Terri Agnew:Welcome to the Review of all Rights Protection Mechanisms (RPMs) in all gTLDs PDP Working Group on Wednesday, 06 September 2017 at 17:00 UTCfor 90 minute duration.

Terri Agnew:agenda wiki page: https://urldefense.proofpoint.com/v2/url?u=https-3A__community.icann.org_x_NSQhB&d=DwICaQ&c=FmY1u3PJp6wrcrwll3mSVzgfkbPSS6sJms7xcl4I5cM_&r=DRa2dXAvSFpCIgmkXhFzL7ar9Qfqa0AIgn-H4xR2EBk&m=ZylEGi-ytcsyochM0PJCwXrG2WtOhMCFGBoXilEDxwM&s=0K0u8N7Sjy9Uxc_I1_6XbYliQkX6IBmWK1fVFkDlnNo&e=

George Kirikos:Hi folks.

George Kirikos:Now it asked me for my name/spelling again. Odd.

George Kirikos:Might want to blast out an email reminder.

Terri Agnew:sending

George Kirikos:You can probably automate that, so it sends out a reminder 1 day before (which seems to already happen) and 5 minutes before. :-)

Steve Levy:Hello all

Philip Corwin:hello all

Mary Wong:That's correct, J Scott - we will be the first

Philip Corwin:We are the guinea pigs, lucky us ;-)

George Kirikos:Mine wasn't a 'retort', since it came before anyone else's comments.

Jeremy Malcolm:"questions" versus "rhetoric"?

George Kirikos:Sequence was at: http://mm.icann.org/pipermail/gnso-rpm-wg/2017-September/date.html

Maxim Alzoba(FAITID):Hello All

Philip Corwin:I posted a responsive email to Brian at 12:50 pm ET

Maxim Alzoba(FAITID):@Terri, I will have to drop the call for SSC call in 53min

Mary Wong:@Phil, staff hasn't managed yet to capture your response but we can do so now for AC display if you like.

Philip Corwin:That would be helpful, Mary

Marina Lewis:Hi everyone

Maxim Alzoba(FAITID):I managed to get to the place with wifi

Mary Wong:@Phil, got it - I'll put it up in AC after Brian has finished his explanation.

George Kirikos:Are all the data requests capturing prior questions? e.g. I recall that we were going to analyze the monthly registry reports to look at various metrics. Was it not requested because we already have that data?

George Kirikos:(i.e. have the data, but then plan to analyze it later?)

George Kirikos:Data exists, but needs to be put into a form that can be analyzed.

Mary Wong:@George, yes and yes (the latter in the sense that the monthly reports are already being incorporated by staff into the spreadsheets we are compiling)

George Kirikos:Thanks Mary.

Paul Tattersfield:Phil +1

George Kirikos:There's some background noise for someone.

George Kirikos:That's assuming the data we have from INTA has some validity, which is in dispute.

Philip Corwin:To sum up, we are not free to just ignore the Council adopted DMPM WG recommendations and subseqent procedures, and doing so would leave our future policy recommendations subject to criticism for not being based in data that could have been readily developed.

Kathy Kleiman:It was a very dramatic call.

Justine Chew:Really? Hmm, I'll have to listen to the recording then.

George Kirikos:If data won't change positions, then perhaps those people whose positions are not affected by evidence/facts should consider leaving this PDP.

George Kirikos:Since that's not evidence-based policymaking.

Mary Wong:We will send around the link and transcript when we get them/

Louise Marie Hurel:Hi all, I apologize for joining late

George Kirikos:Or type question into chat.

Philip Corwin:recording of that call is available at https://participate.icann.org/p6upmgoxxzr/

David McAuley:Thanks Phil

George Kirikos:Do we know how much $$$$ was allocated to the WHOIS studies? That's a baseline of how much we should get.

George Kirikos:(given this PDP, and that one, are probably among the most important to ICANN)

Susan Payne:sorry, I cannot get mike to work

David McAuley:Those are major steps Mary jusy mentioned, no?

Mary Wong:@David, yes, we (staff) think so

Kurt Pritz 2: apologize in advance for this question as I should know the answer. Are we doing this survey because we received a notice that our conclusions should be based in data - or - did we make the decision to do the survey and are now adjusting the methodology due to the new reports on data?

