Geographic Names Webinars
25 April 2017

Webinar 1500 UTC

Agenda:

Time	Presenter
15:00-15:10	Co-Chair Intro
15:11-15:19	Heather Forrest
15:20-15:28	Jorge Cancio (GAC)
15:29-15:37	Alexander Schubert
15:38-15:46	Flip Petillion (MARQUES)
15:47-15:55	Sebastien Ducos (GeoTLD Group)
15:56-16:04	Martin Sutton (Brand Registry Group)
16:05-16:13	Peter van Roste (CENTR)
16:14-16:22	Thomas Lowenhaupt
16:23-16:31	Johanne Asselin (INTA / IPC)
16:32-16:40	Paul McGrady
16:40-17:00	Q&A

Questions and Answers:

Question: Who and how were presenters chosen?
Answer: We invited everyone who had an organized position to come and make it. There was an open call for anyone who wanted to participate. Everyone who volunteered was able to participate. There were no specific invites.

Question during Heather Forrest's presentation: Are there case studies where the rights of government parties have prevailed over the rights of non-government's?

Question: Asking for Heather to provide all references to international law she referenced.

Question: In practical terms for an applicant, is a requirement for non-objection the same as obtaining permission?
Answer: Jorge Cancio -- For those geo names that are outside the protection of the 2012 AGB the proposal is for the applicant to have a non-objection from the relevant government. But if this is not obtained then the applicant for these geo terms could trigger a dispute resolution process which would be an independent panel established in the ICANN framework. Not an absolute requirement in the proposal but is a way to speed up the process.

During Sebastian Ducos' presentation:

Question: What is an acceptable basis for an objection? Any approach should not contradict international law. Please expand on the obligation to check for conflicts in practice. How do they identify the relevant authorities?
Answer: There is one thing that doesn't exist in the DNS, which is you can have a brand in different markets shared by different players. In our case that doesn't exist. Discuss the possibility of sharing. The point is that in terms of geos where one is represented by brand and others by geography our point of view is based on first come, first serve. If a municipality decides not to apply then they don't have a right. You apply and then you have a right. If there is a collision we would like to see priority given to geos.

Question about who you would you go to as the relevant authority?
Answer: Reality is that both entities have the right to apply. Talk to both (all) authorities.

During Paul McGrady's presentation:
Q: What about governments not represented in the GAC?
Answer: Re: GeoPIC -- How to handle objections or the potential for objections for countries that are not members of the GAC? Non-participation in the GAC is something that ICANN Org has worked hard at. Ultimately the GAC does act. Nothing novel about the GeoPIC that would make it different on anything else the GAC would address.

Question to Pater van Roste (CENTR) - your presentation focused on the terms already in the AGB, what would be your position regarding names not covered in the AGB?
Answer: This only related to ISO 3166-1 alpha 3 codes. We do not have a CENTR position on other geo names.

Question: Why nobody is thinking of co-existence of more than one entitled entity under the same roof? With search engines of AI search problem will be solved.

Question: to Jorge Cancio on GAC proposal - How does the GAC proposal account for the free expression rights of others to use words coveted by governments to be considered a geo name and thus restricted? Is there some balance of rights or other model for accounting for other rights to use words?
Answer: Good question. The claims would need to have a legal basis. In the end the dispute resolution process would need to balance. Handled like other possible conflicts, such as freedom of expression (my opinion). This is not a GAC proposal. It is a draft proposal being discussed in a working group in the GAC.

Question: To Paul assume the GeoPIC would be irrevocable?
Answer: Subject to all of the rules of the registry operator. Yes, not meant to be something that you game the system with that you can kick it out of your contract by a unilateral action.

Question: Number of presenters argued that governments have no legal right to their name. Also, that if governments would allow use of the TLD would be better. But seems to miss the point because it is not about governments/entity that wants to keep rights. They belong to that

country/city and a right to identity. If someone applies for a geo name how can the people who have right be looped in/heard?
Answer: Points to flag -- there are different terms that co-exist. There is no evidence that running a .brand registry causes public harm. Is there a public interest we are trying to protect?

