

## IRP-IOT Meeting #34

11 January 2018 @ 19:00 UTC

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>> BERNARD TURCOTTE: Check.

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>> BERNARD TURCOTTE: Can you hear me David?

>> DAVID McAULEY: Hello everyone, I'm wondering if you can hear me now.

>> BERNARD TURCOTTE: Yes we can.

>> BRENDA BREWER: Yes David.

>> DAVID McAULEY: We are still a few folks short, so let's wait a minute can then I will come back on, thank you.

>> DAVID McAULEY: Hello everyone, a brief caw if you feel on getting in, thanks to Bernie and Brenda for dialing out. I would like the begin now. So let's get the recording started so let's create a meeting for the record.

[This meeting is now being recorded]

>> DAVID McAULEY: Thank you. Hello everyone. And happy holidays to folks post holidays. I'm hoping everyone is well.

And I note again that we have a rather small group but let's go ahead we are going the create a record and move this forward as we move towards conclusion of our consideration of public comments with respect to the draft rules of procedure.

And I will do my best to try to speak more slowly than I normally do. I recognize that sometimes I race along a little too quickly, so let me begin by asking, if there's anybody who is on the phone who was not now listed in the Adobe chat room?

Hearing none, let's proceed on.

Is there anybody that would like to mention an update to their statement of interest? And again, hearing none we can move on.

However let's do so with the encouragement that we all keep track of statements of interest make sure that they are up to date in the system.

So you have seen the agenda. And we are getting towards the end I hope, I believe of the consideration we are giving to public comments on draft supplementary rules. Before we turn again to the substance of some of that, I would like to do two things, again, welcome Chérine who is observing our group. And then secondly, I'd like to give the floor to Liz Le to speak about the standing piano. There's been some recent developments in preparations for SO and AC participation in establishing a standing piano. So Liz I would ask if you would bring us up to date on that.

>> DAVID McAULEY: Thanks David. I can ICANN for the record. As David mention there has been some updates in terms of our efforts to coordinate with SOs and AC in regarding the establishing the standing piano. In the process do you want document we discussed with IOT several months ago there are certain points that require along the process that set forth in under the bylaws that require pin put from SO and AC leaders how they will envision coordinating and making essentially coming to the decision of nominating a slate for approval by the board. So using that document we share with IOT, we sent that out to the SO and AC leaders, and we've also scheduled a Webinar basically of an introductory Webinar that is scheduled for the 17th of January which is next Wednesday, 1400 UTC to start the conversation going. And what we've expressed to them, and in the email we sent out to them, we are hoping that we can have a face-to-face in Puerto Rico to come to a basically final decision about how this process will -- how they foresee this process going. And I think this is something that is new to them, they have not had to coordinate across the various groups to reach one final collective decision. So this is something that we want to hear from them, what they envision, how this process works for their groups, and how long that would take. Because I think ultimately that input will drive how long we see this process taking in terms of the entire establishment of standing panel.

>> DAVID McAULEY: I'm may thinkeling my attempt to get off mute there. Liz, thank you very much for that. I have a question to you. You mentioned there is the likelihood of a face-to-face meeting at ICANN 61 in Puerto Rico. Can you speak anymore specifically about that? Have you noted times? Any particular details? Or is that something that is going to unfold after this up coming Webinar next week.

>> LIZ LE: So we noted the idea out. But we have not discussed a schedule of any time slot for ICANN 61. We just suggested that that seemed to be a good point. Because it's the opportunity for the face-to-face to discuss that. And I perceive that a long with that we will probably come out from the Webinar and if not, shortly there after from the Webinar we have allotted time doing the Webinar for Q and A. So I would think that some of these questions would come out of that.

>> DAVID McAULEY: And Liz, is there a time set aside at ICANN 61 for this purpose?

>> LIZ LE: We intend to set aside a time. And we will work with the meeting's team. And whatever the processes are required for us to do so. And obviously we will coordinate with this group to make sure that this is a time that's convenient and mutually available for the -- you know, the majority of the group. Whatever is possible.

