

Terri Agnew:Welcome to the Review of all Rights Protection Mechanisms (RPMs) in all gTLDs PDP Working Group on Thursday 30 November 2017 at 04:00 UTC for 90 minutes.

Terri Agnew:Wiki agenda page: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_community.icann.org\\_x\\_UQxyB&d=DwlFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0Algn-H4xR2EBk&m=GqpdXt5tnXdDIRgWjS1CgalHcufVmJNGzskYmX5oEc&s=abWjXn2rNU8IJ5gx8JIBIS9TILibu5h7Psi50Z5H\\_sw&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_UQxyB&d=DwlFaQ&c=FmY1u3PJP6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0Algn-H4xR2EBk&m=GqpdXt5tnXdDIRgWjS1CgalHcufVmJNGzskYmX5oEc&s=abWjXn2rNU8IJ5gx8JIBIS9TILibu5h7Psi50Z5H_sw&e=)

George Kirikos:Hi folks.

Heather Forrest:Hi Terri! Lovely to hear your voice

Heather Forrest:Hi J Scott!

George Kirikos:Perhaps prioritize input from Asia/Pacific folks, then?

George Kirikos:(i.e. if Heather or others can't make the normal time)

zhou heng:Hi, George

George Kirikos>Welcome, Zhou.

Kristine Dorrain - Amazon Registry Services:I made it! Pre-apologize for any mayhem in the background. It's bedtime at my house. :/

Terri Agnew:everyone can scroll themselves

George Kirikos:Alternatively, if they have new questions to add to the existing ones (and can't make the normal calls).

Maxim Alzoba (FAITID ):Hello All

zhou heng:Hi~

George Kirikos:They can probably jump to any question, instead of just #1.

Mary Wong:We have several APAC-based members on this call, yes.

Heather Forrest:I appreciate the opportunity to raise points but don't have immediate questions re Q1

George Kirikos:Did you have new questions, Heather (and others who might not be able to attend the other time slot), that aren't already on the list?

George Kirikos:Question #1 appears to be about "closure".

Justine Chew:Do I understand correctly that assuming the WG has no more input in terms of suggestions for refinement that the Co-Chairs will then work with staff to edit the Original Charter questions? And the WG will have another opportunity to comment on those edits?

Philip Corwin:Initial inquiry would seem to be how many, if any, default respondents have ever filed a reply and, if so, what the average time after default determination was

Mary Wong:@Justine, if no one suggests changes or edits, then the questions will stay the way they are worded, and be retained for the review.

Justine Chew:@Mary, how does one suggest editorial changes then, if one wished to?

Philip Corwin:Agree with J Scott and Kristine. We need facts before making any judgments.

Maxim Alzoba (FAITID ):even 6 months should be enough. I think we need to know the reason for inclusion of this fperiod

Kristine Dorrain - Amazon Registry Services:Again, all the other subteams started with "is it working for its intended purpose, is it having unintended effects?"

Kristine Dorrain - Amazon Registry Services:That's a good starting point. We don't have to write it out every time, but it's the most neutral lens we could come up with in previous subteams

George Kirikos:I think there's no time limit because there's nothing "pressing" --- i.e. there's no domain transfer in the URS, so there's no real issue about allow the reply at any point.

George Kirikos:\*allow=allowing

Mary Wong:From what we can tell (staff), the relative comparison here is either with the response periods for the UDRP (on which the URS was based) and/or on the work of the STI following the initial work of the IRT.

Kristine Dorrain - Amazon Registry Services:Right George. I think that's the intent. I think someone is suggesting, by this question, that perhaps there is no certainty for TM holders.

David McAuley:Are there participants who were present when URS was formulated with these default challenge procedures/deadlines – was there a reason for it back then?

Greg Shatan:“If so, why and based on what data/evidence?”

George Kirikos:i.e. if the URS respondent makes a reply, it's not as if the Complainant gets to make another submission.

Kristine Dorrain - Amazon Registry Services:+1Greg

Mary Wong:@Greg, we may be able to extract the data on numbers, but not sure we can track the "why".

