ICANN
Transcription
Review of all Rights Protection Mechanisms (RPMs) PDP Working Group
Thursday, 28 September 2017at 03:00 UTC
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Coordinator: The recordings have started.

Michelle DeSmyter: Thanks, (Christine). Well good morning, good afternoon and good
evening. Welcome to the Review of All Rights Protection Mechanisms in all
gTLDs PDP Working Group call on the 28th of September, 2017. In the
interest of time there will be no roll call. Attendance will be taken via the
Adobe Connect room so if you happen to be only on the audio bridge today,
would you please let yourself be known now?

Great, thank you. Hearing no names, I would like to remind all please state
your name before speaking for transcription purposes and please keep your
phones and microphones on mute when not speaking to avoid background
noise. With this I will hand the meeting back over to Kathy Kleiman.

Kathy Kleiman: Thanks so much, Michelle. This is Kathy Kleiman and I'm one of the cochairs
of the RPM Working Group as you know so well. Phil Corwin has joined us,
another of the cochairs, and J. Scott Evans is at a meeting and sent his
regrets for not being able to join us this evening.

It is evening for the East Coast and Central and Pacific in the United States and North America, but it is morning for Australia and Asia. This is our Asia-friendly call. And so thank you to everyone for joining us tonight and hopefully we have people joining us who don't normally have the opportunity to join us, so you know, we appreciate the opportunity to have the call at this time.

So the first item on our agenda, we have a lot to cover tonight and traditionally we make this a short call and I'm going to still try to do that, not our full 90 minutes, but we do have a lot of material to cover tonight.

So first things first, are there any update to statements of interest? Okay. Then moving right along, it is our pleasure, as cochairs, to update you on the GNSO Council discussion and the decision granting our data gathering request on the sunrise period and trademark claims.

This is attributed largely to the excellent leadership I think of our cochair, Phil Corwin, also a GNSO councilor who presented so well and the tremendous preparation that Mary Wong and Amr did of a lot of material for the GNSO Council to answer a broad range of questions that they expected, that they expected to be asked in that and that were in fact asked.

But, Phil, if I might I'd like to turn it over to you for discussing some of the Council questions that arose and the Council requirement that was put on s part of the grant of our request. Over to you if...

((Crosstalk))

Phil Corwin: Thanks, Kathy.

Kathy Kleiman: Thanks.

Phil Corwin: Thanks, Kathy. I'll be brief. Yes, the Council was, you know, they had to re-familiarize themselves with the DMPM even though that came out of Council

almost two years ago. This was the first time that a working group has put in a formal data metrics request. So they had questions about how this would affect our timeline, whether ICANN had the financial resources, all of that, but apparently the questions were satisfactorily answered. The motion was approved on a voice vote.

And they did add the new clause - just let me review this here - yes, which I believe was Number 2 that the Council instructs the leadership of the RPM PDP, which is myself, Kathy and J. Scott, to work with staff and outside experts to structure the data request in such a way that the value and relevance of the data is maximized. That was always our intent anyway so that was absolutely no real impact on what we intended to do anyway.

So that just happened last week. We haven't followed up with staff yet on the next step but we'll be doing that later this week. And speak with ICANN staff about the financial request and assistance in identifying the relevant experts as soon as possible and get this thing going. And we did discuss with them how we can be rearranging our work within our time track to minimize the additional months that this creation of the surveys, dissemination and then collection of the data and analysis will add to the overall work on Phase 1.

So I think that pretty much covers it. I don't know if Kathy had anything to add or anyone has any questions.

Kathy Kleiman: Yes, this is Kathy. Phil, I have a question for you. And you commented on it but let me go back to, the Council's additional direction to us to maximize the value of the data gathered, is there - are there any additional steps you think we should be taking before we send the current questions for the sunrise period and trademark claims out for review? Do you think it's incumbent on us to do anything further? And I pose the question to the working group as well, but to you first, Phil, it sounds like the answer is no but I just wanted to double check.

Phil Corwin: No, I think, you know, our sub teams have substantially reworked and consolidated the questions. We've always known that the way they're now stated they may have to restated somewhat to - when put in the form of a survey to third parties for a response, and that's why we're bringing professionals in, for the very point to maximize the value, to maximize the odds that we'll get answers and responsive answers that inform us to the maximum extent possible. So I think we're really at the step of the questions are fine until we meet with the survey designers and may have to rework them some at that point.

And I would think we'd bring those reworked questions back to the working group for review and approval before we send them out more broadly.

Kathy Kleiman: That's a really good point, review and approval. And of course that's why we're going to the experts on what we're calling the anecdotal or the anecdotal evidence or the qualitative data is so that they can help us phrase the questions in neutral and unbiased way being professional survey designers.

That's great, okay, so that sounds like we get to get go forward now, and I pose it as a question, Phil, because I was on the call but you are the GNSO Council expert. Finally the path is open for the data gathering and we get to move forward.

Phil Corwin: Yes it is. Yes it is.

Kathy Kleiman: This is exciting.

Phil Corwin: At least the data gathering that was listed in that submission to Council.

Kathy Kleiman: Terrific. Thank you.

Phil Corwin: But - we should be okay at least for the time being.

Kathy Kleiman: Excellent. Let me ask if staff, Amr, do you want to make any comment about the GNSO Council meeting or anyone else that was on it, participated in it or wants to discuss it. Okay, terrific, with a big sigh of relief we move forward from a data gathering exercise which took a lot of time of your cochairs and especially of our wonderful staff.

Okay, but we're not done with data gathering. The data gathering that we're discussing that was funded, the data collection proposal that was funded by the council had to do with our first two recent sub teams, as you know the sub team on sunrise period and the sub team on trademark claims. The third sub team on additional marketplace RPMs has finished their questions and in our last meeting, our last working group meeting, we went through the final questions for the additional marketplace RPMs and adopted them kind of in record time. And that was phenomenal, that's what we did last week.

And staff has very, very helpfully come with a document that they've titled, and that Amr that has no posted, Categorization of Additional Marketplace RPM Questions by Target Stakeholder/Respondent. And this was prepared and circulated by ICANN staff late last week.

And what this is doing is taking the questions and you'll see that there's a little bit of rearranging of the questions, Question 2 is below now, rearranging the questions and suggesting who might be a great place to - the appropriate place to ask the question. And as a working group, normally we've asked the sub teams to look at the data gathering and then we've reviewed it. In this case the sub team actually had its work cut out for it writing the questions so we are part of the data gathering exercise.

And that's largely what tonight is devoted to is are these questions directed to the right groups? Probably. Are there other groups that the questions should be directed to? Possibly. It's now time for us to put our imprint on this as we

have put it on others. Michael Fleming, you have your hand up, go ahead, please.