Susan Payne:my coment was that I was on the data gathering groups but that this documnent isn't quite what I was expecting. As an example, the TM claims group identified a survey of registrars including data on abandonment rates, but the survey of registrars referred to here is seeking only anecdotal data

Philip Corwin:@Kurt-we are pursuing the data needs identified by our subteams, and doing so within the new context prescribed by Council

George Kirikos:It'll probably be a lot more than $50K.

Mary Wong:@Susan, I hope the second document will be clearer - we added the registrar questions to that document

Justine Chew:@Susan, good point. I wanted to ask who was doing a completeness check on all received inputs (from subgroups, WG mail lists, WG calls) -- I presume staff is doing that?

George Kirikos:+1 Justine.

Kurt Pritz 2:@ Phil - thanks (whew)

Mary Wong:@Justine, yes, staff

George Kirikos:There were too many '1's in the next attachment, for it to be considered 'prioritized'. :-)

George Kirikos:Need to rank the data.

Kathy Kleiman:From the Key: "Priority Level 2: Medium Priority (highly desirable for Working Group progress at this stage)

George Kirikos:Maybe do it in a Doodle poll?

Paul McGrady:Yes. That is better.

Lori Schulman:Agree. Guidance from co-chairs would be very useful

Susan Payne:agree Kristine

Lori Schulman:agree with Kristine as well.

Philip Corwin:As you will see, the co-chairs had different views on some of these

khouloud Dawahi:yes indeed philip

Philip Corwin:One big reason to use professional survey designers is to frame the best possible questions to garner the most useful data

Susan Payne:I agree with Lori

George Kirikos:Lori: I think part of is that it says "Obtain anecdotal evidence" without actually saying what specific questions are being asked.

David McAuley:We would have to have flexibility I would think if we plan to use professional service - they will change it up as far as language goes

George Kirikos:+1 J. Scott.

George Kirikos:So, there's still a way to go before we get to the actual questions that give us those magnitude/quantitative results that are powerful.

Kathy Kleiman:+1 J. Scott

Maxim Alzoba(FAITID):do we know of any such survey designer who is aware of the ICANNese lingo?

Justine Chew:I truly hope whoever we approach / engage as the professional survey designers have a true appreciation for ICANN's data needs.

David McAuley:Great question Maxim, if anyone does I bet Mary does

Lori Schulman:and an appreciation of the survery taker as well

Maxim Alzoba(FAITID):I think it is the minimal level we need

Justine Chew:At the other end, what can be done to compel responses to the (ultimate) survey?

David McAuley:"Massive" sounds right to me, @Mary

Lori Schulman:Agree, need incentives for responses

George Kirikos:There are no 'dumb' questions.

Susan Payne:Mary has covered what I was going to say. I don't think it is currently clear from the doc so making it clearer would definitely help

Terri Agnew:reminder to mute when not speaking

khouloud Dawahi:there are no dumb questions

Paul Tattersfield:As long as the WG has chance to review the professional input before the survey is sent out maybe even an iterative process will be needed

George Kirikos:Since this is the first time ICANN is going through this process, we don't know the right way to ask for this data, from experience.

Mary Wong:@Paul, that is the staff expectation - that the questions will be reviewed by the group before the surveys are sent out

Paul McGrady:Agree J Scott.

Lori Schulman:It would be very difficult for INTA to promote this survey to its entire membership within the next year given our efforts for the CCT-RT review as we need to prevent survey fatigue.

Paul Tattersfield:thanks Mary

George Kirikos:@Lori: it shouldn't just be INTA that is surveyed, but all TM holders.

George Kirikos:(e.g. random sample from USPTO and/or other national databases, to be representative)

Lori Schulman:Agree George.

Jonathan Frost (.CLUB):Have to drop off. Apologies.

Lori Schulman:but it is unlikely governments will allow this. need to use the associations.

Griffin Barnett:apologies for joining late, had a client call come up that just ended

George Kirikos:Governments don't need to "allow" anything --- the USPTO database is in the public domain.

Paul Tattersfield:@George a subset of large TM holders may be more statistically significant :)

Lori Schulman:not just trademark associations but maybe Chambers of Commerce

George Kirikos:@PaulT: but less representative.

Paul McGrady:I agree with Kurt.