>> DAVID McAULEY: Thanks very much. And I would -- I would encourage us and you all on staff Liz, to think through face-to-face meetings. Let me mention in that respect, that it's my understanding that it's difficult to get time at an ICANN meeting. Both with respect to a venue, you know a room somewhere and in respect to getting on someone's schedule. My caution would be that maybe we should think about maybe ICANN 62 in Panama City. The only reason I say that is it's better to have something and not need it than need it and not have it. Hopefully we have the SO and AYS well along on the path of establishing a standing path at that time. But I envision it could be [AC] it could be something that would be needed possibly.

And I also want to mention that if you are looking for any time or anien involvement of the Work Stream 2 face-to-face meeting in Puerto Rico you are going the need to make that known very quickly. Having said that, I may turn to Bernie and ask him if I am correct in that respect and if he has any remarks about that as a possible venue or site or something like that. Bernie can you comment?

>> BERNARD TURCOTTE: Thank you David. Yes, you know, I think we could arrange for some time, if we are not looking at any significant changes. We don't seem to have any thorny problems in aligning the recommendations from the various working groups. So we may have some time and if it's useful to bring this on, given we do have the significant community that comes to our face-to-face meetings. Even if it's the day before the ICANN meeting starts officially, we could arrange to have that maybe in the afternoon and maybe bring in some other people. But if you do want to do that, I would encourage you to let us know as soon as possible, so that we can integrate a in the agenda. and so that's about it. Thank you.

>> DAVID McAULEY: Thank you Bernie. It's David McAuley speaking again. I have a few more comments on this topic but do you intend Kavouss to be speaking about this subject.

>> KAVOUSS ARASTEH: Yes I would like to say it's extremely difficult to organize a meeting ICANN 61 in many subject. In particular in this one because I am participating in some other group and so we have meetings, option group. Two meetings. CCWI and comparability meetings. And DNSO have meetings so it's difficult. And, also, as a participant of -- not not speaking on behalf of jack they also have some important meeting and there is conclusion of all these meetings and I'm much in favor of postponing any face-to-face discussion at ICANN 62 but not ICANN 61.

However if you want to do it at ICANN 61 it should be getting the time of CCWD accountability. Usually the meeting of accountability will finish about 4:30. So at 4 they can extend that time by some hour, one hour. So more. So otherwise it would be difficult to have separate face-to-face meeting. Because you would not receive whatever you expected. That's something I want to tell you. Very, very important thing. So be careful of that and organize thezation and.

About -- I have also some comments as a member, yes as a member of the jack I don't have anything from the LAC leadership. I have nothing about the secretariat of LAC associated with this Webinar if there is any Webinar on this SO/AC preferred it should be very well announced and as far as the LAC is preferred it's not only the chair of the LAC it's invitation of at least the leadership of the LAC. Unfortunately these like the others are always decide when they are in session. So our decision with ICANN 61 therefore the first approach with any face-to-face meeting at ICANN 62. This information of selection or proposal of candidate is very important one and this group is very important group. So therefore let's be careful about that thank you.

>> DAVID McAULEY: Thank you Kavouss. David McAuley for the record.

I tend to agree with you often Kavouss. I slightly disagree with you you in this one. My very strong hope is there must be a way to be found to have a face-to-face at ICANN 61 if possible. I appreciate there maybe time in the context of Work Stream 2 accountability face-to-face meeting. So I would encourage you Liz and I will give you a chance to react to what Kavouss is saying and I I encourage you Liz and staff to bend every effort if there's desire on the part of SOs and ACs and I can't believe there wouldn't be. The IRP, the standing upstanding panel is about empowering the new IRP. It's in the bylaws and something we have been speaking about deliberatively. It's another leg and it's critical. I thinkacy leader of this group we should do anything we can to help move along the process to establishing and fulfilling the bylaws mandate for a responsible IRP process. Including panel rules, etc.

So if there's any way, if a meeting is called for, if there's any way to do it and I'm happy to help think this through, if you would like, let's do it.

