
UNIDENTIFIED FEMALE: Brenda, are you able to do the roll call first?

BRENDA BREWER: I started in mute. I do apologize. I want to welcome everyone to the RDS WHOIS 2 Review Team Plenary Meeting #7 on the 14th of September, [2014] at 11:00 UTC.

In attendance today, we have – I'll start at the top – Alan Greenberg, Susan Kawaguchi, Chris Disspain, Lili Sun, Volker Greimann, and Thomas Walden.

In the observers, we have Svitla and Vignesh. We have one more observer joining us, and that is, and that is Taras. I apologize for not announcing your last name. And we have ICANN org. We just have Cathrin Bauer-Bulst joining us. ICANN organization: We have Maguy Serad, Trang Nguyen, Alice Jansen, Amy Bivins, Negar Farzinnia, Lisa Phifer, Roger Lim, and myself, Brenda Brewer.

I would like to remind everyone this call is being recorded. Please remember to speak your name clearly for the transcript. Thank you very much, and I'll turn it over to you, Alan.

ALAN GREENBERG: Thank you very much. On the agenda, you will notice that Item #3 on briefings has been changed from what was distributed yesterday. We've had at least the speakers for two of the briefings not able to attend. I

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think it was two of the briefings could not attend today, so we're going to have to rearrange our schedule.

I have one thought on the agenda before we proceed with it, and that is do we want to change the order of 3 and put it after 5? I'm a little bit worried that the briefings may go on and we'll be left without time to do specifically 4. I don't think we can afford to do that, so unless there's any objection or unless it impacts the schedule of the subject matter experts, I would like to do that.

Are there any comments or negatives?

Then we will change the order to have the schedule of briefings, face-to-face meeting, a brief update on scope, and the terms of reference, and then go into the implementation briefings. Then we'll adopt the schedule as modified.

The first item – before we go into the actual item, are we expecting anyone else at this point, based on whatever apologies we have?

We are missing some people.

Brenda? Or Alice?

BRENDA BREWER: I apologize, Alan. What was the question again?

ALICE JANSEN: It was [inaudible]

ALAN GREENBERG: The question was: are we expecting anyone else? I did see some apologies, but not from some of the people who aren't here. So are we expecting anyone else at this point?

BRENDA BREWER: Well, regarding Stephanie, she had some issues with the invitation. We did send her that again last night. I have not since heard back from her. She was looking for the information to join. Other than that, I did not receive information, except of course from Denise and [Erika]. So we are expecting Stephanie.

ALAN GREENBERG: Okay. And we were expecting Carlton as well, I presume. All right. We'll go on as it is right now. Somehow we have to get a little bit more disciplined so we... whatever.

All right. If we could go onto the first item of schedule of briefings. Who will be handling that?

NEGAR FARZINNIA: Good morning, good afternoon, good evening, everybody. My name is Negar Farzinnia of ICANN staff. I will go over that briefly. Alan, thank you for noting the change to the schedule as part of your intro to the meeting today. Unfortunately, we had a couple of the subject matter experts that had a sudden change of schedule and were therefore unable to join us.

In today's call, we will cover Recommendations 5, 8, 10, and 11. Recommendations 6 and 7 are unfortunately impacted by this change of schedule and as such will be rolled over to another date. We will work that out, obviously, with the Review Team schedule and the subject matter experts involved so that we can make sure everyone is available to receive the data and do the presentation.

Next slide, please. On September 28th, during the next plenary call, we are planning to cover Recommendations 4, 9, 12, 13, and 14. Of course, as you know, we have an upcoming face-to-face meeting in Brussels on October 2nd and 3rd. During that face-to-face meeting we'll cover the remaining recommendations – as you can see, 1, 2, 3; Recommendations 15 and 16 — and this will leave us with the two recommendations that we were unable to cover today. More than likely, those will be scheduled for the plenary call after we get back from Brussels face-to-face meeting, which will finish up the briefing of all the WHOIS recommendations and the implementation associated with that.

A little while ago, a few weeks ago, we had submitted the material associated with the implementation of these recommendations to everyone and had asked if there were any questions in advance for it to be submitted to the list so that we can prepare answers on these questions. I don't believe we have received any questions, but given that we are going over briefings starting today, if any questions do come up in the course of the briefing session itself or afterward as everyone has had a chance to look through the material, we can either ask or answer the questions during the calls or receive the questions on the list again and distribute it to appropriate subject matter experts to help provide answers to everyone via e-mail on list.

Next slide, please. This is just the detail of the recommendations to be covered on September 28th. I will not read through the recommendations one by one, as we will cover them in depth when we have the actual briefing session scheduled in two weeks' time.

Please move onto the next slide. All right. I turn it over back to you, Alan, as you are going to go over the face-to-face meeting #1 agenda.

ALAN GREENBERG: Thank you very much. Who from staff will be taking that item?

ALICE JANSEN: Alan, this is Alice. I'm happy to do it if you –

ALAN GREENBERG: Thank you very much.

ALICE JANSEN: Okay. Let me scroll down – okay. There we go. For the face-to-face meeting in Brussels, we've had a conversation with the leadership which indicated their goals for this meeting. Essentially, the Review Team [inaudible] would like all of you to leave Brussels with a pure understanding of the specific review processes. How do you get from A to Z and what are the tools that will be used along the way? So we'll provide a presentation that seeks to answer all the questions, and we'll look forward to any requests for clarification that you need.

Then we will determine whether subgroups are needed to conduct the work and the scope that you will establish. This meeting will be key as well in determining the scope of work, the roadmap, as well as the associated work plan and milestones along the way. As Negar just explained, you will have a detailed presentation on some of the implementation materials.

This is what we've done so far. As you will see on the side, we have all these elements that are mapped out for the days. If there are any questions, I'm happy to answer at this stage, but we're all looking forward to seeing you in Brussels and welcome any feedback you have on this very rough draft agenda for now. Thank you.

ALAN GREENBERG:

Thank you very much. Of course, the fourth items on the goals may not be met because of the cancellation today. So it may be almost complete – the planned implementation briefings.

Any questions from anyone in the group about the face-to-face meeting at this point?

All right. There is one other item that may be relevant at this point. We don't know. ICANN is attempting to set up a meeting in Brussels in the same week on the GDPR, probably to include some European data commissioners/data privacy people. It is not clear exactly when it will happen, or for that matter, if it will happen for sure right now. Therefore, it's not clear whether there will be overlap or not with our meeting. It is possible it could overlap completely. It is possible it could overlap partly, or not at all.

I have suggested that, if there is no overlap or if there is only partial overlap, we look at an opportunity for the Review Team to stay on for that discussion, at least to audit it, if not to take part in it. Once I get some answers on that, we'll decide where we're going from that. As far as I understand, if people are willing to stay on at their own expense – again, assuming it doesn't overlap – then that will not be a problem as I understand today. But the critical issue right now is to try to get participation from the authorities, and to what extent that would be possible and how quickly we'll know that, I'm not sure. So stay tuned for additional information. That will not change our meeting as such, but it may well change what people are doing in terms of travel or other things. Thank you.

