ICANN Transcription
New gTLD Subsequent Procedures WG
Tuesday, 07 March 2017 at 20:00 UTC
Note: The following is the output of transcribing from an audio recording of the New gTLD Subsequent Procedurew WG call on the Tuesday, 07 March 2017 at 20:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. Attendance may be found at:
https://community.icann.org/x/Ha-RAw

The audio is also available at:
http://audio.icann.org/gnso/gnso-new-gtld-subsequent-07mar17-en.mp3

Coordinator: The recordings are connected. You may proceed.

Michelle DeSmyter: Thanks, (Zack). Good morning, good afternoon and good evening to all. Welcome to the New gTLD Subsequent Procedures Working Group call on the 7th of March 2017. In the interest of time there will be no roll call as we have quite a few participants online, attendance will be taken via the Adobe Connect room. So if you are only on the audio bridge would you please let yourself be known now? All right, thank you.

As a reminder to all participants, please state your name before speaking for transcription purposes and also keep your phones and microphones on mute when not speaking to avoid any background noise. With this I will turn the call back over to Jeff Neuman.

Jeff Neuman: Thank you. Welcome, everyone and thank you for showing up two days in a row. Today is really one agenda item which is to cover the second reading of

the questions for CC2, which again, we are not going to release them or I should say we're not going to publicly post them for - officially post them for comment until after the ICANN meeting. But we are going to post them up on our wiki, send them out to the leaders and others so that we can have a discussion of those questions of CC2 at the ICANN meeting.

So we will not start a comment period until after the ICANN meeting is over. With that said, I will ask if there are any updates to the statements of interest from yesterday? I'm assuming there are none but I will give a second for those that have changed anything. Okay, there have been no changes that I can see in the last day. And I will turn it over to Avri to start the second reading and then we will take turns when Avri gets tired and wants me to jump in. Avri, are you booted up yet and ready to go?

Avri Doria: Thank you. Can I be heard?

Jeff Neuman: Yes, very well.

Avri Doria: And I didn't need to reboot. Okay, one other thing I wanted to add - this is Avri Doria speaking. One other thing I wanted to add (unintelligible) second reading and is the last necessary reading normally before going out for the commentary, should the discussions next week present us any substantive changes, then I'll be recommending that we do a third reading of at least those substantive changes before sending it out.

So I just want to basically let people know that you don't need to worry about them changing during the discussion, we will come back to discuss anything that's substantively different. Obviously we won't come back for (unintelligible) and the like or clarifying a sentence with a should we versus a would it be nice if we type of substitution. But other than that, you know, the substantive ones.

Okay, so starting I'll be following it in the Google Doc because it's easier for me to see and manipulate, but it's in the screen - I assume the screen is - whether it's synced or unsynced so you all can move along. So I'm going to go through the first part paragraph by paragraph.

In the first paragraph I notice that we still have yet to put in the date of the application guidebook dated, that should be easy to find. It's just one of us has to do it before it goes out. Any comments or questions on that first paragraph?

Okay, moving on, and please shout and do a (unintelligible) Jeff, you tell me if I've jumped too quickly. Okay then we go into background and new gTLD subsequent procedures. Any comment on that first paragraph? Second? Third? Okay moving onto the paragraph that bridges the page which lists the other efforts that we're following and waiting on. Any comments on that paragraph running into Page 2?

Okay, I see none. Okay, Section 2, community comment request. And the first paragraph there? Okay, any comments on the table which is the list of subjects that we have questions on? These are the subjects that the sub teams have been covering. Any comment on those as we move into Page 3?

Okay, and then the last paragraph where we say we look forward to any comments. Any comments on that? This is on Page 3. Okay, got through that one. Now the harder part.

Okay, Annex A on Page 4 starting with (unintelligible), there is the registry service provider, the Section 1.1, accreditation programs, reference to the wiki page, then there's three paragraphs of explanation on this page, Paragraph 1 on context, any comments on that paragraph?

Paragraph 2, any comments on that one? Okay. Paragraph 3, which ends the page on Page 4. Any comments on that one? Okay. There weren't many

changes made since the last reading on that. Now we come into a page, Page 5, that starts to have some of the changes made after the last reading.

So then we have 1.1.1 and okay, does it look the same in yours as it does on the - so you can see all the changes, I just want to make sure. Okay, so on 1.1 there was basically a rewrite of the first sentence and a deletion of two other sentences. Are there any issues with the rewrite in terms of trying to make it, well, not talking about the (unintelligible) and such. So any comments on 1.1? I'll give a little bit of time for anybody that hasn't looked at the changes there. It's really only that one sentence and the deletions.

Okay, moving on to 1.1.2, there was the addition of, "or requirements" in that sentence. Any questions on that? No? Okay. Moving on to 1.1.3, only a one-word change, any issues? 1.1.4, a clause at the end added, "or other factors, if so what?" I think we've added that in many places in one form or another. Any comment? I see none.

As I say, do shout out, I'm only looking quickly and reading the chat. 1.1.6, we (unintelligible) because of a deletion. 1.1.7 is a new one that was constructed, "Should be a process to assess RFPs on a periodical," is it periodical or periodic? "If so, how often should an assessment be conducted? And what should the process be for a re-approval?" Any comments on that one? And if anybody's got a comment on reciprocal versus - I mean, periodic versus periodical please put it in the chat as opposed to wordsmithing any old time. Okay, no comments on 1.1.7.

1.1.8, "If there is an RFP program, how far in advance would such a program be launched prior to the opening of the next application window?" Any comment on that one? No? Okay.

1.1.9, there is also a new sentence and a deletion, "Should there be an RFP application cutoff date to allow for (unintelligible) time for RFPs seeking approval to receive approval in order for their application to be approved

before the opening of an application window?" Any comment on that one? Yes, Kavouss, please. Kavouss? I don't hear you, you may be muted?

