RECORDED VOICE: This meeting is now being recorded.

LAUREEN KAPIN: Welcome, everyone, to our SubTeam call. I see meeting #23. I hope everyone had safe, uneventful travels back to their homes and had a chance to recharge your batteries. Albeit, briefly. Today, I think we need to talk about our plan going forward and also, David, since I see you're on the call, perhaps you can give us an update on what's going on on the INTA study as well, if you would be so kind to let me pounce on you in that way. Good, thank you.

I thought also, Jonathan I see you're on the phone. Of you had any thoughts or insights that you wanted to share after the meeting. Perhaps, any other reactions that you heard regarding the preliminary draft and the way forward in response to comments. If there's anything else that you want to share with us based on whatever meetings or discussions you had after our review team met.

I see your microphone is making the little icon that it's on, but I can't hear you. Oh, so David can hear him, but I can't. David, so you can hear Jonathan? OK, so I'm the only one who can't. That's very weird. Only the specially anointed can hear Jonathan. That is very, very strange.

Jean-Baptiste, I'm hoping that whatever you're… OK, I'll log off and try again. Jonathan blocked us. Jonathan's logging off and trying again. In the meanwhile, since David you have considered yourself duly pounced, do you want to give us a brief update on what's on with the INTA study

and the subgroup you formed, and where you are in the way forward? David, are you talking? David is typing, "Can you hear me?" No. "I am talking."

The wonders of technology. No, I can't hear you and now in the equal universe Jonathan can't hear David. Is your mic on? This is very frustrating. Does this have anything to do with the new log-in we had for the Adobe Connect, that we're having these problems?

BRENDA BREWER: Hi, Laureen, this is Brenda. It has nothing to do with the log-in. It's actually the correct log-in. We used the old one in the first invite, so we updated it to the accurate, current Adobe room. Nope, it's not that. I don't know what the problem is, but I am troubleshooting, so standby.

LAUREEN KAPIN: OK. Thank you. Thank you for that, Brenda. My first two choices are subject to troubleshooting. In that regard, we do have a lot of people off the phone. But, for the people that are on the phone, I want to remind people of our deadline for tomorrow. We had set tomorrow as our deadline for getting Jean-Baptiste the updated version of our input into the way public comments are categorized on the spreadsheet. I want to make sure that everyone does that. Our deadline is tomorrow by close of business. Jean-Baptiste's email was sent on Wednesday the 28th. If you need that again, let me know. I'm happy to re-send it.

Basically, our task is to make sure that the Excel spreadsheet accurately reflects whether the comment agreed, disagreed, or was neutral on our

comment. I had also sent out an email immediately following Jean-Baptiste's email on the 28th that reminded people of their assignments. You all have your assignments for recommendations to review for accuracy. I want to make sure everyone gets that to Jean-Baptiste by tomorrow, because that's going to form the basis of the staff report of the public comments. We want to make sure that's accurate.

We already had an extension of that, so this is a firm deadline. Does anyone have any questions or comments about this? What you'll see is, in column H, there's a quality control tab now. At least there is on mine. I'm wondering if I added that. That's how I've been doing it. I just added a column for QC, quality control, in H and put an OK, or make whatever adjustments. I think that others have done a different way. Some people have sent text emails with changes.

To me, making a separate column and putting it on the spreadsheet is the easiest way, but I leave it to folks to figure out the easiest way for themselves. That's my suggestion. But, either way, make sure it gets done by the close of business on the 6th, which is indeed tomorrow. Does anyone have questions or comments about that task?

OK. I see Jean-Baptiste saying, "Don't send it again." That's fine too. David, I see your hand is up now. But, I still can't hear you although I see your mic is going. Multiple attendees are typing. "I am speaking, but you can't hear me. Arg."

Yes, or as I spell it, ARGGGHHHHH, with a bunch of G's and H's for emphasis. Apparently, a sub section of us are having problems hearing David. I am very much hoping, wonderful ICANN team, that we can

resolve these problems for the next call, because it's quite frustrating. Is logging off going to actually do any good, Brenda? Is that what we should be trying?

BRENDA BREWER: This is Brenda. One second. We're going to have an echo. Logging off and on will help, if you try it the first time. If it doesn't help after the first time, it's not going to solve the problem.

LAUREEN KAPIN: OK. David, if you already did it once, I would say don't bother doing it again.

BRENDA BREWER: I'm happy to dial out to David, if he wants to private message me his phone number.

