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JONATHAN ZUCK: Welcome, everyone, and good morning from Las Vegas. This is the 66th Plenary call - is there anyone who is on the phone but not in Adobe Connect? Good. Is there anybody with an updated statement of interest? Excellent. Let's hand this over to the folks with the pens for each of these recommendations, so, who's got Recommendation 6?

JEAN-BAPTISTE DEROULEZ: That's Jordyn.

JORDYN BUCHANAN: Yeah, that's me. Sorry I'm in a slightly loud place, so, hopefully you can bear with the background noise. Hopefully the email I sent out this morning says it all, that there's no substantive changes to the recommendation itself - the NCUC did suggest that this doesn't need to be a pre-requisite, and looking at what we were trying to do, I agreed with that assessment, since we're already trying to get data from third parties that are supposedly collecting it in real time, and just get an analysis of that data. So, even if we didn't have that at the start, it would be possible to go back and baseline.

Then, as I mentioned in addition to that fact, since we're trying to look at [UNKNOWN] TLDs, the introduction should be a critical event in the collection time line in any case, so I changed that to a high priority from

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a pre-requisite priority based on that comment. I also just added some detail in response to the registry stakeholder comments that said it's not clear why we're doing this, to try and get some more clarity around the type of data that would be useful and how we would use it.

Jean-Baptiste did make a point via email that we we're going to change one of the words, I think 'hinder', to something else, like we'd done with the other pricing recommendations, so we can do that separately, that's not [UNKNOWN] in the current deadline.

JONATHAN ZUCK: Yeah, I think it's the word 'frustrate' that Waudo-

JORDYN BUCHANAN: Oh yeah, 'frustrate'. 'Hinder' instead of 'frustrate', or something. Yeah.

JONATHAN ZUCK: Alright, is there anybody that has questions about these changes? They make sense to me. Questions or comments? Nobody's hand is up. Alright, is there any objection to this being approved? Then I would say let's call this update, in terms of Recommendation 6, approved. Alright, that's how we like things to go - thank you, Jordyn.

Recommendation 14 - Lauren.

LAUREEN KAPIN: Okay, so, this recommendation actually was the subject of a lot of consolation, because we incorporated certain points from now deleted

recommendations 35 and 36, and many people have contributed to this. Jonathan and David are on the call - I don't know if you guys had responded, and if you have, I apologise for missing it, but there was still an outstanding question to you, I believe, about this recommendation, to make sure that it incorporated the concept of encouraging diversity in gTLD models, so. I raised that as one outstanding issue for you, and you can take a minute or so to think about that while I move through the rest of this for the folks on the call.

This was a recommendation that really focuses on creating incentives to encourage gTLDs to meet user expectations, and this, as you'll recall, dealt with expectations that a domain name should relate to its content, and that restrictions actually can contribute to - restrictions in terms of who can register a domain name in certain gTLDs, names that convey messages of trust, particularly in sensitive or regulated industries - that trust can be enhanced by certain restrictions such as who can buy those gTLDs, and particularly incentives that relate to encouraging the safety and security of users personal and sensitive information. You'll see the changed and additional language - it's highlighted here in the different colours, that we've added reference to the Nielsen survey that relates to this finding more explicitly, so we wanted to [UNKNOWN] that rationale.

Also, we have added references to the fact that in addition to benefits, registration restrictions could also impact competition, as that was the topic of certain public comments, so.

Substantively, I don't think much has changed that much. It's still recommending incentives to encourage gTLDs to think about how they might meet these user expectations - both in terms of security, in terms

of the relationship of the content to the meaning, but in response to public comments, we've also added this recognition that we realise that there are both benefits and drawbacks of registration restrictions.

With that, I'll open it up for comments, and perhaps I'll particularly ask for comments from Jonathan and David to make sure that this actually captures the discussion we had had on encouraging a diversity of gTLD models.