Kavouss Arasteh: Do you hear me?

Avri Doria: Now I do.

Kavouss Arasteh: Okay.

Avri Doria: Now I hear you.

Kavouss Arasteh: You hear me now? Okay thank you. I just want to suggest that in each of these - all of these (unintelligible) I suggest that in 1.1 we just focus on the changes we have made, otherwise we don't need to go that one one by one because that would be very, very time consuming. So just make it - a reference to the changes in Section 1.1. Thank you.

Avri Doria: Okay thank you. I was being a little bit more but if you notice most of these did have a small change in them, but I don't know how other feel about it. We're only 13 minutes in, but I'll try to speed it up. I take the admonition.

Okay so if people are okay with Kavouss's suggestion, are there any comments now on 1.1.10 or 1.1.11? I think it's too late for me to do 1.1 as (unintelligible). Any comments on those last two? Okay, looking at 1.2. We've had some wording changes, had some sentences edited. You'll see changes in almost (unintelligible) of the line items there. And are there any comments on any of the lines in 1.2 that people would like to discuss?

Okay, in which there's no objection, I will move on from 1.2 and, yes, Kavouss, that is quicker. Okay, moving on to 1.3, 1.3, any comments on 1.3.1 contained in there were some rewrite? Okay, hearing none, seeing no hands, okay, I will move on to 1.4, application fee. Application fee, there was a bunch of rewording in 1.4.1, some wording in 1.4.2, some wording change in 1.4.3,

1.4 was largely - 1.4.4 was largely rewritten and 1.4.5 some wording changes. Any comments on any of the lines within 1.4?

Hearing none, seeing no hands, I will move on. 1.5, variable fees, changes - wording changes made in 1.5.1, 1.5.2 and 1.5.3 has been added a placeholder regarding the volume of applications impacts, etcetera. And I have a question on that one. What are we doing with the placeholder? And should we not have a placeholder at this point? Anybody - I admit, I spent very little time on the document while Steve and others were massively doing edits. So, Steve, or someone, Jeff, can comment on what we're going to do about 1.5.3? Yes, please, Steve.

Steve Chan: Thanks, Avri, this is Steve. As we were going through the incorporating changes yesterday, so the placeholder that you're seeing was that's what was the existing text that we saw when we started reviewing the document. So we took that to mean that that's a placeholder and that what should be inserted is a question drafted related to the volume of applications as well as the impact and suggestions.

So that is our suggested language that we put in there to replace that placeholder. And…

Avri Doria: Okay.

Steve Chan: …I am hoping that we got the sentiment correct. I'm not sure who put the placeholder in but my guess it was probably Krista but she's not on the call.

Avri Doria: Okay so thank you. So if anything we should turn that into a question and, you know, sort of is there any - are there any issues related to the volume of applications? Would that be a sufficient translation for that placeholder so we could call it done? Yes, Steve.

Steve Chan: Hi, Avri. This is Steve. Thanks. I think you possibly might be looking at an older version on the Google document.

((Crosstalk))

Steve Chan: So we had actually - if you - so there's actually proposed language already.

Avri Doria: Oh I thought Google Doc was still the latest. I didn't realize you had - that's why I said I was using that at the beginning. Sorry. So I have to look at it in the tiny window here is what you're saying?

Steve Chan: I just put the link into the AC room. Thanks.

Avri Doria: Okay thank you.

Jeff Neuman: Avri, I can read the question if you want so you don't - it basically…

Avri Doria: Okay.

Jeff Neuman: …it just says…

((Crosstalk))

Avri Doria: Okay and I'll get to the right place on the new file.

Jeff Neuman: Okay. This is Jeff Neuman. So the question now says, "Should the application fee be variable based on the volume of applications received from a single applicant? If so, how should the fee be adjusted and what are the potential impacts from doing so?"

                  So I think that that is a pretty good question. I don't know if anyone's got any comments because it's the first time you're seeing it…

Avri Doria: Okay.

Jeff Neuman: …but this was a discussion that was had within Work Track 1.

Avri Doria: Okay. Thank you. And I've now got the right document open in front of me. Okay so are there any comments on that? And thank you, Jeff, for reading it, and thank you Steve, for getting me on the right page as it were.

Okay, so 1.6, any comments on that? Okay, 1.6, application submission period, we have three points in that one, 1.6.1, 1.6.2, 1.6.3, any comments on any of those? Okay, thank you and I see (unintelligible) support for 1.5.3 is worded, thank you. Okay any comments on 1.6?

Moving on, 1.7, application queuing. We have 1.7.1 and 1.7.2. Any comment - yes, Kavouss?

Kavouss Arasteh: Yes, on 1.7.2, we add IDN or some other group of application. I'm sorry, I don't understand what we mean by some other group of application in parallel to the IDN or in comparison with the IDN. What do you mean by some other group of application? Could we have some example such as what?

Avri Doria: I believe the examples would be for example, brands, communities, etcetera, or something like that. Oh, Jeff, I see your hand up. Oh no, you took your hand down. Jeff, please.

Jeff Neuman: Yes, I think your - sorry, this is Jeff. You're right, Avri. So maybe we just change the word to category, I think is what we were trying to go with there. So it's should you prioritize IDNs or should you prioritize, as Avri said, communities or brands or geographic. So I think that's what we were trying to get at.

Kavouss Arasteh: That is good if we do that. Thank you.

Avri Doria: Okay. So perhaps - okay so perhaps both category and an example or just category sufficient, Kavouss?

Kavouss Arasteh: (Unintelligible) give one example (unintelligible) know we mean by some other application, if we use an example. If we want to…

((Crosstalk))

Avri Doria: Okay.

Kavouss Arasteh: …specific case, also that is the case.

Avri Doria: Okay, thank you very much.

((Crosstalk))

Avri Doria: So perhaps we should - right. So perhaps we should put in a for example there. Thank you.