I do have a couple of comments Liz before I ask you to react. I see your hand and I'll come to you in just a minute. I have a couple of comments of my own and that is with respect to the standing panel with the provisions for stand being are under bylaw 14.3 J. If you go through there you see the IOT doesn't have a formal role in establishing the standing pan it's in respect for tend erring for secretariat and that nature. But there's a subticket to the IOT involvements. It's what Kavouss also mentioned those on our team participate in ICANN in other context. I myself participate in registry stakeholder group in CCNSO. And I've been getting contacts about the Webinar and being asked by people to be involved in their context. And so all of us I think are going the see this. And I encourage us as members of the IOT who have developed some knowledge of bylaw 4.3 to help our constituencies. As Kavouss was saying he can help the GAC and we can all help our constituencies as they participate in the CCNSO or GNSO or whatever it might be. That's an encouragement to all of us to be involved in this process.

So I plan on participating in had the member nar next week. Anyway I'll give you chance now to Liz to react to what I said and Kavouss said.

>> LIZ LE: Thank you to you and Bernie for the suggestions in terms of carving time during ICANN 61 for work stream 2 if we understood to make this meeting happen. And -- we will definitely work with the group, the SOs and AC leaders and try to find you can schedule a time to make a face-to-face happen. If that's so, what every, wish to proceed during 61 and

suggestion to also save time for 62 in what we will take back for us. I want to also respond to Kavouss' comment about the info for the Webinar.

As I know ICANN we worked with our policy team to reach out to SO and AC leaders so the email was sent to the SO and AC leaders about the Webinar. I think we are entrusting SO and AC leaders will decide who from their group should attend the Webinar info. So, and again, as I indicated, this Webinar is intended to be a jump to kick off conversation and answer any questions that SO and ACs may have about this process. Because it's the first time that such a coordination across SOs and ACs has been done. That I know of.

So it doesn't mean this is the only conversation until we get to 61 or the -- whatever that appropriate face-to-face time will be. It's just a launching point. And so there could be, if they so require, there may be other conversations that get -- happens along the way in order to help the SOs and ACs develop this process to fit their needs and as appropriate. So again, like I said, this is just a beginning point. And a lot of how dash what happens and the number of meetings and how much time is needed in a face-to-face will be driven from -- by SOs and ACs.

>> DAVID McAULEY: Thank you Liz. David McAuley speaking again.

If there's nothing further on the standing panel preparations that's SO and AC preparations let's move on to depends autumn number 3. Brenda can I ask you to put on the screen the sign up sheet. I've asked to have this put up just to show it. I'll speak to it briefly. I'll use it as catalyst to speaking about bringing the process of considering public comments on the draft rules. Bringing that to a close.

There's our sign up sheet on the top under the first yellow heading are the grouping of the various comments then you see the columns going across in first reading and second reading.

This matrix or spreadsheet, whatever you want to call it was something that I believe Bernie or first created. But it was put in descent shape I think by Bernie or maybe by Brenda, I don't remember who. But I took a stab at something that was fairly rough and it's now looks much better. The second yellow heading on the left hand column are things left for us to do following the rules. Unstated in there is the former role we have with establishing a standing panel. You will see in the green are parts on the right, two columns that I have been a little bit less an administratively skillful in keeping that up to date. We have moved some past first readings that are not indicated as such.

What I'm going to say now is its my intent in the next two weeks to do two things. One is to bring this matrix up to date. And two is to begin drafting a final report from us on our consideration of the public comments. And that report is something that I will of course put in front of our group and the purpose of putting it in front of our group will be itself two fold. One to drive to conclusion those issues where we still have some outstanding issues amongst us. And two come up with a final report that we all agree is a fair final report. It's a might purpose document. The film report that we drive to closer. That's my expectation. I'm guessing that will take us two to two e three weeks do that. Later in the meeting I'll ask Bernie to talk about the next date. That will sort of feed into that discussion. Having said that, I mentioned a couple

of things that I haven't indicated on that matrix. One has to do with the discussions on joinder and ongoing monitoring. Which we have had in the last few calls but I didn't come to the last of close those the way I said I would. And I apologize for that. I had a little bit of a -- well doesn't matter. I was just unable to do it.

So I see that Avri is on the phone now. So I'm going to before I move on to Jenna I want to see if she has anything to say about ongoing mentoring. But I can say with discussions here to fore with Avri and myself and others. And then on joinder especially in respect to comments from Malcolm and Liz I can get to a position to state something we can agree on. This will be in the draft final report I'm talking about. That's what I envision as the process going forward. So I will now say to folks, please if you have questions or comments, get ready to make them. But first I'll ask Avri if she wish to say anything about ongoing monitoring or Avri if you wish me to plow heads the way I propose.

