ICANN
Transcription
Review of all Rights Protection Mechanisms (RPMs) PDP Working Group call
Wednesday, 11 October 2017 17:00 UTC
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Terri Agnew: Good morning, good afternoon, and good evening and welcome to the Review of All Rights Protection Mechanisms RPMs and all GTLDs PDP Working Group called held on the 11th of October 2017. In the interest of time, there will be no roll call as we have quite a few participants. Attendance will be taken by the Adobe Connect Room. If you are only on the audio bridge could you please let yourselves be known now?

Brian Beckham: Terri, this is Brian Beckham. I'm only on the phone.

Terri Agnew: Thank you, Brian.

Rebecca Tushnet: Rebecca Tushnet, only on audio.

Terri Agnew: Thank you, Rebecca. Oh, I'm sorry. Who was after Rebecca? Hearing no further names, I would like to remind all to please state your name before speaking for transcription purpose and to please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this, I'll turn it back over to our co-chair, Phil Corwin. Please begin.

Phil Corwin: Okay, good morning, afternoon, and evening to all the members of the working group who have joined us for this call as we approach Abu Dhabi

and get ready for that. Does anyone have an update to a statement of interest? Okay. Hearing none, everyone has the same interest as last week. I do want to note that we do have some new staff members who will be supporting this working group going forward. So we welcome Ariel Liang, I hope I pronounced the last name correctly, and Julie Hedlund, and ably assisting, excellent lead staff support person, Mary Wong. So we appreciate all the help that ICANN staff provides us because without it, we really couldn't get our work done and they help keep us organized as well.

So we've got some staff presentations today. So we're going to get right into those presentations and I'm going to let Mary tee those up and once we -- she'll describe what presentations we'll be hearing and seeing today, and of course, after the initial staff presentation, we hope to have a robust working group discussion. So Mary, may I call on you to tee up our presentation of the initial data compilation on sunrise registrations?

Mary Wong: Certainly, Phil, and thank you for your very kind words. And thank you, everybody, for warmly welcoming Ariel and Julie to the support team for this working group. Essentially, we will have one of our colleagues, Berry Cobb, do the presentation because Berry has been doing collection and compilation, as you probably have seen if you looked at the document we circulated, of a lot of numbers, basically quantitative data relating to sunrise registrations.

And he'll explain where he got the data and how it's sorted and take you through essentially the first few pages of the exceedingly long document that we acknowledge that we sent. A note on that document. As I mentioned, this is all about sunrise registrations and we are starting to work on a similar type of compilation for trademark claims. Both of these efforts go back to the data collection sources and needs that were identified first by the sunrise and claims sub-teams and secondly, discussed by the full working group.

So what you'll see today is really the first pass that staff did at just the sunrise numbers that we thought would be relevant to the sunrise review that this group is doing. Hopefully, your feedback will allow us to refine the data, perhaps go out and organize it in a better way for you, and maybe even get some additional data if we can. As I said, Berry will probably not where the sources are that we got this current data from.

And of course, hopefully, at the end of looking at all these numbers for sunrise, they will go in tandem with the evidence and the results that come back from the survey that we are planning to do and that we've just formed a sub-team to help staff and co-chairs look at. And so this is really just a numbers presentation on sunrise is the first pass and what I'm going to do is show the document that was sent around, noting that while it is a very long document, the numbers that we're going to be concerned with certainly for today are in the first few pages. The bulk of the remainder of the document really are some of the actual numbers that Berry has provided for additional reference.

And so on that note, Phil, unless you or anyone have questions, I think I can turn it over to Berry who is our numbers guru. And I do want to thank him on the record for taking on this work, which has been tremendous and has been very extensive.

Phil Corwin: Thank you, Mary, and just before Berry starts, the one thing I'd ask him to try to focus on when he presents this data -- I know that Berry is a wizard at both collecting and crunching data to draw every last ounce of information out of it, to help guide us to tell us what this data tells us and what it doesn't tell us. Because for the what it doesn't tell us part, that's going to be very relevant to the work of the sub-team kicking off this Friday to further refine our data requests.

So it will be particularly helpful to have that in mind as they begin their work in two days. So with that, I invite Berry to make presentation and I'd ask

working group members unless there's a burning, burning question that you feel compelled to intervene, to let him complete the presentation, at least the initial presentation and then we can get into a good dialogue and questions. Thank you. Go ahead, Berry.

Berry Cobb: Thank you, Phil. This is Berry Cobb for the record. Can I be heard okay? All right, great.

Phil Corwin: We hear you fine.

Berry Cobb: So thank you everyone. Hopefully you've had time to kind of review through the (unintelligible). I am going to make just one additional attachment to what Mary was stating. While what you're viewing here in the AC room or as well as thank you George for posting the link into the chat if you want to follow along on your own. As I work through the document, I'll let you know which page number I'm on. I'm working off of the Word document so I can make any notes or add questions from the working group should that happen as we review through this.

The actual raw data behind this is in a spreadsheet, and as Mary noted, certainly what we're presenting here is still very much in draft form and there's still quite a bit of work in front of the working group before we get to some kind of initial report. So as we move along, this is positioned in a way that I can update the data and reflect a more current version as we get closer to an actual draft.

Pretty much all of this data is as of the conclusion of August of 2017 and perhaps at the end of the year or sometime in the first quarter of 2018 we can go through and refresh this as changes have occurred. I think most people are aware that most of the generic GTLDs have been delegated. There are still a few that are out there in contention. There are some that still will move forward in sunrise so there won't be significant changes from the core set that

we have here, but there will be some that will definitely be worthy of upgrading the document.