JONATHAN ZUCK:

Thanks, Laureen. Just to clarify [UNKNOWN] - that issue was one that was raised in particular by the NCUC, that don't believe in any restrictions in domain registrations, and what the evolution of that conversation with the NCUC became one of how the system was really rigged to distance and niche TLDs, and are there ways to make modifications that allow for more of a diversity of models. In other words, right now the system really encourages you to create an open TLD, and register as many names as you can, because of the minimums and things like that, so. I think that in the competition section we're going to take a little more about encouraging a diversity of business models. I don't know if that way of talking about it sufficiently scratches the itch of meeting user expectations. This is also the medium in which Wendy Seltzer called me a 'majoritist', for being concerned about what the majority of people want, so. I don't know if we're going to get their love of this, to the extent that we want to keep it on the nose, and make it about meeting user expectations.

That's my consternation over this, is that making this more generic by making it just about diversity might lose the fact - or too much water down the fact that we're trying to respond to user expectations. That, I think, is the quandary.

Are there questions or comments? David, do you want to speak up?

LAUREEN KAPIN: I think David is- Oh, sorry.

DAVID TAYLOR: I am, sorry. I was struggling with my large screen, I was trying to get my un-mute button, but I was on the large screen trying to read this. I found it.

No, I agree with Jonathan. To me, there are two different things there, and I think this is about [UNKNOWN], and I think if we try to match the two up, it'll get too complicated, to bring that other thing in, that other aspect, and I don't know whether there's another place we could bring this in separately, so. I think it's a valid point- [INTERUPTED] section, we [UNKNOWN] bring it up in the Choice section, so, I mean, it's not like that point won't get made. I guess the question is - is there a way to make this point less disagreeable to the NCUC, or do we decided that we're going to agree to disagree on this specific point of trying to prioritise expectations of end-users. I think that's really the bottom-line issue here, is just prioritising those expectations, and making this generic, just like the ones that are going to be in the choice section, may

for the team's taste over-dilute that message, so that's really the [UNKNOWN] recommendation.

JONATHAN ZUCK:

What was the precise language that they didn't like in this?

DAVID TAYLOR:

They don't like encouraging restrictive TLDs. They don't like the idea of they think it's censorship, and Jordyn pointed out that there is now a plethora of unrestricted TLDs, so there's a safe haven for all the Tibetan monks who're concerned, and [UNKNOWN] restricted ones now, and that was where the conversation went down. They also, as I said, Wendy in particular disagreed with the notion that we should be concerned with end-user expectations. Jordyn, go ahead.

JORDYN BUCHANAN:

Sorry, it took a long time to unmute. I think there may be a way to - I'm trying [UNKNOWN] on my phone, so, maybe [UNKNOWN] - but it may be possible to consolidate these two notions by saying we want to create incentives to create a variety of business models, etc., but then explicitly call out the fact that in the details, or the recommendations itself, explicitly call out that this model of attaching restrictions to a TLD is something that many users expect would take place, and say, like, it's a specific goal of that diversity, that some of the incentives would relate to that particular notion. So, instead of necessarily keeping a bunch of different recommendations on the [UNKNOWN] and diversify business

models, just try to make it clear that this particular one is an important one, and that it's captured in that process.

JONATHAN ZUCK: We can certainly do that, and have an opening line about, you know, create incentives for more diverse models in gTLDs, and then do a 'for example'.

LAUREEN KAPIN: So - this is Lauren - so, one issue I have with that is the place where this lives in our report is the Consumer Trust section, and this immediately follows all the discussion about consumer expectations and what promotes trust. Frankly, diversity of business models isn't discussed at all, so, because that's not the topic of that section of the report. That's the only caution note that I would strike here, because, honestly, as I've been listening to the discussion, it strikes me that this is really something that lives more comfortably in the competition section, and this is really a recommendation that's focussed on user expectations, and what promotes trust, and what promotes visitation.

JONATHAN ZUCK: You're saying the concept of diversity belong in the competition section, but this belongs here, and is to remain pure.

LAUREEN KAPIN: Well, and also just to remain in a logical- in a recommendation that actually flows logically from the whole text that supports it. I mean, I am

not- [INTERRUPTION] to that general statement, I just don't know that it should live here.