George Kirikos:@Kristine: right, it's the issue of "getting closure"

David McAuley:thanks J. Scott - not on phone

Maxim Alzoba (FAITID ):1 year is equal to the period when ythe domain redirects to the website "it was lost to URS", I think

Scott Austin:+1 David What was the legislative history that prompted the provision in the first place.

Mary Wong:@Scott, @David, we can look it up but yes, it is likely traceable to the work of the STI, building on the initial proposal from the IRT.

George Kirikos:Does the parked page change if/when a default determination is made? (giving the respondent even more info as to their ability to reply, etc.)

David McAuley:thanks @Mary

George Kirikos:+1 Kathy. Perhaps it needs to be posted not only on the provider's page, but on the suspension page, if it's not already been done so.

David McAuley:Thanks Kathy -

Heather Forrest:+1 Kristine - a return to the original purpose is appropriate in my view.

Kathy Kleiman:Has it been used; do Respondents know this Reply option is available?

David McAuley:agree with Phil - nice to know usage rates of provisions under scrutiny

Heather Forrest:Picking up on Phil's comment (and indeed Kristine's), are we able to develop a formula for all topics investigated? Ask the following baseline questions: 1) has it been used? 2) what was original purpose and is this being fulfilled?

Maxim Alzoba (FAITID ):the domain would stuck in this state for longer then a year

Kristine Dorrain - Amazon Registry Services:I support that Heather....that supports lumping like questions together.

Berry Cobb:@George. from what's I've seen, the domain no longer resolves when suspended.

Justine Chew:would data collected be able to show how many respondents defaulted exclusively because they weren't aware of the complaint (ie only at point of domain suspension) vs defaulters who simply have not bothered to respond and then take advantage of the time extension ability?

Heather Forrest:We are going to have difficulty with agreeing on the precise wording of these questions (as J Scott has aptly noted) so I wonder if we can make it easier by bringing the enquiry up to a standard set of questions applied to a list of topics for review

Kristine Dorrain - Amazon Registry Services:I think that's the unicorn, Justine. Defaulting respondents almost never show up. so we can't know why they defaulted.

George Kirikos:@Berry: perhaps that's part of the problem, then

Heather Forrest:Exactly my thinking, well articulated J Scott - thank you

Philip Corwin:Council has instructed is that our policy recommendations should be data based (that's why we are developing surveys on claims and sunrise). So our starting point on all questions should be focusing on available data from actual operation of new gTLDs. Expectations when the policy was created may not be borne out in reality.

Maxim Alzoba (FAITID ):also it would be useful to know . how many ex-owners managed to prevail after being defaulted based on provided materials (first defaulted and only then provided it)

Kristine Dorrain - Amazon Registry Services:Yes, J. Scott and it's not so different. We've grouped questions before.

Kristine Dorrain - Amazon Registry Services:I support that.

George Kirikos:@Kristine: all their email addresses would be on file. They could be surveyed.

Heather Forrest:On grouping, I feel there's much work to be done there (for example, Qs 18-21 all seem to me to be various versions of each other)

Kristine Dorrain - Amazon Registry Services:George....nearly 100% bounceback rate.

Kristine Dorrain - Amazon Registry Services:AND you'd probably need to subpoena the providers for confidential data.

George Kirikos:Bad WHOIS? I thought the email addresses had to be verified at registration time?

Kristine Dorrain - Amazon Registry Services:Now.

Kristine Dorrain - Amazon Registry Services:since 1999, nope.

Justine Chew:@Kristine, I am assuming that if defaulters do use the time extension ability they would need to "plead" ignorance in order to justify "getting" the extension. If not then it seem unfair to Complainant.

Mary Wong:@George, on the issue of resolving domains, the IRT noted that the domain "may" resolve back to the original pending the Examination outcome, and the STI recommended that the domain "shall" resolve to the original if the respondent files a default answer.

Heather Forrest:I'm taking notes as well and can circulate if needed

Kristine Dorrain - Amazon Registry Services:And I apologize for referenceing the 1999 time period. We're not talking UDRP.

Kristine Dorrain - Amazon Registry Services:I withdraw my comment

David McAuley:Same issue - data needed

Maxim Alzoba (FAITID ):@George, sometimes e-mails and phones verified and later change. or spam filters could kill mail from URS providers

Heather Forrest:Response fee - original purpose? being met? reason for change?

