

Michelle DeSmyter:Welcome to the New gTLD Subsequent Procedures Sub Team - Track 2- Legal/Regulatory Issues call on Thursday, 01 June 2017 at 21:00 UTC.

Michelle DeSmyter:Meeting agenda page:

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_ChLfAw&d=DwIFaQ&c=FmY1u3PJp6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWG1BLwwehFBfjrsjWv9&m=VVHLEmklosYd7iXlhKdvtvvyrh258W390xZoQF1iCCs&s=IQ4aCl7BEeCEppHRhnp_jtNxoSkpq06LVzDHvcVbM4&e=

Steve Chan:Slides are unsynced

Phil Buckingham 2:unsynced

Steve Chan:Everyone can control themselves

Jeff Neuman:@Steve - that is debateable

Cheryl Langdon-Orr (CLO):indeed

Steve Chan:@Jeff, I have more faith in our WT members that you :)

Michelle DeSmyter:yes

Phil Buckingham 2:clear as a bell

Jim Prendergast:Julie and Micele - I need to leave adobe but am dialed in as well thx

Kathy Kleiman:Hi All .

Kathy Kleiman:Is there a link to this document?

Steve Chan:Doing it now...

Kathy Kleiman:Great tx - a bit easier to read :-)

Steve Chan:Slides available here:

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_download_attachments_64950794_SubPro-2520Track-25202-5FGPI.pdf-3Fversion-3D1-26modificationDate-3D1496351569155-26api-3Dv2&d=DwIFaQ&c=FmY1u3PJp6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWG1BLwwehFBfjrsjWv9&m=VVHLEmklosYd7iXlhKdvtvvyrh258W390xZoQF1iCCs&s=ksMXVDhAKw1PZHsV0ZZ9tSvllUiI8_Ucw9SOUscUC5c&e=

Jeff Neuman:ugh - my computer is going crazy. my hand is NOT raised.

Steve Chan:You can find the "public interest" Wiki here:

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_display_prjxplrpublicint_Exploring-2Bthe-2BPublic-2BInterest-2Bwithin-2BICANN-2527s-2BRemit-2BHome&d=DwIFaQ&c=FmY1u3PJp6wrcrwl13mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWG1BLwwehFBfjrsjWv9&m=VVHLEmklosYd7iXlhKdvtvvyrh258W390xZoQF1iCCs&s=0oD8-fPd_hmBJY-GiZMy1YdUZFFA9X-VF6mIbEKaOiY&e=

Jeff Neuman:I am going to log out then back in.

Kristina Rosette (Amazon Registry):@Jim: GAC "requested" them

Kiran Malancharuvil:Who is speaking right now? I didn't catch

a name.

Jeff Neuman 2:i can answer

Michael Flemming:Jim Pendergast

Kathy Kleiman 2:When people say PIC, could they say Mandatory and Voluntary?

Kiran Malancharuvil:Thanks Michael.

Phil Marano:GAC Beijing Communique

Phil Buckingham 2: is there a list somewhere ?

Jeff Neuman 2:list of what?

Rubens Kuhl:Actually, some registries considered including PICs that contradicted parts of the agreement they didn't like, like sunrise protection only for brands.

Rubens Kuhl:Fear of the GAC / Fear of the GAC / I have constant fear that something's always near

Rubens Kuhl:Having such a list in a PIC allows people that dislike it to challenge it in a PDDRP. So for any stakeholders, it's better than being listed as a Registry Service.

Jeff Neuman 2:Should we come up with a new name for these then?

Rubens Kuhl:One of the PICs is the obligation of only using ICANN-Accredited Registrars. So calling it public interest is pushing the term public interest very hard.

Jeff Neuman 2:Just TLD Commitments

Kathy Kleiman 2:And perhaps GAC Commitments

Rubens Kuhl:Some PICs tried to address ALAC or IO concerns...

Kathy Kleiman 2:@Alan: can you give some examples?

Kristina Rosette (Amazon Registry):Has anyone reached out to Tony Harris to let him know that we're discussing Spec. 11? I've been in several meetings where he has expressed concern about the "must use ICANN-accredited registrars" requirement, and I think his input here on this issue would be valuable.