JONATHAN ZUCK:

So, the question, I think that maybe Jordyn's trying to scratch, is not creating a separate recommendation, just for encouraging diverse business models, but build a concept in here. The question of diversity will have been discussed in Consumer Choice, and it should just be part of this because its bottom line - the same recommendation could be the same incentives, you know, could be- and I guess that is the question. Are we really trying to incentivise a very specific type of behaviour, or just make an environment more conducive to niche business models. Do those need to be separate recommendations models, or do they need to be combined into a single recommendation, seeing as that's one of our objectives. I think that's the issue. It will have been described before we got here, but. I mean, the issue - they'll have read it already.

LAUREEN KAPIN:

Right, right. I mean, to me this recommendation really focuses on these user expectations, rather than a diversity of models. This is seeking to increase trust and visitation by meeting user expectations in these specific ways. Like I said, I'm not against it, I just don't think it lives comfortably here.

JONATHAN ZUCK:

Anyone else have any other thoughts? Go ahead.

JORDYN BUCHANAN:

Yeah, so. Because of the sometime talk about building products is don't let the users see [UNKNOWN], and I worry a little bit that that's what we're doing here in this discussion is that we're saying oh, we have two different sections, and even though we have what is, at the end of the day, a very similar bottom line, we want to make it possible, through incentives, for a variety of business in the case of choice, but in this case, one specific business model that, so far, hasn't been able to emerge successfully, which is this notion of a restricted TLD. The fact that we have a report that structured a particular way because we set up our subteams in a particular way, shouldn't cause us to get two different recommendations that are roughly trying to pull in the same direction, to do the same thing.

So, I think how we should try to figure out- even though I think Lauren is right with the motivation here, it's slightly different than the choice motivation that, at the end of the day, the place they end up is remarkably similar, and just for ease of implementation, and to make sure we don't end up with a complicated system where you end up with multiple different incentives needing to be created by ICANN as part of the implementation of this. I think it would make a lot of sense to consolidate, and I think we could do that by consolidating the recommendation in either place, and just calling out to it in the other, so. One option might be in the Consumer Choice section, you know, that's where the recommendation lives, and here we establish this is important, and previously, that's why we recommended this, and in the recommendation, in the Choice section, we could call out to say 'look ahead to the section or discussion to better understand this particular part.'

I feel like we will make it a lot harder to parse and implement this if we create two very similar end-state recommendations, even if the place they come from is a little bit different.

LAUREEN KAPIN: Jordyn, which recommendation are you proposing to consolidate? Which specific number?

DAVID TAYLOR: It doesn't exist yet. I mean, that's part of the complexity.

LAUREEN KAPIN: Oh! [LAUGHTER]

JORDYN BUCHANAN: It was an evolution of the discussion on this recommendation, I mean, and that's part of why this conversation's happening here, is that in an attempt to mollify NCUC, we got to this notion of, well, we have a system that dis-incentivises diversity of business models, so restrictions that might appeal to users for one reason or another, that would operate in lower volumes, you know, are dis-incented now, and is there a way that we can clear the path for more diversity of business models. That conversation sprung out of this recommendation, so, we then decided we would talk about diversity of business models in Choice, but in the previous draft there isn't a recommendation about the diversity of business models, so it was part of the discussion of this recommendation.

LAUREEN KAPIN:

So, I guess I'm still unclear, then, what the ask is from- I guess I'm still confused what the ask is. I heard you, Jonathan, propose perhaps an introductory sentence, which I guess we'd have to see it, and maybe it would even be easier to try and get something hammered out now, but I wouldn't want this recommendation to live anywhere, I mean- This recommendation needs to be in the Consumer Trust section, whether you have a reference to it in Consumer Choice with some additional language, you know, that I guess is for the Competition folks to hammer out.