LAUREEN KAPIN: David, maybe if you could do that, give a phone number to Brenda and she can call you.   I'm wondering if Jonathan should do the same. [AUDIO BREAK]

JEAN-BAPTISTE DEROULEZ: David, you weren't in the room when we asked this, but would it be possible to call you on your phone? [AUDIO BREAK]

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LAUREEN KAPIN: Carlton, I see your hand is up. Go ahead. [AUDIO BREAK]

CARLTON SAMUELS: Are you hearing me now? Hello?

LAUREEN KAPIN: I can hear you, Carlton.

CARLTON SAMUELS: OK. This is Carlton. I wanted to point out that there is a set of comments related to recommendations from about 20-35 inclusive that comes, generally, from the same place. But, it would seem to me that it is based on one concern-that all recommendations tend to make suggestions for ICANN to do things outside of its remit.

I believe the answer to that is to re-emphasize the definition of what we mean by safeguards, with respect to the ICANN remit us confidence in the DNS through stability, security, etc. I think most of those just require a re-emphasis of the definition of why we think those recommendations are within scope and should be addressed that way.

LAUREEN KAPIN: Thank you, Calvin. What I would say is I think that's an excellent point. In fact, when we were in the meeting with the non-commercial stakeholders group, I was actually looking back again at the by-laws because we often get comments from people who have concerns about content regulations that focus on one specific aspect of the by-laws, to

the exclusion of other parts of the by-laws, of course, which cover ICANN's ability, for example, to enforce its contracts, among other things. In addition to what you mentioned, Carlton, and rightly so, the stability and security of the DNS.

I think when we're going back and looking carefully at our rationales to make sure that they're as clear and as within scope as possible. Of course, they all should be within scope. It might behoove is to take a look at specific parts of the by-laws that would be applicable. What I will volunteer to do is send around the appropriate sections of the by-laws that I think apply to most of the recommendations we're making.

But then, I'm also going to suggest, in the email that I sent around that has both assignments for accuracy & then assignments for discussion leads, focusing in the assignments for discussion leads now, not the accuracy of the public comments but discussion leads. We should keep to assignment scheme when we are looking at recommendations that need to be tweaked or re-written. For example, in the regard, Carlton you would have 21-23 and Drew would have 19, 34, 37-39. I'm just using that as an illustration.

That would be a good way to keep assignments for when we're looking to re-write some of these recommendations to make them more clear, and also make sure that we're within scope. That's a good observation, Carlton, and a good recommendation for the way forward. Great. I'm saying 'great' because I'm reading Carlton's comment in the chat, which is in agreement. Do we have improvement now with the being able to hear either Jonathan or David?

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JONATHAN ZUCK: Can you hear me now?

LAUREEN KAPIN: I can. Yay. Turning to Jonathan, did you have any comments or observations that you wanted to share, in general, with the team?

JONATHAN ZUCK: Sure. I think that the folks, in large measure, came down on where they, it's the old expression that where you sit determines where you stand. We had a meeting with the registries that I thought was illuminating, about imposing costs and things like that. I think that what donors, in particular, were looking for was an understanding of the effort that they're putting in, in terms of their own safeguards and trying to prevent DNS abuse, etc.

When we get back to numbers from that study that are broken down by registry owner, we might see if there's a differential there. I think that would be quite interesting, to see if that allows for more specific recommendations.

LAUREEN KAPIN: The DNS abuse study? Are you talking about the DNS abuse study will illuminate, for example, whether donor's additional safeguards have had an impact on their levels of abuse, for example?

JONATHAN ZUCK: That's right.

LAUREEN KAPIN: OK.

JONATHAN ZUCK: And then, with the non-commercial users, I think that there was just this notion of extreme caution about this content regulation. I think some of that may come down to wording. I feel like we set them off with this notion of creating incentives to create more restricted TLDs and maybe it's better worded as 'removing barriers to niche TLDs' and make it less about content and more about smaller community-oriented TLDs and how the system was kind of rigged against them. I think that we can get more agreement on that if, for example, we're able to include Dot Kiwi in the conversation, then it becomes clearer.

Making some recommendations about pricing that isn't exclusionary of niche TLDs, I think, will help to address this issue of restricted TLDs as well. I think a lot of it is going to come down to just being very clear in our wording and clear in our descriptions of what we think the upside of the information will be.

But, at the same time, I think there's still a little bit of a fight ahead of us for getting the organization to commit to doing data collection in a proactive way and spending the money to do that and working through some of the barriers thrown up by the registries around that and the concerns that they've raised. I think it's still a fight worth having.