Cathrin, go ahead.

CATHRIN BAUER-BULST: Thank you, Alan. Thanks very much for this information, which I find very interesting. Just to say that we have meetings organized as the European Commission with the data protection authorities on the Monday, Tuesday, and Wednesday – so the 2nd, 3rd, 4th – pretty much for the whole day. So I'm not sure when exactly this would happen, but my guess would be that it would have to be either in the margins – in the evening – or, alternatively, on possibly the 5th of October. But as of now, the schedule that I've seen doesn't really leave room for any conflict with our meetings, of the RDS Team, unless the data protection authorities choose to skip their own plenary.

ALAN GREENBERG: That would be interesting.

CATHRIN BAUER-BULST: Yeah. I'm hoping that we could attend this. If you get any more information, I'd be very grateful, also because I was completely taken by surprise by this, which hasn't really been communicated to the participants in this mapping exercise that they're currently running. So any further information would be very much appreciated.

ALAN GREENBERG: Thank you very much. Chris, do you have anything you can add to this? I presume you're aware of it. I don't know to what extent you're involved, however.

CHRIS DISSPAIN: I'm aware of it simply and only because I've seen an e-mail bounced around on the Board list suggesting that there might be some meetings. But that's all I know. So I don't think it's anything like a fully-formed idea yet.

ALAN GREENBERG: It was fully-formed enough to invite people from ACs and SOs, although to an indeterminately dated meeting.

CHRIS DISSPAIN: That's the e-mail that I saw, but it says we're trying to organize it. It doesn't say we have organized it. It says we're trying.

ALAN GREENBERG: Thank you. I have had a few successive off-list e-mails on that one, but at this point, it's unclear. I'm presuming the ICANN people are aware of that three-day meeting that the data commissions are already in. You did say the first three days of the week, correct?

ALICE JANSEN: Yes, that's correct.

ALAN GREENBERG: Okay.

ALICE JANSEN: The normal Article 29 Working Party generated on the 3rd and the 4th, and then we have a separate consultation meeting scheduled with them as the European Commission on the 2nd.

ALAN GREENBERG: Okay. Thank you. Chris, you may choose to pass that back just in case people in ICANN don't know that, but I'll leave that up to you.

All right. Can we go onto the next item if there are no other questions related to the face-to-face meeting at this point? At this point, we have everyone in attendance, except for Thomas and, more recently, Stephanie says she will be participating, hopefully remotely. We have assured her that there will be remote participation, so I'm optimistic that will happen.

If we can go ahead with the next agenda item, or maybe let me look at it and see what it is. That's a brief update on scope and terms of reference. If we could bring up the scope document, please. This was distributed in an e-mail to you. You'll notice it's grown with a lot more words on it. This is the two landscape pages.

We made good progress last week or last meeting two weeks ago, and I think we're coming close to understanding what it is we're going to do, what it is we're not going to do, and a third category that I'll identify of what it is we will do, but it will be a relatively cursory review of it. I with staff will be working probably over the next few days or week to get out this information in a form closer to what will have to be put into the terms of reference under scope and from which we can develop objectives and pass it by on the list.

It would be good if we could get some discussion going on the list so, by the time we come into our next meeting, which is going to be just a few days before Brussels, we can at least identify any issues that people have on it to make sure that, when we do leave Brussels, it will be pretty well locked in.

I have no other comments right now on terms of reference and scope, but maybe folks from staff do. I'm not sure.

Karen, would you be doing that? Or Lisa? Or is there nothing to discuss at this point? Lisa, go ahead.

LISA PHIFER:

Thank you, Alan. This is Lisa Phifer for the record with a very scratchy voice. Just to note that there are two pending action items still in some of the – I don't really want to say objectives, but to complete the thoughts on scope. You'll notice in the second row of this we're still looking to Stephanie to provide some language on the effectiveness goal and to Cathrin to provide some at least initial text on what the scope might be around meeting law enforcement objectives, that being just one of the three items mentioned in the Bylaws in the third row. So if maybe could set some targets for having those actions completed, they'll help us move the substantive agreement on scope along, and [inaudible] into formal objectives.

ALAN GREENBERG:

Thank you very much. Stephanie is not on the call. Cathrin is. But I think what we need to say to both people is that, at this point, let's get some words into the document, even if you're not comfortable, so that they're ready from prime time or that they're even ready for this group to review, just so we can start to get an idea of what we're talking about. So let's not delay until you can deliver something [perfect]. That's what I'll say to both people, and I'll make sure the message goes through to Stephanie.

ALICE JANSEN:

All right. I've heard it loud and clear, Alan. I'm sorry [inaudible].

ALAN GREENBERG: In other words, toss out a sentence or two and then it's a lot easier for the group to start working on it.

ALICE JANSEN: Yeah. I will do that.

ALAN GREENBERG: Thank you. Anything else that anyone would like to address on scope or terms of reference?

It would be useful if we could have from staff some running checklist of what items in the terms of reference still need either to be completed or refined or reviewed by the working group so we have some idea of our task list as go forward.

I see it's going into an action item. Thank you.

All right. If we are finished with that item, then we'll revert to what was Item #3 on implementation briefings. I will turn the call over to... I don't know who is –

NEGAR FARZINNIA: Negar.

ALAN GREENBERG: To Negar.

NEGAR FARZINNIA: Thank you, Alan. Hello, everyone, again. We're now going to be talking about the implementation briefings on the recommendations from the WHOIS review. Today we have a number of subject matter experts provide a briefing on the implementation of these recommendations. We have Trang Nguyen, VP of Strategic Programs in GDD. We have Roger Lim, Director of Contractual Compliance, and Amy Bivins, Registrar Policy Services Manager, with us today, and a number of other supporting staff that may join in the conversation as we go through these recommendations.

Before we start –

ALAN GREENBERG: Excuse me. Quick question. Can we make sure that the meeting notes identify the people and where they're from and which recommendations each of them are doing? And the question –

NEGAR FARZINNIA: Absolutely, Alan.

ALAN GREENBERG: And if we have further questions, do we route them through you or go directly to the individuals?

NEGAR FARZINNIA: No, please route the questions to the list. I will make sure that the questions are routed to the appropriate subject matter experts. This is

one of the comments I'm going to be making shortly as one recommendation doesn't necessarily have just one subject matter expert corresponding to it. There could be a number of people involved [inaudible] given recommendations. So depending on the nature of the question, it may need to go to various subject matter experts to help address that question. So if can send the questions to the list, please, afterwards, we'll make sure the right person gets it.

ALAN GREENBERG: Thank you. Back to you.