George Kirikos:@Mary: I was asking more about after the default determination,, i.e. after the domain gets suspended, it could have a page saying why it was suspended, and the procedure the registrant can use (filing a URS response), etc. (in multiple languages)

Kristine Dorrain - Amazon Registry Services:Yes, J Scott, I do like that. :)

Heather Forrest:I think this is going to be much easier to agree upon and streamline our efforts

Mary Wong:@George, thanks - I think right now the suspended domain simply displays an informational page about the URS result/

Kristine Dorrain - Amazon Registry Services:[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_lufthansa.vip\\_&d=DwlFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIGN-H4xR2EBk&m=GqpdXt5tnXdDIRgWjS1CgalHcufVmJNGzskYmX5oEc&s=sVuarHPj0Xkav-N3Xb7EVqUEo23tJ249khqO9WdLAsU&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__lufthansa.vip_&d=DwlFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIGN-H4xR2EBk&m=GqpdXt5tnXdDIRgWjS1CgalHcufVmJNGzskYmX5oEc&s=sVuarHPj0Xkav-N3Xb7EVqUEo23tJ249khqO9WdLAsU&e=)

George Kirikos:Thanks Mary.

Kristine Dorrain - Amazon Registry Services:See the example above

George Kirikos:Great example, Kristine.

David McAuley:I think the questions Heather listed for response fee are good, would add only 'why 15?'

Kristine Dorrain - Amazon Registry Services:The same static page for all providers so it's not specific to the domain name/case.

Zhou Heng:Thanks

George Kirikos:That could be improved by (1) making it multilingual (2) linking to the decision, etc

Zhou Heng:@ George +1

Heather Forrest:1) Has it been used? 2) What was the original purpose and is it being fulfilled? 3) bearing in mind the original purpose, have there been any unintended consequences?

Heather Forrest:4) what changes could better align the mechanism with the original purpose/facilitate it to carry out its purpose?

Maxim Alzoba (FAITID ):4)how many managed to prevail

Claudio:those are perfect Heather

Kristine Dorrain - Amazon Registry Services:Yes, I think that's right. the key is to figure out the topic. Most of the questions are actually "proposed solutions" or someone's wishlist.

David McAuley:one use would lead to a 'yes' on has it been used, though. Maybe ask trending use is up or down?

Heather Forrest:@Kristine - exactly my concern ("proposed solutions"), which is why I think we need a more objective way of asking the questions and soliciting info

Justine Chew:@Heather, re your 2) should we be asking what the original purpose is or actually state what it is?

Zhou Heng:There are only 31 URS decisions in ADNDRC.

Heather Forrest:My proposed approach would not eliminate the detail/context (this could sit in the background, and I am confident that we will elicit detail in the responses to the questions)

David McAuley:Fair points Kathy - can't lose sight of that.

Zhou Heng:I think the fee is a main reason for such consequence.

Heather Forrest:@Justine - I think we need to go back to the documentation to identify what the stated purpose was supposed to be

Claudio:also are assuming the original purpose was valid? what if the original purpose was well intended, but misguided from a policy perspective?

Heather Forrest:In other words, let's not work on assumptions. Let's be sure we're all operating on what was documented

Justine Chew:@Heather, great, thanks for the clarification.

Kristine Dorrain - Amazon Registry Services:Agree with Heather. We need to draft these charter questions with the research in mind, but it's not helpful to wait for research.

Heather Forrest:(ha ha Claudio and I are having a mind meld re assumptions)

Mary Wong:@Heather, staff will go back to the IRT and STI reports, and the AGB, to discern origin and reasoning as far as we can.

George Kirikos:\*6 to unmute/mute

Claudio:so funny!

Terri Agnew:@Zhou, your mic is not active.

Kristine Dorrain - Amazon Registry Services:yes

David McAuley:yes

Zhou Heng:Sorry for the micro

Kathy Kleiman:yes

Michael Flemming:yes

Terri Agnew:to activate you mic, select the telephone icon and follow the prompts

Heather Forrest:Thanks Mary for doing that background checking - I believe it's very important that we don't make assumptions about what happened before and work with what was actually documented.