Kristine Dorrain - Amazon Registry Services:Agree with Kurt

George Kirikos:So, eliminate column 1 entirely? Fine by me.

Lori Schulman:I agree with Kurt

George Kirikos:(and column 2)

Salvador Camacho:Agree

Susan Payne:I personally don't give them all the same priority. I have argued against many of them but Kurt is correct that we did this exercise and they made the cut

Paul Tattersfield:@George may be - however the two groups usage may be signifcantly different

George Kirikos:@PaulT: Indeed they would be....that's why we shouldn't focus on one unrepresentative group when deciding policy for all.

Philip Corwin:I will be in the unique position on 9/20 of both presenting the request to Council as a co-chair and considering it as a Councilor

Lori Schulman:Phil, would you have to recuse if you are a co-chair? Is this considered a conflict of interest?

George Kirikos:I don't think it's considered a conflict of interest -- they have no interest in the outcome of the PDP, just by chairing.

Philip Corwin:I don't believe so, Lori

Maxim Alzoba(FAITID):I will have to drop this call for GNSO SSC call in 7 min

Philip Corwin:No personal or financial benefit or detriment

Lori Schulman:I have the SSC call too.

George Kirikos:+1 J. Scott

Philip Corwin:And Paul is in a rather similar position. Not a full WG co-chair, but a subteam chair

Kathy Kleiman:+1 Paul and J. Scott, with a clear discussion of our need for anecdotal and research data

Lori Schulman:re: Conflict, just making sure that bases are covered. I wasn't sure and I doubt it is.

Cyntia King:I must drop off in 6 mins for call w/ counsel

George Kirikos:If they reject that, then we could have another call to prune the list.

David McAuley:There is also disclosure about these various roles

Philip Corwin:Besides, I vote on Council, when a vote is required, consistent with the BC position, not my individual view

George Kirikos:(and should have had more notice, given the documents only arrived 12 hours ago, so not everyone had time to thoroughly review)

Mary Wong:OK thanks J Scott

Paul Tattersfield:Walk in the shoes of your customer

Cyntia King:Agree David

Maxim Alzoba(FAITID):bye all

Philip Corwin:Diffeering somewhat from Kathy, I believe it may be useful to note UDRPs filed aganst new gTLDs, as a UDRP may indicate more serious infringement where domain transfer was desired. But we can decide that question down the road.

George Kirikos:+1 Phil.

Paul Tattersfield:Phil +1

Lori Schulman:Need to drop off. Ciao.

Paul McGrady:Agree with Susan. Interesting question, but directed to the wrong party.

Mary Wong:Should the question be asked of registrars then?

George Kirikos:That language of registration might be important, e.g. if there were a disproportionate number of Chinese respondents (to make up an example), because they didn't understand a TMCH notice in English.

George Kirikos:Only UDRPs for new gTLDs, though.

George Kirikos:Not all UDRPs.

Mary Wong:@George, we still have to get all the UDRPs filed after 2012, and "back out" the legacy gTLD complaints.

George Kirikos:@Mary: very easy to filter out .com/net/org, etc. :-)

Kristine Dorrain - Amazon Registry Services:And figure out what to do with all the UDRPs that include both.

George Kirikos:@Mary: Using UDRPsearch.com, etc., it's easy to pick out the non-com/net/org ones.

Mary Wong:@George, the point is that we have to normalize the data, and it may be straightforward to some extent, but not a simple click/sort.

Amr Elsadr:Note that the purpose of this question is to help evaluate the efficacy of the Claims Notice by identifying which registrations under new gTLDs during the Claims Period resulted in disputes (UDRPs or URSes).

George Kirikos:+1 Susan

Elisa Cooper:agree

Paul McGrady:Agree with Susan.

Justine Chew:Agree with Susan, we should not disregard UDRPs filed against new gTLD

John McElwaine:Agree with Susan.

Kathy Kleiman:All, we were asked for prioritization. If all is going in - keep it all.

Phil Marano:+1

George Kirikos:I thought there was already a consensus (2 or 3 calls ago) for both.

George Kirikos:UDRP *isn't* a huge task!

George Kirikos:URS = get all cases from NAF; UDRP: do a search, and eliminate those that are com/net/org/biz/info/us/etc.

Philip Corwin:We still have to agree on what we are sending to Council, even without prioritization.

