorts of restrictions from the outset of the business model. And so it seems like, once again, I would be hesitant to say we don't want to allow a TLD applicant like .bank to submit an application because we're worried about not being able to quantify the cost of the restriction because if it's known in advance, then the applicants can make the trade-off themselves instead of us trying to second guess on their behalf.

I think in some cases we will identify potential harms at least and still say – especially if the harm is largely affecting the applicant – it may not make sense to make it a prerequisite because applicants can make educated decisions about their own business models.

LAUREEN KAPIN: Thanks, Jordyn. For many of these restricted registration policies, unless it was a subject of safeguards which impose restrictions, for example, the highly regulated categories, it would be the registries themselves who decided if there were going to be additional restrictions. So I hear that recognition that in some cases this is self-selected and in other cases they know going in because that was the way the GAC advice was implemented.

JORDYN BUCHANAN: That's right. I guess I'm saying if you assume that Spec 11 is still going to exist, and therefore highly regulated strings are going to have the same restrictions attached to them, going into the last round applicants didn't know that. Some of them like .bank already... they didn't anticipate that requirement from the GAC but they said, "For this particular string we want to impose a high standard," because that's the business model that they were after. But this round would be very different. Even someone that in the last round would have been surprised wouldn't be this time. So the harm's substantially mitigated just by...the predictability is the part that was missing from the last round that was already addressed in a future release.

LAUREEN KAPIN: I think the question then on the table – and we have differing views – is whether this should be a bar to next rounds or not. I really put that to the Review Team on whether this is something that we think needs to

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be a bar or whether it should be a high priority but not a prerequisite. I invite views on that.

Anyone?

KAILI KAN: Hello?

LAUREEN KAPIN: Go ahead, Kaili.

KAILI KAN: As I see it, it was drafted to be as a prerequisite. So I don't know whether the pen holder of this has the most clear opinion why it was put as a prerequisite. Maybe, who drafted this?

LAUREEN KAPIN: Right. That's me.

LAUREEN KAPIN: Probably you can best explain why you want this to be a prerequisite. And although you're [Chairing it] but also you're the pen holder so you are in the best position to explain this. Your option [inaudible].

LAUREEN KAPIN: Thanks, Kaili. I had originally drafted this to be a prerequisite but that was before I heard more discussion about what would be a logical

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approach to how we're going to think about things being a bar to future rounds. And hearing Jordyn's discussion, I find myself persuaded by this issue of, "Do we have sufficient information to identify a problem of a non-magnitude to say we don't want to do the next round until we have this problem sorted out and figure out an approach."

Here I really see these requests as trying to figure out whether there is a problem or not. There is a recognition that there are benefits in terms of increased trust. We have information on that. And then there's a practical reality that whenever you have restrictions, that has a cost. But what we don't know is how these things compare to one another. So because we don't have that information, I would say it shouldn't be a bar and I would say I would recommend adjusting this to make it a high priority but not be a bar.

And with all of these I think at some point future Review Teams when they get information they may come to a conclusion regarding different issues. "Yes, we have a problem and we can't do another round until we fix this problem." We're in this situation at the beginning where we're in early innings, as Stan would say, and we lack certain information. So I would say then I would adjust this recommendation to say high priority, not a bar.

KAILI KAN:

Hello? I hear you. However, that again brings us back to the definition of priorities.

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LAUREEN KAPIN:                    You're right.

KAILI KAN:                            Basically whether to set as a priority is basically is to weigh the cost and benefits. The costs of these safeguards would be the registry registrant or the DNS industry itself. The benefits we're trying to bring here are to the end users. Because the benefits and costs relate to different parties, I think it's obvious that different parties from different standpoints they have different opinions.

Therefore, for one party they want to say, "Well, we will do the next round no matter what." For the other party, they may say, "No. We do not want to do the next round unless this is done." So these are basically we're weighing the costs versus benefits. But because the costs and benefits relate to different parties, I think different parties have different views.

I think we need to make a judgment, how based on methodology about how do you weigh the costs and benefits? And then reach a compromise between the parties. That is all about how we define the priorities – to be a prerequisite or not prerequisite. That's what I think about this. Thank you.

