ICANN Transcription
New gTLD Subsequent Procedures Working Group
Monday 24 April 2017 at 2000 UTC

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https://community.icann.org/x/7LDRAw
The audio is also available at:
https://audio.icann.org/gnso/gnso-new-gtld-subsequent-24apr17-en.mp3 AND
https://participate.icann.org/p482g5wkvfz/

Michelle DeSmyter: Good morning, good afternoon & good evening to all. Welcome to the New gTLD Subsequent Procedures Working Group call on the 24th of April, 2017 at 20:00 UTC. In the interest of time today there will be no roll call as we have quite a few participants online. I would like to remind all participants to please state your name before speaking for transcription purposes, and to please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this I will turn the call back over to Jeff Neuman.

Jeff Neuman: Thank you, everyone. Welcome to the call. The agenda is on the right hand side so hopefully all of you that are on Adobe can see it. Essentially we'll just go over statements of interest, some work track updates, talk very briefly on the (unintelligible) of Community Comment Number 2, but the main meat of the agenda is really to talk about our draft response to the consumer – Competition, Consumer Trust and Consumer Choice Review Team, and then

get a little bit of an update on drafting teams on the overall issues, then we'll wrap up with a discussion on the Geographic Names Webinars that are tomorrow and if anyone has any other business we'll talk about that as well.

So does anyone have any comments or anything to add for the agenda? Okay, seeing none we'll just move onto the statements of interest. So does anybody have anything they would like to update on their statements of interest that they have not filed? Okay, not seeing any on the statements of interest. What we'll do is we'll go through each of the work tracks and what we've asked each of the work tracks to not just give kind of a rundown of what they're going to do but also just maybe some of the issues that they might want to bring up for the overall group.

So we'll start with Work Track 1 and so that's Karen and Christa. And I don't know who's presenting from Work Track 1? Karen is typing.

Christa Taylor: Hi, it's Christa, can you hear me?

Jeff Neuman: Oh I'm sorry, it's Sara. My fault, I know, I made the mistake. Sorry. Sara and Christa are for Work Track 1. And yes, Christa, I can hear you so please go ahead, sorry about that.

Christa Taylor: No worries, I was going to correct you there. We just sent out a agenda for tomorrow's meeting. It's at – sorry I have it three o'clock Pacific Standard Time, I haven't converted it over. The agenda is a continuation of the costing and the registry service – registry provider program. And just kind of continuing on the conversation, hopefully with a different methodology get the conversation rolling on some of the issues and trying to kind of slice out how to deal with going forward. So hopefully everyone can join us tomorrow and help us go through that. Thank you.

Jeff Neuman: Okay thank you, Christa. And sorry again, Sara, for that mistake. Work Track 2, that would be Phil and Michael and so let me see who's on the call here.

Phil, can you give us an update? I don't see Michael. I think Michael's on vacation.

All right, Phil is typing. So two minutes, all right, why don't I go then to – I will go to Work Track 3 while Phil is getting his connection back up. So that's Robin and Karen, so Robin, yes please.

Robin Gross: Hi, this is Robin. Can you hear me okay?

Jeff Neuman: Great, thanks.

Robin Gross: Okay thank you. So yes, in terms of Work Track 3, we've had some really good discussion the last few weeks with respect to community applications and the community priority discussion. We've come to some kind of a understanding that we don't really – what we don't have at ICANN right now is sort of a shared understanding of what we're trying to achieve by creating this concept of community applications.

And so we really need to come back to this concept and – or come back to this topic and rethink this concept to some extent about is this – is this supposed to be simply groups of groups? And that's the basis for getting privileges in the TLD application process? Or is there supposed to be some kind of social good that we're hoping to achieve through this creation of the community concept?

So, you know, it's kind of asking folks to really rethink the whole concept about what is it that we're trying to achieve, what is our shared understanding about what that should be and maybe it needs a good bit of reformulation. So we're going to be coming back to that, that has turned out to be a bigger topic than we may have originally thought and may need some special sessions on that in the coming weeks.

In terms of going forward now, we've got our next meeting on May 2 at, I want to say 2000 UTC, yes. And in that meeting we're going to go onto discussing more about freedom of expression issues and particularly the geographic names issues so we touched on that one a little bit in our last meeting but we're really going to dig deeply into that one on our next call on May 2.

So I hope folks will join us if you've got opinions on how freedom of expression is handled in the application process or it should be handled in the application process, and the same thing, with respect to the way geographic names are treated in the existing process or how you think they ought to be treated in the next process. May 2 is your opportunity to weigh in on that issue. So that's really it for me. I don't know if Karen has anything else to add.

Jeff Neuman: Thanks, Robin. I'll see if Karen has anything to add and then we'll go to the queue. No, Karen has said you've covered it all and so, Kavouss, you're in the queue. Please.

Kavouss Arasteh: Yes, thank you, Robin. Before commenting on your group, just a point of clarification. Do we know what we mean by community? Or community application? Communities are group of people which might have common objectives. Community are group of people which might have common policy. Community which may (unintelligible) might have common language, maybe group of countries which have contiguous borders and so on, so forth. So what do you mean by community? This is something that also in the GAC we have faced several times when we want to address the community. So this is Point 1.

Point 2, I would like to remind ourselves that with respect to geographic names, there are parallel activities so it might be good not to have any overlapping discussions on the petition of discussion which might get instead of wasting time, some conflict of definitions and objectives and so on so forth.

Would it be possible that (unintelligible) is that and the other one follows up or at least in one single place not parallel.

In addition to that, there are now some discussions (unintelligible) to the community – to the geographic names. So perhaps we should look at that one and try to just seem like (unintelligible) to have this overlapping or repetitions of the situation. Thank you.

Jeff Neuman: Thanks, Kavouss. And, Robin, do you want to address his questions?

Robin Gross: Yes, yes I do, thank you. Kavouss, as to your first question, the issue of what do we mean by "community" that is precisely that issue that I tried to raise as something that we really need to focus on because we don't have a shared understanding of what we mean by community, that's the one thing that has come clear to us is that everybody's got a different idea about what they mean by community, who ought to be in a community, who ought to be out of the community, what are the types of groups that should be privileged the rationale for that, should it be a social good? All of these issues are really what we're grappling with with respect to community.