George Kirikos:Can do the search via WIPO/NAF, or an aggregator like UDRPsearch.com.

Georges Nahitchevansky:Agree with Susan

George Kirikos:But, won't the researchers be able to go back and confidentially get the TMCH data, just like The Analysis Group did?

George Kirikos:(i.e. the data is still available from the TMCH, as to when a recordal was created)

George Kirikos:I thought that was already in the document? (was it actually dropped)

Susan Payne:domainer bloggers are not investigative reporters. but I didn't take this out

George Kirikos:I think it is there, under section 6.

George Kirikos:Yes, under "SUBTEAM SUGGESTION"., all the sources Mary asked about in a separate email.

George Kirikos:(section 7, actually, not 6)

Kristine Dorrain - Amazon Registry Services:I think my issue is, we're not necessarily "looking for gaming." We're looking for overall Sunrise data.

Kristine Dorrain - Amazon Registry Services:The wording is very loaded.

Kiran Malancharuvil:agree with Kristine

Mary Wong:@Kristine, that's what we are doing now - researching Sunrise Pricing, Premium Pricing, Reserved Names.

Kristine Dorrain - Amazon Registry Services:Correct.

Paul McGrady:+1 John McE.

Kristine Dorrain - Amazon Registry Services:We're already doing it...nothing we need permission for.

Kristine Dorrain - Amazon Registry Services:Or budget.

George Kirikos:@Kristine: doesn't it require permission to use staff resources for it?

George Kirikos:Or, can we order Mary et al around, without it? :-)

Kristine Dorrain - Amazon Registry Services:@ George, I thought Mary said they'd already started research

George Kirikos:@mary: right. Just want to make sure that we don't get starved for resources to research it fully.

George Kirikos:Oops, I meant @Kristine.

Terri Agnew:finding the line

Mary Wong:@Kristine, @George - staff is starting the blog research (for the sources noted for the WG list) but for the specific terms suggested by the Sub Teams - Sunrise Pricing, Premium Pricing, Reserved Names.

Kristine Dorrain - Amazon Registry Services:feedback....

Mary Wong:I'm a bit concerned at how, as well as the number, of hits that may come back the more general the words we use to search are.

Paul McGrady:Agree with J Scott's solution.

John McElwaine:Agree as that will make it incumbent that we study the facts behind the reporting

George Kirikos:@John: agreed, can't take the reports at face value. They're a starting point.

John McElwaine:@George were on the same page - but creating more work for us :)

Kristine Dorrain - Amazon Registry Services:Isn't the first step here, just asking for RFPs?

George Kirikos:e.g. there was a long thread that uncovered "shill bidding" at one of the domain auction houses, based on a few simple observations. That led to further research by others, etc. But, if we don't have those starting points, we're not in the position to do that additional work. I agree, it is more work! :-)

George Kirikos:@Mary: I think the issue I had is the use of the word "sunrise" in that point.

Mary Wong:Understood, George - we will rephrase

Mary Wong:Apologies for the careless wording here!

Mary Wong:@J Scott, yes

Susan Payne:ok

George Kirikos:I think that solves it.

Paul Tattersfield:earlier

Kathy Kleiman:old X

Justine Chew:Done.

Marina Lewis:Old x - thanks

Kristine Dorrain - Amazon Registry Services:Excellent chairing J Scott

Mary Wong:We are only at the start ...

George Kirikos:Will an updated draft be sent out later, for review, before it goes to council?

Kathy Kleiman:Congratulations J. Scott!

George Kirikos:Because, we only got this document 12 hours ago.

Kristine Dorrain - Amazon Registry Services:Agree with George...

Elisa Cooper:Great job J Scott

Paul McGrady:Great call! Well done everyone.

Terri Agnew:next call: The call for the Review of all Rights Protection Mechanisms (RPMs) in all gTLDs PDP Working Group is scheduled for Wednesday, 13 September 2017 at 17:00 UTC for 90 minute duration.

Mary Wong:@George, maybe for information rather than further edits - since the Council deadline is Sunday.

Paul Tattersfield:Thanks, bye all

Philip Corwin:Thanks all. Good job JS

Susan Payne:thanks

J. Scott:thanks all

khouloud Dawahi:bye

George Kirikos:Bye folks.

Salvador Camacho:Great call! Bye!