Kavouss Arasteh: Yes.

Avri Doria: Okay, moving on. So that change is being made as we speak. Okay thank you, Steve. Were there any other comments on 1.7 before I move on? 1.8, any comments on either 1.8.1 or 1.8.2? Okay seeing none, 1.9, communications. We have 1.9.1, 1.9.2, any comment on either of those? I see no comments, hands. Alexander was saying sorry (unintelligible) was listing a typo. Is that what I'm understanding? Okay. That was on an earlier post. Okay great, thank you. Looking only intermittently and got confused.

Okay so that 1.9.1 was okay, 1.10, there's 1.10.1, any comment on that? Okay, and that's 22 minutes to make it through Number 1. Work Track 2, legal, regulatory and contractual requirements.

2.1, base registry agreement, there's 2.1.1, 2.1.2, 2.1.3. Any comments on any of those and the changes made in them? Yes, Kavouss.

Kavouss Arasteh: Yes, just a clarification, in 2.1.2, we have added exclusively identified, does it mean that there are cases that are (unintelligible) identified and this exclusively identified, just a clarification. I have no objection to the text, but I want just to understand what we mean by exclusively identified. That means other...

((Crosstalk))

Avri Doria: I think it means that - right, I think that in the application there are, I forget how many questions, but millions, and some of the questions could be indicated saying the response to this question will be included in your registry contract and would be part of that contract. So those sections of the application would be explicitly identified as such.

Kavouss Arasteh: Okay.

((Crosstalk))

Avri Doria: And I'm sure if I got it wrong either Steve or Jeff would jump up and tell me.

Kavouss Arasteh: No, I have no problem. Thank you. I understand that now. Thank you.

Avri Doria: Okay thank you. Thank you. Okay 2.2, reserved names, oh, is that a new hand, Kavouss?

Kavouss Arasteh: Old one, sorry, it's the old hand, I didn't...

((Crosstalk))

Avri Doria: Thank you. Okay thank you.

Kavouss Arasteh: …put it down. I'm sorry.

Avri Doria: Okay thank you. Okay thank you very much. 2.2, reserve names, 2.2.1, 2.2.2
                    and 2.2.3 and there's also 2.2.4 and 2.2.5 on the next page. Any comments
                    on any of those lines on reserve names? Okay seeing none, we'll move on,
                    2.3, registrant protection, we've got 2.3.1, 2.3.2, 2.3.3…

Jeff Neuman: Avri, this is Jeff.

((Crosstalk))

Avri Doria: Yes, please Jeff.

Jeff Neuman: Yes, just I want to go…

((Crosstalk))

Jeff Neuman: That's okay, I want to - Alexander has posted something in the chat. He says,
                    "In Work Track 2 I still miss any question about 2.2.1.4.1, treatment of country
                    or territory names." So let's take a look.

Avri Doria: Okay.

((Crosstalk))

Jeff Neuman: For me…

Avri Doria: …2.2.1, right.

Jeff Neuman: Yes, from my perspective - yes, from my perspective, Avri, I think the reason
                    we didn't create any questions on country or territory names is we are still
                    waiting for the output of the Cross Community Working Group on Country

and Territory Names at the top level, so I think we thought it was a little premature to raise some questions at this point, not that we won't at some other point, have some questions but at this point I think we were just waiting for the output since they have been doing work on this.

But I also want to make the point that nothing herein - oh I'm sounding like a lawyer - I take that back. Just because we have CC2 does not mean…

((Crosstalk))

Jeff Neuman: That's true. Just because we have CC2 doesn't mean that we can't at some future point ask other questions that might come up in a future comment period. So we still have that. And Heather has pointed out that the interim report of the CWG of the Use of Country and Territory Names has been published for comment I think since early February so that's already out there. But, Alexander, did you - I saw your raise your hand, do you want to…

Avri Doria: Yes.

((Crosstalk))

Alexander Shubert: Okay, this is Alexander Shubert. Hi. Well, the - I am a member of the CWG UCTN and especially when it comes to three letter codes and country and territory names, they more or less declare that they don't have any answer. So the only answer they have is that two letter - top level domains should be reserved for countries and that's kind of an understanding everyone has I think. So we will - most likely don't get any input now from the CWG UCTN, but if we later have time to talk about this or to have input that's fine.

I just want to avoid that the same happens like (unintelligible) that at the end of the day we say oh, we never really discussed those names and the GAC wants to prevent carnage. So we exempt them, because that's what

happened last time, we said we're exempting them, the 2.2.1.4.1 basically says we never agreed on how to treat those names, that's why in this round we don't allow them, we talk about it in the next round.

But I heard you, Jeff, that there will still be time later to entertain a discussion about it and that's fine.

Avri Doria: Okay. So we don't need to add a question at this point is what we're agreeing, I just want to make sure we don't go by it too quickly. Yes, okay.

Alexander Schubert: This is Alexander again. I mean, the - it's - the questions that are arising out of it had been asked by the CWG UCTN. And they asked a lot of questions and they got answers so it's a big, big - it's a big point actually, it's not just one question. So we might even simply look into the answers that they got and work up from there.

Avri Doria: Sounds like a really good approach. Okay yes, Kavouss.

Kavouss Arasteh: Yes, there are two way to address this question. Either we say that pending the outcome of the CWG of the (unintelligible) and so on and so forth, this is one way to allow the outcome of that (unintelligible) anything but we say whatever we have now. Because we don't know what is the outcome. Or saying that not (unintelligible) the outcome of that, so there are two ways to put this safety valve here that will still - waiting for something. So there are ways to address that if really is needed to address. Thank you.

Avri Doria: Okay thank you. Yes, I think that, you know, there are many questions we don't ask and so I don't want to get into starting to discuss why a particular question was not included in the questionnaire. And I think that a good point was made that we will be taking the CCWG UCTN final report and considering it in detail and going through their questions so at this point we really don't need a question and nor should we get into explaining.