So that issue you flagged, about what we mean, that is precisely the issue that we need to come back to and have an agreement on because we don't have an agreement on that now.

With respect to the second issue and the simultaneous perhaps overlapping work that is happening with this working group and also with the working group in GAC with respect to geographic names, yes, I do think it would be helpful if there were some overlap and sharing of information and coordination. I know this working group is open to anybody to participate in. We get GAC members to participate in and our mailing list is up on the web for anyone to see what we're doing.

I'm not sure if that's the case with the GAC working group, however, so that may need to factor into the decision as to, you know, where that conversation should be had. Thanks.

Jeff Neuman: Yes, thanks, Robin. And we'll get back to talking about the Geographic Names Webinar, a little bit later. And so I think it was – it's good that this was mentioned early on and we will talk about the webinar is tomorrow – sorry, we'll talk about the webinars a little bit later in this call and how they fit into the discussion moving forward. So with that let me see if we have Phil on the line? Phil, you ready to talk about Work Track 2?

Cheryl Langdon-Orr: I'm ready to talk about Work Track 4 but let's go with Phil first.

Jeff Neuman: Okay, so let's see if Phil's on. If not, all right, Cheryl, I don't hear Phil.

Cheryl Langdon-Orr: Okay, I'll fill in the time then. Cheryl Langdon-Orr for Work Track 4. We met last week and continued our discussion on name collision and that is a continuing conversation which I would very much like on behalf of Rubens and I to encourage more of you to join us in. It doesn't – it doesn't help if we don't have more voices talking these things through. And it would be very valuable if more of us could join on our next call which is at 0300 UTC on the 4th of May, as we continue our conversation on name collision. Thanks.

Jeff Neuman: Thanks, Cheryl. There's some comments in the chat still about communities and geographic names. The, you know, Anne Aikman-Scalese has put in a comment talking about social good is a narrow subset of freedom of expression, association in the community, and it's a question whether ICANN wants to be in the business of determining what is and is not a purpose of social good. So, Anne, that's precisely the conversations that are going on in Work Track 3. So without delving into that right now, and we may, as a full group, take that on in a few weeks after Work Track 3 has gotten through some of these questions.

And then Annebeth talks about the UCTN producing a final report, does the working group on – sorry, Cross Community Working Group on the Use of Country and Territory Names producing a final report after it goes through the input to the interim report which is coming up towards the end of the comment period if it hasn't already.

That said, I'm still looking for Phil if he's on, if not, I can give a little bit of an update on the Work Track 2. Phil, are you on yet? Have we got Phil on the line? Anyone? All right, multiple people are typing. Okay, well Work Track 2 has been talking about generic – talking about closed generics, and whether – what we should do about those in the future.

There have been both pros and cons that have been presented and what we're going to try to do on the next call later this week is to synthesize those comments to see if we can come up with some sort of compromise solution or some solution that addresses the cons for the closed generics to see if that's possible and we can come up with something that's compromise, so that's a pretty tall order for this week, but, you know, it's something that we – the Board has asked us to recommend to the GNSO and the GNSO to recommend to the Board a possible path forward because the initial rules that were established were not, quote, policy just a mechanism for the Board at the time or the new gTLD Program Committee at the time to deal with closed generics.

So that is – that's what's on the table for Work Track 2. Okay, any questions on the different work tracks before we go on to talk a little bit about the Community Comment Number 2? Okay, seeing no additional comments, sorry, I just heard a little echo there.

Seeing no additional comments then on the Community Comment Number 2 you probably have seen on the mailing list that we had a request from the Governmental Advisory Committee to extend the comment period until – for several weeks, they had asked for a month – extension. But in working

backwards what we wanted to do was we wanted to, Number 1, if we extended the comment period to extend it for everyone and not just the GAC; and Number 2, working backwards from the next ICANN meeting in Johannesburg, was to make sure that a summary of the public comment period by ICANN could be drafted prior to the document deadline for that next ICANN meeting.

So in working backwards what we came up with was that May 22 was the most we could extend the comment period, which is – which represents a three weeks extension period. So comments are now due from everyone on May 22. And that's a hard deadline so that we can make sure that we have a summary draft to discuss in Johannesburg. So if there are any questions I think an announcement has already gone out on the ICANN site, and I think the SO/AC leaders will be sent an email announcing the extension as well. And Steve has just put a link to the public announcement on the chat.

So hopefully that doesn't pose an issue but again it's a hard deadline that we really want to make sure is met so if you're working on it or your constituencies and stakeholder groups are working on it or advisory committees please do whatever you can to make sure that they have comments in by that May 22 date. Yes, Avri.

Avri Doria: Hi, this is Avri. Just wanted to add one comment to that and that's please get them in as soon as possible and don't wait for the deadline. Thanks.

Jeff Neuman: Yes, thanks, Avri. It's a good point. I should have said that too. If you already have your comments and they're already, you know, on the way to being drafted, we love early comments as well. So that would be great if you could get those in. And I know it's a lot of questions. I do know that a number of groups are working pretty hard on them so if you can get them in as soon as possible that would be fantastic. Any other questions on the CC2 public comment extension?

Okay, I see Donna says the Registries are making good progress and hopefully – not sure what the target date is but hopefully they will get in soon.

Onto the next subject, which is the response to the CCT RT interim report, is that what they call it or initial report, we're going to get that put up on the screen. So you'll notice that what we did we put the responses onto a Google Doc so that – and the comments in there as well. The link is now in the – under the agenda item for this topic. And what I thought we would do is go through the comments and thank you to Jon and others from – for commenting on this draft.

Really the main point of our comments on this report is to, you know, ask for clarification for areas in which we had clarification on the last call from CCTRT members is to confirm that understanding in our comments and then to comment on whether we think we are the ones that should handle that or whether it should be handled by the PDP working group on Rights Protection Mechanisms or alternatively whether it should be another group.

And you'll see there are certain areas where we provide feedback that by the time the questions are to be looked at or studied, this group may be or hopefully will be done by then and so it might not be this particular group but it may be a separate group commissioned by the GNSO Council that actually works on those questions.

So what we can do is we can go through the comments now to see if anyone on this call has any comments and really what we'd like to do, I know the period – the comment period has been extended as well for this until I believe May 19. But like Avri said, it would be great if we could follow the example that we – or if we could set an example that we'd like others to follow which is getting comments in early.