NEGAR FARZINNIA: Of course. Thank you very much. Before we start the actual briefing, I wanted to take a few minutes and talk about the methodology we use in implementation of the WHOIS recommendations and then have Trang give us a high-level overview of the issues encountered when implementing all of these recommendations. I believe this was actually a question that Erika Mann had asked us a while ago. I understand she was unable to join today's call, but hopefully she will have a chance to listen to the recording and let us know if she has any follow-up questions.

As you know, on November 8th, 2012, the Board accepted the WHOIS recommendations and adopted an action plan for how ICANN was directed to implement each of the recommendations, with corresponding notes and rationale. While the action plan itself did not squarely address each element of each recommendation, the text of the Review Team recommendations were unchanged. With the action plan

in place, ICANN org staff did an analysis on each of the recommendation to determine what needs to be done for each recommendation and which [SMEs] need to be involved to help implement a given element of that recommendation per the action plan that was adopted by the Board.

As you will see in the briefings today and the upcoming ones in the future, we actually have quite a few [SMEs] involved in the reviews, not only to implement recommendations, but also to help answer any questions that you may have throughout the course of the review.

With that said, Trang, I'll turn it over to you so you can give us a high-level overview of the issues encountered when we try to implement the WHOIS recommendations.

TRANG NGUYEN:

Thank you, Negar. Hello, everyone. With regards to the question around what challenges were experienced by the ICANN organization in implementing the Board's adopted action plan, the specific challenges that have been associated with each of the implementation would of course be covered by the subject matter expert that will be providing the briefing for whatever recommendation it is that they are responsible for.

From an overarching perspective, the one challenge to perhaps mention would be the challenge for the community to keep track and follow all of the moving [inaudible], particularly during the period where intense implementation was occurring because there were a lot of different tracks at work and none necessarily [inaudible] timelines of each.

We tried to address this – “we” meaning the ICANN organization – by developing a roadmap of all the RDS-related activities, showing exactly where they are in the life cycle of implementation. I believe that this roadmap has been shared with the Review Team. It is something that we do try to update every quarter or so [inaudible] It’s due for another update soon. As it gets updated, we will of course share with this Review Team the updated version.

I’ll stop there and see if there are any questions. Thank you.

ALAN GREENBERG:

I don’t have a question. I do hope, as we’re going through it – this was said early on in our process. I’m not sure, Trang, if you were involved, but I hope the message went through. We are hoping for – the only way I can say this is – for a very candid presentation of what went right, what went wrong, how the recommendation had to be changed or altered in order to implement it. These are all things we’re going to have to discover, and it’s a lot easier if we’re simply told what’s going on, other than having to read between the lines. So to the extent people could be candid and open and tell it like it is, if you don’t mind that expression, I would certainly appreciate it, and I suspect everyone else will also. Thank you.

TRANG NGUYEN:

Thank you, Alan. Just a quick response to that. That’s absolutely easier done as we go through each of the detailed implementation for each recommendation. Thank you.

ALAN GREENBERG: In that case, let's proceed.

NEGAR FARZINNIA: All right, everyone. Again, we have the list of recommendations we will be covering in this briefing. With that, we'll start with Recommendation 5. One of the things I just briefly touched on earlier is that, when the Board accepted the recommendations, they also adopted an action plan for each of the recommendations, along with notes and rationale for the action plan that was adopted. In light of that, we are, for each of the recommendations, presenting you with a detailed table that shows the recommendation that was put into the final report, as well as the action plan that was adopted for it and the rationale for the action plan.

As you can see, Recommendation 5 wanted ICANN to ensure that the requirements for accurate WHOIS data are widely and proactively communicated, including to current and prospective registrants, and that they should use all means available to progress WHOIS accuracy, including any internationalized WHOIS data as an organizational objective.

As part of this effort, ICANN should ensure that each registrant's rights and responsibilities document is proactively and prominently circulated to all new and renewing registrants. The Board obviously put an action plan together for this, and the action plan was to direct the CEO to A) proactively identify potentially inaccurate gTLD data registration information in the gTLD registry and registrar services, explore using automated tools, and forward potentially inaccurate records to gTLD

registrars for action, and to also publicly report on resulting actions to encourage improved accuracy. [We're] also directed the CEO to ensure that the WHOIS information pages make clear the requirements for registrants to provide accurate information and the consequences of providing inaccurate information.

The Board continued to support the RAA negotiation process to find ways to improve WHOIS accuracy and initiated a PDP to reform the WHOIS policy to support the objective and balance the concerns of the multi-stakeholder community.

We went through this recommendation and came up with a few deliverables that we felt at the time would address this recommendation. One was to develop a WHOIS informational microsite to provide a knowledge center, where key WHOIS-related documents are located and can be accessed easily by the community, to increase usage of this microsite, and also to ensure that registrars and provide a link to their websites to the registrants' benefits and responsibilities [inaudible].

Trang, let me turn it over to you and have you walk us through the purpose behind this microsite and the usage data.

TRANG NGUYEN:

Thank you, Negar. The WHOIS microsite was intended as a one-stop shop for all things WHOIS. It provides general information about WHOIS, the history, as well as the importance of it. It also explains the various WHOIS-related policy and serves as a repository for documents related to ICANN's ongoing work on WHOIS, for example, where all the

ARS reports are posted, there are several frequently asked questions related to WHOIS. Compliance annual reports are posted there as well. So various WHOIS-related documents reflecting ICANN's ongoing work on WHOIS are posted there.

All of the content on this website is translated in at least the six [UN] languages. The site is also home to what is called a WHOIS lookup tool. It's a tool where people could go and enter any domain name and do a WHOIS lookup on that. The benefit of the tool is that it presents the WHOIS data in a standardized and easy to view format. It's a lot more user-friendly. It also provides the raw data. This WHOIS lookup tool [replaces] the Internet [inaudible] lookup service and it's publicly the primary driver for the high number of [inaudible] on this microsite.

I think that is it. If there are any questions that relate to the microsite –

ALAN GREENBERG:

I do have one, but I'll go with anyone first if anyone else has anything.

Seeing no other hands, I will go forward. Hold on a second. I'm just trying to pull it up.

It looks like there are some things that are not populated on the site. Also, the first bullet on the list of functions is "provide historical records," and there doesn't seem to be any ability to get historical records. So can we address those things? Is this still a work in progress, or is it broken? What is the status? When I say something isn't populated, there's a whole section on registrar, for instance, that has

nice titles but has no content. As I said, the historical part doesn't seem to be there at all. Go ahead.

TRANG NGUYEN:

Thank you, Alan. The historical part, that first bullet point, I think is trying to reference the history of WHOIS and not something else. The site itself is of course undergoing changes. We just did an update to the site, I think, in June or July, I believe, to some of the pages. We are also taking a look at whether it makes sense to pull this site into an ICANN org section rather than [dividing] a separate microsite. There is a lot of duplicative information on WHOIS.ICANN.org that is already on ICANN.org. So as we have updates to the information, it's having to be made in two different places.