Lastly, I'll also mention kind of counter to what Phil said, I'm going to go through one or two charts at a time and I will stop to ask if there's any questions, or comments, or additional ask of that data just because I think it's easier to follow along with those particular charts in front of you. I do have visibility into the chat and/or if anybody wishes to raise their hand and with the chair's permission I'll just lead that queue as we move through.

Phil Corwin: That's fine, Berry.

Berry Cobb: Thank you, Phil. So the first two pages, there's really two charts here and this is really just to provide context into the overall launch of GTLDs once they started late 2013, again, up to the August 2017 timeframe. Most of the source of this data is off of the GTLD microsite that I have listed there, but I thought that it was relevant to try to provide some context as it relates to the sunrise data because not all of the TLDs in the programs, specifically specification 13 types, were required to provide sunrise launch. But it would just help kind of create that context and that reconciliation exercise.

So with this first chart, you can obviously see that 2014 and 2015 were the two biggest years of GTLDs being delegated into the root zone. And there's an additional breakout here between what I'm labeling as generic, versus a geographic, versus a specification 13. I think just about everyone is aware that a geographic string that was applied for did have to have approval with that particular jurisdiction for that to occur. Thus kind of that unique tag, whereas what most people refer to as a .brand is specifically that they've applied for specification 13 status, where there is this definition of brand, whereas the remainder, or this blue set is just kind of generic GTLDs in general.

So it is kind of, technically from an IANA perspective, they see all of these GTLDs as generic versus maybe a subset of country codes or what IANA may use for a test. But there is a little bit further refinement here, predominantly, again, because there are nuances in how these TLDs operated during sunrise versus operating during the trademarks claims, et cetera.

So again, the first chart, just that breakout across those three types. The second chart at the top of Page 2 is just a different view of the same data, but just from a regional perspective. It doesn't really have much bearing from a sunrise perspective, but again, just a little bit of context.

So I'm going to move onto the bottom of Page 2, which actually starts to get into the sunrise data and you'll also want to have the top of Page 3 viewable to you in terms of having definitions of what we're about to review through here. So I think everyone in the group is noting that or is aware that there are basically two types of sunrise launches. There was an end date sunrise and a start date sunrise. The difference was basically to allow registry operators a quicker time to launch. I think it was -- and I can be corrected if I'm wrong -- but it predominately due to the potential name collision issues in the second level names that were designated that may have potential issue in that regard.

What an end date sunrise allowed for was for a registry operator to run in parallel at sunrise, while it was also meeting the criteria for those names that were basically held back from registration that were also denoted during the name collision review. Thus, when they got to general availability, they met both of those criteria and could move forward as aggressively as possible to make those names available for registration.

Whereas -- and that was typically allowed 60 calendar days. Conversely, a start date sunrise didn't have that pre-30 day launch period and they could go straight into -- or they weren't required to have the 30 days prior notice to

move straight into the 30 days for the start date sunrise. So what you'll see here is again the same distinction between the generic, versus geographic, versus specification 13. Predominate number of the GTLDs chose to do end date sunrise and you'll also notice again this breakout between the geographic and specification, and I'll talk about a few of these outliers in a second.

Next, we have this spec 13-brand TLD. As I mentioned before, specification 13 registry operators weren't required to launch a sunrise but they did post information into their launch window and the sunrise data would essentially be empty. However, on the other side of it, they are required to do a 90 day claims period and then this fourth category over here is not listed. And basically, at the -- as of the conclusion of August 2017 when I pulled this data, none of these particular TLDs have provided their launch information yet. And that's for a variety of reason, predominantly because they haven't put together their launch information or some of that. As a part of this analysis, we haven't dived deep into why or why not they haven't provided that launch information.

So before I move on, I'll just point out just a couple of the outliers. You'll notice that there were a couple of specification 13 type TLDs that also listed in sunrise. There was one that did an end date and I believe two that did start date sunrises. I think these are kind of just outliers in that these registry operators were in parallel trying to apply or go through the process for specification 13. And so that data, when they posted sunrise, is still listed out there. It's not understood at this point in time whether they actually conducted a sunrise or not. I don't believe they have. That's something that we can go try to validate on the side, but I just wanted to point out that these few little outliers do exist and that they show up in the data and just know that there's not any confusion about why they show up there.

Secondarily, as you can see within the specification 13 area that there's one particular TLD that had listed specification 13 type of launch, but it was -- and

this particular outlier just happens to be .godaddy because they were granted this specification 13 status but it was later canceled to avoid a conflict, but that data still exists out there.

And so I think that pretty much explains what Chart 13 is about. Susan, I see your hand is raised. Please go ahead.

Susan Payne: Lovely. Thanks very much, Berry. This is really useful. I just wanted to make a couple of comments if that's okay, really quickly. One was I know you mentioned that you could if necessary go off and look at whether the sort of outlier spec 13s had actually done a sunrise or not. Obviously, others may disagree with me but I can't see that really it warrants your time in going and trying to work that out. I don't think it makes any difference. If they did a sunrise because they're spec 13, they would only have allocated the names to themselves. So it would be a kind of purely technical sunrise.