So with that said, what I think we'll do is we'll just go through the draft, kind of paragraph by paragraph to see if anyone's got comments and go over the

comments that have already been made on this. So the first paragraph really just talks – oh I'm sorry, Kavouss, you have a question. Yes, Kavouss, please. No? Okay, hand's down. So I guess whatever question you wanted to raise either answered or…

((Crosstalk))

Jeff Neuman: …not have a microphone at this point.

Kavouss Arasteh: I support you about paragraph by paragraph examination. Thank you.

Jeff Neuman: Oh okay thanks, Kavouss. Okay so the first paragraph of the comments really just talks about reviewing it, reviewing the report and focusing on clarifications and not necessarily focusing on answers to these questions and to hopefully continuing dialogue with the group if they have any questions on our clarifications.

So the next section, and I'll keep looking to see if anyone wants to raise their hands as we go through this, Kavouss, is this a new hand? Sorry, I didn't…

Kavouss Arasteh: Yes, this a new hand. I don't know whether you are in the…

((Crosstalk))

Jeff Neuman: So please.

Kavouss Arasteh: …feedback or not. I have the comments on the high level feedback.

Jeff Neuman: I was – yes, just getting to that right now. I was actually on the introduction paragraph but now on the high level feedback, yes please, if you'd like to make your comment that'd be great.

Kavouss Arasteh: Yes, I have the comment on the language using the paragraph. I think we should be a little bit more clear. The second line of the paragraph start with "To what extent is it appropriate for the working group to recommend?" I don't think that we could ask the CCT that whether our work is appropriate or not. We could start with modifying the text in that, "To what extent the working group could recommend alternative mechanism," or qualities that meets the spirit of the working group and so on so forth. So we should change the language not putting ourselves as being a subordinate of that work but being a counterpart of that group. So that's

Jeff Neuman: Thanks, Kavouss.

((Crosstalk))

Jeff Neuman: This is Jeff Neuman. Yes, and actually if you look at the current draft on the Google Doc it's harder to see on the Adobe, but that second sentence has been deleted based on (unintelligible)'s recommendation which is similar to yours so that that second sentence is deleted and then the third sentence talks a little bit about the, you know, how the CCT views the – how we should interpret this. So I think that addresses your comment.

((Crosstalk))

Jeff Neuman: You're the one…

Kavouss Arasteh: I don't have the Google Doc (unintelligible), I have the Word document that you sent me and I have difficulty with the last point of that in saying that the – we must consider the recommendation but may end up with an outcome that is inconsistent or conflicting. I don't think that we should say inconsistent, we should say that we produce something which may be different but not inconsistent because when you say inconsistent you give a value for what they produce and you subordinate us to what we do.

We should say that whether they express that we produce something which may be different in nature or make the different in objective, but not conflicting and not inconsistent. I don't think that we produce something inconsistent with anything. So we should decide to change the language saying that whether it is expected that we produce something which may be different from what they have produced. Thank you.

Jeff Neuman: Okay thanks, Kavouss. I think we'll make a note of that in the draft because I understand what you're saying as opposed to inconsistent. And I just – it may just be different not – that may not be inconsistent. I understand I put a note into the draft on that. Alan, you're next.

Alan Greenberg: Thank you very much. I think you've got to back up and look at the overview of the relationship between the groups. The CCT Review Team does not report to us or make recommendations to us as such. According to the bylaws, the recommendations go to the Board and the Board has six months to decide whether to implement or not and to direct the implementation. Now we know they don't have this power to tell the GNSO what to say in a PDP recommendation, but they do have the ability to reject a recommendation, from the PDP.

And one could presume the Board may choose, if the recommendation in the CCT review report says something should happen, and in some of the cases where we are referenced as a target it does say that. In other cases, it says should consider, in which case we have to – we would, I presume, would have to demonstrate we did consider it and decide to do X or do Y after that due consideration.

So they're not talking directly to us, they're talking to the Board and presumably the Board will look at the wording of the recommendation and then, you know, hold that recommendation and our report up to the light and see how well they coincide. If we do something which is directly against one of the more definitive statements, the CCT Review Team makes, where they

don't say "consider" but say "do" then we have to be able to justify it to the Board. And I don't think it's the CCT review question – the answer we need from them, they're being quite clear. They're saying consider in some cases and they're not saying consider in other cases, they're saying do. And I think we have to take that into account in our deliberations. Thank you.

Jeff Neuman: Thanks, Alan. And one of the things you'll notice from the next paragraph is that they really are inconsistent throughout the draft where sometimes they say should, they say may, they say must and so we're asking them, do they mean that in the strict way for example as, you know, the IETF uses those terms, or, you know, is it just we're asking for consistency in their terminologies as well. But I take your point that ultimately these recommendations are going to the Board and not us and if we do something differently we will have to explain why that's the case.

Any other comments on – I guess we're now the first two paragraphs of the high level feedback. Okay, not seeing anyone on that, how about the next two paragraphs of the high level feedback which is just talking about recommendations that have more than one target and we're really asking them, you know, look, if you could separate it out, who do you think should be doing what when you say something should be done by ICANN staff PDP working groups or future CCT review teams, if they could just be a little bit more granular in how they break that out.

Kavouss.

Kavouss Arasteh: Yes, on the (unintelligible) if you are on the second part of high level, I think we need also to change the language. The language has put us in a very unsuitable condition. What we think that if the CCRT effective working group have (unintelligible) and implement, why we should assist this implementation and to (unintelligible) that we are free to consider and to say that that is acceptable, it is implementable or not implementable and to be

implementable, we could propose amendment so I don't think that we could put us just an executive power, we are not executive power.

We are policy making power. So I think the language throughout this document is put in a very, I would say, (unintelligible) but in a way that we just subordinate ourselves (unintelligible) or we expected to do that, no, we received the comments or recommendations we consider them and we apply them, and this is not up to them to determine what we have to do. If the paragraph we said do you mean that we should do this or we should do that?

No, I don't think that. We could not (unintelligible) us. We are a policy making group, or development of policy making and we consider what they said, either we agree with that or reject that or amend that and then finally leave it to the group to decide. Thank you. So we have to change the language.

