

17 Members

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AC chat transcript 27, February 2018

Michelle DeSmyter:Dear All, welcome to the New gTLD Subsequent Procedures Sub Team - Track 3 - String Contention, Objections & Disputes call on Tuesday, 27 February 2018 at 20:00 UTC.

Michelle DeSmyter:Agenda wiki page:

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_DwWfB&d=DwIFaQ&c=FmY1u3PJp6wrcrw113mSVz_gfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWG1BLwwehFBfjrsjWv9&m=Zi0DoPzaDjDbrMXyjkOw_21gkFPjTBow3TzAVoFmHU4&s=78qF6aD5L4maAss7xe8VGIcKELyEcCxRCF96MxnjNjU&e=

Cheryl Langdon-Orr (CLO):hi all

Gg Levine (NABP):I will need to close out of Adobe Connect at 25 minutes after the hour and will remain on audio.

Cheryl Langdon-Orr (CLO):thanks for letting us know Gg

Cheryl Langdon-Orr (CLO):audio

Anne Aikman-Scalèse (IPC):lost Robin

Anne Aikman-Scalèse (IPC):okay she's back

Cheryl Langdon-Orr (CLO):I suggest we dial out to her if possible

Michelle DeSmyter:yes

avri doria:but big lag - lot of latency

Michelle DeSmyter:if you would like a dialout, I can dialout to you as well for a better connection

Cheryl Langdon-Orr (CLO):she may have connection issues

Robin Gross:I will dial in

Donna Austin, Neustar:I can hear Robin fine

Rubens Kuhl:It could be a bit of both Robin's local issues and Adobe connection to audio bridge issues.

Robin Gross:I'm on the audio now

Rubens Kuhl:On Objections, since I'm not a WT3 regular, how was the discussions regarding Independent Objector to date ? Have we decided to keep it, ditch it or still TBD ?

Gg Levine (NABP):Agree strongly with plurals/singular issue.

Kristina Rosette (Amazon Registry):Support the points of general agreement

Donna Austin, Neustar:Support the points of general agreement as well.

Cheryl Langdon-Orr (CLO):happy for points of General Agreement to be agreed to.

Rubens Kuhl:The only thing missing is standing.

Liz Brodzinski:+1 Kristina

Trang Nguyen:Regarding the string similarity review, ICANN org will provide input on the points of general agreement during the initial report public comment process.

Rubens Kuhl:2012 AGB had no standing for IO to file SCOs. I would like that standing to be added.

Kristina Rosette (Amazon Registry):IO doesn't have standing for SCO.

Kristina Rosette (Amazon Registry):Rubens - how would you characterize/address standing?

Rubens Kuhl:(If IO still exists, of course)

Rubens Kuhl:Kristina - Current registries, current applicants and IO would have standing.

Karen Day:sorry for my late arrival - office fire drill just prior to the meeting start time.

Kristina Rosette (Amazon Registry):So, to be clear, we're talking about automatic consolidation, right?

Karen Day:still not voice active yet.

Rubens Kuhl:Standing needs to be defined. I have a suggestion, others might prefer different standings, but we need to pick one.

Alan Greenberg:Sorry to be late.

Rubens Kuhl:Option 1: 2012 AGB (Registries and Applicants)

Rubens Kuhl:Option 2: Registries + Applicants + Independent Objector

Rubens Kuhl:Option 3: Anyone

Rubens Kuhl:My vote: option 2, to add IO.

Kristina Rosette (Amazon Registry):If we're going to relax standing (which would be IO and anyone), we need to require an early dismissal mechanism so applicants don't have to spend \$ defending ridiculous objections.

Cheryl Langdon-Orr (CLO):I see advantage in an early dismissal process regardless,Nye's @Kristina

Kristina Rosette (Amazon Registry):Rubens' earlier point is important - can we be reminded what we agreed w/r/t IO? (No point in saying we're giving him standing for SCO if we're eliminating it)

Anne Aikman-Scalese (IPC):Option 2 looks fine. Agree there needs to be IO reform - and more than one IO so conflicts of interest can be avoided.