Michael Fleming: Thanks, Kathy. I had a question in regards to the timeline for an entire PDP as this new data gathering project will no doubt take some time. And I think Phil covered this a little bit but I just wanted to ask if we have at least a lead time or more, if not how soon will we know or what the lead time is and when we can expect to move - to basically have that timeline ready?

Kathy Kleiman: Michael, let me - stay on the phone for a second. Are you asking if we've revised the timeline in keeping with how long we think it'll take to gather the data and get it back?

Michael Fleming: Well no doubt we will have to do that so I guess the question is what is the new timeline? And if it's difficult to assign a figure to that at the current time, when can we expect to have a revised timeline?

Kathy Kleiman: I think that's a good question. And I'm glad Amr has his hand up. Amr, go ahead, please.

Amr Elsadr: Thanks, Kathy. And thanks for the question, Michael. The same question did actually come up during the Council meeting, and I think the careful response would be that the working group needs to, as well as the cochairs, need to be aware of - needs to understand how much time is first going to take to contract with professional assistance as well as draft the questions in a way that maximizes their value in terms of data gathering and being neutral and unbiased as Kathy mentioned earlier.

So once these steps have taken place I think it may be easier to predict a more realistic timeline moving forward. We hope that this will take place within the next month or so but until then I think it would be difficult to predict - accurately predict a - how much time will be required to complete - to - or

what sort of adjustments will need to be made to the current timeline. Thank you.

Kathy Kleiman: Amr, before I call on Phil, I'm going to agree that we'll know a lot more when we sit down with the professional surrey drafters and get a sense from them. Phil, go ahead, please.

Phil Corwin: Yes, I just want to add one of the things I shared with Council last week is that to the extent possible we don't want to have any gaps where we're just not doing any work for weeks at a time while we're waiting for these surveys to be developed and come back, so what we'll probably do is double track and by what I mean by that is that while the surveys are out rather than completing sunrise and trademark claims and then moving onto URS, we will during that time as soon as the survey goes out and we're through with other work, get into the URS, address the questions. I don't know if we're going to have any kind of data needs that require third party assistance like this in terms of the surveys.

And so work on URS while we're waiting for those surveys to come back and get as much done on that as possible. And then when we put out an initial report say middle of next year, that goes out for 40 days and we can start going through the UDRP questions and data needs while the initial report on Phase 1 is out for public comment. So we will keep kind of jumping ahead, starting the work on the next item and then coming back when the information we're waiting on comes in. But we don't have a brand new timeline yet. Once we talk with the professionals about the survey process we'll be able to provide that I think.

Kathy Kleiman: Exactly. Exactly. And the timeline - and the process Phil talked about is one that's been discussed by the cochairs so we will get back to you on that, Michael, as soon as we can. Okay, and any other hands, any other points?

Okay, then back to this categorization of the additional marketplace RPM questions, which could also be the - labeled, you know, data gathering if we wanted to use our traditional title, data gathering. Lori Schulman, go ahead.

Lori Schulman: Yes, can you hear me, Kathy?

Kathy Kleiman: Yes I can.

Lori Schulman: Great. I just wanted to know - I missed the first four minutes of the call. Was there a budget figure attached to the survey development at the end of the day or just a general agreement that there'd be a survey done? I'm just curious if (unintelligible) figure put to it at the end of the day?

Kathy Kleiman: I had to leave that call early because of the Jewish holiday so let me ask Phil. Phil, did they limit it? Did they cap it?

Phil Corwin: Well, with those of you - Phil here. With those of you familiar with the legislative process, the motion was the authorization, the actual appropriation is up to ICANN. The request was for a minimum of $50,000 and that was a staff - an estimate that came from staff that the cochairs relied upon. And what ICANN will actually make available I couldn't say yet, we're not at that stage yet. But the authorization is for a minimum of $50,000, at least that's the permission from Council.

Lori Schulman: Thank you. I'm sorry, Kathy, I don't mean to talk over you.

Kathy Kleiman: Oh sure. Lori, and we shared with the GNSO Council that a number of the data items - I think about half are actually things that ICANN staff can do and is already doing. So there's only, you know, approximately half of the questions that we're seeking outside input on and assistance with.

Lori Schulman: Okay, because I had some private - I don't know if I remember posting to the list or not, but, yes, I was on the middle of (unintelligible) unfortunately but I

was concerned that when we had talked about possibly, you know, doing multiple surveys or adapting the surveys for different audiences that $50,000 as the minimum was exactly that an absolute minimum and that this could cost up to $250,000 if you were to do a lot of customization.

And I just wanted to make sure that we're all kind of, you know, in reality place a realistic place when we plan this out so that we get what we absolutely need and that we prioritize what we need as well. I just I think it's good to put that into the record because actually this $50,000 is low - too low.

Kathy Kleiman: Interesting. That makes sense. Some people were speculating it was actually fairly high given that we're actually looking for assistance with the survey questions and the phrasing, but not necessarily assistance with the survey since we can probably reach a number of these audiences via traditional channels like the registries and registrars.

So I guess we'll have, you know, input again when we sit down with the professional survey designers and as we work more closely - as your leadership team the cochairs and staff work more closely with ICANN on bringing in the professionals on this.

Lori Schulman: Okay, thank you Kathy.

Kathy Kleiman: Thanks, Lori. Okay, anything further on the GNSO Council and the first data gathering request? Okay, so moving back to the document that we're looking at on the screen, this second data gathering request on additional marketplace RPM questions, and so this is a quick review by actually, Amr, do you want to - do you want to give us a quick overview of the document? You don't have to go through all of it because we're going to go question by question but just kind of go through what you and Mary were thinking as you prepared it and, what kind of input you were thinking it might still need.

Amr Elsadr: Sure, Kathy. Thanks. This is Amr. As Kathy mentioned, this document is a draft document prepared by staff to review by the working group. And what it basically does is break down the different questions that the additional marketplace RPMs sub team has refined and was subsequently reviewed by the broader working group based on the target or the - for that the questions should be sent to.

So you have questions that are - that need to be answered by working group members, for example, you have other ones that should be directed toward registry operators. There are questions that need to be sent to registrars and some to the TMCH providers themselves. So this document basically just breaks those questions down according to who needs to be asked which questions. And of course is subject to the working group review and approval.

Kathy, was there anything else you would like me to add at this point?

Kathy Kleiman: No, just to thank you and Mary for getting us the first long leg of the way on this evaluation process, you know, taking the questions and, you know, trying to deem what data needs to be gathered and from whom. So that should make our lives much easier in the working group and hopefully we can go through this document today and finalize it. So my thought is to go question by question, in some cases reading all of it, in some cases not reading all of the staff notes because in some cases they're extensive.

But seeing whether we agree with who the question is being directed to and whether we recommend any changes, exactly the same thing we've done every time we've reviewed a proposed data gathering document from a sub team. Okay, any questions, issues, additions?