>> AVRI DORIA: Sorry, I'm fine with you plowing ahead. I think we have gotten close to the compromise point. But I don't think we have ever written it down in a way that both you and I thought it was there. So, certainly plow ahead and certainly drag me in as you find necessary.

>> DAVID McAULEY: Thank you that's what I intend to do with the final draft. It's won't be final it will be a way to close the actual language where we probably reached a compromise on this and other language. So thank you very much for this on that.

If there are no other comments, we can move to the next parts of the agenda. Agenda items number 4 and 5 are additional substantive discussions on a couple of issues that we've touched on but haven't discussed to the extent that we have discussed some of the others. That's why, in this past week or 8 or 9 days, I put out a couple of emails. Thank you Brenda for putting one of them up.

The first one, I'd like to speak about, is types of hearings. Because we have 5 specific comments. From the public on types of hearings. And they sort of go around issues with respect to draft procedure number 5 in the draft procedures we came up with when Becky was leading our group. The comments are from dot music, from the business constituency of the GNSO. From the business constituency there GNSO and trademark and individual Richard Hill. You saw in in email that I sort of laid out what I thought were the bylaws, the fundamental bylaws principles underlying this area. I spoke of bylaw 4.3 A that says one of the purposes of IRP is to secure accessible coherent just resolution of disputes. There's a later purpose of the IRP bylaw. I didn't mention it, it talks about timeliness.

And so these fundamental principles sort of underlie where we should go with these. You have been able to take a look at the comments from these five people I put in the mail and I came out on the list and said I don't believe that we need to really make any change here here.

I agreed with Richard Hill's comment. Following my email, I'm sorry Malcolm isn't in the call I was hoping he would summarize his comments but Malcolm and Kavouss came out on the list and I believe Kavouss supported my idea the current text is adequate. Malcolm felt current rule 5 could do with changes in fairly detailed specifics and he was kind enough to put up a extra

man. And I've read it and considered it. And in my opinion and this is my opinion as a participant of course, I am unmoved. I mean I remain where I was and where Kavouss suggested we should be. And when I looked at the purposes of the IRP in section 4.3 [a] I'm still truck with the idea this is supposed to be sufficient, etc.

The draft supplement area rule number 5 does have in my opinion it does are have adequate instruction to the panel. I think one of pal come's concern was it's too opaque. But frankly in these kinds of matters, that's not unusual. part of what rule 5 currently says, irp panel should conduct the procedures with the presumption that in-person hearings are not permitted the presumption against in-person meetings are rebutted on incircumstance upon motion of the party the panel determines that the panel seeking an in-person hearing is demonstrated it's necessary for fairness, it's necessary to further the purposes of the IRP and that considerations of fairness and furtherance of the IRP out weigh the counter veiling considerations. I actually think that's a fair statement. And I do agree that Malcolm did us a great turn by drafting a suggested extra man but I would personally say of the extra man it too has some opaque areas and it too has details much I have to give Malcolm a chance to come back on the list and I remain unmoved and believe rule 5 is adequate as stated. That's a long way of saying that's where my position is as a participant. If anyone else has a comment come on in. Kavouss you have the floor.

>> KAVOUSS ARASTEH: Yes David. As I mentioned, this type of activities, having a panel is not a specific fist of the ICANN. Of the other institution international institution they have similar types of panels. Usually these type of panels are to be left independent. Not biased by in-person hearings of big rote and Monday tee but you have put sufficient flexibility that if they decide if there is a need for in-person hearings they do that. But we don't want that to be a standard alone that every issue would have a in-person hearing and a in-person hearing is a singular or or in-person hearing is plural. Whether two or three or five people on behalf of one particular party comes and it shall reach and discuss and bias the thinking of the member of the Org, not Org but member of the panel and so on. So I'm not in favor of any change at all. We have discussed it sufficiently for hours and hours and hours. And this is something that is flexible, given latitude and we want to reclaim that. We are not in favor of any change. Thank you.