We are also trying to take a look at who is the intended target audience for the site. Are there two different purposes used for this site? It seems that there is of course a specific use, to provide updated information to the community relating to all of the WHOIS-related work that is going on. But that's not necessarily the information that would be interesting to just the casual user who just wants to learn more general information about WHOIS. So those are some of the things that we're taking a look at. It is an ongoing effort to continue to improve the usage of the site.

ALAN GREENBERG:

Thank you very much. Okay. So the historical record is the historical record of the WHOIS concept, not of individual WHOIS records. That wasn't clear to me, obviously.

All right. Any other questions or comments on this?

I do note that this site is very clearly aimed at the individual user. The process one has to go through to validate that you are a human being is such that no one would use this site at all if you had more than one domain to check it. Even one is a little bit tedious because it doesn't seem to remember that you might have been human five minutes ago. So clearly the target is a very restricted one.

If there are no other comments, let's keep on going to the next part of your presentation.

NEGAR FARZINNIA:

Trang, go ahead, please.

TRANG NGUYEN:

Thanks, Negar. This slide that is in front of you presents some data points in terms of the page views and unique views of the WHOIS microsite. I won't say the numbers. You can see it for yourself on this slide. I think the one thing to note there is the increasing trend in both the number of page views as well as unique views. As I mentioned, I think the WHOIS lookup tool is the primary driver for the number of page views on the microsite.

ALAN GREENBERG:

I guess there's only so many million times you can read the dialogue. That's a little bit of humor. Please go ahead. I don't see any questions, so let's go ahead.

NEGAR FARZINNIA: Thank you, Trang. Let me turn it over to Roger to talk to us about publication of registrants' benefits and responsibilities.

ROGER LIM: Hi, everyone. This is Roger Lim from Compliance. Regarding the publication of the registrants' benefits [inaudible] responsibilities, Compliance does review registrars' websites. They actually provide the registrants' benefits and responsibilities specification or provide a link to that document, which is on ICANN's website. We will follow up with them if they are not publishing that so that we ensure that they are publishing the document at the end of the complaint that we have worked on. Or it maybe could be that there's a complaint and registrars seem to be not having this document on their website. So we will check that as well. Before any enforcement activity, we will do the checklist to ensure this is published so that we can capture those missing items.

ALAN GREENBERG: A question. To what extent are registrars are obliged to ensure that their resellers also post this? If there is such a requirement, do you do any spot check auditing of it? I understand you don't have contracts with the reseller, but clearly that is something that could be checked periodically, at least on a spot check basis.

ROGER LIM: I don't think we're doing that at this point, but that's something we could look into. We usually check on the registrars' pages.

ALAN GREENBERG: All right. Please go ahead.

NEGAR FARZINNIA: Thank you. This actually wraps up the implementation of Recommendation 5. Are there any further questions on this recommendation?

TRANG NGUYEN: Negar, this is Trang. Pardon me, Alan. I have something to add to this section that's not specifically relating to the registrants' benefits and responsibilities document but is somewhat related. I wonder if I could have a couple minutes to share.

ALAN GREENBERG: Please go ahead.

TRANG NGUYEN: Thank you. I wanted to add something as it relates to registrants. Some of you may have seen a blog that had gone out not too long ago talking about how ICANN is reinvigorating, if you would, an effort to better educate registrants regarding their rights and obligations as a domain name holder. To that effort, we have created a dedicated space on ICANN.org for registrants. The first step was to consolidate all the existing content across ICANN.org that are relevant to registrants in this central location. Currently, we are in the process of updating all of this

content, using language that would resonate with the registrants because a lot of materials that we have written to date are not necessarily written for registrants, even though they are topics that would be applicable to registrants.

Less than a couple weeks ago, we published a blog on the importance of keeping WHOIS contact information up to date. We've also updated several frequently asked questions and other materials around the WHOIS data reminder policy. The blog is translated and we're in the process of translating all of the other related information.

The next topic that we're working on is the transfer policy. We're also working on a graphic that would explain the life cycle of the domain name in simple terms. The plan is to continue to publish educational content for registrants that would educate them about all of the phases and all aspects of the domain name system. The intent there is to ensure that they become more engaged and informed participants of the ecosystem.

We are going to be holding a session in Abu Dhabi to share with the broader community the work that we are doing for registrants and to solicit on what if any other activities should be undertaken as it relates to this effort.

Thank you.

ALAN GREENBERG:

Thank you. I see we have Susan with her hand up. Go ahead, Susan.

Susan, we can't hear you yet. It says your phone is on mute.

SUSAN KAWAGUCHI: Hello? Can you hear me now?

ALAN GREENBERG: Now we can hear you.

SUSAN KAWAGUCHI: Oh, okay. I had my mute off. I think somebody else had muted me. But thank you for unmuting me.

I have a couple questions. I was just playing with the WHOIS lookup on the site and several extensions in a new gTLD worked. I got an error message for .film. My understanding of this site was it was to allow the lookup of any gTLD not based on registrar or registry, that any gTLD should be able to look up a domain. With the .film, I looked up Facebook.film, which I know was registered, but it said, "Sorry, but the registry or registrar WHOIS server requirement with a rate limit message due to high query volume."

So if ICANN can't query the registry or the registrar, who can, and how often do you have a problem with no response. What do you do to ensure that each registry or registrar is in compliance in allowing the lookup?

ALAN GREENBERG: Susan, if I may add, the first part of that, I think, should be, when you get failures like this, are they logged and does someone take action on them or attempt to?

SUSAN KAWAGUCHI: Yeah.

ALAN GREENBERG: Trang or anyone?

TRANG NGUYEN: Susan and Alan, I think we probably need to take this question back, if you don't mind, look into it, and provide you with a substantive answer in writing after today's meeting, if that's okay.

ALAN GREENBERG: I would appreciate that. If you could also include the items that I asked about earlier. There's unpopulated areas in the page that I find a little bit confusing.

TRANG NGUYEN: Will do, definitely, and I think we're going to capture the questions that have been asked and circulate them to the Review Team to make sure we've captured them properly. Once we have your confirmation, we'll distribute it to the subject matter experts and look into the answers and get back to you.

ALAN GREENBERG: Okay. Thank you. I have another question about the current area of discussion, and that is the registrants' benefits and responsibilities. The RAA actually asks registrars to point to two different documents, as it were. One is called Registrant Rights and Responsibilities. The other is called Registrant Benefits and Responsibilities. Has anyone looked at these and tried to reconcile them or at least make it clearer what the differences are? Because certainly as a user I find two different documents using slightly different words but not very different words more than a little confusing. I understand they originated in different places, but today they both exist. Again, if there's no answer right now, then add it to the list.

TRANG NGUYEN: Yes, definitely. I'm not aware of any distinction right now, but we'll take it back and we'll get back to you on that also.

ALAN GREENBERG: Thank you very much. Anything else?

