

Caitlin Tubergen: Dear all, Welcome to the Privacy and Proxy Services Accreditation IRT Meeting on Tuesday, 12 December 2017 at 15:00 UTC.

Darcy Southwell: 1.4 and 1.5 are confusing. You can't define "Affiliated Provider ... Service Provider...." and then say "Affiliated Registrar is an Affiliated Provider" - Affiliated Provider are privacy/proxy providers.

Eric Rokobauer: +1 Sara

Eric Rokobauer: Here previous suggested edits would make more sense and align the two

Eric Rokobauer: *Her

Sara Bockey: Still makes no sense to me, but ok

Darcy Southwell: Doesn't Affiliated Provider = p/p provider affiliated with Registrar?

Darcy Southwell: "Provider" is not defined in this document. So you can't use that in 1.4. It makes no sense.

steve metalitz: "that is an affiliate of the provider signing this agreement"?

steve metalitz: @Darcy, agree that "provider" is not defined and maybe all the reference should be to "service provider," as Eric suggested

Mary Wong: The Working Group noted that terms like "RNH", "beneficial user" and "licensee" may be more pertinent to customers of proxy, but not necessarily privacy, services.

Darcy Southwell: Agree with Sara.

Sara Bockey: From the final report: "Privacy Service" means a service by which a Registered Name is registered to its beneficial user as the Registered Name Holder, but for which alternative, reliable contact information is provided by the privacy or proxy service provider for display of the Registered Name Holder's contact information in the Registration Data Service (WHOIS) or equivalent services¹⁰.

Sara Bockey: So Mary is incorrect

Mary Wong: @Sara, the main concern was to have a term that can be used consistently for both types of services, and that also can be clearly and easily understood as such.

steve metalitz: @Caitlin, you got it right.... I am on AC audio but will dial in if necessary....

Sara Bockey: Why not RNH then?

Sara Bockey: RNH is not the provider.

Darcy Southwell: I'm not sure I agree with Steve.... from the Final Report "'Proxy Service' is a service through which a Registered Name Holder licenses use of a Registered Name to the privacy or proxy customer in order to provide the privacy or proxy customer use of the domain name,...."

Darcy Southwell: RNH is the one doing the licensing...

steve metalitz:@Darcy--- in that case the RNH is providing a proxy service, as defined

Margie Milam:I am going offline but will continue on the phone
steve metalitz:the cross-reference is to 1.24

Darcy Southwell:Re 1.16, "is organized or" is new and does not reflect 3.18.2 of the RAA.

Darcy Southwell:Page 8 of the Final Report is clear on the definition of Law enforcement authority and should match the RAA

steve metalitz:Theo's edit is taken from the EU Data Protection Framework Directive.

Vlad Dinculescu:If its a proposed change then i support it.

Mary Wong:The current definition is what is in the RAA.

Darcy Southwell:I'm not sure we can change definitions to GDPR requirements and create discrepancies in definitions with the RAA - that will lead to discrepancies in practice between Registrars and Service Providers

steve metalitz:I don't see the need to deviate from RAA in order to enact one jursidiction's defiinition.

steve metalitz:@Sara, do you see any substantive difference between the final report and PPAA definitions?

Darcy Southwell:To ensure consistent interpretation and application between the RAA and this p/p accreditation agreement, it's important that the definitions are materially the same.

steve metalitz:@Caitlin, the definition in 1.20 also needs to be cleaned up because RDDS is mentioned twice. Purely editorial.

Sara Bockey:AGree with Darcy. That has been my point

Darcy Southwell:The potential for confusion and different intepretation if the language is not substantially and materially the same could cause problems for affiliated service providers and affiliated registrars.

steve metalitz:+1 to Darcy, can you state the material difference between the two definitions?

Darcy Southwell:The RAA refers to the "beneficial user" and we're still confused about the customer, RNH, etc., here are still confusing.

Darcy Southwell:We shoud follow RAA - "The affirmative approval of 50% plus one of the Applicable Registrars"

Greg DiBiase:+1

steve metalitz:This would make a difference only if there are >1000 providers!

Sara Bockey:Nothing further to add. Still assert that the definition should match the Final Report definitions

Darcy Southwell:@Staff, is "voting eligible" something that comes from the Final Report?

Darcy Southwell:This isn't something from the RAA.

Sara Bockey:I had the same thought. Voting how, re what?
Sara Bockey:If we don't know what they are voting on why include it?
Sara Bockey:Ah
Darcy Southwell:It seems like that is addressed in Provider Approval.
steve metalitz:@Darcy yes, 1.21, which includes the phrase Voting eligible Service Providers.
Darcy Southwell:Seems problematic to define Working Group here per James Bladel's comment. If we are addressing negotiations between a contracted party and ICANN, community members are not appropriate members.
Margie Milam 2:I think the Board approves new constituencies or stakeholder groups
Darcy Southwell:This program essentially creates a new contracted party, so I'd be surprised if there is not a new SG or C that comes from it.
Mary Wong:Margie is correct - the Board approves new Constituencies. Note also that the number, and names, of the current SGs are hardwired into the Bylaws - so creating a new SG would be different from (and potentially more difficult than) a new Constituency.
steve metalitz:@Darcy, so would registrars that are also service providers get two stakeholder groups in GNSO council? Would registrars surrender part of their voting power in order to get the new SG established? This will be very controversial. s
steve metalitz:*controversial"
steve metalitz:It might happen but the possibility is remote and this issue could be dealt with then.
Margie Milam 2:I would suggest deleting the SG reference
Darcy Southwell:I'm not sure what the GNSO structure would look like at this point. But I think we have to acknowledge that eventually not all accredited Service Providers will be Affiliated with a Registrar.
Margie Milam 2:"intends to abide" is pretty weak
Margie Milam 2:yes- 2.4
Mary Wong:On 3.1, to address Rob's comment, how about just "agree to provide" the Services?
Darcy Southwell:+1 Steve about keeping "will"
Margie Milam 2:keep it WILL
Sara Bockey:thanks all
Vlad Dinculescu:thanks all
Eric Rokobauer:thanks bye all!
steve metalitz:thanks!