Jeff Neuman: Thanks, Kavouss. Avri, you want to address that?

Avri Doria: Yes, I'd like to respond a bit to what Kavouss said. This is Avri speaking. I think in this case they are using the language "should," they are using the other forms of "must" and "may" in their document. And so even though it's true, we could take one of their "musts" and explain why we did not do it. I think it's – what we're asking for is when they are using these words, and it's their report, they decide what words they're going to use in making their recommendations to the Board. Remember what Alan just said, their recommendations go to the Board, not directly to us.

So, they within their Board, can use whatever words they want. It's just that we're asking that if they're going to use such words please explain them and please be consistent in their usage. So it's not our using these words, they're already using them, we're asking them to clarify.

Jeff Neuman: Thanks, Avri. And I'll just add to that as well, Kavouss, Jon Nevett also raised some similar comments and the – the recommendation is to eliminate that

first sentence as well so that's been one of the proposals. Okay, any other questions? Sorry, Kavouss, you want to respond please?

Kavouss Arasteh: Yes, I agree with Avri, in that case we could delete the first part of the paragraph. We start with the second part. It would be helpful to so on so forth, but not starting the first part it is how we interpret that asking (unintelligible) so we delete that portion and we start on Paragraph 2 of the high level feedback, it would be helpful to have, we start from that and delete the first part. Thank you.

Jeff Neuman: Yes, thanks, Kavouss. That's a good recommendation. And I see that someone in the draft has made that change so I think we're good there. (Unintelligible) do you have a comment on the high level feedback? Okay, let's go through Recommendation 10, that's the first one we make a recommendation on or we have comments on, I should say.

And that is the prerequisite recommendation that what they say is the ICANN community should consider whether the costs related to defensive registration for the small number of brands registering a large number of domains can be reached. And our comment to that is that, yes, we believe that we are the appropriate groups to be considering this recommendation and that we ask them for clarification on what they mean when they say costs related to defensive registrations and more specifically they mean the wholesale registry fees? Do they mean the registrar retail fees? Or do they mean the Clearinghouse fees, you know, what do they specifically mean?

Kavouss, you have a comment?

Kavouss Arasteh: Yes, my question is why a small (unintelligible) of brands registering the large number of domains (unintelligible) registrars. What is the – what is the philosophy of that? What is the logic of that? Why? And a small number having large number of the domain names registration and the (unintelligible), why? Is the benefit of whom? That means, do we a counterproposal for the

big users and just supporting small users with large number of domain names and (unintelligible), why we should have that, why we should have such a difference. Thank you.

Jeff Neuman: Thanks, Kavouss. Greg, you want to address that?

Greg Shatan: Sure. It's Greg Shatan. I just – from my view the statement about a small number of companies registering a large number of domain names, is kind of – unless there's some evidence to back that up, that's just a characterization or a speculation about the issue of defensive registrations. For all I know, it's a larger number of companies registering a smaller number per company. But that's a red herring here.

The issue really is the issue of defensive registrations which is the, you know, compulsion that companies feel in order to protect their brand and to avoid abuse and other harms, that they need to register domains that they don't really want to exploit. And so that's, you know, whether it's a larger or a smaller number of companies registering a large or small number of domains is kind of beside the point.

I mean, we could ask them why they felt they needed to say that and if that's in some way germane to their question or to our work, so otherwise it just seems to be kind of a ad hoc digression. The other point is that I think that in terms of asking about cost, I think what they're angling at, but again I think we need clarification, is making it possible for companies to register fewer defensive registrations or to feel less compelled to do so, not to get the same number of defensive registrations more cheaply.

That may be not entirely the case, certainly premium – issues with premium names and sunrise pricing go to issues of being charged a lot for each defensive registration, so there may be two sides to the issue of cost. One is a lower cost per registration and the second would be finding ways to lower the number of registrations by lowering the need because the only thing that

seems to lower the number of registrations now is exhaustion and running out of money. Thank you.

Jeff Neuman: Thanks, Greg. And I think that really starts the dialogue on the substance of the question. Right now we're just trying to make comment on the clarity of the question and I think both you and Kavouss have started on the substantive discussion and I think the comment back really about asking for clarification on cost is the appropriate thing back to say to the CCT review team unless, you think that there's other points of clarification we should seek.

I will note that we are still talking with the Rights Protection Mechanisms PDP Working Group leadership to figure out which parts of that question we would eventually tackle if it comes to a final recommendation, or in which parts that working group would tackle.

Greg, you still have your hand up, or is that just left?

Greg Shatan: I guess just briefly, in terms of clarity, the points that I would make, is, one, to find out what they mean about cost but I do think that in looking at cost they're not merely just looking at price per purchase but at a more metaphysical concept of lowering the investment that companies need to make in defensive registrations. So and at a very least I think we should clarify that larger point since it's – because I don't think it's merely just pricing that's the question.

And also the – whether there was a – there's any substantive reason they referred to a small number of companies registering a large number of domains, and how that fits into their analysis of what's going on here and, you know, how we should react to that. You know, in other words, why is that there before we start talking about what it means and whether it's true or not just to clarify the purpose of that statement. Thank you.

Jeff Neuman: Thanks, Greg. And we should also – there was some context in the report for why they were making the statement. So we'll go see if we can dig up whether there is clarity on that and if not then we can add a point in this comment as well asking them why they were even talking about this angle. But certainly I take your point on the costs and the fees so perhaps we can clarify that as you had mentioned in terms of investment as opposed to costs and fees.

Okay, move on to the next – oh sorry, Greg, your hand's still – I didn't know – so checkmark, okay good. The next recommendation is Recommendation 14 which talks about – it was based, if you remember, on the Nielsen study that they – that Nielsen – yes, the Nielsen survey and study that they did and so this talks – again it's a prerequisite, it's about creating consensus to encourage registries to meet user expectations regarding the relationship of content of a gTLD to its name. The restrictions as to who can register a domain name in certain gTLDs.

And then just skipping onto the next, the safety and security of users' personal sensitive information. And the comments here are that – so they provided some additional detail to us on the last call (unintelligible) and so we thank them for the clarification but we want them to define user expectations and we said it would be helpful to have additional details about the rationale for encouraging, quote, content, for example is if the meaning of the string as well as the content of a domain or one or the other (unintelligible) the TLDs understood purpose.

