

Adobe Connect: 27 members

Alan Greenberg	Jamie Baxter dotgay
Alexander Schubert	Justine Chew
Anne Aikman-Scalese (IPC)	Karen Day
Avri Doria	Kristina Rosette (Amazon Registry)
Cheryl Langdon-Orr (CLO - PDP Co-Chair)	Kurt Pritz
Christa Taylor	Maxim Alzoba (FAITID)
Christopher Niemi	Michael Flemming
Christopher Wilkinson	Phil Buckingham
Donna Austin, Neustar	Philip Corwin
Edmon Chung	Raymond Zylstra - Neustar
Gemma Keegan - Neustar	Robin Gross
Greg Shatan	Sara Bockey
Heather Forrest	Sophie Hey
	Tom Dale (ACIG GAC Secretariat)

Joined but not a member or observer:

Javier Rua-Jovet

On audio only: none

Apologies:

Susan Payne	Jim Prendergast
Annebeth Lange	Jeff Neuman

Staff:

Emily Barabas	Steve Chan
Julie Hedlund	Berry Cobb
	Terri Agnew

Terri Agnew: Welcome to the New gTLD Subsequent Procedures Working Group call on Tuesday, 27 February 2018 at 03:00 UTC for 90 minutes.

Terri Agnew: agenda wiki page: https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_lwWfB&d=DwIFaQ&c=FmY1u3PJp6wrcrwlI3mSVzgfkbPSS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIgn-H4xR2EBk&m=Ix0v8BEnnki2OG7pJvRq-rXYHGhuPg5XMeOMPkTaoxE&s=wxigRJ81jhDcDUon8Uiqv51u4oTF6YlhErwwKI8JZrl&e=

Michael Flemming: Can you hear me, Terri?

Michael Flemming: Let me toggle with it a bit

Michael Flemming: Why I called in early :)

Cheryl Langdon-Orr (CLO - PDP Co-Chair): Terri am I getting dial out or self service :-)

Cheryl Langdon-Orr (CLO - PDP Co-Chair): well I kinda need to be on the call Chair and all

Cheryl Langdon-Orr (CLO - PDP Co-Chair): Grrr I will try the AC audio but as you know hardly ideal

Cheryl Langdon-Orr (CLO - PDP Co-Chair): they are using my landline?

Michael Flemming: I hear very well

Maxim Alzoba (FAITID):Hello All
Javier Rua-Jovet:hi
Christa Taylor:Sorry I'm not on audio
Christa Taylor:Sorry, sure.
Terri Agnew:@Christa, let me know if a dial out is needed
Maxim Alzoba (FAITID):I will use chat only, quite early here
Cheryl Langdon-Orr (CLO - PDP Co-Chair):Noted Maxim
Phil Buckingham:me too , Maxim . even earlier here !
Justine Chew:i will use chat only also, am on headphones at a noisy location
Javier Rua-Jovet:hey!
Anne Aikman-Scalese (IPC):I'm also in a situation where I can only use Adobe Chat. Thanks Anne
Javier Rua-Jovet:that was fine
Javier Rua-Jovet:sorry no mic!
Javier Rua-Jovet:yesss
Kristina Rosette (Amazon Registry):Apologies for being late. Was in transit.
Javier Rua-Jovet:good slide
Philip Corwin:Have or will these slides be distributed?
Steve Chan:They will be sent out with the notes after this call.
Steve Chan:And added to the Wiki as well.
Maxim Alzoba (FAITID):There is an issue of multiple types for a single application , for example GEO & Non-for-Profit
Javier Rua-Jovet:thanks Steve
Maxim Alzoba (FAITID):And Open TLD is just "no other" type applied (i.e. generic)
Steve Chan:I understand you can download the slides immediately by clicking on the dropdown menu for the Adobe Connect pod where the slides are being shared.
Anne Aikman-Scalese (IPC):I think it would be great to get public comment on all of these types.
Philip Corwin:@Steve Chan--Thanks
Kristina Rosette (Amazon Registry):Temporarily dropped from audio to provide some homework assistance.
Justine Chew:IGO is normally established by country-to-country agreements. That's what I understand.
Maxim Alzoba (FAITID):so I think it should be more tag like approach, for example, GEO & Governmental , GEO & non-for-profit e.t.c.
Maxim Alzoba (FAITID):@Justine, IGOs are known
Maxim Alzoba (FAITID):and it is a short and limited list
Edmon:what does "substantive change" mean? and is that based on AGB or based on RA?..
Philip Corwin:@Justine--IGO's generally treaty organizations or UN agencies
Justine Chew:@Maxim, agreed!
Anne Aikman-Scalese (IPC):I think we should seek public comment on these various categories.