So my personal view, and I hope others agree with me, is that that would be a waste of staff's time. And then the other thing I just wanted to make a comment on is again others may not necessarily agree, but I think in relation to the not listed ones, I just wanted to point out that that doesn't necessarily mean that there's a problem, the fact that the launch information hasn't been provided yet. It could well be that these are ones which haven't launched yet. Not everyone particularly a lot of brands, if they haven't quite decide how they're going to use or if they've only decided to sort of self-allocate the sort of small number of names they're allowed to do without sort of having formally started things like their claims process. I just wanted to point out it doesn't necessarily mean that there's some kind of thought or error. They just may simply not yet have launched.

Berry Cobb: Thank you, Susan. And for sure, that's what I wasn't trying to imply that there was some kind of compliance issue or not. It's strictly just noting that that information hasn't been posted into the launch information yet and there is probably a great handful of reasons as to why, just noting that it hasn't yet.

And as I mentioned earlier, as we track down our work path and we get closer to an initial report, we'll update this and I strongly suspect that these not listed numbers will trend downward.

And George is also correct. There are a handful of TLDs that have canceled as well and I suspect that the raw data source that we're pulling here may not have removed that particular TLD information. He cited the example. (.dusen) that if they did provide launch information that it would still show up in these numbers. And that is part of the reason why we included some of the raw data at the bottom of this document. So we could probably see that handful or so that have recently been undelegated or canceled in that process.

Phil Corwin: Berry, Phil here. In looking at this data, I note that the end date sunrise, we allowed registries to self-select which of these two possibilities it would go with, and end date sunrise 412, start date sunrise, 146, about three-quarters of the registries, which were covered by this chose the end date versus the start date. I don't want to ask you for opinions but is there anything in the data as we further get into it that informs us why registries found the end date sunrise more attractive and is there also anything in the data or could there be data developed to understand whether one approach or the other -- how it affected the ability of trademark owners to make effective use of sunrise, and how it may have affected other parties wishing to register in the TLDs?

I just wanted to get those issues out there for further exploration. Thanks.

Berry Cobb: Thank you, Phil. I think just from this dataset itself, I don't -- I haven't seen anything that could point to one reason why a registry operator would choose an end date or a start date, one over the other. I would defer to those registry operators that are on this group to maybe provide information and perhaps that is a likely candidate question for the registries survey that is going to be looking to be developed over the coming weeks and months.

In terms of from a brand perspective as well, I think there is a chart later on down that kind of just at a high level talks about how many average registrations occurred from an end date to start date. It's very high level. I think we'd have to get down into the details to see if there was any other information that could be gleaned as to why one was better than the other. My instinct would probably say that that probably won't help answer that particular question and perhaps, again, that could be something that could be included more in the survey type aspect than probably what we would garner from this raw data here.

And I see Kathy as well. Please go ahead.

Kathy Kleiman: Hi, Berry? Can you hear me? This is Kathy Kleiman.

Berry Cobb: Loud and clear.

Kathy Kleiman: Terrific. First, huge thanks to you for the enormous amount of work that you've done and the layout, which is very useful. So I had a question from the notes. We went through these tables as part of one of your leadership meetings, and Berry, I could be wrong so let me ask. I thought in my notes you had mentioned something that I found very interesting that for end date sunrise that -- do (doughnuts) pretty much opt in to end date sunrise for almost all its GTLDs? I thought you might have mentioned that that was where a lot of that data came from. But I thought I'd check. Thank you.

Berry Cobb: Thank you, Kathy. It is not listed in this document. I believe they did. I don't know what the exact numbers are. If the group wishes to find that out in more detail I think we could get to that but I do recall them, if not all of them, it was a better majority that (doughnuts) did choose end date over start date.

Maxim, please go ahead.

Maxim Alzoba: Maxim Alzoba for the record. Actually, we need to understand which
                  questions we want to ask about start date and end date sunrises. Because
                  some registries, they actually couldn't use end date because it involves
                  auctions and for example, in our case for the Moscow and (Moskva) we had
                  to use start date because first counts just served would, for example, cause
                  (unintelligible) questions from monopoly (unintelligible).

                  So it's not just a matter of money. It's sometimes some companies just had
                  to stick to one model or to the other. In auctions, it's, on the other hand, a
                  situation where to eligible companies trying to get the name, resolving the
                  dispute by means of the auction, the highest bidder. So we need to first
                  understand what is the question we want to ask. Thanks.

Berry Cobb: Thank you, Maxim. I agree, especially as it relates to any additional
                  questions we would want to ask from the quantitative perspective, but more
                  importantly, from the qualitative perspective and the registries. And as I
                  understand the process going forward and in terms of those survey
                  instruments that's the exact type of activity that will go down is to figure out
                  some of those types of questions, high level types of questions we want to
                  answer and drill down into more specifics as it would relate to the actual
                  survey instrument itself.

                  And lastly, before I move on, I think to Susan's point, (doughnuts) didn't have
                  385 registries. That is true. I believe the number was close to 200 prior to
                  the recent acquisition somewhere in there. So that does mean that there are
                  about another 200 or so that chose end date sunrise as well. So in the
                  interest of time, I'm going to move forward. I, again, do appreciate the
                  dialogue and the questions. It's that kind of feedback we're looking for and I
                  definitely want to improve this as we move forward.

                  So I'll be moving onto Page 4, which is basically Chart 4 and Chart 5 and
                  we'll get through this section and then I'll stop again for any questions and
                  comments. So this is, again, just kind of a different view of what the sunrise

looks like by year, again, by this breakout between generic, geographic, and specification 13. I think a general idea here was just to kind of show a concentration or the quantity of sunrise launches as GTLDs delegated through the years and essentially, you can see that 2014 was certainly the most active that had 268 generics with about 32 geographics. And again, you'll kind of see these little outliers here, the specification 13. Again, that's why I wanted to make a point of it earlier about how some of that information kind of still exists, whether they really actually launched a sunrise or not.