SUSAN KAWAGUCHI: I do have a second question.

ALAN GREENBERG: Please go ahead, Susan.

SUSAN KAWAGUCHI: This recommendation also references accuracy, so I was wondering if you could expand upon what ICANN was doing to encourage accurate WHOIS information.

TRANG NGUYEN: Susan, this is Trang. If I could answer that, that's exactly what we're trying to do with this registrant education effort. As I mentioned, the first piece of information that we have put out there is a blog around the importance of keeping WHOIS contact information up to date. It's written for registrants. It talks about why they should be doing that for their own protection. So that's one way in which we are trying to do that.

The ARS effort, which unfortunately was one of the topics that was scheduled for briefing today and the subject matter expert became unavailable at the last minute, is another one. So those are a couple ways in which we are looking to do that.

SUSAN KAWAGUCHI: Do you have any statistics on whether or not – this site has been up for several years now – this has helped improve accuracy?

TRANG NGUYEN: Susan, to answer your question, there is not a way for us to directly track the cost and benefit of whether or not the WHOIS microsite itself led to any improvement in terms of WHOIS accuracy. That's just not a linkage we can make. Many different efforts are going on that could contribute to any changes to WHOIS accuracy over time. With the ARS

effort, which has been measuring WHOIS accuracy for the last – I think they're in Cycle 5 right now, so that would be the last two-and-a-half years – you can see some trends in terms of WHOIS accuracy metrics from that. But there's no way for us to link any sort of improvement in WHOIS accuracy measurements directly to the microsite.

SUSAN KAWAGUCHI: Okay. Thank you.

ALAN GREENBERG: Thank you. Cathrin?

CATHRIN BAUER-BULST: Thank you, Alan, and thank you for this presentation. [inaudible] from ICANN staff. I also have a question related to the accuracy efforts. If I've understood your presentation correctly, what you've presented today is mainly linked to education and outreach type of effort. If I look at the Board action in terms of what they've directed the CEO to do, the first thing is to proactively identify potentially inaccurate gTLD data registration information.

So I was wondering what actually is being done in terms of proactive verification, both of the policies of the registrars and of the efforts that registrars are making to ensure compliance with registrants with the obligations under to the WHOIS policy and if that's being taken care of under the accuracy presentation. I'm happy to just have that question noted and taken up elsewhere. But if you can say something to that, I would be very interested. Thank you.

TRANG NGUYEN: Thank you, Cathrin. If I can start a response and then maybe others from ICANN would like to chime in, indeed the question that you are asking is part of the ARS effort. That's the presentation that, again, unfortunately we could not provide to you today. But that's the efforts through which we do try to identify a number of potentially inaccurate WHOIS records and then forward those onto our Compliance colleague to then investigate using their processes. I know that there are a couple of folks from ICANN Compliance on the call here today. I don't know if they want to add anything as it relates to the proactive audit that they do as well.

NEGAR FARZINNIA: Thank you, Trang.

ROGER LIM: Hi. This is –

NEGAR FARFINNIA: Roger, go ahead, please.

ROGER LIM: I guess this would be in line with what Trang has just mentioned. All of the responses to this particular section of the recommendation are answered in Recommendation 6 specifically. So I'm not sure if we want to proceed there because [Tyrus] is not on the call.

NEGAR FARZINNIA: Not at the moment, obviously, as we don't have the subject matter expert on hand. But, everyone, thank you for your questions. They have been noted. When we cover Recommendation 6 and 7, which almost entirely focus on the ARS system, we will definitely address these questions. Hopefully the presentation will cover the answers you're seeking, and if not, we're more than happy to answer your questions at the time of that presentation.

ALAN GREENBERG: Cathrin, is that a new hand or an old?

CATHRIN BAUER-BULST: Sorry, that's an old.

ALAN GREENBERG: Okay. Thank you. Alright, if there are no more questions, back to the presenters.

NEGAR FARZINNIA: Alright, perfect. Thank you, Alan. We are moving on to Recommendation 11. Out of order, but Recommendation 11 sort of falls in line with Recommendation 5 in terms of deliverables, so we thought that it makes sense to group them together.

One of the things Recommendation 11 has requested was that the Internet service be modified and enhanced to provide enhanced

usability for consumers and display full registrant data for all gTLD domain names.

The Board took an action on this and directed the CEO to create an informational portal with clear explanation of how to access the existing WHOIS information, and also to have staff create and execute communication and outreach plan with the information they need to use to help improve the collection and maintenance of the gTLD registration data.

With that in mind, we came up with two deliverables to address this recommendation, which was the development of the WHOIS portal which Trang spoke to just a little bit ago, and upgrades to the Internet services.

So let me turn over the next slide to Trang to see if there are any other comments she would like to make on the WHOIS portal before we talk about Internet briefly.

TRANG NGUYEN:

Thank you, Negar. Nothing to add for me on the WHOIS portal.

NEGAR FARZINNIA:

Alright. Thank you. And this is just another data point as you can see from the chart, it's just to show the search results which has increased over the period of 2016 to the first half of 2017 today, so the site is obviously being used more frequently and more consistently, which is good news.

And please continue to visit the site, and if you have any questions about the WHOIS portal, feel free to reach out to us and let us know so we can help address your question.

With that, I'll just briefly go over the Internet service upgrades. This website obviously has been existing for a very long time, and a part of the upgrades that were made was to allow DNS server information, registrar contact details, and a lot of additional data to be added to the site so when you do a search, you can see a lot of details about the given domain name. I have just included a very high-level snapshot of a very small portion of the results that turn up when you use the site, and what I will do is make sure we share the link to Internet.net with you so everybody has a chance to play around with it and ask any questions you have.

Oh, Alan, I thought you had your hand up. Any questions on either the WHOIS portal or the Internet site?

ALAN GREENBERG:

I did have my hand up. You're using the term the WHOIS portal and the WHOIS microsite. Are these two different things? And if so, how are they different?

NEGAR FARZINNIA:

Actually, they are one and the same, Alan. Trang, is there any distinction you want to make between the two?

TRANG NGUYEN: I'm so sorry Alan, I was typing [inaudible] in chat. Could you repeat?

ALAN GREENBERG: The question is, before we were using the expression the WHOIS microsite, now we're using the expression the WHOIS portal. One of the action items on here is to launch the microsite. I'm a little bit confused as to the terminology. Are they different things, are they the same thing? Is one a subset of the other?

TRANG NGUYEN: Thanks, Alan. Sorry for the confusion. It is one and the same, so we should be just consistent in our terminology, either a portal or a microsite.

ALAN GREENBERG: Thank you. That was the question. All right, I see no other hands. If you can please go on then.