Okay, Question 1 is a question for the whole working group, this is an umbrella question. "How and to what extent does use of protected marks lists, e.g. blocking services, affect the utilization of other RPMs, especially sunrise registrations?" And under the staff note, "The sub team identified this

question as the overarching issue on the topic of additional marketplace RPMs. It's anticipated that the working group will deliberate on this question following receipt and review of input on the other questions." So even though it's Number 1, it's really kind of the last question, it's kind of the policy question whereas the other questions are in most cases are data gathering questions.

Does anyone think that anything should be added not to the question but to the data gathering element of it, the proposed data gathering element of it? Okay.

Claudio DiGangi: Kathy, this is Claudio.

Kathy Kleiman: Claudio, go ahead, please. You're on audio only. Okay.

Claudio DiGangi: Yes, I'm on audio only. Thank you. I actually I don't have the document in front of me, can you just read off what the proposed data sources are for this one?

Kathy Kleiman: This is proposed as an umbrella question, not for data, to be reviewed following receipt and input of all the other questions below, this is really an umbrella question to be addressed at the end - I'm not quite sure why it was put at the beginning but it's an umbrella question, it's where we want to get to at the end of the policy - as an policy issue as an overarching question.

Claudio DiGangi: Okay. All right, that makes sense. Thanks.

Kathy Kleiman: Okay. Martin - oh Amr, go ahead, please.

Amr Elsadr: Thanks, Kathy. This is Amr again. I just wanted to add to your response that may did circulate these questions to the mailing list on the 21st, I believe, of September. So Claudio, you may be able to find the document being shared in your inbox if you want to take a look at it. And also wanted to remind you,

this was the former - this question was formerly Question 5, and during the review, Claudio, you had recommended that this be moved up as an overarching question and be moved to Question 1 so that's the question we're referring to right now if that's helpful. Thank you.

Kathy Kleiman: Great. Thanks, Claudio. I'm not going to be able to read everything in the chat room. I just - I'm not going to be able to see all of it, but I see that there's something from Martin Silva that says, "I think we should include this question as part of the survey and outreach we're already doing to the stakeholders." And I said, "Martin, do you want to come online, you know, on the call to speak to this?" So this is something you'd like to see as outreach - actually go ahead, please.

Martin Silva Valent: Hello? This is Martin for the record. I have a few remarks, I know you want to take time, I know every time someone (unintelligible) it's taking someone else's time so this is a very small remark, and (unintelligible) very straightforward, I think we should include this very broad question in all the other outreach and places where we're trying to gather data. I don't know exactly which one of them but I'm pretty sure that this could be something we don't have to specifically use ICANN staff only, that surveys and other outreach things.

Kathy Kleiman: So, Martin, stay on the call for a second if you would? This is Kathy of course. Are you saying that as part of the working group's analysis and evaluation of this question it might be good to tack it on? And that's one of the things we're thinking of trying to do is tack on certain questions because we've already got a survey going out to registries, registrars, trademark owners, registrants, and others, that it might be good to put this question into that type of outreach and see what kind of input we get.

Martin Silva Valent: Yes, I think that (unintelligible) is already there so that's a way we can gather data in a more efficient way as the Council asks.

Kathy Kleiman: Okay. Terrific, that's a suggestion on the table and it would be interesting to see what others have to say about this since it is an overarching question that we're approaching. Looks like that suggestion has been captured by staff. Any other comments? Objections? Okay, Martin, thank you for the recommendation. Any other thoughts on Question 1? Okay, so it looks like - go ahead, George.

George Kirikos: George Kirikos for the transcript. Yes as I noted in the chat room I'm assuming that we actually have the data on the number of sunrise registrations for each TLD and then can match that up against the RPMs by TLD, the additional RPMs by TLD, is that correct? And do we have that as a public data set, like in a spreadsheet format or something like that? Thank you.

Kathy Kleiman: Since that's part of the sunrise data, does anybody remember, especially people that were on the sunrise period time, I assume that's a key part of the data that we're gathering, and I remember correctly, that's part of the data we're gathering under the sunrise period. So, George, I think that's going to be there.

George Kirikos: George Kirikos again. I think the Analysis Group would have already had - so I'm just questioning - wondering whether we have that as a public data set, like the Analysis Group report had summary data and analysis of that - of that raw data but I don't think they ever published the raw data that we could then use to match up with the additional RPMs because for example, if we know that certain TLDs didn't have those RPMs and others like the Donuts ones did have those additional RPMs, then we can compare the actual experiences like we don't have to necessarily survey trademark holders to say what they would have done, we could actually see what they did do.

And so that data should already exist, it's just a matter of whether we, you know, have it from the Analysis Group, like just like we asked them for the top

500 terms, the raw data. It's unclear whether we actually have that raw data in terms of what their deliverables were. Thanks.

Kathy Kleiman: Okay. And George, we may have it from the Analysis Group but we might also have it from GDD. And so that should have been collected I would think as just part of the regular process of new gTLDs reporting to ICANN. Amr, if we could make a note about this? It seems a very reasonable request and pulling information that we would have from the sunrise period whether it's the Analysis Group or ICANN itself, into additional marketplace RPMs to better analyze the sunrise period and the overlap with private protected marks lists and other types of things.

Okay, terrific. George, thank you for the suggestion. Any other comments? Okay, moving strangely from Question 1 to Question 3, but as Amr pointed out, we're rearranging and just for ease we kept the original numbers.

So this is a number of questions that staff has pointed out should be directed to registry operators and so let me pose the question, are there - as I read through them, are there others - are there other sources of this data as well?

So Question 3, "Are registry operators relying on the results of the Trademark Clearinghouse validation services or accessing the Trademark Clearinghouse database to provide additional marketplace RPMs? And if so, in what ways? Is there language in the current adopted Trademark Clearinghouse policy or related documents that expressly permits, prohibits or otherwise addresses such use by registry operators? Are registry operators able to provide the same or similar additional marketplace RPMs without relying on the TMCH validation services or access to the TMCH database? Will there be an increase an increase in cost? If so, what will this be stakeholders along the value chain, i.e. brand owners, registries, registrars and other registrants?"

A lot of questions, a lot of carefully thought about and worded questions by the sub team now presented to the working group, where do we go to get the

data to gather this - to respond and to understand and to analyze these important questions? Martin, go ahead please.

Martin Silva Valent: Yes, Martin Silva for the record. I'm sure you have a few remarks. I think I agree with Kathy, it's a very well worded and thought question, so this is on this - my remarks are only maybe input a light or review, it's already a very good question. First of all is why only ask the registry operators, why can't the providers also tell us who the registry operators are using the service? I think this secondly can be useful to have a more full version of the reality, not only the registry operators speech may provide us can say something that registry operators don't really see or want to say.