And then oh then I have a question though from Donna, "Should there be a note mentioning that Country and Territory Name have been left out of this exercise for X reason?" Don't we already have a similar note to that in terms of at the top in the explanation about the fact that we're waiting on the output of those teams? But we can certainly add a note to that fact on reserve names. Do people think a footnote on that on 2.2.4 - I mean, on 2.2 is a good thing to do? And though if we do that, are there other issues that we're waiting on the reports that we're not dealing with so that starts to become an exhaustive list.

Okay, I'm seeing some support for a footnote. Yes, Jeff.

Jeff Neuman: Yes, thanks. Jeff Neuman. I think we did something similar for rights protection mechanisms, I think we - at least if I'm not remembering it correctly, I thought it was RPMs we basically said that we were - and I'm trying to find it now as I'm scrolling through - maybe we did take it out. Never mind. I thought we had something with RPMs but potentially not.

Avri Doria: Steve is typing. Jeff, you deleted it.

Jeff Neuman: Okay, there you go.

Avri Doria: No wonder you remember it. Okay, so I propose…

((Crosstalk))

Avri Doria: …okay, Kavouss - Kavouss, your hand is up please.

Kavouss Arasteh: Yes, my suggestion would be there might be some other area that we wait for the outcome of something. Wouldn't it be a possibility to add one general note that really would the issue that some of the actions or questions raised depend on the outcome of, and then we mention out of what, rather than going to each state because we may overlook a particular case and so on so

forth. I'm just suggesting that whether would be useful to have a general note to foresee such occurrence of outcomes of any other group which might impact these questions. This is my suggestion. Thank you.

Avri Doria: Okay thank you. And that could go as almost the last line of Section 1 of the letter at the beginning where we list the efforts of the other groups we are waiting for and, you know, it says we're aware of other efforts, blah, and then we could add a single sentence that, you know, we have not included questions on these issues in anticipation of reviewing their output. That sound good? Okay. I don't know if anybody - but, yes, okay I see Donna says yes, and no other hands. So okay, so we'll move on then from 2.2, thank you for the issue and the solution. So no other questions on 2.2?

Okay, moving onto 2.3, registrant protections. And we have 2.3.1, 2.3.2, 2.3.3, any comments on any of those (unintelligible) questions - question-wise? I see none. I will move on to 2.4, closed generics. And we have two questions, 2.4.1 and 2.4.2.

Any questions? Okay. On that? No, on 2.4 and 2.5. And here we have options in 2.5.1 so we need to talk through the options here. Okay, there's application terms and conditions.

Should I talk through that, Jeff, or would you like to talk through that since I have a feeling you wrote more of it.

Jeff Neuman: Sorry, the Section 2.5?

((Crosstalk))

Avri Doria: Yes, the 2.5 where the Option 1 and Option 2, but I see Kavouss has his hand up so first let me check with what he's up to and then if you're willing take us through 2.5.

Kavouss Arasteh: Yes, no problem.

((Crosstalk))

Avri Doria: Please, Kavouss.

Kavouss Arasteh: …it should be some short introductory why you need two options because all of a sudden we go through Option 1 and Option 2 without knowing that why we need these two options. Would it be possible to have a short sentence we need for the options or the conclusion that there is no single way to address the issue and we need to have options. Thank you.

Avri Doria: Okay, thank you. There's also the possibility, yes, that we would decide on which option here. So please, Jeff, please talk to us.

Jeff Neuman: Yes, thanks, Avri. This is Jeff. Yes, the options were for us a group to pick one to - to keep in - to keep in this document. We were going to only display one of these options. They ask the same or similar questions in a little bit different way. So the first one was a proposal by Paul McGrady and I kind of worked on this proposal based on Paul's comment yesterday.

So the first option quotes the relevant provision in the terms and conditions and then asks, "Do you believe that this paragraph gives ICANN an absolute right to reject any applications for any reason including a reason that contradicts the Applicant Guidebook or any law or policy? If yes, should an unrestricted right appear in any modification to the Guidebook? If no, please list the other documents that you believe should be read in conjunction with this paragraph, example, GNSO policy on new gTLDs, ICANN Bylaws, other portions of the Guidebook, California Implied Covenant of Good Faith and Fair Dealing, etcetera."

And Option 2 is another question which is much more brief but it states that, "According to Section 3 of the applicant terms and conditions, ICANN retains

the right to determine not to proceed with an application," probably should be singular, "or delegate a TLD in the root zone. This provision is a cause for concern for many applicants. Do you have any suggestions on establishing controls to limit ICANN's ability to utilize this provision? If yes, please explain."

So the question for this group to consider is which of the two options do we like better and which ones would we rather use? So I want to throw that out there.

Avri Doria: Okay. Okay thanks. I suggest, first of all, that we just sort of take a step back here and basically ask is there anyone that would like to speak in favor of Option 1? And just sort of comment on it or put down checks if you're much in favor of Option 1. It's not a vote, just to see who likes what. Okay, I see no one wants to speak in favor of Option 1, though I do see Heather wrote, "excellent question" and I think she wrote it while Option 1 was being read, but I wouldn't swear to it.

And we have a Paul McGrady check on it. Jeff said he'd like to hear from Paul. Paul, would you like to be heard from?

Paul McGrady: Thanks, Avri. This is Paul McGrady. Yes, I'd like to be heard from I guess as I'm comparing Options 1 and Option 2, I mean, I think Option 2 is, again, same problem with it in its original form, which is it presupposes the answer as opposed to setting forth what the text says objectively and then asking questions about the text, it in fact summarizes the text with a presupposition about what the text says and then goes on to ask the question.