Steve Chan:For the last point about appeals on the previous page, is that specific in any way to the string confusion objections? Or is that the appeal mechanism that has been discussed for all objections grounds and evaluation elements?

Rubens Kuhl:I don't see any difference for the 2nd bullet from 2012; if existing TLD, application fails. Like .COM and .ECOM.

Rubens Kuhl:Restricting in the same sector would be anti-competitive.

Rubens Kuhl:Anything in that sector should only have to carry similar PICs.

Anne Aikman-Scalese (IPC):May I ask who is speaking?

Rubens Kuhl:Anne, that was Gg Levine (NABP), I believe.

Alan Greenberg:GG Levine

Gg Levine (NABP):yes, sorry

Anne Aikman-Scalese (IPC):Thank you.

Cheryl Langdon-Orr (CLO):important point Jamie the for raising that

Cheryl Langdon-Orr (CLO):might be hard to mandate though

Anne Aikman-Scalese (IPC):Agree with GG re regulated strings and eligibility

Rubens Kuhl:SCOs in 2012 were actually not expensive. So as long as ICANN keeps it in that range, people will likely won't get "denial of money" attacks.

avri doria:Rubens, not all applicants are quite as well set for money.

Rubens Kuhl:Avri, I was in the receiving end of one such SCO... and except for the ones in Applicant Support level, I assure you it wouldn't be a problem.

Kristina Rosette (Amazon Registry):There's another reason to avoid automatic consolidation - one of the applicants may have trademark rights in the mark that the string matches - required consolidation would likely weaken that applicant's ability to prevail in an SCO

Rubens Kuhl:But that could be particular to that dispute resolution provider... if it was carried by ICC, then it could be a million instead of 5 thousand.

Anne Aikman-Scalese (IPC):Is ICC the provider for string confusion panels?

Rubens Kuhl:Consolidate by default, allow for exception to be request by applicant, perhaps ?

Jamie Baxter | dotgay:The problem with letting the provider make a final decision on consolidation is that the loss of income for them will always be an influencer

Rubens Kuhl:Anne, not in 2012. For SubPro, who knows ?

Steve Chan:Would the opposite make sense perhaps? Where an objector can specifically request that their objection not be consolidated?

Kristina Rosette (Amazon Registry):I will be unable to attend the March 6 meeting. I'll be in an all-day meeting on a business matter.

Karen Day:Let's take a room poll on availability next week

Kristina Rosette (Amazon Registry):Maybe use the check mark functionality to find out if people want to/are able to meet on 6 March?

Jamie Baxter | dotgay:@Steve .. i believe the objector should have the option to make a case for consolidation. the final say on consolidation however cannot be left exclusively in the hands

of the provider because money has proven to be a nasty influencer
Steve Chan:@Jamie, I was thinking perhaps in addition to your point? Essentially, the objector would have some say whether or not consolidation for their objection takes place.

Jamie Baxter | dotgay:@Steve .. i see that as being fair as well.

Jamie Baxter | dotgay:@Steve .. what cannot happen however is that the provider declines consolidation because of a single concern from an applicant that financial info may be shared with other applicants in the consolidation when financials had nothing to do with the objection. for the provider to decline consolidation and then assign the same panelist to all cases is a slap in the face and a clear attempt to bill for as much money as possible.

Jamie Baxter | dotgay:@Steve .. there needs to be oversight on this type of behavior from the providers, or some mechanism to draw attention to it while it is taking place

Alan Greenberg:It is not a matter of "need" BUT FITTING IN A MEETING AT THAT TIME.

Cheryl Langdon-Orr (CLO):abstain

Alan Greenberg:Sorry for caps

Karen Day:Thanks allan :)

Cheryl Langdon-Orr (CLO):thx for that Karen

Cheryl Langdon-Orr (CLO):seems decided

avri doria:bye

Anne Aikman-Scalese (IPC):THanks Robin

Karen Day:Thanks all

Cheryl Langdon-Orr (CLO):thanks everyone bye ð for now,
and safe travels to those going to San Juan