And again, the number that is blank or basically is not listed squares up with that previous chart from the specification chart 13 at 476 and because they're not required to launch a sunrise, they wouldn't. A few takeaways or quick points about this chart. It's only listed in the fact of what was the first date or the start date of their sunrise period. There were some that launched their sunrise at the end of the calendar year that would fall over into the following calendar year. So I just chose to get the start date.

This chart does not distinguish between start date and end date sunrises. If the group feels that is relevant, we could probably try to work that data so that it looks a little bit different. It would probably be a little crowded and just as another example, you see one that's 2018, which is .zurich. They don't plan to launch their sunrise until next calendar year so that's why it's kind of listed out there even though we haven't gotten (unintelligible). We're seeing into the future so to speak.

And then lastly again, just because the 186 for generic under the blank column from the prior chart, you would see that there was 185 generic tagged TLDs. The reason why that is that 186 again is just because of .godaddy because their specification 13 was canceled. I did change that tag back to generic from spec 13 just from a reconciliation perspective.

And then Chart 5 is -- this one could probably use some work. This was one was put in kind of last minute but when we reviewed this with the co-chairs, it

did kind of seem like an interesting data point as to the date a GTLD was delegated to how long they waited before they launched into sunrise. And certainly, I'd like to work on this one when we get more time. But the blue column is just what was the average duration. So for all of the GTLDs, regardless of type, if they chose an end date sunrise, on average they waited 81 days from the moment it was delegated to the start date of their sunrise period. The maximum out of that dataset was 1,152 days which is kind of really just one TLD whereas the minimum was at seven.

And so the chart itself is kind of bad and I admit that, so I'd probably -- like I said, I'd like to go back and maybe find a better way of presenting this visually. Whereas under the start date sunrise, those TLDs that chose start date on average, it was 169 days from delegation date to day one sunrise with a maximum of 119 days and a minimum of 35 days.

So I'm going to stop right there. Are there any questions about these two charts before I move onto Chart 6?

Claudio DiGangi: Berry, this is Claudio. I just wanted to announce I'm on audio only. Thank you.

Phil Corwin: Thanks, Claudio. Before I call on Maxim, just one observation on this Chart 5, understanding that it may be further refined. It seems in terms of trademark owners having sufficient advance notice to have effective use of this sunrise period if they wish to, that in the -- whether it's 81 days or 169 days for the two different types -- that average would in most cases give more than sufficient time for a trademark owner to decide knowing that a TLD is launched whether they want to participate in sunrise for any of their marks.

I'd like to hear from trademark owners as we get further into this whether particularly the seven day minimum, whether that could adversely affect that ability and whether we should think about some minimum waiting time to

assure the effectiveness of this particular RPM. That's all I wanted to note and I'll call on Maxim and following him, on George. Go ahead, Maxim.

Maxim Alzoba: Maxim Alzoba for the record. Actually such delays were caused mostly by administrative and, yes, issues. It's procedural and administrative mostly because it wasn't in the interest of registry to delay sunrise because actually you can't have business until you're finished with sunrise. So I'm not sure what useful information we could have out of these numbers because in each particular case, the reasons were multiple. Some processes were not well designed. It was a situation where registry had to bargain with ICANN about some particular things and it's not about having something announced well in advance because the burnout time between your retirement and (unintelligible) clients forget is usually less than what we see in these charts. Thanks. My thinking that it's not very useful chart. Thanks.

Phil Corwin: Okay, well, all I would say, Maxim, is that I think it's useful in understanding historical data. It may not be what we experience in any future round, particularly if the subsequent procedures working group makes recommendations which would eliminate some of those causes of delay. And with that, I'll call on George.

George Kirikos: George Kirikos for the transcript. I was just wondering about Chart 5. Are those charts condition upon the sunrise actually having taken place yet or in other words, how are the ones that have not been launched yet handled if they are part of the chart? Because there's a large number of strings from both Google and Amazon for example that have been delegated but haven't launched. So would they count as zero or would they have an ongoing umber, like 300 or 400, or 600 or more that would appear in one of those charts? Or they just wouldn't be reflected in that chart at all? Thank you.

Berry Cobb: Thank you, George. What I did was if -- I filtered out any TLD that didn't have any launch data in it at all but you're partially correct in that there are a handful of TLDs in this data are, for example, .zurich from the previous chart.

It hasn't actually gone into sunrise yet. We know that they listed their start date in 2018 versus when it was delegated to that particular GTLD would influence -- I'm not sure whether they did a start date or an end date sunrise -- but that might influence this data.

And so I think if anything, I want to go back to the drawing board on this. Kurt Pritz made a very good idea about making that a scatter plot. I also made a note to filter out that it's only TLDs that have actually completed their sunrise and remove out any future type stuff with this one.

Brian Beckham: Phil, this is Brian Beckham. Could I get in the queue?

Phil Corwin: Yes, Brian. There's someone ahead of you but I'll bring you in right after. Were you done answering, Berry?

Berry Cobb: Yes, sir.

Phil Corwin: Okay. I'm going to call on Susan Payne and then Brian is right after her.