Second of all, and this one is really interesting for me is I think we should also try to understand what the - what is the (unintelligible) policy that ICANN has already implemented in terms of prohibiting or somewhere or some sort of addressing (unintelligible) validation services and how they're used by the registries for additional marketplace RPMs.

Basically I'm asking how free are they to use these validation services and additional marketplace RPMs. This is the description I have in other chats in ICANN which is how free are registries to actually create their own additional marketplace - doesn't the policy that we are doing some sort constraints the good faith of the terms and conditions of this additional marketplace RPMs? Maybe we have - where inside ICANN on the consensus policy we're trying to have a balanced view and maybe the validation services or the additional marketplace RPMs go outside or further from this scope that we have already balanced. So my second remark would be that one, maybe we should address if ICANN already doesn't have some sort of restraint on the validation services or the additional marketplace RPMs.

And the third one on this question is what are the costs to various Internet stakeholders for these additional marketplace? I'm thinking of course mainly on registrants, what are costs that they have to go through because of these

extra RPMs out there. These are my three questions. It's really late here, it's midnight so if my English isn't exactly fluent, just ask me and I can explain.

Kathy Kleiman: Great. Can you hold on a second? This is Kathy. It looks like Amr is capturing these so let me just go through and make sure that for Question 3 that you're recommending can the TMCH providers provide additional insight to this question, to Question 3 and its subparts I guess we'd say. To what - and then the second question you're asking is to what extent are registry operators allowed to provide additional marketplace RPMs? Do their contractual obligations with ICANN somehow create a restraint on registry operators providing these services?

Is that a good summation, Martin of the question that you're asking? Okay, I see clap, clap, clap.

Martin Silva Valent: Yes, and I want to congratulate Amr because I'm really, really tired and my tongue is, you know, just (unintelligible).

Kathy Kleiman: Oh I think you're very eloquent for, you know, closing in on midnight so - and then the last - the third question is, "What is the cost on registrant due to the additional marketplace RPMs being provided?" So expanding this question to TMCH providers, to - who would you ask this second question to? And that's not just a question to Martin but to others, the question about contractual obligations, is that a GDD question or who might you ask that to?

Martin Silva Valent: Martin Silva here. I don't really know exactly who. Maybe ICANN Legal has at least some sort of obligation to answer to us, because of compliance issues with the registries and with the registries and other contractual parties. But I don't know, I don't have that answer.

Kathy Kleiman: Okay, well glad to know that Amr has captured your thoughts accurately. Thank you so much for sharing them. It looks like Jon Nevett has some concerns. Jon, do you want to come onto the phone? No, Jon says no.

Jon says, "Again, we're not reviewing the additional marketplace RPMs, the second bullet was rejected by the subgroup and Bullet 3, again, is beyond scope."

Claudio DiGangi: Kathy, this is Claudio. Could I make a comment?

Kathy Kleiman: Claudio, go ahead, please.

Claudio DiGangi: Yes, no I was kind of going to - I had a thought similar to what Jon said just in the sense that the last part sounded more like a policy or sort of contractual interpretation question as opposed to a data source, you know, the first part, the TMCH would be another source, that seemed correct to me. But I just - I think somehow in the phrasing of the second element it sort of turned into a sort of a separate question. I'm not sure if that was the intent or not but it just an observation. Thanks.

Kathy Kleiman: Great. Thanks, Claudio. To Jon, let me ask, there is, you know, towards the end of this question there does appear to be a greater outreach so will there be an increase in costs? It doesn't say costs to whom. And so one would think that's something we need to think about is costs. And then specifically in the very last piece, there is if so, which appears to be talking about costs, what will this be to stakeholders - phrased - it's a little better, but if so, what will this be to stakeholders along the value chain, i.e. brand owners, registries, registrars, and other registrants.

Does that imply some kind of outreach to brand owners, registries, registrars and other registrants? Phil, I see you're in the queue. Thank you. Go ahead.

Phil Corwin: Yes, thanks, Kathy. And just I'm trying to - as we go through this exercise, I mean, at least my understanding is that the questions as they now stand are the questions that exist after a great deal of work in the sub teams, and the sub team questions were discussed and accepted last week. So I really think

that review of this document is probably, you know, we don't want to get into, again, rewriting these questions, that'll reopen issues and take us backwards. I think at this point we're discussing where we've said our questions should be directed to one party. Well, would it be wise to send it to other parties?

And the staff notes, "Are there other background documents or considerations we should be thinking about?" But I don't think we particularly want to get into redoing the questions after all of the massaging that was done in the sub team, would be my view.

Kathy Kleiman: That's a good point. That's good - so back to Martin, and to - and to you, Phil, let m ask, is that - do you see a problem with expanding who we ask these questions to? Like the providers or the registrants or trademark owners?

Phil Corwin: No, I think, you know, this is a staff document where the staff in their best judgment has said this question is best sent to this party. But I think it's perfectly within the scope of this conversation say, well, maybe that should be asked of those folks over there, they might have something useful to say. So I think but in terms of actually - these questions are the consolidated questions reduce some redundancies, increasing in focus and staying within the scope of the charter and so I think the substance of the questions is set recognizing that when we meet with the survey preparers they may advise us to ask the questions in somewhat different form, but with the same object and will bring any changes back to the working group before the survey goes out is my understanding of the process.

Kathy Kleiman: That's a good point. And I think some of the rephrasing that Martin may be offering may be by way of thinking about how the questions actually might be - might apply to other groups, but that's a good point. Of course these are the questions that have been locked down by the working group. Greg, go ahead, please.

Greg Shatan: Thanks. It's Greg Shatan for the record. Can you hear me?

Kathy Kleiman: Yes. Yes, we can.

Greg Shatan: Good. I share the concerns that Jon Nevett raised and I think they're similar to what Phil raised as well that reopening and re- it's not really rephrasing the questions frankly but it's kind of going back down a path. And we can obviously have the whole discussion here in the plenary that we had in the subgroup and it's unfortunate that our fearless leader, Paul McGrady isn't on the call since he'd be able to kind of summarize how we got to where we got.

But again, the intention here is not to analyze or to comment or to evaluate the additional marketplace RPMs, the point is to understand them so that we can evaluate and the RPMs that are within our remit. So I think, you know, getting into questions that smack of looking for analysis or to make - pass judgment on the additional marketplace RPMs takes us beyond the scope of where this group is supposed to go.

And I think that, you know, as Jon noted, I think bullet points 2 and 3 go there. So I would be concerned about adding those questions here, as Phil noted. I think the questions are pretty much set, what we're doing here now is figuring out how to deal with the questions and kind of the next steps. Thanks.

Kathy Kleiman: And how to evaluate the question - who to send the questions to but thank you for your comment, Greg. Does anyone else want to comment on this? So there is a recommendation of expansion of the question that with so many subparts that some of these may go to other parties as well. There seems to be some agreement on that but not rewriting the question or rephrasing it in such a way that would change the questions that are being asked.