LAUREEN KAPIN:                    Thanks, Kaili. I actually think Jonathan's exercise is going to be a little different because given that we don't have all the information, we're not going to be in a position to come out with the end of the equation here in terms of a cost-benefit analysis because we don't have that



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information yet. Future Review Teams may have that information yet and then they're going to have to figure out, "Okay – benefit to end users, cost to contracted parties, how does that relate to the overall benefit or overall cost?" But that's not I think what we need to grapple with in terms of priorities. In terms of priorities I think what we need to grapple with is: how soon does this need to be done and whether or not we think it has to be done before there's even a next round. I think when Jonathan is dealing with the priorities it's actually a little bit of a narrower task than what you're talking about, Kaili. But what you're talking about certainly will need to be grappled with by future Review Teams that have the benefit of this information that we're trying to identify should be gathered.

KAILI KAN:

Laureen, I agree with you. This is indeed and just to weigh the cost versus benefits is indeed an enormous task which could be a forever task because of our multistakeholder model of ICANN itself. I agree with you that [and Jonathan] probably what we need to come up with would be a timeframe – say high priority, one year; medium priority, two year; low priority, three year. If that is the case, if we say "high priority, one year" and also keeping in mind that yesterday we talked about the next round. The earliest would be way into 2018. One year as high priority is fine for me because, as a matter of fact, that looks almost like a prerequisite.

I am afraid that other parties might have different opinions so whether how we define the high, medium, and low, itself could be a problem. Whether, for example, high priority would be 1 year or 5 or 10 years.

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We have similar issues here. I just want to point that out. Otherwise, if you change the mind I again will not object to such a conditional consensus as [inaudible] a prerequisite.

LAUREEN KAPIN:

Thank you, Kaili. I think you raise good points about needing to define these priorities.

Just regarding Recommendations #1 and #2, again, this would be – and if we can note that in the action items – this would be high priority, not a prerequisite. Do we have consensus on Recommendations #1 and #2? Again, I would agree to specify [and] add more information about this comparison in Recommendation #1 along the lines of my discussion with Jamie. If anyone objects to that, now is the time to note your objection.

I'm not seeing any so I'm going to briefly go to #3 and #4 so we can have a scrap of time for some [inaudible] other than this one.

The next recommendation has terminology we've just been talking about: "Collect data weighing costs and benefits of implementing various registration restrictions including the impact [on] compliance costs for registries, registrars, and registrants." And then there's just a sentence about potential sources.

And then the final recommendation is to get at this competition issue, even though that's not typically the arena of the Safeguards and Trust because this safeguard really does bear on competition. This recommendation is indicating to, "Gather public comments on the

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impact of new gTLD registration restrictions on competition including whether restrictions have created undue preferences.” That relates back to what the GAC had been concerned about, that such restrictions could create undue preferences.

Questions or comments on these recommendations? Indeed we may get public comments in the context of our preliminary report about this issue.

Questions or comments about these recommendations? Okay. I think people are... Are people typing?

“Two should also look [like] a subset of ...” That’s...yes. When [you say] on two, I just want to make sure which two you’re talking about. Which recommendation are you talking about, Jamie?

JAMIE HEDLUND: Sorry, the one that we just closed out – repeat refined DNS Abuse study.

LAUREEN KAPIN: Okay.

JAMIE HEDLUND: Sorry, two under Recommendation #1.

LAUREEN KAPIN: The real two. Okay. That’s fine to include those –

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JAMIE HEDLUND: Just the context.

LAUREEN KAPIN: Right. So to basically include that in... “[inaudible] additional [registry] that correlates to decrease in abuse.” Actually for that recommendation, Jamie, I see that as a more general recommendation to compare actually additional registration restrictions not just within similar categories but to compare it to the absence of any restrictions whatsoever. That could be a comparison between, for example, all new gTLDs with registration restrictions to new gTLDs without registration restrictions. And perhaps we need to add the concept there of new gTLDs.

JAMIE HEDLUND: Okay. I just wonder whether we would get a lot of either false positives or perhaps misleading results where, for example... And it might also be helpful to specify what kind of abuse we’re talking about. Just because there is no abuse in a particular TLD may not be because of the presence or absence of registration restrictions. It may just be because it’s just not a TLD that would actually be attractive for bad guys.

LAUREEN KAPIN: Right. That’s why I used the word “correlates” because I don’t know that we would be able to get at causation. I think, at least as it’s presently configured – and Drew can jump in if I’m incorrect or Brian – we’re only going to be able to get a correlation. We’re not going to be able to get a causation, at least not in this iteration.