Kristina Rosette (Amazon Registry):To clarify: It's been in open sessions at ICANN meetings.

Kathy Kleiman 2:@Alan: I may have missed a term. Did you say the "Category 1" Comments -- meaning highly regulated strings such as banking?

Michael Flemming:*PICDRP*, for the notes

Phil Marano:"The Panel notes that PIC (3)(a) of Specification 11 imposes no obligation on Respondent as the Registry Operator itself to avoid fraudulent and deceptive practices." See https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_uploads_compliance-5Fnotice_attachment_911_serad-2Dto-2Dwesterdal-2D16mar17.pdf&d=DwIFaQ&c=FmY1u3PJP6wrcrw1l3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWG1BLwwwehFBfjr_sjWv9&m=VVHLEmklosYd7iXlhKdvtvvyrh258W390xZoQF1iCCs&s=PnD0fc0dpDdKM-XfQ_aNL5EvV9z8-kWpBOVCGpPvbcU&e=

Jeff Neuman 2:Thanks Phil. Do you want to speak to that?

Kiran Malancharuvil:The PICDRP functionality may be for WT3, but there is a LOT to be learned about the PICs generally from the PICDRP result.

Kiran Malancharuvil:And there have been multiple, filed, only one made it to the panel.

Jeff Neuman 2:@Kiran - Right.....when we talk about how the dispute process works, that is for WT3. But the PICs themselves (which are the subject of the dispute) is for us in WT2

Rubens Kuhl:I think this is being discussed in the vertical integration topic, isn't it ?

Jeff Neuman 2:correct

Jeff Neuman 2:@alsn - correct

Jeff Neuman 2:alan

Jeff Neuman 2:by the time the next window opens, everyone should be on the 2013 RAA

Jeff Neuman 2:not sure we need that going forward

Kurt Pritz:Now that new TLDs are in use: Can anyone point to a potential abusive behavior that was prevented by a PIC? (I.e., has there been an abuse in a TLD (that didn't receive Type 1 GAC Advice) that might have been replicated by a GAC Advice Type 1 TLD?) - or - Can anyone point to an abuse by a GAC Advice Type 1 TLD that could be avoided by enhanced PIC Specs? If the answer to both of these is no, we should question the benefit of having the PIC Specs.

Jeff Neuman 2:@aLAN - THEY DO NOT HAVE TO BE picS...THEY CAN JUST BE IN THE BASE AGREEMENT

Jeff Neuman 2:Sorry for ALL CAPS

Jeff Neuman 2:oops

Rubens Kuhl:Or become resellers of Tucows... ;-)

Alan Greenberg:Jeff, certainly. Don't much care where they are. Since this was inserted after the fact, someone thought it was convenient to put it in a pic. I don't much care.

avri doria:but nothing we do is grandfathered. or even grandmothered.

Michael Flemming:grandrelated*

Paul McGrady 2:Grandparented

Michael Flemming:aagh

avri doria:and we have to look at mandatory sperately from voluntary. and we need to discuss ICANN ability to enforce the voluntary.

Rubens Kuhl:Those were grandfathered, but would a new procedure be grandfathered ?

Michael Flemming:My English

Trang Nguyen 2:Section 1.1.d.ii of the bylaws

avri doria:yes, that is what i was saying.

Kathy Kleiman 2:Going forward is a new world!

Trang Nguyen 2:and 1.1.d.iv is the provision that says "ICANN shall have the ability to negotiate, enter into and enforce agreements, including public interest commitments, with any party in service of its Mission."

Kathy Kleiman 2:"in service of its Mission"

Kathy Kleiman 2:Good call, tx you!

Steve Chan:@Michael, Jeff, sure, action item is captured in the notes.

Kiran Malancharuvil:Thanks all

Paul McGrady 2:Thanks all!

avri doria:bye good discussion, good start on the issue.
please continue the discussion on the list.

Alexander Schubert:Tx

Phil Buckingham 2:thanks Michael - great discussion