LAUREEN KAPIN: Absolutely. Does anyone have any questions for Jonathan? I see Drew in the chat saying, "I think we should make the abuse definition clear that we're discussing technical abuse, although we should note that it sometimes overlaps with other forms of abuse." That was another hot topic, was the lack of clarity about the definition DNS abuse.

The concern is that that could lead to content regulation, if it was too broadly defined. I think Drew's comment in well-taken. Jonathan, maybe I will ask to work with you on re-formulating recommendation 14, so that we can do that in a way that still addresses these issues about consumer preferences for a more semantic web, but doesn't quite raise so many concerns about content regulation.

JONATHAN ZUCK: No problem, I'm happy to work on it with you.

LAUREEN KAPIN: OK. Thanks Carlton for working with Drew on the definition of abuse in conjunction with some feedback from the SSAC. David, I see your hand is up. I'm hoping we can hear you now. I'm not hearing David. Did we call out to David? Because I see his mic is making its noise, but I can hear myself, and we are often our best audiences. But, unfortunately, we can't hear you. OK. That's frustrating.

Perhaps, David, I can ask you for that update during our next call. I will let people know that David has kindly formed a subgroup dealing with gathering feedback to the INTA study, and is working with the group to provide comments and feedback on the study. Particularly, if there are

places that need clarification and some helpful guidance. We will, hopefully, have the technology goddesses with us, smiling upon us, in the next meeting and we'll be able to head directly from David about an update to that.

We do have a collection of tasks going forward, which I think we're going to need to, at a leadership level, figure out how to divide and conquer. Just to draw people's attention to the notes, we are going to be looking at consolidating recommendations and eliminating duplicative ones. In that regard, I will note that ICANN organization comments did offer some suggestions in their comments. But, their suggestions, as Jonathan's expression went, from their point of view they are grouping things together by similar subject matter because they're looking at it through the implementation lens.

What I would say is we should take a look at those groupings, but also realize that that is through the lens of an organization looking to implement it. It may be that that isn't the most sensible way for us to proceed, and it may be that it is. I just want people to realize the groupings are through the lens of this will make it easier for we, as ICANN, to work with.

But, that doesn't necessarily mean that's the organization we're going to want. I think, perhaps, we'll want to assign one or two people to look at this consolidation and duplication issue. Second, and this will be for everyone who is tweaking recommendations, which will be all of us, we need to do this with an eye towards the Board adopting our recommendations word-for-word. That means, we need to make sure we're precise and clear.

As we're going through looking at these recommendations, we should be doing with an eye to can the Board adopt it verbatim and will it be acted on because we have worded it with sufficient clarity. We also talked about, in the review team, how we should use these words- should, shall, and must. Jean-Baptiste sent this around, but it's also here in our notes, that the IETF actually has definitions for the way these words differ from each other. I would say, as we're all working on our reformulations, we should all consult that, so that we're using these words appropriately and consistently.

Please, folks, take a look at that so that we're all consistent in the way we use should, must, may, etc. Does anyone have questions about that point, because I know it can be a little confusing? I'm not seeing hands. OK. The next point really goes to making sure that, when we have a recommendation, we're directing to the group that's actually going to implement it. Because, otherwise, the Board will decide. If we believe we're best positioned to decide that, that needs to be clear.

Finally, and this is an overall place where I think there still remains some work to be done, in certain instances, the public comments pointed to gaps in our rationale, places we should either bolster or add some precision, and then success terms. How do we measure success in the implementation of a particular recommendation? That is something that I think that, probably, we all need to look back to, to make sure that we are including that aspect.

I'm so glad David is sharing the technical specifications of his telecommunication devices. I suspect it has nothing to do with your device, and it's something on the other side. Those are the basic short-

term and long-term tasks. Short-term is to get these comments on the accuracy of the Excel spreadsheet, the way they depict the public comments. Particularly, in the way they designate them as agreeing, disagreeing, or neutral.

Then, longer term, to use my assignments for discussion leads as a way of breaking down our recommendations and who is going to be looking at them for reformulating them for our final report. OK, successful dial-out to David. We should be able to hear him now. Does anyone have any questions about what I just said, before we try, for perhaps the lucky third time, to hear from David? Anyone have any questions? David, can we indeed hear you?

DAVID TAYLOR: Can you hear me?

LAUREEN KAPIN: Yes. Three is a charm. Hooray.