Okay, any additional comments on Question 3? Terrific. I just wanted to note that the staff note points to some additional places we can find information about this material now including the original Applicant Guidebook from 2012

and the TMCH operational guidelines and the TMCH functional specification and Deloitte's own guidelines. So there is material that's publish that will be of use as well as the outreach that we're talking about to various stakeholders.

Okay, from Question 3 then we go to Question 4. Amr, does everyone have control of the document themselves? Yes. Okay, Question 4, another long question. "What are each registry operator's rules for each type of additional marketplace RPM it offers (Noting that some new gTLD registry operators offer more than one version of a protected marks list service.)?" And three bullet points, three situations where a trademark holder uses a protected marks list service, e.g. a blocking service for one class of goods and services, are they able to block another rights holders - another rights holder who holds the same trademark but for a different class or classes of goods and services?

Second bullet point, "What do registry operators impose as a condition for using protected marks lists, e.g. blocking services? For example, do they all use the same valid SMD file contained in the TMCH database?"

And third bullet point, "How much and what manner of use does each registry operator make of data from the TMCH or the trademark holder in providing its additional marketplace RPMs?" And here it looks like the staff note as well is that these questions be directed to registry operators. Is there any - would people agree? Is there any changes, recommendations, for additional places we might find data on these important questions?

Amr, go ahead please.

Amr Elsadr: Thanks, Kathy. This is Amr from staff. I just wanted to flag one thing since...

Kathy Kleiman: Please.

Amr Elsadr: ...the question of who these questions should be asked to that during the review of these questions by the working group it was suggested that the first bullet under Question 4 also be asked of trademark owners. So that thought was captured in this document further - later on you will see where there are questions directed to trademark owners. So just wanted to flag that in case anyone wanted to bring it up now since this is the first bullet under Question 4. Thank you.

Kathy Kleiman: Terrific. Amr, before you get off, that means that this whole - that whole bullet was copied farther down?

Amr Elsadr: That is correct, Kathy. This is Amr again.

Kathy Kleiman: Okay, great.

Amr Elsadr: If you move further down you'll see under Section 3, questions directed to trademark owners, the first bullet of Question 4 was also placed there, however slightly rephrased in that question form targeting trademark owners asking them whether they've somehow been blocked by these additional marketplace RPMs.

Kathy Kleiman: Great, and that's towards the top of Page 3 on the document. Great, Amr, thank you for the comment. Okay, good point that some of this has been cut, pasted and slightly rephrased farther down, so Question 4 as it exists now is directed toward registry operators, any proposals - any other proposals on that? Or shall we move on?

Martin, go ahead please.

Martin Silva Valent: Hello, this is Martin for the record. Here I have some small remarks again to share. First of all, are the registry operators rules for additional marketplace RPMs fully published and if so do we really know them? Where can we find them? Are they - if they are published do they get updated? I

mean, in general is where we can find additional information on these additional marketplace RPMs. And would the providers be able to provide additional data and insight and I mean, maybe providers also can give us some light on this question.

Kathy Kleiman: Okay. Thanks. So you're wondering if there are other places we might be able to get the data including from the providers and whether all the rules are published. Does anyone want to shed light in the chat room or online about whether registry operators - was the question, Martin, publish all the information about additional marketplace RPMs and also whether providers could provide some additional insight as well. Okay, seeing no one wanting to comment, Amr, if you could note that there might be other places to check this data, you know, there might be other sources for the data as well including the providers.

Martin, does that capture what you were looking for? Your hand is still raised so the floor is yours if you'd like it.

Martin Silva Valent: Again, yes, Amr is doing a great job. Thank you, Amr.

Kathy Kleiman: Okay. Great. Thank you. Any more comments on Question 4? And staff points out that there is - under the staff note that there is currently publicly available information that has been published by certain registry operators and so - and I believe that they've already worked on cataloging a lot of that information in a separate document. So we do have a starting point - a good starting point for Question 4.

Okay, Question 5, hearing - watching for hands, looking at the chat room - Question 5, "For registry operators that extended the trademark claims service beyond the required 90 days, what has been their experience in terms of exact matches generated beyond the mandatory period, for example, in terms of registration volume and numbers of exact matches?" The staff note here is that "As with the planned survey on sunrise and

trademark claims to be sent to trademark owners, this question can be added to the version of that survey that is sent to registry operators," so recommending that this go out to registry operators as well.

Any thoughts on Question 5? Additional data sources. And Amr has noted that he'll be getting back on the call. Martin, go ahead, please.

Martin Silva Valent: Very short remark. This is Martin for the record - Martin Silva. I'm only asking myself shouldn't we be asking registrants what is their experience with extension of the trademark claims service beyond their current 90 days, you know, their experience there? I'm pretty sure we could get something meaningful.

Kathy Kleiman: Sorry, I was expecting you to talk for longer, Martin. So should we be asking registrants about - should we be asking registrants about this question as well and their experience with the 90 days, with trademark claims beyond the 90 days. Okay, a good one to capture and another source of data. Greg, go ahead please.

Greg Shatan: Thanks. It's Greg Shatan for the record. If I'm not incorrect, the trademark claims beyond the 90 days notice only goes to the trademark owner so I'm not exactly sure what relevant data there would be in terms of registrant's experience generally other than registrants who were say defendants or respondents in UDRP cases. By and large the experiences - there is no experience because there is no knowledge via the registrant or attempted registrant that there is a claims notice being sent to the brand owner. So this seems like we're kind of adding questions that aren't going to yield much and they're just going to start belaboring a whole process.

I understand that there's some desire here to kind of permeate this with registrant-based questions. That seems to be the theme here. But while registrant views are obviously important, I'm a registrant, but at the same time not everything is a registrant issue or one where there's meaningful data so I

think in terms of maximizing the effectiveness of this as the Council wanted us to do, asking - we have to think about the quality of the questions we're asking and I kind of have some concerns about that one for instance. Thanks.

Kathy Kleiman: Great. Thank you, Greg. Phil, do you want - will you be responding to Greg on this or a different...

Phil Corwin: Well both responding and adding.

Kathy Kleiman: Great. Go ahead please.

Phil Corwin: Well I think there's a couple of different things captured in this question. One, I think the main point of the question is to - if - I think we all recall the Analysis Group opined based on the data they collected in their analysis that going beyond 90 days in terms of a mandatory generation of claims notices for exact matches beyond 90 days would not have much additional deterrent effect. So I think the intent of this question is to the extent that any - there's data available to test that theory.

I'd respond to Greg and I may be right or I may be wrong and I'd ask staff to chime in. I think there's two different things here, the Clearinghouse can and does provide to mark holders who keep their marks registered for extended periods notice of exact match registrations even where no claims notice has been generated to a registrant when it's past the mandatory 90-day point. Now I believe the registry operators, excuse me, were free to voluntarily have a period behind 90 days where they'd be generating claims notices to registrants for exact matches. I don't know if any actually did but we'd have to check on that.