And then we say, "Finally, it would helpful if the CCT Review Team would clarify how the reference to relationship of content of a gTLD to its name is consistent with Section 1.1C of the ICANN Bylaws." And I believe that was a comment from Kristina Rosette. So is there anyone that's got any comments – additional comments or questions on the addition that we just made based on Kristina's comment?

Okay, I'm not seeing any. Hopefully while Kristina's typing hopefully we represented her point in there okay. So it's just – if that's okay. All right, I'm going to assume it is unless something else is posted. We ready to go onto Recommendation 33?

Okay, Recommendation 33 is – oh I'm sorry, Kavouss, you have a question.

Kavouss Arasteh: Yes, no particular question on Recommendation 33 but the concept of the timing has been repeated in several recommendations. Would it be possible we group all these which deal with the timing and the impossibility to react within that timing because I can see you have repeated the same concept or the same idea in several recommendation of 18 months, which is not sufficient and so on is ICANN going to prevent that? So would it be possible to group them together as the issue of timing in one subject for all but not putting in all recommendations? Thank you.

Jeff Neuman: Okay, Kavouss, this is Jeff. So are you saying that it would be helpful for the CCT Review Team to group by which ones are prerequisites, which ones are high, which ones are low, etcetera?

Kavouss Arasteh: No, what I'm saying that in (unintelligible) you mentioned that. Yes, the clarified that high priority items target an 18-month timeline and you explain what is the difficulty to implement in 18 months. In many other recommendations you have the same sentence, you have the same text. What I would say that we in our reply we try to group all these recommendation and adjust the timing and the implementation of the timing issue once for all these recommendations. Thank you.

Jeff Neuman: Thanks, Kavouss. I understand now. So if we could make a note, maybe it's easy, instead of repeating the same sentence for a bunch of different recommendations, perhaps we just say it once and then explain which recommendations they apply to. That'll make our comments a little bit shorter I guess.

Steve says, "I think Kavouss's point is at least in part taken into account in the third paragraph on the high level feedback." Okay, Steve, you want to expand on that maybe?

Kavouss Arasteh: Are you referring to me or is it someone else?

Jeff Neuman: Sorry, I was asking if Steve wanted to expand on that point that he just made in the chat.

Kavouss Arasteh: Yes, if you read the Recommendation 53, 54, 35, you raise the same issue on the prerequisite or priority level high and you have the same sentence, you have the same text so if we could regroup them or group them together and explain this timing issue once. Thank you.

Jeff Neuman: Okay thanks, Kavouss. I think we understand and we'll see what we can do in the next version of the response. Okay, any other questions on 33? Okay, moving onto 34, which talks about the DNS Abuse study and comparing it to the legacy TLDs. Our comment there is very similar as pointed out from Kavouss.

We just – and then we have a statement at the end of it that says, "Members of the working group noted that it is unclear if you could implement this recommendation given that the working group is only chartered to look at policy for the next round of new gTLDs, after its work will conclude." So it's just basically making a very similar point.

Okay, there's just to – to go back to the chat there's some good conversation on a few recommendations ago, again, about reducing costs so we're still on the talking about the defensive registrations issue. So we'll capture that as well.

Kavouss.

Kavouss Arasteh: Yes, and this (unintelligible) issue that you mentioned that when our task is completed we will not in a position to any longer to discuss or implement the issue. I think there has been some example of that in the past in IRT, in the Work Stream 1 and Work Stream 2, now we created in CCWG something which is called implementation, an oversight team.

So perhaps maybe this new gTLD (unintelligible) should perhaps have something for the implementation. That is possible, your work for the development of the policy will be completed, but for the implementation of that policy that might be a possibility to create a team or the working group or something that will take care of the implementation of that. So that is a possibility. Thank you.

Jeff Neuman: Thanks, Kavouss. Avri.

Avri Doria: Yes, hi. This is Avri. I wanted to comment on two separate issues. One of them on the structure of the comments where we repeat things and which things should be in the overarching and which ones shouldn't, for example, Kristina recommended that this one should, I think that some of these comments perhaps they can be originally mentioned in the overarching, but when they only apply to one or two of the questions we're commenting on it may also be useful to include a – and this is one of those instances where the issue of timing applies.

In terms of Kavouss's suggestion, I think it's a good suggestion. I have been thinking about it myself for a while of what (unintelligible) does a review team implementation review team carry on? Almost certainly this group will have one. I can't imagine it not. But then I wonder to what degree necessarily these CCT type of recommended reviewing of the policy as opposed to reviewing the implementation.

Certainly where the implementation and the policy are intertwined and affect each other that's the case. But in terms of longer term measured social impacts of a policy, I'm not sure that that would be within an IRT's normal purview, not that it couldn't possibly be redefined, but I don't think it's a normal part of an IRT. They're looking at the implementation and the policy vis-à-vis the implementation not, the policy vis-à-vis impact. Thank you.

Jeff Neuman: Thanks, Avri. Kavouss, you have a response?

Kavouss Arasteh: Yes, I just – perhaps I was not clear. I said that in another (unintelligible) what over – what are the implementation group is doing for implementation or IRT perhaps this activity that now under discussion after our work is finished could be done by another group dealing with the implementation. This is what I said. I (unintelligible) IRT group and just in another group with what they do that they have an implementation team which is different from the initial team then here also we would have maybe an implementation team which is different from what we are doing to take care of implementation once our work is completed and the group is disband. That was what I said. Thank you.

Jeff Neuman: Okay thanks, Kavouss. I think Avri's point as well was that this question which goes to looking at a study or repeating a study and then looking at the correlation between those studies to look at the amount of abuse may not be an implementation issue, that may be more of a separate policy issue that could be considered later on but it may or may not be appropriate for a quote, implementation team, to look at. I think both you and Avri make some good points and we'll take note of those.

Recommendation – the next one is Recommendation 35 and this is yet another one talking about collecting data on the costs and benefits of implementing registration restrictions and the costs of – to implement them from registries, registrars, registrants. And then comparing them to existing

TLDs, this is a high priority one and our response to this one is pretty much the same as the others from a timing perspective.