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Okay, and Brian is pointing out that there already have been studies about effects of registration [abuse] on phishing so there's a way to determine a causal relationship.

But I certainly can add language indicating that we should be comparing new gTLDs to each other and we may want to also compare new gTLDs to legacy gTLDs just like some of our other surveys have done. So I think adding those details would be helpful.

Other questions or comments, though, on #3 and #4? Okay, so I'm going to call for consensus on #3 and #4. Specifically I'm going to ask whether people object to #3 and #4. Okay. I appreciate your point about how we implement #4, Jordyn, and I welcome any input for tweaks you might have there. But any other comments? Absent objections I'm going to find that we have consensus on #3 and #4. And I'm not seeing any objections –

Go ahead, Kaili.

KAILI KAN:

Regarding [prerequisites] or not, again, for the record it's a conditional consensus on my part. It depends on the definition [coming away] from Jonathan about the priorities. Thank you.

LAUREEN KAPIN:

Okay. Thank you, Kaili.

That brings this paper to a close, and I believe next on the agenda is Megan – Benefits versus Confusion to End Users. Megan has the last

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two papers which we have afforded her very little time. I apologize, Megan.

MEGAN RICHARDS:

Hi, everyone. Unfortunately also I have to [leave] in less than eight minutes so let's do this as quickly as possible, at least on Consumer Choice. I've got about seven or eight papers here that I have to talk about but we'll just do the first one, I think, today.

This is the one – Laureen, you made wonderful changes to this and improved it dramatically. So I think it's a lot better than it was. Thank you very much. You deserve a gold medal for that given all the other work that you've done.

I guess the main thing that we have to look at here is the recommendations, which takes up most of the paper. Do I have to do the scrolling or do you do the scrolling? There we are. There's the recommendation. It's up on my screen anyway. I suppose everyone else has access to the screen, no? There's only one recommendation. Don't worry. It's simple.

The recommendation says that, "In the next Consumer survey to be carried out..." – and again I leave it to all of you to decide how you're going to call a consumer survey. End users, whatever you want to call it. I really don't care but let's just be consistent – "additional information on the benefits of the expanded number, availability, and specificity, of the new gTLDs should be added/included." Then it says, of course, the same for the next Registrant Survey because I understand that these are

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surveys that will be reviewed periodically anyway. So that's a relatively easy thing to do so it's just a question of adding an additional question.

And then in particular, we suggested that, "Relative [weighting] of positive contributions to consumer choice with respect to geographic new gTLDs, specific sector gTLDs, and IDN gTLDs, should be included" – with otherwise a question about that – "to help determine whether there is clear preference by consumers for different types of gTLDs and whether there are regional differences or similarities." The idea again, was relating primarily to consumer choice and increasing the number of options that are available to them.

That's primarily what was related to there. And then also because there was no evidence whatsoever about confusion, we don't have anything obviously from the questionnaire or the surveys that were carried out, but I couldn't find any other evidence anywhere else specifically about gTLDs. Here there's all sorts of other indications, let's put it that way, about confusing acronyms or [ccLT] use that you might think means a country but in fact means something completely different or [is] used for completely different things but that's completely separate [for] the New gTLD Program. So it could be useful in future surveys to add some kinds of questions about whether or not any confusion arose.

Again, because most people use search engines to find their results and the domain names that they're looking for, it's possible that real confusion that would arise when you're looking specifically in [inaudible] by the fact that of using search engines. But again, we just don't have any information or data to support that. So that's the other

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proposal about gathering more information about that. And the same goes for the [inaudible].

That's really the main recommendation. Again, whether the GNSO PDP development regarding future rounds should take into consideration possible preventive measures in the [evaluation] of new gTLDs that would help to limit or avoid [inaudible]. Again, we don't know whether there really was confusion [it's] a question of how the GNSO PDP [inaudible] recommendation that they should be X or Y, it's just that they should think about this in developing any future rounds.

That's the recommendation. Again, the next CCT Review would be expected to assess in more detail these aspects because by then in theory there'll be information. That's really it, I guess. The [inaudible] straightforward follows from the information that was available and it's addressed to both the next CCT Review and ICANN staff, and I suppose I [inaudible] something missing [inaudible] GNSO PDP. That's [inaudible] can add that to the document.