The summary does not contain any reference to the limitations in the text itself about the effective law on policy. And so I just don't think Option 2 sort of reflects reality as written in the Guidebook. So it's not so much for Option 1, which I think does a better job of setting forth what the text actually says

and then asking questions about how people think and feel about it, Option 2 just doesn't do that; it does something else. Thanks.

Avri Doria: Okay thank you. Yes, Kavouss.

Kavouss Arasteh: Yes, my problem is not that, my problem is that the structure of this section is or does the Options 1 and 2 relate to Paragraph 2.5.1.4 (unintelligible) extend Paragraph 2.5.2? if it only limited to 3.5.1, therefore we should mention under 2.5.1 for this application or for this (unintelligible) there are two options and I have no problem if we cannot resolve the two options to select one of them. It would be good if we had one only but if we are not in a position to take one, I don't have any problem because we are just asking the community. But we should associate 2.5.1 from 2.5.2 if it does not apply to 2.5.2.

So my question that does the two options have any impact on 2.5.2 and any impact 2.5.3 or is just limited to 2.5.1 because it is the options is…

Avri Doria: Thank you.

((Crosstalk))

Kavouss Arasteh: …under 2.5.1. Thank you.

Avri Doria: Right, yes. The optional question, I really am hoping we decide between one or the other because otherwise it's sort of redundant and confusing. Relates only to 2.5.1; 2.5.2 is a different question within the same grouping of questions. So really we should pick between one and two and I think we're halfway there, if it's okay.

So I've heard some discussion in favor of option one and saw a few green checks -- I think it was just two -- in favor of option one.

I'd like to ask now, is there anyone that prefers option two, would like to argue for it and would like to put a green check beside their name as a preference for option two which was the original text that we've gone over in the past and wordsmithed? So do I have any volunteers to speak for option two? Okay. I'm not seeing any green checks. I'm not seeing any hands.

So does anyone object to us going with option one and moving on from there? I see no objection to going with option one. Give it another second for people to react. No angry crosses, no hands, no comments.

Let's go with option one.

Woman 1:   Yes.

Avri Doria: Okay? Thank you very much for that.

So now, going on to 2.5.2. Oh yeah, we had all the others. We had 2.5.2, 2.5.3 and 2.5.4 in there. Any comments on those three? Okay, to move on, seeing no hands, no - oh yes, a hand. Kavouss?

Kavouss Arasteh: Yes, I just can't figure out what you told me on 2.5.4. Okay, no sorry. I see it's already taken care. Thank you. Sorry.

Avri Doria: Okay. Thank you very much.

Kavouss Arasteh: Yes.

Avri Doria: I always love to hear that a problem's already been taken care of. Those are the exciting moments of the day.

2.6 we have 2.6.1, 2.6.2, 2.6.3. Any comments on any of those three questions? See no hands, hear no voices, see nobody typing. Okay.

Moving on to 7, which is TLB rollout. There's just 2.7.1. Any comments on 2.7.1? None.

Moving on, 2.8, one question, contractual compliance. Any questions or comments on 2.8? Okay.

Moving on, 2.9. We have several - we've got 2.9.1. Okay I know that, two that we wish removed. No, we just have 2.9.1. Any comments or questions on that one, on global public interest? No? Okay great.

We have now completed Work Track 2. Correct?

Work Track 3.

3.1, objections. There's 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7, 3.1.8 and 3.1.9. Any comments, questions, what have you on any of those parts of 3.1 relating to objections? A lot of those so I'll give an extra couple beats. Seeing no comments, I'll move on.

3.2, new GTLD application freedom of expression. There's 3.2.1. Oh, there's just 3.2.1. Any comment? Okay.

Moving on. Okay, 3.3, community applications and community priority evaluation. I have 3.3.1, 3.3.2, 3.3.3. Oops, we don't have a 3.3.4. We have a 3.5. So we have a numbering issue. 3.3.5 and 3.3.6.

So other than the numbering issue… Yes, Kavouss?

Kavouss Arasteh: Yes. 3.3.6, in the last part we said "should the claim to support a community affect other parts of the application process." I don't understand the objective by this. Do we mean that this should affect or are we asking what are its effects or not? So the way that question is raised is not clear.

Avri Doria: Okay.

Kavouss Arasteh: Could it be reworded?

Avri Doria: I understand it and I can understand… Yes. If I understand it correctly -- and it could use a rewording perhaps -- is - it means that in the previous application, except for the one or two questions that were specifically about community, all the rest of the application was identical.

I read this as saying if it is a community application, should there be a different form of application that perhaps has different sets of questions or questions phrased differently. Please correct if I misunderstood, Jeff, but that's how I read it.

But I can easily see how that could be hard to parse there. And in fact I may be parsing it wrong. Jeff, please. I see your hand.

Jeff Neuman: Yes, thanks Avri. I think you're parsing it partly correctly but I think there's more. I think it also would be - I mean, you had mentioned, should there be more questions.

Other people were discussing should their community application go through CPE even if it's not for priority but just to say and/or certify that yes this is a community, should it go through CPE anyway because potentially being a community TLD could be a label that implies certain things about a TLD.

But if it hasn't gone through an evaluation, then can it really be called a community TLD. That's what some - that's something that came up in discussions.

So I think we can word it - it was meant to basically say, "so the claim can support a community," the - I don't know how else to say - should there be

questions, like you said, about it and should it affect other parts of the evaluation process as well. But I think that's what we were trying to get at.

Kavouss Arasteh: Jeff, I'm sorry.

Avri Doria: We may want to just…

Kavouss Arasteh: The "should" is problem at the beginning of the sentence. If you use other words, it's better, like you say, "should that cause difficulties of applications or implications of," they should… Yes. I don't know whether you say "does" or "do" or "is there any impact" or something like that rather than "should." So my question is this word "should." Thank you.