Any comments on this one or is it just the same as the few before it? Okay, assuming it's similar, let's go onto 36 which is gathering public comments on the impact of new registration restrictions on competition to include whether restrictions have created undue preferences. This was also discussed I think on the last call and we really ask some questions about, you know, what does it mean, undue preferences? What exactly is that term because it's not really defined by the working group, I'm sorry, by the review team.

And again, it's asking about the – that the first community comment period closed, so it's just asking, you know, when they envision us getting this kind of public comment period. Okay, talking about – any questions on that one?

All right, Recommendation 38, this is on PICs, and what it says is, "Future gTLD applicants state the goals of each of their voluntary PICs. The intended purpose is not discernible for many voluntary PICs making it difficult to evaluate effectiveness." And this one is – our comment is relatively short that we understand it and to the extent the PICs are part of subsequent procedures then we'll be able to incorporate this into our discussion.

Any questions on that one? All right, Recommendation 39, which is again on the PICs, and basically makes the point that there should be sufficient opportunity for the public and the GAC to comment on it to meet any deadlines that they have from a objection or comment standpoint.

And (unintelligible) says – or sorry our comment says that we believe it was appropriate to make that recommendation, us as the target, and that we got some clarity on the intent of the recommendation but then basically talks about the last paragraph (unintelligible) will PICs will be applicable for applications on a going forward basis. We're still in those discussions and rather than using terminology from the initial round if we could consider

rewording the – if they can reword the recommendation so it's got applicability moving forward. And then gives kind of a sample way for them to restate their recommendation.

Any comments on that one? Yes, Alan.

Alan Greenberg: Thank you. The wording presumes that the PICs will be available early enough so the GAC and other people can comment on them. That sort of implies that based on the comments those PICs may be changed from what was presented in the original application. And – but it's unclear, I mean, normally things in the original application are static and cannot be changed with a few very specific exceptions perhaps. So if they're actually intending that the PICs may be allowed to be changed because of the comments, then I think it needs to be more explicit.

Jeff Neuman: Alan, thanks. This is Jeff. I think there is a couple of assumptions in your comment as well that PICs – that PICs will have a very similar way of – or that'll be very similar to the way it was implemented in the last round and I'm not sure we're there yet either.

So that's why I kind of wanted them to – or I thought they should, you know, make the recommendation a lot more broad basically say that to the extent there's voluntary commitments that those voluntary commitments are there with enough time to review them and then separately I guess your recommendation is – and this is more to the substance, that if there are comments to them there should be a process for changing them or for adding new ones or, you know, something like that.

Alan Greenberg: Yes, to be clear, I wasn't…

((Crosstalk))

Jeff Neuman: So I think that.

Alan Greenberg: I wasn't making those presumptions. I just said if this recommendation stands, then it needs some clarity for whether they are indeed fixed based on how they are presented at the time of application or if not, then we need some more specificity as what they're expecting in our policy.

Jeff Neuman: Okay. So ICANN staff, have you captured that? Seeing the notes here. I think we've captured that. And, Kavouss has responded to say – or Paul's responded to say, "Predictable process with knowable deadlines and subject matter guidelines," and Kavouss says, "PICs may normally be changed." So there's some chat going on on the substance of the question. Okay Julie says they've tried to capture that in the notes, okay good.

Okay, Recommendation 43, moving on, talks about the global south and setting objectives for applications from the global south. And this one they label as a prerequisite as well, and oh they ask us to define the global south as kind of a last item of their recommendation.

We do say that this is a topic worth talking about in terms of the subject matter, and we – then in the last paragraph saying that, you know, that you've asked us to define the term but it'd be helpful for – if they could provide their working definition since they had – they're the ones who made the recommendation about the global south so they must have had something in mind. And so we should be, you know, ask them to clarify.

And then it says, "It'd also be helpful to clarify if it's recommending that applications from the global south, however that's defined, should be subject to different application standards in order to meet any, quote, clear measurable goals for the number of delegated strings set by the working group." So there's kind of a question asking about the importation or the impact of their question in setting these goals.

Okay, the next one, Recommendation 46 is about the financial support program and it just talks about the cost exceed $185,000 – or sorry, that the costs in general exceed the application fee, and in the last round that was $185,000. And so it says – the recommendation says, beyond efforts we think to try to reduce the fee, they also talk about intentional or – they also talk about including additional subsidies and dedicated support for underserved communities.

We commented that we think that's appropriately within the scope of our Work Track 1 and we ask them why they used a different term here, they used global south in the previous recommendation, but here they use underserved communities, so our question is whether that was an intentional difference in terms or whether they just use two (unintelligible) for the same concept.

And then we ask them, you know, do you really just – are you just talking about the costs in applying for the new gTLD or are you also talking about things like objection related fees and operating costs? Any questions or comments on that one?

Okay going back to Recommendation 47, we're looking at the bylaws and it basically – most of this recommendation talks about the – providing the process for providing GAC advice and making sure that it's specific and so really part of the recommendation that deals with our group we believe is really whether we could set up a template or process – a predicable process for the GAC to provide its advice. And so we ask them to clarify that and to talk about what's in scope.

Kavouss, yes, please.

Kavouss Arasteh: Yes, I think in this regard since ICANN 57 (unintelligible) started to implement the new bylaw by providing, first of all, rationale for the GAC consensus advice, and also implementation aspects of that. And there is a issue – this

issue is discussed in more GAC working group and the text is finalized –
would be finalized in ICANN 59 or GAC 59 in order to have what is the GAC
advice, how should be provided, and so on so forth. This is something that
perhaps we need to mention by saying that this is worth mentioning that also.

However, my question is that why we expect that the Board provide a
template for the GAC advice? If there is any template, and agreed by both
parties that should not something from Board to the GAC please provide your
advice in this template. This template should be mutually agreed by both
parties. And because GAC providing advice to ICANN, GAC does not receive
advice from ICANN so I think this text should be reviewed.

The concept is okay, we are not talking with the concept, but the way it is
worded is that the GAC would receive a predetermined form from the ICANN
relating to the way that advice should be, you know, should be provided.
There is currently we do this on a working group of Board and GAC together,
but not from Board to GAC. So perhaps to be quite careful here. Thank you.