So but I think the intent is to look at really the issue of would mandating a generation of claims notices beyond the 90 days, the first three months of a registry's operation, have any significant deterrent effect or the folks who are

going to attempt to jump in early and register a mark for cyber squatting purposes going to do it early on and not beyond that.

Finally, in terms of surveying registrants, I wouldn't be against - I don't know if there's a way to post this as a notice, but on ICANN's Website and see if anybody wants to volunteer an experience, but I don't even know how we'd identify and survey registrants, how would we know which registrants received a claims notice beyond 90 days and didn't go on to register the domain because of that. How many of those registrants would even know that it was the 91st day, not the 89th day?

So I just - I'm not against surveying registrants but for this one I'm not sure how we would find the registrants who might have any data for us. But I'm willing to consider suggestions on that. Thank you.

Kathy Kleiman: Thanks, Phil. Very useful comments in terms of context and background on this as with Greg. So you've left open the possibility that there - of surveying registrants, as Martin has requested, on this question might be possible but complicated. Does - and I'll add by way of historical background, certainly the original STI did think that there was value in limiting the trademark claims service, and that's one of the questions that I think is being tested in some ways by the question is, you know, is there value or isn't there? And what are the costs and benefits to everyone involved of going beyond taking trademark claims services beyond the required 90 days?

So, you know, should we be asking trademark owners whether they find benefit in it or should we be asking registrants whether they find benefits, costs, you know, taking the question beyond.

Claudio DiGangi: Kathy, this is Claudio, could I jump in?

Kathy Kleiman: Claudio, go ahead please.

Claudio DiGangi: Thank you. I think those are good questions, I'm just looking at the way this question is phrased and it seems it is tailored towards the registry operator by its terms because it says for registry operators and then it refers to "their" as presumably referring to the registry operator in this question. So I just think we'd be back at that issue where we would essentially be asking a different question as you described to - if it was directed towards the trademark owner or another registrant.

You know, I could see it being useful but I think it's just a different question and I don't see how they could provide information about the registry operator's experience since, you know, they're not the registry operator, that's kind of my thoughts on it. Thank you.

Kathy Kleiman: Thanks, Claudio, and thanks for such active participation from audio. Martin or anyone else, did you want to respond? There is a, you know, active response on this that this question, Question 5, is directed to registry operators and that's where it should go. Per the staff note it looks like it should - they're recommending again that it be added to the sunrise and trademark claims questions that we're planning on sending out. I'll pause for a second, see if anyone else wants to comment. Okay, closing Question 5 unless there is anyone who raises their hand.

Okay, moving on to what staff has labeled Roman Numeral 3, questions directed to trademark owners. And this is exactly the question that we were just talking about being relocated, the first bullet point of Question 4, question to trademark owners. In this case staff has rephrased it which I think is fine but I raise that. "Have you been blocked from registering to a second level domain name matching your registered trademark in any of the gTLDs operated by Donuts, Minds+Machines or Rightside?" That seems pretty directed to me and probably directed to the right party.

Okay, Amr, did you want to add anything else? There are some fairly extensive staff notes on this. Is there anything you wanted to add as we go through this section?

Amr Elsadr: Thanks, Kathy. This is Amr from staff. And yes, the staff note beneath this question basically covers my earlier comments that this question which is the first bullet from Question 4 was originally targeting registry operators as respondents. However, as a result of working group feedback during the review of these questions, it was suggested that this first bullet also be rephrased and asked as trademark owners, so I think staff note is basically attempting to capture - to capture that.

Kathy Kleiman: And, Amr, hang on a second. Let me just double check that in the notes you're recommending that this be - that this question be added on as a rider basically to the sunrise period and trademark claims questions that are already going out to trademark owners as part of the current survey. Is that right?

Amr Elsadr: Well, currently, Kathy as you know, the data metrics for policy making request form only covers questions for sunrise registration and trademark claims that have been identified by the working group and the two sub teams working on those topics. However, if the working group in review of these questions for additional marketplace RPMs and the potential target respondents if these are identified and if it would be helpful to add those to the questions going out to any of the stakeholders and surveys then these can - this can certainly be done as well.

And it's a good thing I guess that the working group is going through this exercise now so that we - so these can be pointed out as soon as possible and factored in when determining the budget for this data gathering project. Thank you.

Kathy Kleiman: Exactly. Thank you, Amr, that's why I just wanted to point out that that was the staff recommendation which makes perfect sense to me. Okay, Section 3, Question 4, first bullet point that looks like to be the total of the questions going out to trademark owners. Moving on to Section 4, unless I see any hands or comments.

Okay, is that Jon? Go ahead please.

Jon Nevett: Yes, I'm sorry to go back but where is this Question 4 coming from? Was that in the document, you know, it's Paragraph 3, Question 4, it says "rephrased" what was it rephrased from?

Kathy Kleiman: Good question. I'll answer it only because Amr has mentioned it. If you go back to Page 2 to the top to Question 4 that starts, "What are each registry operator's rules for each type of additional marketplace RPM?" The first bullet point there as we were going through that Amr noted that that first bullet point where trademark holder uses a protected marks list service for one class of services, are they able to block another rights holder who holds the same trademark but for a different class of goods and services?" Sorry, I'm summarizing a little bit there.

But he noted that that - that staff had recommended that that be taken and made into a question directed to trademark owners because we have these different categories here basically in this document. So they listed that first bullet point of Question 4 and...

((Crosstalk))

Jon Nevett: ...that rephrasing, I don't think we should be pointing out specific gTLD registries when there might be others that apply. I think you should follow the same language that's in the - that was in the question.

Kathy Kleiman: So, Jon, so you would delete - so in the rephrasing it's "Have you been,"
                   again to trademark owners, "Have you been blocked from registering a
                   second level domain name matching your registered trademark in any,"
                   would it make sense to say, "in any of the new gTLDs?" rather than saying "in
                   any of the new gTLDs operated by Donuts, Minds+Machines or Rightside?"

Jon Nevett: Yes, and you could add whatever language - what do we have in Question 4
                   about additional marketplace RPMs.

Kathy Kleiman: Okay.

Jon Nevett: I mean...

Kathy Kleiman: That makes sense.

Jon Nevett: That's 100 times in additional, you know, a block is just like a registration so
                   it's, yes they've been blocked obviously and then it would be blocked if the
                   registered and blocked if they have a DPML. But why limit to three
                   companies?

Kathy Kleiman: Amr, I'm trusting you've captured that and does anybody have any comments
                   that seems to make sense to me and it's consistent with the original phrasing.
                   Thanks for the comment, Jon. So asking trademark owners about all new
                   gTLDs. Phil, go ahead please.