Avri Doria: So first of all, yes, we've had some normal substitutions for the word "should" so we could say "do you believe," "do you think." So "do you think the claim" - or basically it could even be not the claim but "do you think a community application should be structured differently than other applications?" Is that a direct sentence that works?

Kavouss Arasteh: For me if it's okay, I stand to be corrected by Jeff.

Avri Doria: Did others accept that? Jeff, do you "structured or evaluated and/or evaluated," yes. So should community - "do you think that community application should be structured or evaluated differently from other applications?" Does that work for people for that question?

Jeff Neuman: Yes.

Avri Doria: Is it clear enough? Okay, thank you Kavouss. Anybody object to that rewording? Okay. And Steve, I see that you're capturing it in the live document. Are you fine with that, Steve? Just taking a pause while Steve types so I can see that he's fine with it. Okay, yes. It looks fine.

Okay. Any other comments on 3.3, community applications and community priority evaluations? No, okay. I'll move on. Thank you, Steve, for capturing it and thank you for the question.

Moving on to 3.4. There's 3.4.1., 3.4.2, 3.4.3, 3.4.4, 3.4.5, 3.4.6. Any comments on any of those questions? I see no comments. I hear no voices.

I see Jeff typing. 3.4.6 is new. Yes, it's all in purple. Does anybody wish to further discuss 3.4.6? I see a hand. Yes, Kavouss.

Kavouss Arasteh: Yes. No specific suggestion but I just draw attention of our (unintelligible) to the CWG on the auction because we are now trying to do some definitions or some arrangement that they come up with something different.

Shouldn't we have some reference that "depending on" or something like that to leave the door open if they come up with any other things that we believe is (unintelligible) here because that group just newly started. They had the second session. And some of the people have been there and they know that may come up to have a different outcome. This is just to mention that, yes.

Avri Doria: Thank you. I don't think that questions -- and perhaps someone else will think otherwise -- I don't think that the questions need to capture that possibility because we're asking about mechanisms, etcetera. And I think that whatever the output of that group is something.

But that group is really talking about handle - how to handle the proceeds from a previous auction whereas here we're talking more about the doing of an auction, etcetera.

But I don't think any future solutions are precluded by the questions we ask at the moment. And I'd be hesitant to suggest that we jump into that, how to

handle the money from an auction question at this point with this questionnaire. So if that's okay. Yes, Kavouss.

Kavouss Arasteh: Yes, please correct me if I'm wrong. Do you believe that that group will maintain the private auction versus the general auctions? Or do you think that they might be different? Or you add something for the time being because we don't know? Yes, we don't know whether this private auction can be taken.

Avri Doria: I thought that that group was pretty much focusing on how to spend the money and not on auctions, whether we have them or not, whether we have private ones or ICANN ones.

I thought that that group was specifically -- and please correct me because I'm not in that group but and stayed as far away from it as I could I think -- but I think that that group was looking at - was sitting on a gigantic pile of money at the money or ICANN is - well, we are.

And we have yet to figure out how that money is to be utilized and that group is looking at that issue not the issue of to have auctions or not to have auctions.

Yes. And (Greg) said actually they're talking about the mechanisms for deciding how to spend money. So it's even more meta than I thought. But at - they're not talking about whether we should have auctions or not. They're talking about how do you spend over half a billion dollars or whatever it is they have.

So basically they're going to decide on the methodology. And then others, based on those methodologies, will decide on how to spend the money. But they're not talking about our issue. Okay?

So has everybody had a chance to read 3.4.6? Are we fine on 3.4.6? Are we fine on 3.4?

Oh, only a quarter of a billion. I thought we were up to half a billion. Doesn't matter.

Okay. So moving on to 3.5, accountability mechanisms. There's 3.5.1 and 3.5.2. Any questions on 3.5, accountability mechanisms? Comments? I hear none.

And moving into Work Track 4, internationalized domain names and technical and operations.

4.1, internationalized domain names. I have 4.1.1, 4.1.2, 4.1.3 and 4.1.4. Any comments on any of those questions? Seeing no hands, hearing no voices, no typing. Rounded error is funny.

4.2, universal acceptance. We have 4.2.1. That's it. Any comments on 4.2, universal acceptance? I see none.

4.3, evaluation - application evaluation. So 4.3.1, technical evaluation which has multiple parts. 4.3.1.1, 4.3.1.2, 4.3.1.2.1. Wow, it goes down so three levels of hierarchy in that one question. Any comments on that question? No? Okay.

4.3.2, financial evaluation. This section has gone through a certain amount of rework I believe. Oh no, it's a later question that has been. But on 4.3.2, we have 4.3.2.1, 4.3.2.2, 4.3.2.3, 4.3.2.4, 4.3.2.5, 4.3.2.6, 4.3.2.7, 4.3.2.8. There's been a fair amount of work there.

Jeff Neuman: Avri?

Avri Doria: Jeff, please.

Jeff Neuman: Yes, I just want to - thanks, this is Jeff Neuman. I want to point to a comment
                 from (Trang) who says that 4.3.2.3, the applicant guidebook criteria did not
                 include an evaluation of the applicant's business model, meaning question 18
                 was not evaluated. And the projections in question 46 was not evaluated
                 against the proposed business model in question 18.

                 So if we go back to what we have in the question, it says "In the prior round,
                 detailed business plans were provided yet it is unclear how or even if they
                 were evaluated." What (Trang) is saying that it is clear that it was not
                 evaluated.

                 And then it says, "Do you believe that this information is needed to evaluate
                 an applicant's financial capabilities? Please explain. How should changes in
                 business plans during the application process be handled?" So is that - given
                 the information…

Avri Doria: Well I think all of that question holds. Right.

Jeff Neuman: Yes, I was just going to say given the information (Trang) has given us, is that
                 question still needed?