Susan Payne: Thanks, Phil. It was only a quick point. I just again this is kind of interesting but whether someone has taken 800 days or even 168 days, it's not that relevant to what we're doing. I mean all you could say is that the vast majority of registries appear to have given people -- appear to have had the capacity to give people plenty of time of their launch. Whether they've actually told people when their launch is happening is an entirely different matter to this.

But I'm not really sure how relevant it is if some registries have taken a long time to get to launch and some haven't in the context of the review of the RPMs. I take your point about whether the -- your question about seven days was that enough notice. I'm not commenting on that but I'm saying once you get into kind of -- into weeks and months, really I don't think it matters how many days it is.

Phil Corwin: Okay. Thanks, Susan and again, I generally would agree with that. I did comment that I thought both of the average times for the different types of sunrise between delegation and initiation of the sunrise period was more than sufficient for a trademark owner to decide whether to participate. I thought the only question I wanted to raise, and more to get a response from trademark owners was whether it would be any concern that a seven-day gap or even just a simultaneous sunrise starts same day as delegation would have a negative effect on ability to exercise sunrise rights.

But other than that, I'm not -- I would generally agree this is interesting but not particular relevant. In fact, the longer the period between delegation and opening of the sunrise, the more time trademark owners have to consider their options. And now, Brian Beckham is next and then Maxim is back in the queue. So Brian?

Claudio DiGangi: Can I get in the queue as well, Phil? It's Claudio. After…

Phil Corwin: Okay, Claudio.

Brian Beckham: Thanks. Brian Beckham again. I think I had a similar comment to Susan and I believe, Phil, it may be what you were picking up on, which is I love data. I think it's very interesting. Berry, I think this is very interesting to look at but I just wondered if someone could remind me how this is helping us with formulating policies on rights protection mechanisms and what we're driving at here. Thanks.

Phil Corwin: Berry, did you have any response to that?

Berry Cobb: Thank you, Phil. Well, I'll certainly defer to the chairs in general but most of this data here, this quantitative type data was identified from the sub-teams to produce. I think a lot of it was in raw form and perhaps what I was attempting to do here is take a hint of creative liberty from trying to get some visual

representation to that raw data. As I mentioned before, it is in draft form mostly to further stimulate deliberations about some of the questions that the working group is trying to answer.

If after this review most of it is only interesting but not informative, we can certainly disregard it or put it to the side and maybe -- or perhaps at least use some of it to help inform some of the dialogue around some of the qualitative data that the group is seeking. But that is kind of the general goal here.

I would also state that at least with this approach and some of the preliminary data that we've acquired for the claims side of things can probably be much more informative than some of what we can get from the sunrise data. But I'll leave it at that.

Phil Corwin: Thanks, Berry. Hey, Berry, we're at the halfway point in this call. Before I let the others speak, how much more time will you need for presenting the data you want to present today? I just want to manage the time on the call effectively.

Berry Cobb: I would say without -- excluding pauses for questions or comments -- probably another 15 minutes at most, maybe even less than that. There's only four more charts to go through and those should be a little bit easier to understand the takeaways from.

Phil Corwin: Okay, well thanks for that. And all I would say in response to some of the comments we've gotten is that the co-chairs have noted directed Berry's work with any high degree of specificity. We've -- he's brought back this raw data and in fact, the purpose of this exercise today is for this group to say, well, that's interesting but we don't really need to delve into that further. It's not really that relevant to our ask, which is to determine the efficacy of the mandated RPMs versus the ones where you say, well, we really want to -- would like you to drill deeper because that will be very useful for our analysis.

So with that, I'm going to call on Maxim followed by Claudio, followed by Kurt. I'm going to ask in view of the time to speak no more than a minute or two so that we can move on and allow Berry to finish his presentation today. So Maxim?

Maxim Alzoba: Maxim Alzoba for the record. I have two pints. First, we shouldn't look at raw numbers without looking at RPMs itself. For example, in end date sunrise, minimum is not seven, it's 67 because the winner is decided (unintelligible) end of the period. So it's 60 days after those seven. It's not late until the end and in stop date sunrise, 30 days, you have to give at least 30 days in advance and also write the prescribed days of the week when you can start so we have difference of a few days here and there.

And the second thing is the Chart 6, it's useless because according to RPMs, you have to have at least 60 days of end date sunrise. You cannot do less and for stop date sunrise you have to give notification in advance of 30 days and your period cannot be shorter than 30. So basically, it's, yes, what we see is that nobody violated these rules. Thanks.

Phil Corwin: I thought that was a very good point, Maxim, on the end date sunrise that it's really -- you have to add 60 days because it's not first come first serve on that. Mary, I see your hand up. Did you have something before the next member speaks?

Mary Wong: I just had a real quick follow-up to Berry's response and to note that we thought that this data would be a good entry point for further data work and analysis. And you'll see as Berry goes through the rest of his presentation that some of the numbers he's going to be presenting may be more directly relevant.

I would say that these charts for the most part take all the raw data that you can see in terms of the remainder of these pages, you can see in terms of the startup page on the new GTLD micro site, and the three month reports that

are given by registries and registrars. So this was an attempt to put it all together as an introductory point for the group and from the staff perspective, we know that these do not directly answer the questions that the group has agreed on about sunrise, but we hope they're helpful in terms of approaching the data collection through the surveys and in reviewing the questions. Thanks, Phil.

Phil Corwin: Thanks, Mary. And I believe Claudio is next in line and then Kurt is after him. And Maxim, if you're done, you can put your hand down. Thanks. Claudio?