DAVID TAYLOR:

And I think that's perfectly fine. I think Jordyn's point is that, when all is said and done, the incentive structure or incentive re-organisation, right, that might take place to accommodate this, which might have to do with the 25 thousand dollar minimums, and things like that, that might actually be put in place is the same. The solution, implementation, will end up being the same, or out grows the other, etc., and that's why it makes sense to make it a single recommendation, but I don't think that means it needs to live in the Choice section, I think we can refer to, since this is where it all began, you know, this is the Cradle of Civilisation in Africa here, so we'll just bring up the topic of diversity in the Choice section and just reference it in this recommendation, unless, Jordyn, you've got an issue to do with that, but I think that's perfectly fine.

JORDYN BUCHANAN: Yeah, that's fine with me. Like I said, I think we should try to put the recommendation in one place, and make sure it's comprehensive, and we can just refer to it from the other place, wherever that is.

LAUREEN KAPIN: Then, I guess what I see as a next step is that there would be a proposal for an additional paragraph, or couple of sentences, in the Choice section, that would then cross-reference to this recommendation, and perhaps an additional sentence, consistent, perhaps, with what Jonathan has said - an introductory sentence about creating incentives to encourage a diversity of gTLD business models, including incentives, then you can just keep the rest of the recommendation.

JONATHAN ZUCK: That's exactly it. That's right. How do all you folks feel about that? Or, Laureen, were you still talking? I'm sorry.

LAUREEN KAPIN: No, no, no. I think that's the right next question. I was jumping ahead.

JONATHAN ZUCK: So, Waudu is suggesting making a new recommendation, but Waudu - do you have audio capability? Do you have a microphone? Because that's specifically what we're trying to avoid, potentially, is creating another recommendation that's essentially the same thing, but justified with a different reason. Are you able-

WAUDO SIGANGA: Okay. You can hear me?

JONATHAN ZUCK: Yes.

WAUDO SIGANGA: Hello?

JONATHAN ZUCK: Yes, we can hear you.

WAUDO SIGANGA: It looks like a complicated recommendation, so I was really relying on those of you that have updated knowledge to speak up, but my understanding was that once you introduce the notion of restriction, then it's kind-of hampering the TLDs that are going [UNKNOWN] restrictions from actually existing. So, that in a way hampered the [UNKNOWN]. That was my understanding about it, so I just suggested that we could make a recommendation under Choice.

JONATHAN ZUCK: There is a way we could do that - the question is would it look significantly different in terms of implementation? Jordyn's point is that we'd almost be working to try and make them look different from each other, because the bottom line of what we would be doing, and the

incentives we would be trying to create, or the difference sectors we would try to eliminate would be the same between the two of them.

The bottom line is really business models that lead to fewer registrations, right? So, creating an environment in which those types of gTLDs can flourish is the objective.

WAUDO SIGANGA: Okay, that's just the way I understand it.

JONATHAN ZUCK: Are there other questions or comments? Jordyn? Oh, David - please go ahead.

DAVID TAYLOR: Thanks, Jonathan. Just a very minor thing, it was just in the actual recommendation itself - there's a bracket missing just before the 3. You've got '[UNKNOWN] regulated industries' - you need a closed bracket there, that's all.

LAUREEN KAPIN: Mhmm.

JONATHAN ZUCK: Thank you. Jamie, do you... not Jamie, Jordyn - I don't know why I do that - Jordyn, do you feel like taking a crack at adding diversity to this recommendation.

JORDYN BUCHANAN: Yeah, that's fine, I can do that, and then try to add some language to the Choice section to marry it to.

JONATHAN ZUCK: Okay. Alright, great. Sorry, Lauren, that your recommendation keeps getting dragged from call to call, but hopefully it's resulting in a leaner set of recommendations as a result.

LAUREEN KAPIN: Well, I actually think we're not getting leaner, we're just getting a more complicated recommendation, but that doesn't mean it's a bad thing, so. I'm memorialising in the chat what I think we're moving towards, just so that- I want to make sure we're on the same page.

JONATHAN ZUCK: Okay. That sounds good.

LAUREEN KAPIN: Then, I suppose, this would be circulated, so that we all can take a look at it.