DAVID TAYLOR: I did hear you mention the subteam, the idea subteam, so I'll go to that quickly. As you know, we have the face-to-face meeting in Jo-burg on the 27th, briefly. We've got a call scheduled for tomorrow. I think that's going to useful if we've all managed to read the INTA impact study.   I have a sneaking feeling that that may not be the case, given ICANN last week, plus 4th of July, plus deadline of the 6th, which is also tomorrow if anyone's got any amendments to all of the public comments, etc.

Perhaps everyone will have read and we're all good to go and we can have a call tomorrow. If not, what I've done is I circulated a takeaways & clarifications table earlier today and invited everyone on the group there to put in their comments, having read the impact study.

If we don't have any comments at all by the end of today or early tomorrow, I suggest we don't bother with the call tomorrow, other than for five or ten minutes if people really want to be on it, and we schedule that call for Monday or Tuesday next week so people have got time to go through the report.

Because, it is quite substantial, so we do need to spend the time going through it and not just have a call and chat about it again. I'll see what comes back on that and what people say. I know Waters just confirmed. He said, "Noting, thanks." I suppose I'll see whether there's so many replies in the next 24 hours.

On top of that, just to let you know, the INTA have confirmed that they are going to try and do a deep dive themselves into it. I've asked for that for the week of the 10th of July and it seems that they're aiming for that.

There was a call for volunteers and I saw one person put their hand up. We'll see if we get anymore. That may come, as well, that week. If not, it'll be the week after. This'll just slip a little bit. That's where we are on the INTA. Does anyone got any thoughts, comments, queries on that?

LAUREEN KAPIN: I have a query, David. After you give this feedback, what happens next and when does it happen?

DAVID TAYLOR: When we get the feedback from INTA?

LAUREEN KAPIN: No, when you give the feedback. You're giving feedback, asking questions to INTA. Then, I suppose, they're going to respond to you. Then what?

DAVID TAYLOR: The object is to try and get a call scheduled the week of the 24th of July is what I've suggested, with Nielsen. Whether we have a pre-call with some INTA people before then, or whether we all have that call together with Nielsen on the week of the 24th, that's to be determined obviously. Timing's tight and availabilities are difficult. If we had more time, we'd probably have an INTA plus CCT review team call where they could go through our comments, their comments, and see where we end up, and then have a call with Nielsen.

But, it may be that we just join things via email, and then prepare that call and have that call with Nielsen that week of the 24th. That's when it's scheduled so that we can, hopefully, get feedback and then miraculously pull it together for the first August deadline we're working for.

LAUREEN KAPIN: OK. The endgame there then is to be able to have the version that we're going to be discussing in our final report ready, so then we can actually include that material as part of the new material, along with the DNS abuse study, to be put out for public comments.

DAVID TAYLOR: Yep. We'll put that out for public comment in August. That's what we're aiming for. Yeah, absolutely. I just have to put a bit of drafting together, as well. Once we've got the information, we've got that back, then I'll have to sit down, anybody else is welcome to sit down with me and start re-drafting that section based on the INTA study and the additional ICANN data which we've got now, as well as the [inaudible] data, which we've already got.

LAUREEN KAPIN: That sounds good. You kept me in the loop, but if you can continue keeping me in the loop on that, that'd be great because I would like to join the call.

DAVID TAYLOR: OK. Will do. Then there are two quick comments I've got, I don't want to take any time, is one to JB just making sure coming up for public comment. I haven't looked at the latest draft. Just checking, have you taken into account the comments I sent through just before Jo-burg, so I make sure I read the right ones? I was going to do one more review of going through it and sending it, so I'll try and do that for you tomorrow.

I was just checking if you've already taken the comments into account which I've sent before. Hear me out, I'm just double checking.

JEAN-BAPTISTE DEROULEZ: Yes, I have and I resent the email just a few minutes ago, so you should have the file in your inbox.

DAVID TAYLOR: OK. That works, thanks. I'll look at that one. That's my task for tomorrow, then. Thank you. Then, the last point I did have was just coming back on the DNS abuse. When we were in the registries meeting, we talked a bit about that on the left hand to the right hand you've got bad TLDs going to good TLDs, if we align that with the level of abuse.

On the right-hand side, you've got that DOT perspective where there's no abuse because no one can get into them, it's completely closed. Going down through, say, [inaudible] people have got some extra life-protection mechanisms and, potentially, less abuse.

Then, right to the other end, where we've been seeing the large amounts of DNS abuse. That was something there which I was thinking would be good to try and draw together and I talked about it with Drew, so Drew do jump in and say anything on that. I thought what would be interesting is to have a graph, or something like that, some visual, that would be great. But, not just to have the DNS abuse, but also to see if we've got the trademark abuse. Because a lot of trademark cases involve phishing as well. We do get that on the UDRPs.