Jeff Neuman: Thanks, Kavouss. Again, I think that's a great comment related to the
substance of the recommendation. I'm not sure if the GAC is going to be filing
comments to the report as well. That sounds like it might be a good comment
from the GAC to the CCT review team. I think the point here is to ensure that
whatever GAC advice does come out and however that's accepted that the
advice provides a pathway forward for the applicant either correct the
deficiency if that's possible or to – whether the GAC expects the Board to not
process an application any further.

So I think that's the point of the question is to develop a predictable process.
But I completely understand your comments as well.

Next one is Recommendation 48 and this one is about community-based
applications and it really says that a thorough review of the procedures and
objectives for community-based applications should be carried out and

improvements based on what's happened in (unintelligible) 12 and our comment really is quick and says, yes, and we have that already in our Work Track 3.

Recommendation 49 is on considering of adopting new policies to talk about the inconsistent results in string confusion objections and our comment back to that one is, yes, similar to the last one, yes, that's in Work Track 3 as well. So our comment there is we've got that under control for now.

And then Recommendation 50, the last one, says – it says that there should be a thorough review of the results of dispute resolutions on all objections carried prior to the next CCT review. It's given a low priority which if you look at their definition I believe is something like a 36-month timeline, and this one we basically say that our PDP – and I'll knock on wood here – that should have completed our work by that point and so just letting them know that this recommendation may need to be directed at someone else. And then we appreciate any additional information after that timeframe that they may have.

That is the sum total of our comments. Are there any questions either on that last recommendation or on any of the other recommendations that are in the report that we did not file a comment on? Okay, I'm not seeing any so what I will do then is – or what we will do next steps, we will incorporate the comments that we've heard on this call and that we've gotten in writing.

We'd love to get all comments received from the group by the end of the week so that we can turn around another draft of this and hopefully that will be a close to final draft that we could sign off on our either next call or on the – online. Yes, there is a comment from Hadia, I hope I'm pronouncing that correctly. Yes, Hadia, please. Can anyone hear – I don't hear anything. I'm not sure if it's just me.

Avri Doria: This is Avri. I don't hear either.

Jeff Neuman: Okay, Hadia, if you could either – oh, yes, is it – are you on? Okay, Hadia, if you can – and again I apologize if I'm mispronouncing your name. If you could maybe write your comments in the chat or see if we can get your mic online if we can check it from our end. Okay. Any other questions on the comments? Great, that leaves us then with a few minutes to talk about the next item on the agenda which I'm actually going to go – skip Number 6 for now and talk about the update on the geographic names since that is tomorrow.

And so there's just the update on that is that the presenters have all sent in their materials for tomorrow's webinar. And oh, Hadia says she – they're speaking but couldn't hear us. Can you guys hear me now?

Avri Doria: I can. This is Avri.

Jeff Neuman: Okay. So let's – all right great, thank you. So on tomorrow the set of – the presenters and the presentations are on a wiki, our wiki. If you guys – if ICANN staff, can you all put a link to that page that's got all of the presentations on it and I'm not sure if that has the presentation order on it as well. We've sent that out to the presenters.

There are a total of – well I guess 11 presentations on the first one, which includes our – a little bit of an intro slides as to how we got here. And then nine of those 11 will be on the second one as well. The first one is 1500 UTC, it'll last two hours. Second one will be at 2000 UTC, I'm sorry, 2200 UTC, and that will also be for two hours as well.

The format that they'll be each of the presenters will present and then we will have a Q&A period afterwards. For any questions that are not able to be addressed on the call we will follow up with each of the presenters to make sure that they have an opportunity to provide answers in writing. And the – so it will be in Adobe chat like this so there'll be a chat function, there will be a question or there will be a way to submit questions by I think it's, you know,

the way that I've seen it before is you basically type in the parentheses in bold letters, "Question" so that know that this is a formal question, and we will be manning the chat to pull out the questions.

Hopefully there'll be really good dialogue. There's definitely a diverse set of viewpoints that will be on the call tomorrow. And really what we're trying to do as a working group is to make sure that everyone that presents feels comfortable presenting, that they feel like they can have their voice heard, and that they feel comfortable to continuing to work together in the Johannesburg face to face sessions so that we can actually make some inroads on the geographic names at the top level. Again, we're just talking about the top level so it's not talking about the second level, just the top level.

Avri, yes, would you like to make some comments as well?

Avri Doria: Yes, thanks. This is Avri speaking. I actually wanted to bring up some of the comments that are showing up in the chat and add a few things. One, Annebeth has asked will it be possible for others than presenters to comment, there's a lot of presentations in these two hours, that is indeed the case, we had an open volunteering though Jeff did some admirable work of try to get some to combine.

We only have left about 10 minutes for a few questions, that's part of while we'll be collecting questions and comments and also, you know, just sort of implicit questions that come up in the chat, will also be sort of analyzed and pulled out. I think then, you know, we'll have further time for conversations both in this meeting and especially in the meeting in Johannesburg.

This was really an opportunity to get all of those that sort of had a previously thought out position who wanted to present it to have a chance to actually do some talking in front of a presentation. We'll have plenty of time to talk about things after, but we can certainly comment and chat on things in the chat and that will be captured.

And then Hadia had asked, and hopefully I've pronounced correctly, though I did pronounce differently, so basically I wanted to ask if our group has to adhere to or follow recommendations or do we have choice to see things differently? And I think this was related to the CCT comments at the time though my answer relates to everything. Our group has an obligation to take all the issues into account and think them through but the working group comes to its own conclusions that it presents in the recommendations.

So, you know, we have our own consensus process. But we do have to take them all seriously into account. So hopefully that answers that question. Thanks.

Jeff Neuman: Yes, thanks Avri. That was – thank you for adding all of those in – and, yes, this is really kind of a first of its kind. We know that there's a lot of presentations and we just did not want to turn anyone away and so I think we're going to have some really interesting good viewpoints. And I know that a couple of the presentations are also going to have proposals that will be certainly talking about in the weeks and months to come.

So I strongly encourage everyone to attend if you are going to attend and have not RSVP'd please do so now and maybe Emily can post where you send that to as well. I know that there's so far over 160, maybe even 170 people that have signed up. We don't know which webinars they're going to be on. But we know that 170 or so people have expressed an interest in attending. So we're just trying to get a good count. You don't have to RSVP but it's really good for us to make sure that we have enough resources to handle everyone that's on there plus anyone that signs up will get the follow up materials from that call. So if you can, please RSVP.