JONATHAN ZUCK: That's right. Waudou, do you have something else to say?

WAUDO SIGANGA: Yeah, just a small thing. You know the [UNKNOWN]. I think also when we're talking about [UNKNOWN] in connection with this recommendation. I think we have to be very clear about the definition, because generally there's a generic definition for diversity within ICANN circles, so I think that it should not be confused with that.

JONATHAN ZUCK: Waudo, we're going to say diversity of business models.

LAUREEN KAPIN: Right.

WAUDO SIGANGA: Yes, so, okay.

JONATHAN ZUCK: Okay. David, that's an old hand - is that right? Thank you. So, that's our plan going forward. Is there any other final comments on this, or questions, before we move on? Alright, thanks everyone - we'll look for something in the email from Jordyn.

Who own Recommendation 24?

LAUREEN KAPIN: I probably should talk about that.

JONATHAN ZUCK: Okay.

LAUREEN KAPIN: Just a note - I put in the chat where I think we are on this, if anyone thinks I've gotten it wrong, or that additional things need to be added, that's my understanding.

JONATHAN ZUCK: I think it accurately portrays, whether it's a one sentence, a change, or moving details - we'll figure that out. I think Jordyn has a clear set of directions, but I think you memorialised the intention.

LAUREEN KAPIN: Okay, good. Okay. So, Calvin is not on this call, which is unfortunate because I think this started with Calvin. So, Calvin has suggested eliminating Recommendation 24. 24, as a reminder - this was all circulated, so hopefully what I'm saying is a review, but, I just wanted to give a broad level discussion - Recommendation 24 flowed from our Safeguards and Trust section on Safeguards for Sensitive and Regulated Strings, and there were a set of particular safeguards for these sensitive and regulated strings that really focused on protecting sensitive health and financial information, and Recommendation 24 focused on trying to figure out how relevant stakeholders were dealing with these safeguards, since we didn't have a lot of information based on complaints and the way they're reported from ICANN at that time, about these safeguards.

Calvin had suggested eliminating this because he felt that it went beyond what the ICANN contracts required, in terms of registry obligations, and I had circulated an email offering an alternative to that. The reasons I had suggested an alternative were, first of all, surveys demonstrate that the public is concerned about the protection of sensitive held information - that's actually an area of high concern, so I made sure in the rationale that I cross-referenced that finding, so that is highlighted. Second, this exercise that we've been engaging in is really to respond to public comments, not to revise what we've done before [UNKNOWN], and the majority of the public comments actually supported this recommendation. In fact, we had the GAC, the (UK), the business constituency, and I think [UNKNOWN] as well - the only commentator disagreeing was the NCUC, and as I read it, they misunderstood the recommendation.

So, this actually is a recommendation that received pretty consistent support, and because Calvin concerns really focused on not wanting to go beyond the contract, or somehow imply that there's an obligation for stakeholders, particularly registries, to go beyond contract languages, what I did was edit this recommendation to talk about initiating discussions - and again, this is not obligatory - to initiate discussions with relevant stakeholders to determine what best practises are being implemented to offer reasonable and appropriate security measures dealing with the gathering of sensitive health and financial information. Instead of focusing on a contract provision, what I propose to focus on is best practises.

So, that's basically the gist of this change, and I would propose this to be a better course of action than eliminating a recommendation that deals

with an area that we know is important to the public, and also received support in the public comments. I'm happy to take questions on this? Also, Meghan had weighed in on this, supporting this - also, she proposed changing 'best practices' to 'good practices'.

So, Jonathan has weighed in with agreement, if I'm reading that right. Waudu has a hand raised - go ahead, Waudu.

WAUDO SIGANGA:

I think that basically I agree with you on the changes, but I think what also with that change of 'best practices', we can also change the word 'discussions' to 'engagement', so to widen the scope of the possibilities.