Claudio DiGangi: Thank you. So just as an administrative point, before I make my comment, I have an update to my SLI. I'm actually an individual member of the ITC so nothing has changed in that regard but I do have a new employer, which is Corporation Services Company, CSC, which is ICANN (unintelligible) registrar. So I just wanted to note that.

My substantive comment relates to a data point, which I'm not sure if we asked a question about but the thought that I had was about the number of registrars that the registry has under contract because of course if there are zero registrars under contract, the registry can have a sunrise period and no registrations can take place. And I believe that actually occurred with (.shabaka). Or I know at least at the time their sunrise period started, they did not have any registrars under contract. I'm not sure if they ended up signing anyone up before the sunrise period ended but I just recall that the clock was ticking at the time and they did not have any registrars to register domains.

So I'm bringing that up just in terms of if we're looking at the efficacy of sunrise, it seems to me the amount of registrars that the registry has under contract is something that could impact the utility of that RPM and at least if we're developing rules going forward, something I think we might want to give consideration to that there should be a requirement that there is at least one

registrar under agreement with the registry so the sunrise period could actually have meeting and serve its intended purpose. Thank you.

Phil Corwin: Thank you, Claudio, and two responses. One, good luck in the new position and two, I think you raised an interesting point there. Certainly, there's no -- as far as I understand -- registry operators are required to treat all registrars equivalently. They can't discriminate between them but it would seem that a registry operator should have at least one registrar available at the launch of the sunrise to make it meaningful.

And with that, I'll call on Kurt and then I hope we can allow Berry to continue on and complete his presentation, and then we can open it up, the remainder of the call for questions and comments. Kurt?

Kurt Pritz: Thanks, Phil. This is Kurt Pritz. So I want to comment just for a second on the utility of the data. So at first, I think we shouldn't undertake deliberations without knowing this basic sort of data that's been generated by the program. So I think it's important that we have these numbers at our fingertips just as far as being knowledgeable about the program.

So I can already see some utility in the data. If you look at Chart 1, it gives us a clue and can give trademark owners a clue of the rate at which they'll see sunrises in future rounds because we see the proportion of the sunrises are front loaded as registries are anxious to start their business. So this could become part of an ICANN communications campaign for the next round that informs trademark owners of the potential rate of sunrises they'll see in the future.

On Chart 5, we've kind of bracketed the timeframes but if 80% of the sunrises launched seven, or given Maxim's comment, 37 days after delegation, that's also an important data point. So bracketing it is good but knowing the percentages of the times between delegation and the sunrise launch would

be important information for trademark owners as they seek to handle the influx of new TLDs in the next round.

So I think a lot of the data is important and on point.

Phil Corwin: Yes, thanks Kurt and I share that view personally. All right, Berry, with no further hands up, could you resume your presentation and unless you feel it's super important to stop at any point, maybe go through to the end since you said it would only take 10 to 15 minutes. We've got just over 30 minutes left on this call. So if you could get through in 10, 12 minutes that would leave about 20 minutes left for further questions and comments from working group members. So the floor is yours.

Berry Cobb: Thank you. This is Berry Cobb for the record. So now, I'm starting off with Chart 6, which is at the top of Page 5. This is basically just a view of the durations of the sunrise windows themselves broken out by the sunrise type, the function, spec 13 brands didn't need to have a sunrise launch. That's why that's listed blank. If a registry operator didn't list any launch information at all that's why that's listed as blank. Perhaps the next version I would just remove the blank fields there.

But when you look at an end date sunrise or a start date sunrise, the two takeaways here are from the generic and the geographics. Basically, the end date sunrise on average was almost 62 days. For a geographic was almost 72 days. These outliers of these few specification 13 brands are showing up here and perhaps those could even be filtered out.

Same with start date sunrise. The generic tagged ones that were listed at 38 days on average, geographics were listed at 31.1 days on average. I think the takeaway here is that based on the overall data is that what we've pulled out her from now is that based on the general rules of the 60 days for end date and 30 days for start date that the GTLD launch information that was

provided, those were listed in compliance with what those rules had mentioned.

And I'll go ahead and move on quickly to Chart 7 and 8. Chart 7 is at the top of Page 6. This is just a view of the top 30 GTLDs of registration totals by GTLD. Clearly, there is a total of 484 GTLDs that launched with a sunrise data for a total of 63,852 domains registered during sunrise, which equated to an average of just shy of 132 with a median of 77 second level registrations across those 484 GTLDs.

The source of this data, which I didn't put on here, is listed on another page, is the IBM invoice data that is provided to ICANN. There is no public source of that, but fortunately we were able to get the data as of August 2017. I believe that there were a few working group members that were curious what that total as and so that's basically the review of that information.

And then lastly, Chart 8, I created this one and I believe George Kirikos had mentioned it earlier to get a visualization of kind of defined buckets of what the distribution looked like on the total registrations. This Chart 8 is at the top of Page 6 and so it's basically broken out from the quantity of GTLDs from zero to 99 second level registrations for a 100 to 199, 200 to 299, and so on moving to the right that is 1,000 to 1,999 and then greater than 2,000 which both of those show two TLDs respectively and then the distribution moving back forward.

And then just the last two comments that I'll make. Pages 7 and 8 is the raw data by PLD of the number of second level registrations during sunrise. Again, this is what was provided from the invoice data. Page 10 is just a starter list of the sources for this data and then attachment two, which starts on Page 11, is just the listing by TLD of what their type is, whether they had specification 13 status, their region, kind of the raw data that made up some of the prior charts.