Zhou Heng:I will try to type

Justine Chew:I had a question regarding use of URS but not necessarily for where we're at now.

Terri Agnew:@Zhou, please let me know if a dial out on the telephone is needed

George Kirikos:The telephone bridge is more reliable (not sure if there are dial-in numbers for China).

Maxim Alzoba (FAITID ):since the website to which domain redirects after dbeing lost in URS does not give any advice what to do .and domain is stuck for a year - it seems to be logical to allow response during the same year

David McAuley:can't hear Petter

Justine Chew:My question is for URS complaints which are ultimately withdrawn, I would like to understand why they were withdrawn, if that's possible.

Kristine Dorrain - Amazon Registry Services:Can't hear Petter

Kristine Dorrain - Amazon Registry Services:Justine, usually because there was a settlement.

Mary Wong:@Justine, understood but we won't be able to get that from the data :(

Justine Chew:@Kristine, observed by whom?

Zhou Heng:According to statics in ADNDRC, there are only 31 URS decisions made. As I have talked with many brand owners in China, I sincerely believe that the fee is most important reason for this situation.

Kathy Kleiman:@Staff: If it has not been used, why not? (Kathy, J. Scott, Heather, others)

Zhou Heng:[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.adndrc.org\\_mten\\_URS-5FDecisions.php&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIn-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.adndrc.org_mten_URS-5FDecisions.php&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIn-)

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George Kirikos:@Mary: perhaps one could use the WHOIS history to see if the ownership changed after the URS was withdrawn (implying the settlement).

George Kirikos:e.g. via DomainTools, etc.

Mary Wong:@George, we could, but that still wouldn't prove anything

George Kirikos:Or, even current WHOIS, compared to WHOIS at time of complaint.

Maxim Alzoba (FAITID ):please read my previous note (I can not use mic)

Mary Wong:As in, it could be one of several reasonable inferences, but not clear proof of a single explanation

George Kirikos:@Mary: agreed, it doesn't "prove" it, but implied something transpired.....evidence vs. proof. :-)

Heather Forrest:Thanks for your patience - I've said my 2c and happy to help with carrying forward as needed.

Maxim Alzoba (FAITID ):Scott think there are not many of us and the responses needs do be collected via the poll

Maxim Alzoba (FAITID ):yes

George Kirikos:That would add a bunch of new columns to the document.

Heather Forrest:I think at this point we should just agree/or not to put this idea to the bigger call

Heather Forrest:rather than poll the concept in specifics here

Justine Chew:@Mary, thanks -- you have just answered substantially my earlier question about editing the original charter questions

Kristine Dorrain - Amazon Registry Services:I do not support re-hashing every section of the policy.

Kristine Dorrain - Amazon Registry Services:the charter questions are terrible but they are guidance as to where we should look

Mary Wong:OK thanks J Scott - got it

Heather Forrest:J Scott's summary is in line with my idea

Kristine Dorrain - Amazon Registry Services:They focus us a bit

Mary Wong:And noting that Kristine seems to be saying/supporting the same idea

Maxim Alzoba (FAITID ):we will spend two years there if we check every bit of policy

Justine Chew:+1 Maxim

George Kirikos:Rebecca is in the Adbobe.

George Kirikos:\*Adobe

Rebecca L Tushnet:My phone stopped working but I managed to get on

Rebecca L Tushnet:I'm agnostic but willing to go along with the attempt.

Justine Chew:My tablet interface doesn't have poll feature. So please take it that I have green check next to my name.

Michael Flemming:we are good to put our hands down?

Justine Chew:Good point, @Kathy

Kristine Dorrain - Amazon Registry Services:I support organizing the questions in batches

Claudio:I agree with Kathy the issues can be organized in that manner

Kristine Dorrain - Amazon Registry Services:And in "chronological" order of the URS

David McAuley:audio cutting out here - am I alone on that

Mary Wong:I have a staff observation on Kathy's point, if I may.

Heather Forrest:Audio works for me, David (and if it works here in Tasmania, I suspect it works for all!) :)

J. Scott Evans:Mary I will call on you next, then phil

Terri Agnew:@David - no audio issues. Please let me know if a dial out on telephone is needed

David McAuley:Thanks Heather

David McAuley:thanks Terri - don't want to use phone, full house with guests and all asleep here (closing in on midnight)

Terri Agnew:is your connectivity bar (top right hand on Adobe) showing 5 bars?