Okay, ICANN staff, is there anything on this that I should cover from the Geo call? Okay, all right, covered everything? Good. Then the last point before we get to any other business is to just briefly mention that Steve has sent around

to those that have signed up for the drafting team – Steve Chan has sent around the start template of what we're supposed to be doing in these overall drafting teams, these are the issues related to the mechanism by which to introduce new TLDs, you know, is it rounds, is it a hybrid approach, is it first come first served, etcetera.

There's another drafting team on establishing mechanisms to ensure predictability in the new gTLD process. Third one on matrix of different potential categories, and maybe a fourth one, I might be forgetting. But there's at least those three.

And any questions on – sorry, Steve, I may have missed the fourth, if you all could remind me if there was a fourth? Okay, people are typing so it might have just been – oh thanks, Steve, yes.

Steve Chan: Thanks, Jeff, this is Steve Chan from staff. And so in a sense there is a fourth category, but it's actually combined, it's predictability and then community outreach, those are actually combined into a single drafting team. And actually I would just particularly plug that group because it only has one volunteer in addition to the two cochairs. So that group in particular could use additional volunteers so if anyone's interested in that topic we'd appreciate your participation.

And if I could I would try it back to today's conversations actually related to the PICs discussion. Some of the comments were talking about if PICs were being changed and then that would violate the principle of predictability. And so one of the things that that drafting team is intended to look at is even in the event that there is change introduced, that the mechanisms to address that change are at least predictable.

So again, we only have one participant or volunteer for that group, so if you would like to participate it's an important topic, we'd love your participation. Thanks.

Jeff Neuman: Yes, thanks, Steve. I realize everyone's going to be stuck with the
                 recommendations of that one person and Avri and I, so if that doesn't scare
                 you into participating then probably should. Of course I'm kidding, we'd love
                 additional people to join, and so I know that – I know that a bunch of people
                 are starting to leave or have to leave. I just want to add before we close this
                 call or any other business, our next call is actually next week, our full – we're
                 having a full call next week, not in two weeks, in two weeks is the GDD
                 Summit and the DNS symposium that ICANN is putting on.

                 And so to – because we know that a lot of people will be at that. We are
                 doing a – we scheduled a call for next week. It should be on your calendars, if
                 not, it will be on very shortly. Kavouss, yes. Kavouss, you have a comment?

Kavouss Arasteh: To you and to Avri, and maybe others, maybe kindly reconsider the two
                 o'clock UTC next time to make it at least (unintelligible) too early for many of
                 us. You always leave that time, it is a very bad window. Is it not possible to
                 make it four UTC instead of two UTC? Thank you.

Jeff Neuman: Thanks, Kavouss. It's very difficult issue for us. We completely understand
                 that it's very early. I think what we're trying to do is balance to make sure that
                 it's a convenient time for the Asia Pacific region as well because when it's at,
                 let's say, this time, it's not very convenient for them and it's the middle of their
                 night so we try a rotation. But we completely understand we know that for
                 Work Track 3 the early three UTC or four UTC time doesn't work well
                 because almost – most of the participants if not all of the participants are in
                 regions other than the Asia Pacific area.

                 So this has been a very difficult issue for us and we will go back and look at
                 some of the attendance records and see what we can do about that but
                 completely understand how difficult it is for especially for those in Europe, in
                 the Middle East and well, Eastern and Western Europe and the Middle East
                 and in some parts of Asia as well.

Kavouss Arasteh: Steve, I have talked with so those very, very few people from Asia Pacific, some of them they say that one hour does not make big change for them. They agree. I don't know who is pushing for this three o'clock. Can you tell me how many participants of the Asia Pacific you had at three o'clock that make it four o'clock would turn out everything and is the upside down and we would have a tsunami, please. Thank you.

Jeff Neuman: Thanks, Kavouss. Avri, you want to take this?

Avri Doria: Yes, I do. This is Avri. I was having trouble unmuting. I don't think that we can go on the number of people from any region because, I mean, certainly we have to go on the comfort of those from all the regions and how it balances out because what we're trying to do is be open and attract more people from the other regions, we certainly have more now than we used to when we didn't have these times.

And so I would be – I would find it problematic to sort of base it on the number of people though it is good to find out how many we lose on an average by the rotation. And again, no one is expected to make it to all of them, although some people do no matter how bad it is. And then the other thing is not that I have absolutely no objection to moving these things wherever, but just to make sure that we balance how making it better for one group may indeed make it worse for another and whether that makes a difference as well.

So, yes, I understand, but do have an aversion to doing it based on the number of people attending because this is something we're doing to try and get more people to attend. Thanks.

Kavouss Arasteh: Yes, but we need to have a statistic. How many people you lost from Europe and how many again from Asia Pacific? I'm not counting the people, just your idea is that. So we lose the people from Europe and you may have some

addition in Asia Pacific. So one hour does not make big difference for them, and make differences for us. And I don't think that why some people insisting we should have (unintelligible). We should have flexibility.

Jeff Neuman: Okay thanks, Kavouss. We'll look at – we'll take back the figures, we'll look at percentages, and see if that changes any of our thinking on this. Alan, I'll give you the last word.

Alan Greenberg: Thank you very much. Just a quick comment, for many, many years ICANN held meetings that were effectively convenient for North Americans and Europeans and anyone outside that area, if they wanted to participate at all, had to do it in the middle of their night every single time. This – what we're doing now is inconvenient for some of us, it causes some of us to miss an occasional meeting, but at least it allows people in the other parts of the world to participate occasionally. And I think that we have to continue doing that otherwise, we're just only looking at half the world and saying only half the world can participate in policy issues. So we can't go back to the old ways. Thank you.

Jeff Neuman: Okay, thanks, Alan. And thanks to everyone on the chat for making the comments. We are reading each and every one of them. And our next full working group call, just a reminder, is next week. And Work Track 1 is meeting in I think about four – five and a half hours from my math is right. So I look forward to seeing Work Track 1 later or in a few hours. Thank you very much. We can close it up.

Michelle DeSmyter: Operator, please stop the recordings and disconnect all remaining lines. Meeting has been adjourned. Have a great day, everyone.

END