Phil Corwin: Yes, thanks. Phil for the record. I'd like to respond to Jon and also comment
                   on something in the chat. I think for Jon I think that's a fair critique. I think
                   staff probably presumed - and I may be correct that those are the three
                   portfolio operators who offer DPML type blocking services, I think it's fine to
                   just say "in any of the new gTLDs." Period and it may turn out that that
                   experience has only happened in registries operated by those three
                   companies but I don't think they - we should have a narrow question
                   restricted by companies and also I'm not sure trademark owners would

necessarily know a always which registry operator was running a particular new TLD that they wish to register a domain at.

In regard to the chat on the feasibility of registrant survey, let me say, I'm fine with surveying registrants to the maximum extent it's feasible that we find them and get meaningful comments. I did go to the link that George provided and I thank George for that. I saw that that was a - and let me just bring that up, that was a general survey, the global registrant survey, undertaken by ICANN. The press release was in September 2016.

But the types of questions they were asked were very broad questions that would, you know, you would expect some ability to answer on the part of any registrant, are you aware of certain legacy TLDs, certain new TLDs, do you register with just one domain or more domains? Do you trust the industry? How do you feel about it? Do you use alternatives to domain names like social media accounts, etcetera.

So what I'm saying is you could put that out to a kind of a random sample of registrants and expect to get meaningful data but you might - since it'd be more like finding needles in the haystack I think with registrants affected by what we're talking about here. And mainly what we're talking about here for the registry operators it's DPML, how would we find registrants who were blocked from getting a domain they wanted to because a trademark owner had blocked that term through the whole portfolio? I think it'd be difficult.

And then for the extended notice service offered by the Trademark Clearinghouse, to answer that question of how many registrants registered a domain that was an exact match to a mark and because of the notice provided to the trademark owner, were sent a cease and desist letter or were the subject of a UDRP or a trademark infringement suit, it'd be hard to trace the C&D letters, but, you know, there's a limited number of URS cases and UDRP cases that were in new TLDs and at least under confidentiality

someone could analyze how many of them matched, you know, names in the Trademark Clearinghouse database.

So you could probably get that one and make some surmises about the interaction of the extended notice to trademark owners and acting on that information to bring follow up enforcement actions without surveying the registrant. So those are my general comments on that. I haven't thought about it a whole lot but I did think that might be useful for us to think about feasibility of registrant surveys in some cases maybe it's possible, in some cases it may not be possible, it may be possible to get the information we might want to see through other means of analysis. Thank you.

Kathy Kleiman: Good points, Phil, and I - this is Kathy of course - I think that's been part of the process of this, you know, part of the analysis of this discussion. But good points and thank you for bringing up things going on in the chat room.

I wonder whether we should be including just as another source of data, some of what you were just talking about, sounds familiar from the Analysis Group, I think they did some of this URS analysis of extended trademark claims so there may be information there as well.

Maxim, let me turn this over to you.

Maxim Alzoba: Maxim Alzoba for the record. A small clarification to Question 4, by definition, the additional rights protection mechanisms are used only by those who use them, I mean, registries. So these questions could be asked only to registries who deployed such mechanisms. And if we find anymore registries other than three mentioned, then most probably we can ask them these questions, I mean, Question 4. But all other registries they will just respond no, we don't use it and just will allow us to save time. Thanks.

Kathy Kleiman: Thanks, Maxim. That's a good point. That's a very good point and I'd like to ask Amr to make sure we add that to the comments. Okay, so we've gone

back to Question 4 a bit, we've gone forward to Question 4 first bullet point for trademark owners and revised that a bit. Absent any other comments let's go on to - this is the middle of Page 3, Section Roman Numeral 4, questions directed to registrars.

This is Question 5, "For registrars who operate an extended trademark claims service, i.e. beyond the required 90 days, what has been their experience in terms of exact matches generated beyond the mandatory period, for example, in terms of registration volume and numbers of exact matches?" To paraphrase Claudio, this would seem to be a question that on its face is directed towards registrars, and staff has recommended that it be a question to registrars. Anything that we should be adding or looking at? And in fact, that seems to be the staff note that the working group agreed that Question 5 should appropriately also be sent to registrars. And as noted above, this question - and again I'm still reading the staff note - this question can be added to the survey already being planned for sunrise and trademark claims.

That makes sense to me. Anything on Question 5? Okay, Roman Numeral 5, questions directed to Trademark Clearinghouse providers. This is - this is the original Question 2 of the sub team. "What information on the following aspects of the operation of the TMCH is available and where can it be found? A, ancillary services offered by the TMCH which are not mandated by the ICANN RPMs including but not limited to the post 90 days ongoing notification service and other services in support of registry specific offerings? B, with whom and under what arrangements does the TMCH share data and for what non-mandated RPM purposes?"

We don't have a staff note on this question, but again, this is under questions directed to TMCH providers. Does anyone have any comments? Martin, go ahead please.

Martin Silva Valent: This is Martin Silva for the record. Basically I don't see why this is a question that's only targeted to the Trademark Clearinghouse providers. I

think this is a - also a very relevant question (unintelligible) where they are - it involves non commercials, small businesses, entrepreneurs, even to try to understand the geographic diversity of the registrants perspective not only is the registrants come from one stakeholder group or the other. Just to see is this - how is this hurting registrants in their various views or backgrounds. And that's it.

Kathy Kleiman: Thanks, Martin. Hold on a second. So you're recommending that this be directed to parties beyond the TMCH provider, who might that include and is there any particular part of the question you'd recommend sending in that direction or all of it?

Martin Silva Valent: First of all I think registrants specifically as a category but I think that category can be broken down and we can understand that it is both relevant to have non commercial, individuals, small businesses and even try to the geographical location of the like - what is the challenge that the global south has specifically towards ancillary services for instance, because I'm pretty sure it's not same (unintelligible) for them and for people from Europe, for the US. At least I see that more often being from the global south.

Kathy Kleiman: Okay, so okay so since this question is not on its face directed towards a particular group expanding it but you're recommending expanding it beyond Trademark Clearinghouse providers to geographic groups...

Martin Silva Valent: Yes.

Kathy Kleiman: ...non commercial groups, commercial including small business.

Martin Silva Valent: Registrants.

Kathy Kleiman: Registrants.

Martin Silva Valent: Registrants, yes.

Kathy Kleiman: Okay. Great, thank you. I know it's getting very late for some people, any additional thoughts on this? George writes, "Given so many registrants of new gTLDs were from China, attention should be paid to ensure any survey of registrants cover China in particular." And well Martin says I promise not to make anymore remarks. Martin, thank you for your remarks. And thank everyone for their remarks.

Okay, so Question 2, expanded...

Claudio DiGangi: Kathy?

Kathy Kleiman: Claudio, go ahead please.