I was thinking that we could probably drill down and have something where it would interesting, to me, to see for TLD, which is involved in significant DNS abuse, whether it's phishing or it's spam. It's also one that is having significant trademark infringement, again, UDRPs involving phishing. That's where I was going. I just wanted to throw that out there and see what everyone else thought. And, Drew, do chip in if you want to add anything.

LAUREEN KAPIN: Would you be contemplating calling out specific registries, David?

DAVID TAYLOR: I, personally, would, as examples. I don't see why not if it's in the DNS abuse study. We bring it through and then it's public and it's UDRP, so the number of UDRPs filed in a specific TLD, for instance. So, we've got objective data. Why not? But, I'd be highlighting more the abusive behavior, saying this is the source of the behavior which we think should not be present in future rounds.

And then, if we align that to the type of TLD it is, we can draw quite a few conclusions without necessarily naming names. But, personally, I'd be open to what everyone thinks. You state the obvious and you state the facts, if they're there. Whether we put it into an appendix, or something like that, I don't mind really. Whatever everybody thinks.

LAUREEN KAPIN: Do folks have thoughts on that?

JONATHAN ZUCK: That makes sense.

LAUREEN KAPIN: I have to see it to be able to really have a reaction to it. I think to the extent we highlight any particular registry/registrar/etc., it can be a sensitive issue. We just want to be mindful of how we proceed. That said, I welcome seeing drafts so that we can discuss in a specific context. OK. Other questions or comments about the path forward?

I, as an action item and I think when we chat during our leadership call, I think we need to get a little more granular with our deadlines, so that we have a specific path to our final report. I think we sort of mapped out a general one in Johannesburg, but I think we need to set some interim milestones for ourselves with these recommendations and refining the language. That's something I think we'll probably discuss in our leadership call with an eye to getting something out for our respective sub-teams, hopefully, either by the end of this week of early next week.

Do people have questions about what they should be doing, in terms of the accuracy of the Excel spreadsheet on public comments, and assignments for tweaking recommendations, which again are in that very same email. Your assignments are the same, in terms of recommendations as they were for discussion leads. That way, you'll be building on the work you've already done. Questions or comments? Jean-Baptiste, did you have any issued that you wanted to discuss or bring up for us?

JEAN-BAPTISTE DEROULEZ: Not at this stage, Laureen.

LAUREEN KAPIN: OK. I see that we have Brian on the call. Brian, do we have anymore insights, perhaps, into when this month we'll be getting the final DNS abuse report, by any chance? It was very well received, by the way.

BRIAN AITCHISON: Great. I did hear that, that was good to hear. I am talking with SIDM in about ten minutes. We're nailing down a date in this meeting that we're having. I'll let you know as soon as I know. We're still shooting for mid to late July, but there a few more requests that came in after your meeting. We're going to discuss what they can and can't do in that timeframe. We'll be sure to get back to you today.

LAUREEN KAPIN: Perfect, perfect. Any other business? Or topics that people wanted to discuss as a result of our discussions, either in our face-to-face meeting or in our meetings with various stakeholder groups? Then I will bring up one last point, since we actually have oodles & oodles of time since this was scheduled for two hours. I'm not positive. I can't remember how long this was scheduled for.

JONATHAN ZUCK: Just one hour.

LAUREEN KAPIN: Just one hour, OK. Well, we still have time. We never reached consensus, I think, but it seemed to me we were leaning towards, in terms of how we respond to public comments, that there was an inclination to actually give some sort of response to every comment filed. That's the way I read things. But, did folks have views on that? Because that is going to be another action item. In fact, we probably should list that in our future action items, Jean-Baptiste, to settle upon our approach to responding to public comments.

JONATHAN ZUCK: That was my recollection, as well, Laureen. But, they can be minimal. They can be in the table. Just say, "Incorporated Changes." They can be brief, but just an acknowledgement of each comment is where we were headed.

LAUREEN KAPIN: Right. Right. That makes sense to me. I'm persuaded that that's a better practice, to have a response to each one. I don't have anything further. Last call for questions, comments, any other business.

OK, then. I'll wish everyone a great rest of the week and, again, remind people the deadline is tomorrow for finishing up input of the accuracy of the public comments. If people have any questions about anything in the interim, just call me or email me. Happy to help.

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JONATHAN ZUCK: Thanks, Laureen.

LAUREEN KAPIN: Take care everyone.

[END OF TRANSCRIPT]