So with that, I will go on mute and turn it back over to Phil to lead the queue for any dialogue or questions, suggestions, or comments about how we might improve this. Thank you.

Phil Corwin: Thanks, Berry. My only comment is that looking at the Chart 7, my personal conclusion would be that probably in the top three in terms of numbers, porn, adult, and sex that I would guess that most of those were defensive of course. The sunrise opportunity is there for trademark owners to make both defensive and proactive use of it. And with that, I'll call on George Kirikos for his comments.

George Kirikos: George Kirikos again for the transcript. Yes, I like the data on Page 7 and 8, which have the raw numbers of the sunrise registrations. However, I was wondering why that data isn't in the table format as additional columns following those pages, like in the big chart with all the TLDs, and sunrise columns, and year delegated. There should be another column with number of sunrise registrations.

And then as we collect more data there will be even more columns because that's how ultimately we're going to do the analysis. So is that something that's planned for later on or what? Because we'll presumably have other columns like for the registrations after one month, six months, or a year to perhaps be able to analyze if there's a correlation between number of sunrises and the number of total registrations. Are there enough like that? Thanks.

Phil Corwin: Berry, did you have a response on that? And also, my own question back to George after you respond, Berry, is what would be the event -- we have all the data in table format right now. What would be the advantage of putting it in more visual form? But I'll let Berry respond first and then Berry can get back to me on that.

Berry Cobb: Thank you, Phil and thank you, George, for the question. I think the first part of your question is given the number of pages of all the raw data anyway, it's really more just meant as a reference and not a utility to (unintelligible) or kind of recreate the data. So in terms of the sunrise registrations there, I just placed it on as few pages as possible for quick reference. We can certainly change that however the working group feels that it needs to be positioned.

The secondary part I think was I'm not sure I understood about the by month one versus month two in terms of sunrise registration. But I did pick up on something that you mentioned about comparing the total sunrise registrations versus the number of total registrations for the given TLD. That is data that was provided as part of the CCT review team and the GDD team does maintain that or there is a chart out there.

However, it wasn't up to date compared to the August data that I was able to extract out of here from the sunrise stuff. So the next iteration we can certainly try to compare those two numbers together. I think in quick response to that is that the quantity of sunrise registrations as compared to total registrations, there was such a difference there I'm not sure how much value that there is. Because take for example even with porn at 2191, I'm not sure what the total registrations are but that would be I think probably less than 1% of those total registrations. And that would probably be that number or less for all of the other TLDs. But happy to do that if that's where the group wants to take this information. I hope that was helpful.

Phil Corwin: Thanks for that, Berry, and George, do you have any further response or to the one question I raised?

George Kirikos: Yes, just wanted to perhaps clarify what I meant is that ultimately, in our analysis, we're going to have various equations with variables on the left hand side and then variables on the right side of some equation, and doing some regressions or doing some correlations. And so things like total number of registrations, various sunrise prices, the type of sunrise, those are

all kind of variables. It might be a zero or one Boolean variable. It might be numbers like the total number of registrations that could be either types of data.

And so have them in a column form just makes it a lot easier than you have them all by TLD and so you could run the analysis that way. Having them in separate places makes them a lot more difficult. Thanks.

Phil Corwin: Okay. Thank you for that, George. So working group members, Berry has completed his presentation. We have 23 minutes left in our scheduled time today and the floor is open for further questions or comments about any of the data he's presented about what it means and what it doesn't mean, and areas where you might wish Barry to focus on further refinement and getting back with more analysis of the available data.

So anybody have anything to say? Maxim, go ahead.

Maxim Alzoba: It's about example of that .zurich. Actually, during our previous face-to-face meeting, (Abryu) from that corps had short speech about the reasons for delay for a handful of GTLDs from that corps. It was because to not very useful ALP program and constant delays from ICANN. So I suggest we take something else as example because in that particular case, we know that the reason was failure of ALP. It's from the words of the (unintelligible) which tried it. Thanks.

Phil Corwin: Thank you, Maxim. Again, I'm going to comment that in regard to -- the focus of this working group of course is to focus on the efficacy of the RPMs created for the first round, whether they operated effectively for trademark owners, whether a balance in their impact on other members of the community. The type of delays you're talking about are more in the bailiwick of the subsequent procedures working group for people participating in that one to identify those issues and problems and try to make sure they don't occur in a future round where they're not necessary for the program.

And I do see Mary's hand up. Mary?

Mary Wong: Thanks, Phil. Again, I wanted to follow-up on Berry's comments. We are, as I noted earlier, starting to do data gathering and compilation for claims notices. So it would really be helpful for staff to know if working group members find this way of presentation helpful, if you find the tables, and charts, and graphs helpful at this stage. One thing that we did talk a lot about amongst the staff when Berry first started on this project was how to present the information. As you can see, there's over 40 pages of raw data in attachment two, and while we could upload the spreadsheet and add the columns as George has suggested, we thought that it would be very difficult and time consuming for everyone to work through basically 40 or 50 pages of individualized columns. So that's why we chose this approach. It would be really helpful to know if you think this is workable for you.

It would really be also helpful to know specific to sunrise registrations, which is what this presentation was about, are there other ways we can present the data that maybe we haven't captured in the tables but are in the attachments? Also, are there certain table that you hope to see that aren't there that we can try to prepare based on the data that we have? So those would be our requests for the working group to provide us feedback on.

