

Julie Bisland:Welcome to the New gTLD Subsequent Procedures Sub Team – Track 3 – String Contention, Objections & Disputes call on Tuesday, 15 August 2017 at 20:00 UTC

Julie Bisland:Agenda wiki page: https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_FgEhB&d=DwIFaQ&c=FmY1u3PJp6wrcrwlI3mSVzgfkbPSS6sJms7xcl4I5cM&r=QjF-05YzARosRvTYd84AB_UYInlydmFcjNmBM5XgySw&m=BHX58h3Wm2JCZN4oQweQ1svdL3wysy0NHK0g8Isw6Pc&s=n0h9LwedpGNc8GvmrN56BKzSQ6Xabgl9NmkFcXOTX3c&e=

Robin Gross:what is the beeping on the line?

Julie Bisland:Emily's line, i've muted it

Robin Gross:Thank you!

Emily Barabas:sorry, my line dropped

Julie Bisland:but seems she's having some AC issues

Julie Bisland:I apologize for not getting it sooner. :(

Robin Gross:No worries. Thanks.

Phil Buckingham:Good explanation , Jon. Q Do you think going forward there should be some forewarning that an applicant will apply for CPE (assuming of course there CPE for a Round 2 !)

Jamie Baxter | dotgay:the current community objections do not have a component of mitigating harm, so unless that changes the community objection process serves a very important role

Anne Alkman-Scalese (IPC):Sorry to be late - previous meeting in our office ran overtime

Phil Buckingham:thanks Jon

Emily Barabas:The full report is available here: https://urldefense.proofpoint.com/v2/url?u=https-3A_www.independent-2Dobjector-2Dnewgtlds.org_home_final-2Dactivity-2Dreport_&d=DwIFaQ&c=FmY1u3PJp6wrcrwlI3mSVzgfkbPSS6sJms7xcl4I5cM&r=QjF-05YzARosRvTYd84AB_UYInlydmFcjNmBM5XgySw&m=BHX58h3Wm2JCZN4oQweQ1svdL3wysy0NHK0g8Isw6Pc&s=zIqNyyVRT5az_-Nzy1se6leIXA77h0TL5g8hFZH8qyk&e=

Robin Gross:The fourth ground is “A determination that an applied-for gTLD string would be contrary to specific principles of international law as reflected in relevant international instruments of law.”

Kristina Rosette (Amazon Registry):Staff - can you post the LPIO grounds in the chat so we see the 3 that IO recommends be rejected?

Emily Barabas:The other three grounds: Incitement to or promotion of violent lawless action;• Incitement to or promotion of discrimination based upon race, color, gender,ethnicity, religion or national origin, or other similar types of discrimination thatviolate generally accepted legal norms recognized under principles of internationallaw;• Incitement to or promotion of child pornography or other sexual abuse of children;or

Emily Barabas:From the IO report: "I believe that the first three grounds should be removed from this list since I have notedthat it can mislead people who tend to think that these three grounds are the only reasonswhich could trigger a Limited Public Interest Objection. The fourth ground is very generaland includes in any case the three other grounds. Thus, for the sake of clarity, I am of theposition that only the fourth ground should be retained in a future version of theAGB. "

Paul McGrady:Big dollars + low success rate = ????

Emily Barabas:see IO cases and outcomes on pages 27-29

Steve Chan:@Paul, we'll try to get a better understanding of the IO budget and how it was utilized

Kristina Rosette (Amazon Registry):I thought I crunched all these numbers in Copenhagen . . .

Kristina Rosette (Amazon Registry):Do we have any independent verification that the IO's claim that LPIO grounds 1-3 are, in fact, covered by #4?

Paul McGrady:@Steve - thanks. PP. 27-29 only sets forth his very high loss rate, not how many dollars were spent on his many losses

Emily Barabas:@Paul, correct. We'll see if we can get more information on the other half of the equation.

Paul McGrady:+1 Jon - with such a high loss rate, we need to (at a minimum) change the elements.

Jon Nevett:+1 Kristina on last two points

Anne Alkman-Scalese (IPC):@Paul and Jon - we need to have a gatekeeper on LPIO other than just the IO him or herself.

Paul McGrady:+1 Kristina.

Susan Payne:completely agree Kristina, it should be a preliminary determination

Jon Nevett:agree as well and I like the Kristina show!

Cheryl Langdon-Orr (CLO):yes early identification of any COI. is essential

Kristina Rosette (Amazon Registry):@Jon: Thanks!

Jim Prendergast:No harm in asking but I would agree - they will run from anything that has potential liability.

Anne Alkman-Scalese (IPC):+1 Paul

Kristina Rosette (Amazon Registry):In case you're looking for some light reading, here's my May 2013 letter to ICANN on behalf of Patagonia regarding the IO's conflict of interest.

https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_resources_correspondence_rosette-2Dto-2Djeffrey-2D2013-2D05-2D17-2Den&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=QIF-05YzARosRvTYd84AB_UYInlydmFcjNmBM5XgySw&m=BHX58h3Wm2JCZN4oQweQ1svdL3wysy0NHK0g8Isw6Pc&s=AAIhlmGYJcFqNSafq6ZAUe-7mtLWI_K64ZwfA-u6N4o&e=

Jon Nevett:and who could appeal?

Paul McGrady:Would the appeal be limited to the final decision (merits) or also include initial decisions (e.g. standing, IO conflicts)?

Phil Buckingham:and the time limits

Kristina Rosette (Amazon Registry):After all the hours spent on Accountability, I can't even imagine that we'd consider depriving applicants of the opportunity to use those mechanisms for IO objections. (Specifically not addressing appeals.)

Anne Alkman-Scalese (IPC):@Kristina - great letter - we need to learn from history on this issue of conflict of interest. This has got to be FIXED!

Kristina Rosette (Amazon Registry):Thanks, Anne!

Paul McGrady:Can we put this issue back at the top of our list for the next call. Worthy of more than 4 minutes.

Kristina Rosette (Amazon Registry):Has the Board taken any action on the IO's report? Specifically referred it to GNSO? Something else?

Kristina Rosette (Amazon Registry):+1 Paul

Jamie Baxter | dotgay:without an appeals mechanism it seems that the expectation was that every panel or hired evaluators would get every detail correct on first attempt.

Anne Alkman-Scalese (IPC):The issues arose due to too much discretion in the hands of the IO. Structure revisions in decision-making can address these issues so that they don't become issues no matter who has the assignment as IO.

Kristina Rosette (Amazon Registry):Thanks, all!

Julie Bisland:The next New gTLD Subsequent Procedures Sub Team – Track 3 – String Contention, Objections & Disputes will take place on Tuesday, 29 August 2017 at 15:00 UTC for 60 minutes.

Jon Nevett:Thanks!!

Steve Chan:Another outreach mechanism could be to formulate a set of questions that were unanswered by his report

Cheryl Langdon-Orr (CLO):bye 👋 for now.. we are making progress on this... thanks everyone.

Anne Alkman-Scalese (IPC):Thank you Robin, staff, and everyone.

Phil Buckingham:Great call , Robin