Avri Doria: This is Avri. I think so. I think so because other than the application, I think if
                 we just changed the sentence that says "it's unclear whether they were
                 evaluated or not," just say, you know, "they were not evaluated." But the rest
                 of the question holds.

                 If we want to question we moved, we should ask the question whether it's a
                 valid thing, whether it was used or not, etcetera. So I think the question still
                 holds. It's just that we - the sentence, you know, "we don't know whether it
                 was used or not," can be changed. That would be my view on it, that the
                 question is still a valid question. Okay.

Okay. What do other people think? Is it worth keeping that question? Does anybody object to keeping that question with just wording it to reflect what is the case, that they weren't used? I see nobody wanting to comment.

(Trang), since you brought up the comment, does that seem an okay approach to you, that we tell the truth but we still will ask the question? Thank you, (Trang), for the data update and for that.

Okay. So going back to the financial evaluation of 4.3.2, anybody got comments? Yes, Jeff, I see your hand again or is that the hand from before?

Jeff Neuman: No, this is a new one, sorry. Thanks. This is Jeff Neuman. I had put a comment in the draft about 4.3.2.5. It's my opinion that I think we - I'm not sure I want to ask or we want to ask this question just because it seems like it's a little bit loaded. It's a loaded question in re-reading it. And it talks about replacing it with a solution, like a check box and self-certification.

To me, it just seemed a little proscriptive and I think could be - if someone wants to make that recommendation, they I believe could make that recommendation in the response to any one of these other questions.

Or if not, we could ask kind of as an overarching question at the end, "Are there any other comments you have on the evaluation - on the financial evaluation process?" But I just - I re-read this question a couple times and thought that we probably should not be asking this.

Avri Doria: Okay, so your recommendation is that we drop this question. Let me see. Are there - is there anyone else that wants to speak to the issue of dropping this question? Does anybody object to dropping this question? I see nobody jumping up to support keeping the question. I'll give it another couple beats. Okay. I see no objection to dropping the question.

Yes, there's people out here. They type every once in a while in the chat. And some people speak. Yes, (Greg), are you typing about your existence or agreeing with dropping the question? Thank you.

So seeing no disagreement to dropping the question, let's drop it and let's remember to re-number following it.

Okay, Martin Sutton has a comment. I'll wait. Fine to drop. Okay. So seeing no objection to dropping it, let's call it dropped and re-number. Okay.

Moving on. Well let me just check again since we stopped off a couple times. In 4.3.2., financial evaluations. Are there any other comments or questions about financial evaluation at this point before I move on? Okay, seeing no new comments, I will move on.

Okay, where are we? We're at general questions. It's really just general question, 4.3.1.1. And anybody have an issue with the general question? I see no comments on that. Yes, (Greg). (Greg)? I don't hear you.

Jeff Neuman: Avri, this is Jeff. He typed something in the chat: 4.3.2.6, ask or both. So if we go to 4.3.2.6, "Do you believe that financial capability could be demonstrated at application time or could it be demonstrated at or just before contract signing time?" And I guess (Greg) wants to add the "or both" or "at both times."

Avri Doria: Okay, right. So that could - should possibly be an extra small question or should it be done at both times? I would put it as an extra sentence as opposed to complexifying the current section, sentence. And I see Steve has moved his pointer there.

Any objection to that change from anyone? Okay, I see no objection. I'm sorry to hear you have no voice, (Greg). Okay.

Moving on, so okay - so we're still fine with 4.3.2. And sorry I missed your comment before, (Greg). And thank you, Jeff, for catching it.

Okay we were at 4.3.3. on the general question. And that was - there were no comments on that.

We'll move on to 4.4., name collision. Name collision has four questions, 4.4.1, 4.4.2, 4.4.3 and 4.4.4. Are there any comments on any of those questions? I don't see any.

There's a - Steve, you have a comment in there. Oh. Okay, I'm not sure what to make of your comment, Steve. What does it relate to? Please go ahead, Steve.

Steve Chan: Thanks, Avri, this is Steve from staff. This relates to what you were just discussing, the comment from (Greg) regarding adding that it could be at application time contracting…

Avri Doria: Oh, oh, oh, yes.

Steve Chan: Yes, that one. There's a similar question in the technical section so I just carried it over to that section.

Avri Doria: That was asking about - right. About - right, that was in the RSP testing and should that be done or at both times.

Steve Chan: Actually…

Avri Doria: It seems a reasonable thing to do, right.

Steve Chan: Actually not in the RSP section. It's in 4.3.1.

Avri Doria: Oh, it's the technical capability question, yes.

Steve Chan: Yes, just a little bit up the page.

Avri Doria: What was the number again?

Steve Chan: 4.3.1.1.

Avri Doria: 4.3.1.1. The one we were just on - no. 4.3.1.1? Oh, we have a numbering problem under 4.3.3. 4.3.3.'s number under it says 4.3.1.1 as opposed to 4.3.3.1. So a numbering edit.

So let me go back to 4.3.1.1 as (unintelligible). Sorry, don't mind my doing this here. So 4.3.1.1. was "Do you believe the technical capability should be demonstrated and/or at both times?" Is there any objection to adding that "or at both times" on this question as well? I just want to make sure we've cleared it with people.

And (Trang) says the timing question probably applies to background screening as well. Is there any objection to adding it to the background screening question as well and, Jeff, sort of have parity between all of these screening questions?

There's no objection so we'll go ahead and make that change in all the places. I see no objections. I see fines and nobody seems to object. If you object, quickly put up a red cross - I mean, a white cross on a red background. Okay, thank you.

And we were at 4.4.4. There had been no issues on 4.4.4, name collision, correct? I had moved off that to deal with other questions. Shall I come back to that? That one fine. Any objections? Any questions? No. Okay.

Moving to 4.5, security and stability. We have 4.5.1. and 4.5.2. Any issues or questions on those? Okay.