LAUREEN KAPIN:

Mhmm, I think that's a good suggestion - to change the word 'discussions' to 'engagement'. Other questions or comments? I see Carlton is typing, so I'm going to give him a chance to type. Okay, Carlton is supporting this as well. Then what I've proposed is- Jonathan is asking if there's support with this recommendation being changed with changing the word 'discussion' to 'engagement' - I would actually recommend keeping with 'best practices', because it's actually a term of [UNKNOWN], where as 'good practices' isn't. I would actually recommend keeping the words 'best practices'.

JONATHAN ZUCK:

I agree. I don't think it actually means that they need to be provably best, or something like that, it's-

LAUREEN KAPIN: Right, right - it's all aspirational, I mean, and I think that's the gist of this recommendation anyways, to see, you know, what are the best things being done out there to deal with this topic that we know is important.

So, Jonathan, do you want to call for approval?

JONATHAN ZUCK: Yes. Are there any objections to those two changes, or given those changes is this recommendation approved? Raise your hand if you need further discussion or if you've got an objection to this as described by Laureen. I say we call it approved.

LAUREEN KAPIN: Okay, then the only action item, I think, would be to change the word 'discussions' to 'engagement', 'initiate engagement' [UNKNOWN] relevant.

JONATHAN ZUCK: That's right.

LAUREEN KAPIN: Perfect.

JONATHAN ZUCK: Jean-Baptiste, do you want to lead a little discussion on the public comments that we've received thus far?

JEAN-BAPTISTE DEROULEZ: Thank you, Jonathan, yes. I just wanted to mention quickly that last Friday we have extended the public comment period to another week, so the public comment period will now ends on January 15th, and so far we have received three public comments, which are [UNKNOWN] Adobe Connect. The first one is from the [UNKNOWN], second one from the National Association of Boards of Pharmacy, and the last one from the Messaging, Malware, and Mobile Anti-Abuse Working Group. So, the first two comments also [UNKNOWN] draft report, and from what I've read, those are mainly on Recommendations A, B, C, and D that Drew drafted. We are still expecting a few other public comments on the recommendations, so, we'll keep you updated on this.

JONATHAN ZUCK: Thanks, Jean-Baptiste. Yeah, the rumour is that we're expecting them at least from the registries, the BC, and the IPC. I don't know who else, but at least those three.

LAUREEN KAPIN: And likely the GAC.

JONATHAN ZUCK: Okay, and the GAC as well. Alright, is there any other business for this call?

JEAN-BAPTISTE DEROULEZ: Jonathan, if I can add to that - and also [UNKNOWN] has mentioned in the chat that ALAC is planning on sending in public comments.

JONATHAN ZUCK: Oh, that's right, I've seen those drafts, so yes. I forgot.

JEAN-BAPTISTE DEROULEZ: What I just wanted to remind everyone - so, during this week I have circulated the Review Team review for Recommendations 13, 15, and 33. Recommendation 21 and Recommendation 25, 30, and 31 for your review, and so if you have any comments on these recommendations, please do submit, for a little close of business. If no comments are received, they will be considered approved, and they will be incorporated into the final report. Thank you.

JONATHAN ZUCK: Yeah, David, go ahead.

DAVID TAYLOR: Yeah, thanks. I was just wondering about Puerto Rico, and are we going there as CCT Review Team, is it supported, are we staying in a hotel there - the reason I ask is because I saw that the main hotel is filled up, so we're going to need to be booked somewhere quickly, or are we all booked in the main hotel, but haven't been told yet, or I've missed the message telling us. So, just basically wondering where we are on that so I know what to do. Thanks.

JONATHAN ZUCK: David, it's my understanding that we are not showing up to Puerto Rico as a review team. We're flying to El Salvador before that.

DAVID TAYLOR: Okay, I'll book a hotel, then. Thank you.

JONATHAN ZUCK: Yeah. Okay, any other business? Okay, great, thanks everyone. Check your inboxes religiously - there's a lot flying around on the email that we need to do approvals on. We'll be looking for updates from Jordyn next. Thanks folks.

MULTIPLE SPEAKERS: [THANKS AND FAREWELLS]

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