Kristine Dorrain - Amazon Registry Services:Oh, yes, Agree!!!!

Kristine Dorrain - Amazon Registry Services:I do agree with Brian, Susan, et. al on that.

David McAuley:yes - five bars - only cuts out intermittently but at times a lot

David McAuley:I'm ok, thanks terri

Maxim Alzoba (FAITID ):most European participants sleep happily now .we need to allow them to participate in discussion

Terri Agnew:you can also try changing browsers, another thing to try - Check you plug in's:

[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_tinyurl.com\\_icannactest&d=DwIFaQ&c=FmY1u3PJp6wrcrwlI3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpCigmkXhFzL7ar9Qfqa0AIgn-H4xR2EBk&m=GqpdXt5tnXdDIRgWjS1CgalHcufVmJNGzskYmX5oEc&s=fLiy\\_LHyAzQm4bHHTyJuFX6eWtNh5DkoA3h4ybr9F34&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A_tinyurl.com_icannactest&d=DwIFaQ&c=FmY1u3PJp6wrcrwlI3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpCigmkXhFzL7ar9Qfqa0AIgn-H4xR2EBk&m=GqpdXt5tnXdDIRgWjS1CgalHcufVmJNGzskYmX5oEc&s=fLiy_LHyAzQm4bHHTyJuFX6eWtNh5DkoA3h4ybr9F34&e=)

David McAuley:ok, may do that

Heather Forrest:Can we put our ticks down now? It seems we have solid majority for putting the concept to the broader call

J. Scott Evans:ticks down Heather

Heather Forrest:(hooray, old tick!)

J. Scott Evans::-)

George Kirikos:Need to use last names, as there's more than one Phil.

J. Scott Evans:Corwin

George Kirikos:(right, for the transcriber, I meant)

George Kirikos:Unless they know folks by voice like we do.

Heather Forrest:Follow-up questions will flow logically from the 4 (or however many) overarching questions

Heather Forrest:there is no need in my view to try to agree on follow-ups now (or we'll end up right back where we are currently arguing over details)

Kristine Dorrain - Amazon Registry Services:Agree Heather....

Kristine Dorrain - Amazon Registry Services:We need to stay out of the weeds and work on organizing.

Heather Forrest:I am happy to follow up with refining what is sent to the wider group, if that's helpful

Mary Wong:@J Scott, staff will send the note to the list.

Scott Austin:Would be more efficient if the table included specific rules implicated in each question

Mary Wong:Thank you, Heather.

Heather Forrest:Send me a draft and I'll be pleased to review it and get it back to you pronto

Mary Wong:@Heather, sure thing

Claudio:can we consider the options of eventually forming subteams, not as decision making bodies, but to help carry the work forward

Mary Wong:We will send a note to the list in the meantime about the proposal on the approach, and send Heather a draft of the specifics

Heather Forrest:Thank you enormously for the APAC-timed call - very much appreciated!

Justine Chew:ditto (to Heather's tq)

George Kirikos:Will the final call in Dec be the APAC time slot?

George Kirikos:(last call is Dec 21, not Dec 28, due to holidays)

Heather Forrest:Thanks J Scott!

Maxim Alzoba (FAITID ):bye all

Julie Hedlund:@George: Yes, as previously agreed, the last call in the month will be APAC time.

George Kirikos:Otherwise, the next APAC call might be end of January, which they might not like.

David McAuley:thanks J. Scott, and all, good bye

Zhou Heng 2:bye

George Kirikos:Thanks Julie.

Kathy Kleiman:Bye All

Terri Agnew:next call: Review of all Rights Protection Mechanisms (RPMs) in all gTLDs PDP Working Group is scheduled for Wednesday, 06 December 2017 at 18:00 UTC for 90 minutes.

George Kirikos:Bye folks.

Mary Wong:THanks J Scott and everyone

Michael Flemming:Thank you!

Philip Corwin:Bon soir

Zhou Heng 2:sorry for my mic

Monica Mitchell:thank you. bye all