It's not absolutely essential that it be completed prior to subsequent rounds. In terms of priority which is new, I would put it at medium. Although Lauren and I probably think this is very important because we think consumer choice and consumer protection and avoiding confusion is very important. There's no real evidence that there is confusion or anything problematic. So for that reason I wouldn't put it as a very high priority but I think it is something that would be useful and important to include in any next rounds that go forward in terms of examining what's happening in the surveys. That's why I put, "Doesn't have to be completed," and probably a medium priority.



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That's it for me. Unfortunately, I have to leave in one minute.

LAUREEN KAPIN: Megan, I see that Kaili has a hand up.

MEGAN RICHARDS: [Inaudible] I can't see the hands [inaudible]. Okay. Kaili, go ahead. Everyone's typing.

LAUREEN KAPIN: Everyone is typing.

MEGAN RICHARDS: [Inaudible]. You're right. Kaili has his hand up. [Inaudible] but he's not saying anything.

LAUREEN KAPIN: That is true.

KAILI KAN: Sorry. Now you hear me?

LAUREEN KAPIN: Yes.

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KAILI KAN: As we collect data for future studies I think we can simultaneously also collect the data from the registry registrar the DNS industry side and, for example, how much additional revenue or profits they can make from new gTLDs, new rounds, and so forth. So then we can have a better comparison and weighing of the costs versus benefits among various parties. Just [inaudible]. Thank you.

MEGAN RICHARDS: Sorry to interrupt you, Kaili. I understand your point but I wouldn't want to put it in this particular section because this section relates only to confusion and consumer choice. So whether the registries and registrars made more money or less money, that really goes more to the competition and price competition and non-price competition and all the other things that we were looking at in the other section. So I wouldn't want to – I wouldn't use the word [inaudible] which is a bit unfortunate. That's not what I mean – but I wouldn't want to introduce that idea in this particular section.

KAILI KAN: So this is only related to end users? Thank you.

MEGAN RICHARDS: No, end users and registrants. That was the question that was asked.

KAILI KAN: Okay. I understand now. Thank you.

MEGAN RICHARDS: Okay. A number of people have said that the GNSO recommendation should be separated out. Yes, of course. I just clumped it all in one recommendation. But if you want to have separate recommendations, absolutely fine for me. I have no idea how to use these Google documents because every time I try to change them I lose all the bits that I've introduced so if someone wants to take it out and make them separate recommendations, please do so. And the justification is the same and then that could be just corrected.

LAUREEN KAPIN: Right. And I'll just note that actually the latest version of this paper – at least if you were using the changes that I had suggested – that's not on the screen.

MEGAN RICHARDS: That's possible. I looked at your changes, Laureen, which I thought were great. I didn't mean [inaudible]. I'm looking at the version I have printed out in front of me.

LAUREEN KAPIN: Right. Unfortunately that's not what everyone else is looking at.

MEGAN RICHARDS: Your changes were excellent. Maybe Jean-Baptiste can circulate that around. I apologize but this meeting was extended one hour and I

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already have another meeting scheduled which I was supposed to have left for already a couple of minutes ago. So I'm sorry, I can't continue on this [right now].

LAUREEN KAPIN:

Jonathan isn't here. I'm going to suggest that we haven't had sufficient time to actually come to consensus on this and we do still have some other papers and we have a Leadership call scheduled for tomorrow so I think we'll have to put our heads together to figure out the most efficient way to proceed with the fortunately small group of documents that we still need to address. So this is a "to be announced." More news coming.

I want to thank everyone today for very thoughtful comments and discussions about the papers and also for the progress we've made. Stay tuned, folks, and thanks for your extra hour and the group-think today. I appreciate it.

MEGAN RICHARDS:

Okay. Thanks, Lauren. Maybe just [give it] in writing will be the solution for the last bit. The last [inaudible] is really pretty de minimus, I think. And I think they're pretty straightforward. A lot of comments have been made.

LAUREEN KAPIN:

Yeah.

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MEGAN RICHARDS: I think if people look just at the recommendations –

LAUREEN KAPIN: I'll definitely pass that on during tomorrow's phone call.

MEGAN RICHARDS: Okay. Thanks a lot to all of you and particularly you, Lauren. You've done wonderful work.

Okay, I'm sorry I have to dash. Bye.

LAUREEN KAPIN: Thanks, everyone.

**[END OF TRANSCRIPTION]**