>> DAVID McAULEY: Thank you very much Kavouss. Liz you have the floor now.

>> LIZ LE: Thank you David. I wanted to state ICANN's position for the record. We are in agreement with you and, also, Kavouss in that the rule should stay as drafted this is an issue that was discussed at length previously as Kavouss alluded to. Including the discussion of in-person hearing like witness testimony and not. We don't really see a need for it to be re-discussed at this point.

We do want to address, it seems to be that Malcolm suggestion is based upon the premise that live witness testimony -- that there should be live witness testimony because without they would not be fair hearing. And but we haven't seen any evidence to support this. On the contrary, the evidence in terms of practitioner standpoint is flies in the face of this. Because there's many dispute mechanisms where live witness testimony is not a part of the hearing. And that doesn't

mean that it isn't a fair hearing. It actually has become an increasing practice in many arbitration or dispute resolution proceeding where live witness testimony is offered in statements ahead of time. And there's many advantages of doing this. For example it would provide is allow witness to give testimony without traveling to a hearing and it makes easier for to obtain the testimony because the witnesses can prepare ahead of time. And it would be less disruptive of the witnesses or executives in terms of their normal day to day functions. I also know that we have in the past when this was discussed, shared the extraordinarily cost in cases where we have had IRP hearings where there were live witness testimony. And there were two instances, I believe it was Amy Stasis that shared this in 2016 it was over a million dollars because of live witness testimony. In one instance it was over \$2 million. And I think it goes to, if not just this is about cost but it's just about efficiency and expedience as you pointed out. And we are talking about expending a lot of money into a hearing to have live witness testimony when there's no benefit to that, that couldn't be dealt with in terms of written statements. It's about money that ICANN would expend and take less away from the money that ICANN, can use to serve it's mission. Because it would be funneling this extraordinary cost in the IRP. This is some of the things discussed and why we decided to keep, to go with the current draft rules.

And then also, the one other thing I wanted to mention, I think, was there was a discussion of what we should put in the current draft rule for the deadline for exchange of witness statements and evidence before a hearing. And for that we would propose, perhaps a 15 day deadline in advance of the hearing for the exchange.

>> DAVID McAULEY: Thank you Liz. David McAuley for the record. That was the same number I was suggesting, so thank you for that suggestion. I think we should do that. We will settle on 15 days, we're talking calendar days, I believe, not business days. And so thank you for that.

And that's in the final draft what I will throw in there, barring any other comments.

Let me ask you when you talked about the 1 million-dollar and 2 million-dollar experiences were those live witness testimony electronic or virtual the where someone was speaking over the Internet? Or were they somewhere in a venue somewhere?

>> LIZ LE: I believe that they were -- some -- they were different panelists located in different locations. One was in one venue -- no, I think -- let me refresh my recollection. Actually they were live witness testimony.

>> DAVID McAULEY: They were done electronically? Where participants were in this different cities? People didn't go to travel to testify.

>> LIZ LE: No, I think they did.

>> DAVID McAULEY: Oh wow. Thank you. Interesting history. Kavouss your hand is up you have the floor.



>> KAVOUSS ARASTEH: I wanted to also agree with 15 days, calendar days, benefit in the debating these. So I think that should be an easy way to proceed with that. So just I wanted to mention that, thank you.

>> DAVID McAULEY: Thank you Kavouss. And the discussion about this, underscore something I'm going to ask you to bear with me for a minute. It underscores the established of a standing panel we spoke about earlier. And raises the idea of encouraging all of us to develop some of the IRP process to help our various constituencies. The reasons, one of the reasons it's very clear from this discussion that IRP panels are going to be wrestling with questions that are of some important financials that are important to people. And it's our interest and ICANN interest that this is established initially and then on going in the future is an experienced mature responsible panel. And so it's in all of our interest to bend every effort to do this. If this is not going to be easy work. And another consideration is as they issue rulings. Up mean we are talking about procedural rulings. So that's one thing. But as they issue rulings, these rulings take precedent under the new bylaw. So it's very important, the first panel's going to have an outsize influence. So again, I just -- as a participant in this whole process I'm just encouraging all of us to help the constituencies and SO, and ACs to get involved and help in the process. Enough said. Thank you for letting me go on about that.