Question: Should there be proponents and opponents in the webinar? There was no presentation that supported not allowing geo names.
Answer: Offered the opportunity for all those with a position to sign up as presenters. Some were similar and we ask them to produce a single presentation. We did not set this up as a debate of known positions. We could do that on a further call if it is desired. That was not the intent in setting up this webinar. Anyone that had a position was invited to make it.

Question: The domain .ec is a ccTLD for Ecuador but it's also used as Ecommerce and European Community, how this influence the geonaming laws?

Question: With the ICANN having moved away from strong influence of the United States government, should it rethink the role of nation-states in the ICANN processes / the GAC? Perhaps leading to a process inclusive of all governments, creating a space for cities to participate in the TLD allocation processes.

Webinar 2200 UTC

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22:38-22:46   Heather Forrest
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23:05-23:13   Olga Cavelli (GAC)
23:14-23:22   Paul McGrady
23:23-0:00   Q&A

Questions and Answers:

Asked during presentation by Thomas Lowenhaupt:
Question: With the ICANN having moved away from strong United States government influence, perhaps it is time to rethink the role of nation-states in the ICANN processes. Must the GAC be composed only of nation-states? Can the GAC and the ICANN become more inclusive, creating a space for cities to participate in the TLD governance and allocation processes? Will the 50% + of the world's population living in cities by represented in Johannesburg @ ICANN 59?
Answer: Could be a good question for the full community to discuss.

Asked during presentation by Paul McGrady:
Question: Paul, in your proposed scenario, does the GAC objection obviate the application, or just trigger the need to add the PIC?
Answer: These aren't a series of promises but a sketch of how to move forward with a compromise. The applicant would have a choice to agree to the PIC or not. The application would not be deleted.

Asked during Olga Cavalli's presentation:
Question: Olga, what is the level of support within the GAC for this proposal? <QUESTION>
Answer: Still a discussion in the working group. It has not gone to the GAC.

General Questions:
Question: I don't know who this question is for but I wanted to know about the grey area between geographic names and other uses of the same name. For instance, the case of .SS which was referred as dangerously being associated to Nazi SS instead of South Sudan. How is this dealt in the New GTLD procedures and the views of the GAC on this topic? Thanks.

Question: Alexander, why would a ccTLD operator grant consent to a possible competitor to enter the marketplace? Why would ICANN want to grant ccTLD operators the right to exclude future competition in the marketplace? Seems dangerous. <Question>
Answer: Some members of this group are running geo TLDs and some are running ccTLDs.

Question: Olga, you mentioned that there are divergent levels of support for this proposal. In light of this, what do you see as the next steps for it bearing in mind (1) the advice from Durban that you cited that ICANN should collaborate with the GAC; (2) your acknowledgment that non-GAC members cannot participate in your WG and (3) the fact that the subsequent procedures PDP is already underway considering policy on future TLD releases?
Answer: We still have some ideas into the PDP process. Engaging into the PDP is complicated. What we have tried to do is to engage some of the vice chairs in this process. The sessions are open and if you have ideas some of us are very willing to receive them. We have made some changes to the way the GAC works and we are making progress.

Question: Olga, when you say the group is open do the non-members have an opportunity to make comments or ask questions?
Answer: Very good question. If I was chair I would allow that. At the discretion of the chair.

Question: Since there are a number of interested parties outside of the GAC, and the GAC working group is technically closed, do the GAC WG members plan to participate in and contribute to the Subsequent Procedures WG?
Answer: We do have GAC members who do participate in this WG. By the GAC (Jorge Cancio and Olga Cavalli) participating in this webinar and in the sessions in Johannesburg is really aiding the work done by this PDP.

Question: How does the proposal from the GAC working group for geo-names deal with Principle G in the board & GNSO-approved New GTLD Policy which states that applicants' free expression rights will be protected in the gTLD program?
Answer: Many countries also have the rights to express themselves and that would be part of the discussion.