And in relation to George's point about next steps with the data, I think that's something that the co-chairs, and staff, and group members will have to discuss when we do have all the data that we need to see how we actually crunch the numbers. And again, maybe a large group setting is not the best way to do that.

And finally, on Maxim's point about the different registration periods, one of the requests had been for staff to go and get the information about which GTLDs did which of the limited registration periods, launch periods, and so forth, and qualified launch programs. We have compiled that information. It's

not presented here because it's not actually sunrise registration numbers. So that information we already have that's available. But primarily for today, we hope this has been useful and again, please let us know what tables you'd like to see that aren't there. Are there other ways of presenting the information that's in the raw data that you'd like to see, and overall did you find this way of presentation helpful.

Thanks, Phil.

Phil Corwin: Thank you for that, Mary. I'm inviting the group to give feedback on those specific points. If anybody has initial feedback on any of that now, we can hear it. And if not, I know staff is always ready to take our input at any time. So with 17 minutes left in our time, does anyone have further comments or questions about the presentation we've had today?

Okay. Well, I think this -- Kurt, go ahead.

Kurt Pritz: I think that it's raised a question in my mind about our scope a little bit and we spend our time specifically on the sunrise issue wondering how to tailor or amend the sunrise processes. But looking at it, it gives us an opportunity too and maybe we should make -- maybe this group should consider it or another. But part of our policy making should be about not just have a change -- amend sunrise or amend claims, but also how we should be communicating about sunrise and claims, and communicating about this data.

So one of our policy conclusions might be that a substantial communications campaign be undertaken about sunrise and the experiences of the first round in order to help trademark owners approach it more -- in a better way for the second round and encourage a greater number of trademark owners if not directly to participate at least consider the new GTLD program and the implications it has. So my recommendation coming out of this is maybe at

some stage, we should talk about our policy towards communications to the outside about this and outside trademark owners.

Phil Corwin: Okay, Kurt. So you're suggesting that within our scope, potential advice to ICANN and the community about better raising higher awareness among trademark owners of sunrise opportunities when a subsequent round is in sight, would be useful, as I understand it.

Okay. So any other questions or comments? And if there are none, I'd ask working group members to just think about the questions Mary raised and to the extent that you found this initial data analysis useful and you'd like Berry to dig deeper into any of this type of analysis. I think best way to do that would be communicate to him and staff, copy the whole working group so we know what dialogue is going on and as the new sub-team on refining the data requests -- meets this Friday -- I think this presentation will be very useful in kind of identifying for sunrise what raw data -- what conclusions can be drawn from the existing raw data and where we're going to need additional inquiry to inform our work.

So with that, I'd call on staff to briefly discuss next steps for our working group and the next meeting. And in keying that up, I believe that next week may be our final call because next week is the 18th. The 25th would normally be our Asia-Pacific call taking place at 0300 and I know that I will be somewhere at 40,000 feet at that time. I suspect many other members of this working group will be in transit as well.

So we're only looking at, I believe, at one more working group call before our face-to-face meetings at ICANN 60 in Abu Dhabi. So Mary, go ahead.

Mary Wong: Thanks, Phil and that's right. Our assumption on the staff side is that the meeting next Wednesday will be the last meeting before ICANN 60 in Abu Dhabi and Terri has put in the Adobe chat that next Wednesday's meeting is -- the non-Asia-Pacific friendly time of 1700 UTC. So on the staff side, we'll

probably be working with the chairs to prepare not just for next week, but how next week can be useful for us going into ICANN 60 where like the other two major PDPs that are going on in the GNSO, we have up to six hours spread over four sessions for our meetings.

So I just wanted to let everybody know that or at least remind folks of the number of hours we have coming up ahead at ICANN 60. And what we can do as staff is circulate to everyone on the mailing list the times and the dates for those hours at ICANN 60. Of course, there will also be remote participation for those who are not going to be able to attend those meetings in person. Thanks, Phil.

Phil Corwin: Thanks, Mary and as we look at ICANN 60, I did want to note that we are scheduled to have a total of six hours of working group activity in Abu Dhabi. I believe there's a three hour session on the first Saturday and then two 90 minute sessions on separate days. It's come about that I will be the only co-chair attending Abu Dhabi. Kathy and J. Scott for different reasons will not be able to participate there.

So I'd invite for ICANN 60 discussion purposes for these separate issues of sunrise, claims notices, private protections, I'm looking to invite leadership of the sub-teams who worked on developing our approach to those to perhaps think about sharing some of the operational duties and running those meetings. Because frankly, the thought of for myself particularly, given the high probability of jet lag and sleeping difficulties, the thought of having to run six hours of meetings solo is a bit daunting. So I'd invite leadership from those sub-teams to communicate directly with me and the other co-chairs to let us know if you're going to be in Abu Dhabi and if you're willing to shoulder some of that responsibility of running parts of those meetings so that I'm not carrying the full load myself and have some chance to take a break during those long sessions.

And with that, any other comments before we adjourn for the day? All right, well, I'm going to give you back the ten minutes of your time and I'll look forward to joining others on the initial meeting of the data refinement sub-team when it meets this Friday. So thank you all and thanks to Berry for excellent data analysis, and we'll talk to all of you next Wednesday, and some of you before that. Thank you.

Mary Wong: Thanks, Phil. Thanks everybody.

Terri Agnew: Once again, the meeting has been adjourned. Thank you very much for joining. Please remember to disconnect all remaining lines and have a wonderful rest of your day.

END