Next agenda item 5. Another substantive issue. Dealing with challenges to consensus policies and excuse me. This as I pointed out, this is an email I just sent earlier this week. And this series of comments on challenges to consensus policy came from the non-commercial stakeholder group of GNSO and law firm. And basically the statement of the non-commercial stakeholder group, the gist of it was that IRP panels should have invalidated portions of consensus back to ICANN which should send it back to the SO that created it. And I honestly think it's a valid comment. But I think it's consistent in the way the procedures currently work. So I don't think there's anything that we need to do as a consequence of the comment. That's my personal take on it. Then the law firm leather hill credit commented on three sections. One was on notice. I thought their comment with respect to notice I discussed in my email was on and off you have to have notice to people with respect to a challenging the consensus policy. In my mind the notice needs to be to the leadership of the SO or SOs that were engaged in constructing the policy to begin with. But the law firm went on and said the notice should go to supporting -- I mean to lower constituent bodies that make up the SO. And indeed people that might be affected by the change. And I personally, my personal comment is, that is just not really called for. We are talking about ICANN's IRP and the people that are going to be involved in the IRP and my personal take on it was notice to SO leadership would be sufficient.

They secondly commented on a mandatory right of intervention. And again, I thought it was a fair comment with respect to the SO, the SOs that constructed the policy. The mandatory right of policy should not go to I don't understand the SO.

Then suggestions on limits when they under turned policy four suspension suggestions. I'll read those. My suggestion was we not take these up. But the suggestions were for the IRP panel to identify specific portions of consensus policy that they found violating an article or bylaw to indicate what portions of the policy are not violative, 3 remain the consensus policy to the

ICANN board for review with the SO. And four indicate whether the panel attraction the consensus policy pending board and SO review, rewriting, etc.

My take is the bylaws provided that the panel decide whether an action or inaction of the staff violated the articles of the bylaws. That's period.

What happens next is up to the ICANN community involved, the board, the SO, whatever it is that is going to be wrapped up in this.

So, that was my take on it. And I thought we should just stick with the bylaws and rules as written. It's not an unfair comment, but that, my take on it was just a little bit different. I appreciate by that way, all of the comments, all of public comments we got. The they are all very thoughtful from people that have a serious interest in this.

So that's what I propose for treatment on this, and I'm asking if anybody would like to raise their hand and make a point or comment. And I should mention as you know Malcolm a came on the list on this as well. I believe he basically agreed -- he finished his comments by saying I think this comment is value addressed to the question on whether the board is entitled to adopt CCT policy or GTO policy outside the conflict with respect to PDPs with respect to policies varies with PDP outcome and rewriting a PDP outcome in itself would be a violation of article 10, etc. I outside of rules and procedure to assert this, largely agreeing what I said. That said, if anyone would like the take it further and make suggestion to agree with any of the comments please take the floor now.

Kavouss, you have a hand up, please take the floor.

>> KAVOUSS ARASTEH: Yes, David, I didn't follow what you said about the PDP. And consistencies or inconsistencies with the bylaw. Are you talking that the PDP they should be consistent with the bylaw? Or talking something else. I heard something maybe I miss understood. Can you kindly clarify the matter? What the issue of the PDP and the consistencies or conformity with the bylaw. Can you explore that a little bit more. Thank you.

>> DAVID McAULEY: Thank you Kavouss. What I was suggesting and I think Malcolm agrees with this. But you should read his email. But I was suggesting is on challenges to consensus policy that result from PDP, we should not get into the specific 4 recommendations that came from the law firm Fletcher and -- I think it is. We should not get down to the level of specificity, but rather honor the bylaw profession that says what an IRP panel will do when it renders it's decision is die whether or not an action or inaction of the staff or board violates an article or bi-- an article or bylaw. If that's really what the panel's empowered to do. That's all they can do. They can certainly give their reasons. But at the end of the day, the effect of their decision as I I understand under the bylaws will be that they decide an action or inaction in in this case honor a consensus policy is violating or not the bylaws or articles. That's really it. And the consequences of that announcement will not be up to the panel but up to the ICANN community involved, the board or SO, whatever, whoever takes this up to try the shape what comes next in light of that announcement from the panel. Does that help Kavouss?