NEGAR FARZINNIA: Thank you, Trang. Thank you, Alan. Moving on to Recommendation 8 – sorry, let me just scroll back up properly. All right, Recommendation 8 asks for ICANN to ensure that there is clear, unambiguous and enforceable chain of contractual agreements with registries, registrars and registrants to require the provision and maintenance of accurate WHOIS data. As part of this agreement, ICANN should ensure the clear and enforceable and gradual graduated sanctions applied to registries, registrars and registrants that do not comply with its WHOIS policies.

The action the Board took was to direct the CEO to [inaudible] identify potentially inaccurate gTLD data registration information in the gTLD registry and registrar services using automated tools, and forward potentially inaccurate records to registries for action, and to publicly report on the resulting actions to encourage improved accuracy.

The Board also directed the CEO to ensure that WHOIS information page makes clear the requirements for registrants to provide accurate information, and the consequences of providing inaccurate data. And of course, as you know, the Board continues to support the [RAA] negotiation process. This happened when the 2013 version of the contract was being worked on to improve WHOIS accuracy and also initiated a PDP to reform the WHOIS policy to support the objective and balance the concerns of the multi-stakeholder community.

What we did to address this recommendation was include additional enforcement provisions and sanctions applicable to registrars and registrars and resellers with regards to WHOIS in the 2013 RAA – which is obviously now in full effect and has been adopted by most of the registrars – include enhanced WHOIS obligations in the New gTLD Registrar Agreements, include enhanced WHOIS obligations in renewals of existing gTLDs, and we established the 2013 RAA WHOIS Accuracy Program specification review.

So to briefly highlight changes that were made to improve the 2013 RAA, it was to improve accuracy by validating address fields and verification of e-mail or phone numbers, to improve performance Service Level Agreements on accessing the data transition to the IETF protocol with IDN capabilities, standardization of the data to have the

same display format across the board, and new WHOIS output fields, abuse contacts and same information for resellers, and to implement privacy proxy, the new standards, disclosure, abuse contact, escrow data, and ICANN to also create an accreditation program.

The obligations under the new 2013 RAA apply to all registrars seeking to serve New gTLD Program, and not all of the registrars have moved to the 2013 version of the RAA, but majority have. Those that are on the 2009 version of the contract can only sell legacy TLDs. So the goal is to move everyone over to the 2013 version, and that is actually looking more and more near completion as time goes on.

Any questions on the 2013 RAA enhancements?

ALAN GREENBERG: Remind us what the renewal period is on registrar – on RAAs. So that will define when everyone will be on. I thought it was five years, but I may be wrong.

NEGAR FARZINNIA: You're correct, Alan. It is five years renewal period.

ALAN GREENBERG: So by 2018, presumably everyone will be on the 2013.

NEGAR FARZINNIA: That is correct, yes.

ALAN GREENBERG: Sometime in 2018.

NEGAR FARZINNIA: That is correct.

ALAN GREENBERG: Or 2019, depending on when they actually signed their last [agreement.]

NEGAR FARZINNIA: When they sign it. Yes, that is [correct].

ALAN GREENBERG: Okay. Thank you.

NEGAR FARZINNIA: Also keep in mind that registrars actually had the option of choosing the 2009 version of the contract even later on. Some opted to do that. Most of them converted over. So yes, I would imagine that by early 2019, although no guarantee, most will be converted over to 2013 version of the registrar accreditation.

ALAN GREENBERG: When did they cease to have the option of picking the 2009?

NEGAR FARZINNIA: I don't recall the exact date, but I'm happy to look it up and get back to you on that.

ALAN GREENBERG: That's relatively relevant, because it's five years after that date that matters.

NEGAR FARZINNIA: Absolutely. Yes, we'll take the question back and look up that exact date for you.

ALAN GREENBERG: Thank you. Any further questions? Then please go on.

NEGAR FARZINNIA: Thank you so much. So similarly, there were enhanced WHOIS obligations in the gTLD contracts. Registries accepted improvements to their WHOIS obligations, as was reflected in the base agreements for new gTLDs, and also any of the existing gTLDs. Examples here are .info, .biz and .org. When they renewed their contract, they also adopted and accepted improvements to their WHOIS obligations.

So overall, these contract provisions are expected to accelerate improvements in the accuracy rate and overall reliability of the WHOIS system, and more and more of the existing gTLDs are renewing their contracts and adopting various provisions, enhancements and

improvements to different parts of their contract, one of which being WHOIS.

As you know, the registry contract renewal rate is at 10 years, but a lot of the existing gTLDs are coming up for renewal, so all of those are being worked on to have the new WHOIS provisions included in their contract.

Any questions regarding the WHOIS obligations in the gTLD contracts?

ALAN GREENBERG: I see no hands at the moment.

NEGAR FARZINNIA: Okay. In that case, allow us to move on to Recommendation 10. With this recommendation, ICANN was asked to initiate processes to regulate and oversee privacy proxy service providers.

ICANN is to develop these processes in consultation with all interested stakeholders, and to take note of the studies of existing practices used by the privacy proxy service providers that were then taking place within the GNSO.

The action plan adopted for this particular recommendation noted that staff had made use of the accreditation of privacy and proxy providers as part of their RAA negotiation. The Board also noted that the GNSO had had discussions about the potential PDP relating to these issues.

Moreover, staff had initiated community discussions on privacy and proxy best practices that would inform next steps. And based on this, Board initiated a process to create a new strawman document on the purposes of collecting and maintaining gTLD registration data to help guide policy in this area.

Having said that, let's move down to quickly look at what we did to deliver this particular recommendation. So our deliverables for this recommendation included obligations relating to privacy proxy providers and creating a privacy proxy accreditation program in the 2013 RAA to examine policy issues related to privacy proxy services.

The privacy proxy services accreditation issues PDP, GNSO approval of the PDP final report, of course Board approval of the final report recommendations, and the implementation plan that is to be developed for it.

Let's look at the details associated with this. Amy, I'll turn it over to you to talk to us about the privacy proxy program and [inaudible]

ALAN GREENBERG:

As a first part, can you make sure that we define what the differences between privacy and proxy are? I know some people on this call are well aware, but maybe not everyone. Thank you.

AMY BIVINS:

Sure, absolutely. Hi, everyone. This is Amy Bivins and I'm part of the Registrar Services Team [at] ICANN staff. As Negar mentioned, the 2013 RAA includes a specification on privacy and proxy registrations, and this

includes some limited requirements for privacy and proxy service providers.

These were intended to be kind of placeholder requirements until we could implement a full accreditation program. The way the privacy and proxy services are defined in the RAA and how they're being defined for purposes of the accreditation program is that – and I don't have the exact definition in front of me, but the difference between a privacy and a proxy service is that a proxy service, the service provider's name is in the registrant name field in the WHOIS record, and all the contact information in the WHOIS record is in the proxy service, so you don't see anything for the customer at all.

Legally, this has an impact because the service provider itself is actually the registered name holder as opposed to the customer, and the service provider licenses use of the name to the customer.