Claudio DiGangi: Yes, I just - I think I'm not 100% clear on what Martin is asking just because - and maybe I'm misunderstanding his question but I just thought this was sort of an objective question about what the provider makes available, where is it found and then with whom does it share data and for what purpose. And so I just looked at that as something objective that the provider was going to provide. And I'm just not really clear how it - the survey of users kind of fits into that. It just seems like it's kind of going in a different direction that asked to a broader group. But it was just a thought. Thanks.

Kathy Kleiman: Cool. Claudio, thank you. Sorry, I'm losing my words now. Claudio, thank you for your remarks. Maxim, do you want to respond or raise another issue? Go ahead please.

Maxim Alzoba: Maxim Alzoba for the record. As I understand Claudio suggested that we ask questions relevant only to the TMCH provider to other parties. I'm not sure how it helps us. It would be great to have clarification on that. Thank you.

Claudio DiGangi: Yes, so Martin, I was just looking at this question as something that staff would be able to collect by interfacing with the TMCH provider and I thought

that would be able to answer these questions, but it seems like you thought asking the broader group would provide I guess more context or more information and it just wasn't clear to me what else you were seeking to obtain beyond kind of what's the objective question being asked here in Question 2. Is there something broader that you're looking to collect?

Kathy Kleiman: Greg, would you - would it be okay if Martin responds and then we - and then we call on you?

Greg Shatan: Sure.

Kathy Kleiman: Great, thank you. Martin, go ahead please.

Martin Silva Valent: It might be considered more broad because it definitely takes in more data. Basically I want to see from the registrant's perspective what are the experience the costs, whatever you want to call it, of having the (unintelligible) as very services in the Trademark Clearinghouse. And I just - maybe everything that I'm saying is not necessarily relevant, pragmatic, so don't take - I'm not taking a strong stand on these things. These are just intuitions that I think have enough background to be, you know, sought. And yes, I mean, I think that a little more broad but not necessarily taken out of proportion just the other side of the same issue.

Kathy Kleiman: So, Martin, let me ask are you saying that there might be information on the operation of ancillary services of - that might be relevant that registrants might have - might be able to cast some light on from various places? So that information seems to be broader to you, is that kind of that where you're coming from?

Martin Silva Valent: Yes.

Kathy Kleiman: Okay.

Martin Silva Valent: Yes, but it's just an intuition, I mean, it maybe needs some sort of grounding at the end.

Kathy Kleiman: Okay. Greg, go ahead please. Thank you, Martin, and thank you, Claudio. Greg, go ahead please.

Greg Shatan: Thanks. It's Greg Shatan for the record. This seems to be completely changing the question, as Claudio indicated, the question is looking for basically, you know, objective factual information about the ancillary services being offered, now this is being turned into some sort of a experience anecdotal harm question that's not clear at all where, you know, these harms would be found and where these registrants would be found and, you know, I think it's all well and good to try to shove everything through a registrant lens but I think this one's really tortured in trying to do that.

Secondly and separately, not to add yet another seat at the table here, but I'm concerned that in all of this, and remembering that we're dealing with RPMs, I don't know that we've done anything to survey consumer or end user experiences with any of this. And since trademark rights protection mechanisms are ultimately intended to benefit consumers by reducing confusion and getting ripped off in various different ways, I'm not sure what we can do about it at this point but it just occurs to me that I think we've - especially as we keep hearing about how registrants need to be asked every question under the sun turned, you know, inside out and backwards, you know, we're not asking really the beneficiary of one of the beneficiaries of all this - of the RPMs.

In general we're not asking a lot of questions about benefits. Seems like every question is being phrased that's being offered up here is a harm question too, so I think that's rather one sided. But I wonder how we're going to know whether there are consumer benefits at any of this from any of the questions or that we're asking. Just a thought.

Kathy Kleiman: Great. Greg, thanks for your comments. Phil, you're next in the queue. Everybody, we've got three minutes to go and one more question. Phil, go ahead please.

Phil Corwin: Yes, Kathy, Phil. I'll be brief in view of the time. Just circling back to the topic we started with 90 minutes ago, which was the approval of the motion, in reviewing these questions I'm happy to note that I don't think - they're mostly factual questions to bring information back to the working group so we can make a few informed judgments on the role of the marketplace RPMs. And I don't really see them expanding our need for professional survey assistance, even the one to trademark owners is quite simple. Did you try to register a domain and were told it was blocked through a blocking service?

So it's a very targeted question without a lot of room for interpretation and how to put it. So I'm happy to see that this shouldn't add much if anything to our overall data request under the motion that was just approved by Council. Thank you.

Kathy Kleiman: Great. Thanks, Phil. Because Mary noted - I guess that was a response to Mary noting that we do have a limited budget for the data gathering as just approved by Council. Maxim, go ahead please. One minute until the end of the call.

Maxim Alzoba: Maxim Alzoba. Small note, I think we cannot decide for the whole grouping during this meeting so if our clarifications to questions lead to extension of budget, which might result in denial of GNSO Council to support it because the list of questions they supported, yes, was shorter. I think we need to conduct a poll within this group to understand how many PDP members support each of additional questions. Thanks. Because if we, for example, extend the current - the current list of questions this way that it demands us to reach end users I'm not sure we will be, yes, we will have the budget for that. Thanks.

Kathy Kleiman: Great. Thanks, Maxim. A lot of good discussion, very late at night for a lot of people. We have gone our full 90 minutes. And so I am going to close the session subject to staff letting us know when the next meeting is. And thank everyone for such active discussion and participation. I would say we're still on Question 2, I don't think we finished it.

All sorts of interesting questions on whether we can and should ask about ancillary services, where we get that information, what information that's the start of Question 2 and whether the TMCH providers are the sole source of that information or whether as Martin has suggested, there are some other appropriate forums, without adding too much to our budget so I think that's open for the list discussion.

Mary or Amr, could you let us know when our next meeting is and again, thanks to everyone for being on the call tonight and this morning Asia time. Mary or Amr. Hearing no one I think we return to our original slot next Wednesday at 1:00 pm eastern for 90 minutes. Hopefully to wrap up this document quickly and move on to other parts of our agenda. Any last comments? Thanks to everyone...

Amr Elsadr: Hi, Kathy, this is Amr from staff, apologies, it took me a minute to get off mute. But yes, just confirming that we are next week we are getting back to the original call times which is 1500 UTC on Wednesday October 4. Thanks.

Kathy Kleiman: Perfect. So we have almost wrapped up with this data gathering exercise and of course as Maxim has suggested, we will put out the edits, staff has been taking notes and we'll put out the edits for review by the working group. Again, thanks to everyone. Good night, good morning and see you next week. Bye-bye.

Michelle DeSmyter: Great. Thank you. Again, the meeting has been adjourned. Operator, please stop the recordings for us and disconnect all remaining lines.

END