>> KAVOUSS ARASTEH: Yes it helps and I truly agree with the way that you have described that thank you.

>> DAVID McAULEY: Liz you have the floor.

>> LIZ LE: Thanks David. I wanted to respond to an issue that was raised on list about notice. I think it may have come from Malcolm as to who should provide the notice. I think it was suggested that it be the procedures officer.

I think in this instance, it seems to us that there are many instances in which if the idea of notice is to provide a promptly, I don't know that the procedure officers is the right person to be designated in this role. Because often times it would be -- it would really be the claimant who would be, who would know what claims are being challenged when the claimant is filing the IRP so it should really, from ICANN standpoint the own SOIs should be on the claimant to provide the notice. In many instances the claimant could initiate an IRP but for example, even ICANN and then what alone a procedures officer who is further removed from the initiation process. But ICANN wouldn't be aware of the IRP having been initiated until the IRP at the filing has been perfected and we have had instances where that have happened where the IRP never got filing never got perfected. In that instances for example the procedures officer wouldn't even be aware of it.

I mean I think what perhaps what we can do is ICANN could develop some kind of mail, an email list that we can put up on the IRP page that the claim -- a claimant can go to in terms of if they are challenging say a policy that was developed by X group, they can see who it is, they can provide notice to. But it seems appropriate that notice should be provided by the claimant.

>> DAVID McAULEY: Thank you Liz that makes sense. So when I do up the final report, I'll come back and relook at your comment, and make some sense is try to take that into account.

So without further hands, we have run through the substance of the agenda. We are now to AOB portion. I'll ask Bernie if he would mention when our next meeting is. And that will be the time that I'm trying to drive this draft towards. So Bernie I'm going to ask you to go ahead then Kavouss I'll come to you, I see your hand up.

>> BERNARD TURCOTTE: Thank you sir. We've got a tentative slot of the Thursday February 1st 1900. On the books. And so that's convenient, we will confirm this at this meeting.

>> DAVID McAULEY: Thank you Bernie. If it's -- could I also ask you after the call is over to try to get the same time slot a week later on the 8th just in in case I'm having a struggle getting the draft done in time. Better to have and not need kind of thinking.

>> BERNARD TURCOTTE: Done.

>> DAVID McAULEY: Thanks Bernie I ask Kavouss to take the floor then.

>> KAVOUSS ARASTEH: Yes David I put in the chat two times that I raise some questions or some inquiry or some request that I hope will be responded. I ask that I receive a copy of the letter sent to the SO and AC with respect to the preparation, with respect to what the expect from

them, what the scope of the role before them and perhaps at I don't have it. I need to have that one. And that's two other, one question I raise, I don't want to take up the floor at this time. You want to put an end to the meeting. But please kind lie ask the secretariat at least to read that and provide me the information that I have asked. Thank you.

>> DAVID McAULEY: Thank you Kavouss. I have not been following the chat too much. Pardon me. But Liz can you get those sent to Kavouss? What he was asking for? I knowly that includes the mail about the Webinar I believe.

>> LIZ LE: Sorry David, yes, happy to.

>> DAVID McAULEY: Thank you. I believe that brings us to an end. And we can get out early. And I'll give one last chance if someone wants to make a comment or suggestion relative to what we are speaking about, our future plant. Seeing or hearing none, I want to thank you all thank you Bernie and Brenda for help ahead of time and Cherine thank you for attending. If you want to make a comment you are essentially welcome to.

>> KAVOUSS ARASTEH: David, thank you very much.

>> CHERINE CHALABY CHALABY: Tocher even. I'm going to say -- I want to say very good progress on the supplement area procedures and types of hearing and challenges to the consensus policies. Slight concern about the standing panel that the process is not yet agreed between the throw of the SOs and ACs ICANN Org and board. This is probably going to take longer than one would like. We can progress that as soon as possible. The Webinar may help, face-to-face meeting. Hopefully this will get moving as well. Everywhere else excellent.

>> DAVID McAULEY: Tocher even for your interest in this. Best wishes on the phone call, this is a wrap.