The difference with a privacy service is that the customer name is in the registrant name field, and in the marketplace today – and even among members of the Implementation Team who offer these services – there's still some disagreement about these terms, and some service providers use the name "privacy" when they're really offering – based on the definition – more of a proxy service.

So we're seeing a little bit of disagreement, but this is how the terms were defined, so therefore what we're working with for the terms of the agreement. Did that help, Alan, or do you have any other questions about that?

ALAN GREENBERG:

No, those are the definitions that I'm familiar with, but I wasn't sure everyone was. And as you point out, there is some disagreement that is the marketplace does not necessarily reflect those definitions, but that is what they're used in our documentation.

Out of curiosity, are there any privacy services under our definition? I never actually found one. They may well exist out there, but I'm not aware of any. It's not really relevant to our discussion, but I'm moderately curious. But if you can, please go on.

AMY BIVINS:

Sure, and that's a good question. They're definitely not as common as proxy services. I think that there are some, but definitely not as many. I think the proxy services are probably dominant in the market today as far as the ratio between privacy and proxy.

Okay, so the requirements in the specification and the 2013 Registrar Accreditation Agreement, you may have noticed that they were set to expire I believe January 1st of this year, but because the accreditation program had not been implemented yet, we extended the deadline to January of 2018.

We're in the process of discussing with the Registrar Stakeholder Group potentially extending those requirements again, because we are not yet implemented.

The history of – as you know, after the 2013 RAA was finalized, we kicked off – or not we, but ICANN and the GNSO council kicked off a policy development process, and that was completed in the beginning

of 2016. The Board approved the final recommendations in August of 2016, and the implementation work didn't really get started until late October of last year. So we've been working on implementation for about a year.

We've made good progress, but it's not finished yet, so we're going to need to extend for some period. We're still working on exactly what period will be the new extension period for the RAA.

Negar, are you advancing the slides?

NEGAR FARZINNIA:

Yes. [inaudible]

AMY BIVINS:

Okay. Thank you. So [Adam] is in the Implementation Review Team which convened right before the Hyderabad meeting last year. They're roughly 40 community volunteers, and we've seen really good participation among the community members. We have 90-minute calls weekly, which is a lot to ask for volunteers, but we have a lot of very active, very dedicated community members who have been working really hard on this project, so we're really happy that we've been able to progress as quickly and efficiently as we have, and that's due in large part to the participation of the community.

So we've been working with the IRT for about a year. Negar, you can go ahead and go to the next slide.

And at this point, for those of you who don't know – actually I believe several of you on the call are on the IRT, so if you want to provide any additional information, you can. But just an overall picture of the structure of the program that we're proposing, the way the implementation of this program is going to work is that ICANN will be entering into an accreditation agreement with privacy and proxy service providers, and the result of this will be that once the program goes into effect, ICANN Compliance will have direct enforcing authority over those providers. So if the providers aren't complying with their obligations, Compliance can pursue them, get them in compliance or either terminate their accreditation.

This is different than how reseller requirements are handled, where they're passed down to the registrar where ICANN has to go through the registrar to address any sort of bad activity going on with a reseller.

At this point, IRP is – they're reviewing the draft Accreditation Agreement. We're hopeful that we'll be able to go out for public comment, certainly by the end of the year barring any unforeseen developments. We we're hoping it would be before Abu Dhabi, but now it's looking close, so maybe after Abu Dhabi, but we're very hopeful that we'll be out for public comment before the end of the year.

I know you mentioned, Alan, at the beginning that you're looking for a sort of feedback on the WHOIS recommendations, and being candid as far as how they impacted the implementation. Because this is a couple of steps removed, I don't necessarily personally have any feedback on that. Obviously, in the recommendations, more specificity is always better, but given that the recommendations are broad, I think that we

got to where we are through the PDP process, and so I think we got pretty good guidance there through the PDP process.

There are a couple of hands raised. Negar, I don't know if you want to – if you're going to moderate Q&A or if you want me to do that for this one.

ALAN GREENBERG:

I'll do that. I was just waiting for you to pause. Cathrin, go ahead.

CATHRIN BAUER-BULST:

Thanks, Alan. And thank you very much for the presentation, Amy. I was just actually – since I also work – or another hat I wear is that of the co-Chair of the Public Safety Working Group, I feel at least in part responsible for the delays that the IRT has run into, because of course some of the concerns that were raised in the process of the Privacy and Proxy Accreditation Agreement drafting come from our side, and that might be worth sharing with the Review Team here.

So one main concern that the GAC had was to ensure that privacy and proxy services would be limited in terms of availability, especially to commercial parties, because there was a feeling that if you're entering into commercial transitions with users, you should have responsibility or a duty to clearly declare who you are, and in fact that's already the case under European legislation anyway.

And then there were also concerns around the possibility for law enforcement to access the information, and that's one of the big sticking points still. So what we're seeing now is that the IRT framework

which is great in terms of actually creating any sort of framework for [inaudible] before I told you the unregulated industry is a helpful product in and of itself. However, in terms of the speed of access to the information that is held by the privacy proxy services, it's quite a challenge. And what we've been told now is that most of the privacy proxy services would only react to an actual legal process so that there would be no way for anybody outside criminal law enforcement or civil law enforcement to get access to the records. And then of course, they would only respond to requests within their own jurisdiction so that for any requests across jurisdictions, anyone would have to go through mutual [legal assistance] procedures.

Of course, that does take sort of away from anybody but criminal law enforcement the possibility to see who's behind a given privacy proxy record, which creates some challenges also for Verisign for example who's behind the site if you're just a private individual.

And that's something that of course we understand also the concerns on the side of the privacy and proxy service providers to do precisely what they're called to do, namely to protect the privacy of their users. And at the same time, of course at least from a public policy perspective, raises some challenges to what was designed to be a system that does provide information on who is behind a given domain name.

So I thought this was worthwhile sharing with the Review Team [inaudible] inform also our assessment of how this recommendation has been met going forward. Thank you.

ALAN GREENBERG:

Thank you, Cathrin. Any comments on that?

AMY BIVINS:

Cathrin, thank you for that. And for those of you who don't know, through this Implementation Team, we've been working with the GAC Public Safety Working Group pretty closely and collaborated on a proposed law enforcement disclosure framework, and the IRP and representatives of the Public Safety Working Group have been discussing the document for a few months now.

There are a couple of points where there are still some disagreements between the Public Safety Working Group and some IRP members. However, for the bulk of it, there's been largely collaboration and agreement, and it's gone really well and smoothly.

There are a couple of points where there – again, as I mentioned there is some disagreement. One of the points was that the IRT felt very strongly that the information that law enforcement authorities are able to request through the process would be limited to disclosure, and so the definition of disclosure is just the customer information that would appear on WHOIS if they weren't using privacy proxy service. So this would be the customer's name, their address or e-mail address. But for other types of information, including payment data, the various other types of information that law enforcement would like to have, the IRT felt that they should use other forms of legal process to obtain that.