And now we're at the miscellaneous questions. We have four questions under miscellaneous questions. There was one edit made to those. Yes, Kavouss?

Kavouss Arasteh: Yes, I wonder why we call them miscellaneous questions because miscellaneous questions might have (unintelligible) Either you tell them they are less important or they are trivial or they are not in the main context. I think that is my point one.

I have another point that before this section we had collision and before that we have general questions. And now we have miscellaneous questions. Wouldn't it be better than any question of general questions or - and/or miscellaneous questions, when we possibly change, the title would become one after the other because all of those are related questions?

So first get rid of miscellaneous and saying couldn't we call them something else, "additional questions," "complementary questions" and so on rather than "miscellaneous questions?" "Miscellaneous questions" means that they are entirely different from each other and has no relation with each other. Is that the case, all of the questions here has no relation with each other? Thank you.

Avri Doria: Okay, thanks. In terms of the 4.3.3., general questions, that is a general question that is specifically related to Work Track 4 questions. It was just not one that fit in the category of any of the previous questions. It was a general question about that category.

I think that these miscellaneous questions -- and we could call them questions that are not part of the Work Tracks, the Work Track questions or - you know, I don't want to use overriding questions or general questions... It could be "general" question as opposed to "miscellaneous" if "miscellaneous" had a negative connotation.

But basically these were questions that were not specifically part of any of the Work Tracks. And so therefore they're in a question. (Paul) is suggesting "additional questions." I am fine with "additional."

Kavouss, would "additional questions" work well for you? It's just these questions don't fit with the other categories?

Okay. I think we'll call it "additional questions." Anybody object to calling it "additional questions" instead of "miscellaneous questions?" Okay. It's now "additional questions" section.

Any comment on any of the four additional questions? None. And none. Yes, Kavouss.

Kavouss Arasteh: Yes, in question four I can't understand what we mean by "data points." Do you have any suggestion for "data points?" Data is data. What is "data points?" Are they data or - yes, what do we mean by "data points?" Thank you.

Avri Doria: Okay, "data points" I think is just a way of expressing the fact that are there any bits of data, are there any metrics, are there any other items of data -- data points -- basically describing the kinds of data that someone may want to collect, additional data points, analysis studies. So we could find a different phrase for "data points" if that one is problematic. It's common. We could just say, "Do you have any other suggestions for data?"

Kavouss Arasteh: "Features?"

Avri Doria: Huh?

Kavouss Arasteh: I said, "data features," "data categories?" But it's not "data points."

Avri Doria: No. I think this is things we would want somebody to do an analysis of, things we would want somebody to measure that would help benefit the work of the PDP.

So in other words, all the way through this we've measured this thing, we've looked at that thing. All of those things together are data points. They're points of data that we are using in the process of doing this PDP.

So we're asking people, of all the data points that we've discussed above, are there any other data points that we should be looking at.

So - and (Sheryl) gives hope. If someone would suggest a - I think data may be too general. Her suggestion is for, you know, because I think it would be for "other data that should be collected" or something like that.

Kavouss Arasteh: My problem is "points."

Avri Doria: If somebody can come up with…

Kavouss Arasteh: My problem is "points," "data points."

Avri Doria: Right. I understand, yes. Right, you're having - right. And "data point" is not one of those not hyphenated words but words that go together.

It's quite common. (Katrin) has said it's quite common as a standing expression in, you know, statistical, scientific and other literature, business literature. (Sherbert) says now, "data point," an item of factual information derived from measurement or research.

So I think I'm seeing a certain support for keeping "data point," that it's a normal reference in English. Okay?

Kavouss Arasteh: If no one has any problem, I don't have problem. I just (unintelligible) the other. Thank you.

Avri Doria: Yes, okay. Thank you. Yes, I think most of us are comfortable with it and have seen it much. So thank you for that.

Okay, asking once again, are we all fine with "additional questions?" I'm not trying to prolong this, mind you. I just want to make sure.

At this point, I think we've completed the second wing. I ask at this point before it back to Jeff, anything that we went through that you wish you had commented on but I went by too quickly and you really want me to go back there? I see no one. And so therefore I thank you all. And I turn it back to you, Jeff.

Jeff Neuman: Thanks, Avri.

Avri Doria: Oh, Kavouss, I see your hand up. I jumped too soon. Kavouss's hand is up).

Kavouss Arasteh: Yes, you said any questions, not comments. Just to put on record…

Avri Doria: Oh.

Kavouss Arasteh: …our sincere appreciation to you, Avri, and those others who have worked very hardly and your duly detailed hours and hours preparing the drafts, going through them several times. And I think this is a massive piece of the work and this is something really appreciated. And we would like that to be mentioned in the record of (unintelligible), that sincere appreciation and in-depth gratitude was referred to those who have worked on that, in particular Jeff and others and Avri. Thank you.

Avri Doria: Thank you. As the mouthpiece for the group at the moment, I thank you for all of the people that did a lot of work. I just did most of the talking. And thank you very much. And thank you.

And it's yours again, Jeff. Thank you.

Jeff Neuman: Thank you, Avri. Thank you Kavouss. Thanks for the applause I see from (Sheryl). I didn't know we had that icon so thank you, now that I know we have that.

Yes, so that was our main item for today. One thing I do want to say before we all get on our planes and start heading there is that we are - Avri and I and some of the leaders of the GNSO are trying to work on creating an over-the-Internet intersessional between Copenhagen and Johannesburg to discuss geographic names issues.

So we hope to have some sort of announcement at the Copenhagen meeting on Saturday so that we can get rolling on plans for that to discuss those issues.

So with that said, I just wanted to kind of tease that information and wish everyone who's going to be there in Copenhagen a safe flight. And for those that are going to participate remotely, I really encourage you to do so for Saturday's session.

So thank you everyone. And are there any last questions? Seeing none, I think we can end this meeting.

Avri Doria: Thank you all.

END