Adobe Connect chat transcript for 07 February 2017

  Terri Agnew:Welcome to the New gTLD Subsequent Procedures Sub Team – Track 3 – String Contention, Objections & Disputes on Tuesday, 07 February 2017 at 15:00 UTC
  Terri Agnew:agenda wiki page: https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_x_uLPDAw&d=DwIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpCIgmkXhFzL7ar9Qfqa0AIgn-H4xR2EBk&m=l1LwM8oTtzxX4waejW_qHSwp1LCSLHiU9Jca56Ctcm8&s=RRXrg6_bu9nsCACp33nKxezsGQZlgIzdkNXQJsZ1GI4&e=
  Gg Levine (NABP):I apologise in advance; I need to drop off at 9:30 for another call.
  Terri Agnew:thank you for this information Gg
  Paul McGrady:Good morning, afternoon, evening!
  avri doria:nothing to add
  Jeff Neuman:Steve will be making breakfast for us
  avri doria:they don't provide coffee any more do they?
  Emily Barabas:CC2 Google Doc: https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1iZBCVEAJPBYEDg7jLsMHKkNczR-5Fb6-2DjH2Wl5eVH-2DWWM_edit&d=DwIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpCIgmkXhFzL7ar9Qfqa0AIgn-H4xR2EBk&m=l1LwM8oTtzxX4waejW_qHSwp1LCSLHiU9Jca56Ctcm8&s=IEPU33oP5L7u5B3ZehThtBFP49V_7LnUPkYSivyKops&e=
  Jeff Neuman:There are no Freedom of Expression questions yet
  Paul McGrady:@Jeff - correct.
  Paul McGrady:I was confused in thinking that 3.3 modified 3.2, buut it appears that they are seperate entirely.
  Jon Nevett:Agree -- walk through it all and then we shoot at it
  Emily Barabas:The document is unsynced -- everyone can scroll for themselves
  Karen Day:thanks, Emily
  Jeff Neuman:Paul - what other harms other than Trademark Infringement (or likely infringement) would you recommend this policy address?
  Jeff Neuman:Sorry, this objection address?
  Rubens Kuhl:Jeff, note that LRO is currently the vehicle for IGO objections as well...
  Jeff Neuman:Would you recommend the doctrine of foreign equivalents apply to only trademarks or would yo propose that they apply to registry operators of existing gTLDs?
  Rubens Kuhl:Even though it was not used in 2012.
  Jon Nevett:what % of english dictionary terms have a trademark in any jurisdiction in the world?
  Jon Nevett:disagree with that too
  avri doria:seems to require knowing intent, which is something i thought we said could not be known (personal view)
  Rubens Kuhl:https://urldefense.proofpoint.com/v2/url?u=http-3A__domainnamewire.com_2014_02_10_how-2Dcommon-2Dwords-2Dlike-2Dpizza-2Dmoney-2Dand-2Dshopping-2Dended-2Dup-2Din-2Dthe-2Dtrademark-2Dclearinghouse-2Dfor-2Dnew-2Dtlds_&d=DwIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpCIgmkXhFzL7ar9Qfqa0AIgn-H4xR2EBk&m=l1LwM8oTtzxX4waejW_qHSwp1LCSLHiU9Jca56Ctcm8&s=DTdvSU4Hvrd8ngfU0GvT_-P9m3zmMGnSSvs8YvAAqeU&e=
  Rubens Kuhl:(With the caveat disclaimer that LRO criteria is not the same as TMCH criteria)
  Jeff Neuman:All - I need to drop, but will listen to the rest of the call later.

Jeff Neuman:Thanks

Kristina Rosette (Amazon Registry):The policy recommendation states: Strings must not infringe the existing legal rights of others .. . .   Are you proposing that the policy recommendation be revised to replace "infringe" with "abuse"? If not, what is the rationale for the disconnect between the policy recommendations and the change to the LRO standing that you've proposed?

Rubens Kuhl:Real life problem, evidenced by Merck x Merck: if marks have jurisdiction boundaries, does any restriction require geolocation-based blocking, since the Internet is global in nature ?

avri doria:what does abuse mean? seems rather open.

Rubens Kuhl:Kristina, I believe the timing here is exactly to see whether policy recommendation changes are needed. It seems this would be a required policy change to support for an implementation such as Paul is proposing.

Jon Nevett:I need to drop in a few min too -- have LOTS of concerns with this proposal as well

Jon Nevett:we should look at all the LROs from the 2012 round and test any proposed changes

Jon Nevett:Paul, what kinds of cases are you trying to get at with the proposal? Think the proposal is way too overbroad.

Alan Greenberg:COuld I please be unmuted (I can't seem to do it myself)

Steve Chan:@Alan, done, I believe

Kristina Rosette (Amazon Registry):My recollection (although going back to 2007-08) is that the GNSO intended to limit the LRO to trademark infringement, but I think it's something that needs to be reviewed.

Rubens Kuhl:Paul, isn't what you suggested covered by UDRP ? For instance, if I register chairing.coach, I'm not trying to use to something to be used with Leather goods... while if someone registers leather.coach or bag.coach, it's likely to be infringing but could be took down by UDRP.

Rubens Kuhl:(UDRP and URS, in fact)

Jon Nevett:citing a second level name as evidence of infringement on a top level name is not useful -- we have the UDRP and URS to deal with 2nd level names

Rubens Kuhl:Have to drop now. Will hear the remaining of the call later.

Jon Nevett:if we can't demonstrate a problem, then why are we looking for a solution?

Emily Barabas:https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_x_Uz2AAw&d=DwIFaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpCIgmkXhFzL7ar9Qfqa0AIgn-H4xR2EBk&m=l1LwM8oTtzxX4waejW_qHSwp1LCSLHiU9Jca56Ctcm8&s=7MXUOVWoGSLcida6YkgaK0k4E2I8GVXvWHgBJRklEEQ&e=

Kristina Rosette (Amazon Registry):Have to drop for the RA Amendments webinar. Thanks, all.

Terri Agnew:New gTLD Subsequent Procedures Sub Team – Track 3 – String Contention, Objections & Disputes will take place on Tuesday, 21 February 2017 at 20:00 UTC.

Robin Gross:Thanks Karen and all, bye!