We're still discussing some of these points, and these points will be raised again during the public comment period. There could be further discussions also between the Public Safety Working Group and the IRT before we get to that point.

ALAN GREENBERG:

Thank you very much. I'm next in the queue, and I have two comments. The first is you mentioned that the Board approved this in January, but the IRT did not actually get started until October. That sadly is not unique to this group, and I wonder, can you comment on – is this a resource issue that GDD imply did not have the resources, or is there something else I'm missing?

Because it's not uncommon – we work very hard these days that PDPs do not last three years, but then we find the implementation phase can last three years. I find that problematic for actually trying to change what ICANN is doing, and I wonder, do you have any insight or thoughts on that? And I have one other question afterwards. Thank you.

AMY BIVINS:

Sure. Absolutely. And I may have misspoke. Actually, it was the GNSO Council that approved the recommendations in either January or February. I don't have it in front of me, but the Board didn't actually approve the recommendations until August. And the reason why – and so this one was actually relatively fast in terms of getting the IRT going after the Board approved the recommendations. It was about six weeks from the approval until the first meeting.

But you're right that sometimes there is a lag in between the Board approval and the initiation of an IRT. And I think that's due to multiple factors, including staff resources and probably others too.

ALAN GREENBERG:

Okay. Thank you. The other comment is regarding Cathrin's intervention. I was not involved in this PDP, but I was sort of watching it from the periphery, and it strikes me that the issues that are being raised by the Public Safety Working Group and perhaps others at this point should have been addressed as a matter of policy, not implementation.

And I'm wondering either from Cathrin or anyone else, any insights – it's fine for a Review Team like ours to say there should be a policy process and then it happens, but if that policy process doesn't end up addressing the issues, we don't come to the end we wanted. And I'm just wondering, does anyone have any insight on that? I see a large queue building, so if perhaps people can be brief in answering that question, or maybe come back another time.

CATHRIN BAUER-BULST:

Hi, Alan. If I can –

ALAN GREENBERG:

Yes, please.

CATHRIN BAUER-BULST: Take advantage of the fact that my hand is still up [inaudible] I do have the history of this particular one.

ALAN GREENBERG: Okay. Please go ahead.

CATHRIN BAUER-BULST: We are a GAC working group, and the GAC has tasked us to do this. However, when this whole process was taking place, the PSWG did not exist, and the GAC's principle way of being involved in these processes was by providing advice at some point in the process, but not necessarily by actively participating in the process itself.

And this was actually started before my time at ICANN, but to my understanding, there was an issue around the timing of GAC input on this which led to it not being included in the actual outcome of the policy development process, which was quite unfortunate, and it certainly was not the fault of the Policy Development Process.

So that's why when this GAC position was made clear, i.e. the too late in the process, it was agreed to not reopen anything, but rather to look at whether the concerns could be accommodated in the implementation phase, which already people were a bit wary about at the time and which is proving more and more difficult, as has become evident also from Amy's very accurate summary of the process.

But that's the history of this specific one, and I can only say that the GAC has become quite aware of these issues and is trying to contribute more actively to the policy development processes as they go on,

including through sending their emissaries from the Public Safety Working Group when appropriate.

ALAN GREENBERG:

Thank you very much. In terms of publishing information on commercial enterprises, I know that was discussed significantly by the group. The conclusion they came to simply doesn't match European law. Volker, if you can go ahead, please.

VOLKER GREIMANN:

Thanks, Alan. I would dispute that it doesn't match European law. European law is very clear on what it requires what should operate and engage in commercial activities do, which his to publish their contact details on the website.

The website is quite a different thing than the domain name, and therefore the issue was debated at length, and the determination that was reached was that domain name and website should be treated differently, and the operator of a website does not necessarily have to be the same as the operator of the domain or the owner of the domain name.

ALAN GREENBERG:

Point taken.

VOLKER GREIMANN:

That said, I think the Implementation Team – which I’m a part of – is taking very great lengths to accommodate as much as possible commercially feasible and possible [of the] recommendations that the GAC has given. While we don’t agree with everything and while certain things have been already debated and closed, I think the input from the GAC is valued and taken into account in our working group deliberations.

I agree there’s a lot of time between the Board decision and the time that the working group got started, but we always have to remember we are limited – the amount of people who actually can and will do the work. So even though we have thousands of people attending ICANN, we always see the same – let’s be generous – 100 people at the working groups. So capacity is limited as well.

ALAN GREENBERG:

Thank you, Volker. There were some other hands up, but they’re gone now. Does anyone else want to make a comment before we go on? We’re just about out of time. We have four more minutes, and I don’t believe we have Any Other Business, but we do want to review the action items and such.

Cathrin, I assume that’s an old hand. All right, if we can go back to Amy or whoever’s presenting at this point to wrap up this recommendation.

NEGAR FARZINNIA:

Thank you very much, Alan. Amy, I don’t believe there are any other notes you want to make on this. If so, please let me know.

AMY BIVINS: Yes. That's it from me. Thank you.

NEGAR FARZINNIA: Thank you, Amy. Thank you, Alan. This actually wraps up the implementation briefing for today. The couple other slides that we have are some additional links for everyone's information to use the various websites that are listed here, Internet being one of them. And if there are any additional questions, please do let us know on list, and we'll gather them all up.

ALAN GREENBERG: Okay. Thank you. The last item – I don't believe there's Any Other Business, but I'll do a quick call. Hearing none, the last item is the review of action items and decisions.

I'm presuming there is an unwritten action item – I'm sorry, it is capturing questions during the briefings and return. So the detailed list of questions is not in our action item list, but it's implied in the third one. And if I can turn it over to whoever on staff wants to read these out and make sure that we're clear, and we will then adjourn.

ALICE JANSEN: I'll read the action items we have from today's call. ICANN org will produce a list of terms of reference items to be addressed by the Review Team. Review Team members will send follow-up questions on briefings to the mailing list, and then ICANN org will capture the Review

Team members' questions on briefings and circulate to the Review Team leadership for confirmation prior to providing answers in writing. That's what we have today.

ALAN GREENBERG: Thank you very much. And if we can – when that summary of questions going to the subject matter experts is created, if we could have that go out to the mailing list just so we all see a record of it.

ALICE JANSEN: Will do.

ALAN GREENBERG: Thank you. If there's nothing else, then as I said, you should be seeing something from me and/or staff on trying to pool the scope issues together into a simple document, and to the extent that you have any comments on that, that would be useful going forward. And barring that, we'll meet in two weeks.

And it looks like having two subject matter experts not be able to present was a good thing, because I suspect trying to do six in one day was a little bit aggressive. So we may want to adjust the agenda for the next meeting accordingly as well.

Thank you all. Bye-bye.

BRENDA BREWER: Thanks, Alan. Thanks, everyone, for your time. Have a great one. Bye-bye.

[END OF TRANSCRIPTION]