COMMENT

Sara Bockey:Apologies for joining late
Maxim Alzoba (FAITID):@Cheryl, I think we need to at least to conduct a poll and not to base on the "temperature of the room" in this meeting
Justine Chew:@Phil, yes that's what I understand also and meant.
Phil Buckingham:I would envisage only two types - open (generics) and closed (brands) categories/ models . We would then have different "specs /" for different categories in the contractual process / Registry agreement
Maxim Alzoba (FAITID):@Cheril, and text field "Other thoughts" in the poll , so members would be able to explain or clarify their voting

Kristina Rosette (Amazon Registry):Back (home work problem addressed)

Donna Austin, Neustar:@Christoper, in my mind they already exist as a category and to that extent would be supported as status quo.

Heather Forrest:I understood after Jeff Neuman's response to my question at the start of the last WT5 call that in discussing the 'definition' of geo name the group is questioning whether a particular category of name should be analysed by the group, NOT whether a particular category merits different treatment

Maxim Alzoba (FAITID):could we call it tags?

Alexander Schubert:most europeans are fast asleep. poll needed before we decide anything. me for example support categories.

Maxim Alzoba (FAITID):Governmental organisations had different provisions of RA - was it enough? (we need to ask those who had it, mostly in GEOs)

Kristina Rosette (Amazon Registry):@Donna: the only basis that I can think of for an IGO category is that the RA has a few provisions that are different if the RO is an IGO.

Greg Shatan:Doesn't it really need to be "entity + type"?

Anne Aikman-Scalese (IPC):ANY chance an IGO would get more points for Applicant Support or not?

Kristina Rosette (Amazon Registry):I'd take Donna's point and go farther - we're listing types based on the string, the applicant and the way in which the string is used (which gets us very close to the content line, IMHO).

Javier Rua-Jovet:Good points.

Maxim Alzoba (FAITID):and non-for-profit is a form of legal body, so many Registries have this despite being GEO, generic or community

Justine Chew:Should be purpose of use of string, taking Donna's point

Phil Buckingham:Alan , we should have only two . Ones that will sell second level domains and ones that wont - ie only "selling internally within their organisation / brand .. then we categorizes from there. We need a tree diagram to distinguish the different exceptions to the base .model .

Greg Shatan:On the IGO front, there is all the time spent on IGO pre-emptive and curative rights, which may require some treatment for the protected strings.

Philip Corwin:IGOs generally have their own .int domains. Highly unlikely to be new gTLD applicants, both for that reason as well as application could be viewed as commercial endeavor.

Maxim Alzoba (FAITID):following this logic it could be offshore too

Phil Buckingham:Totally agree Kurt

Greg Shatan:There are relatively few .ints compared to the number of IGOs, and I doubt that merely having a TLD would be viewed as a commercial endeavor.

Edmon:generally agree with donna but building on what alan said, i feel it is more appropriate to really say that really its a combination of 3 things 1. the string, 2 the entity and 3 how thy are proposing to run it

Anne Aikman-Scalese (IPC):Difficulty with sound level for Kurt

Edmon:and perhaps we need to ask, when we create (or not create categories) whether it adds to the fundamental goals: competition/choice/consumer trust

Greg Shatan:Agree with Edmon, it is really a "Trinity."

Alexander Schubert:we need to understand what we USE categories for? evaluation prioritization? prioritization of awarding the string (e.g. community)? RA? application requirements? application cost?

Justine Chew:+Edmon & Greg, "trinity" with sufficient nexus between the 3 elements

Anne Aikman-Scalese (IPC):Lost Cheryl

Anne Aikman-Scalese (IPC):ok now

Kristina Rosette (Amazon Registry):Is "additional" to 2012 round or additional to the previous slide that listed potential types?

Donna Austin, Neustar:What do we mean by 'additional'?

Phil Buckingham:i agree Kurt . Each applicant would need to apply for / contract for each specification (ie Spec 1 - need or not to use accredited Registrars) - that applies to its specific business model .

Cheryl Langdon-Orr (CLO - PDP Co-Chair):In my view yes @Kristina/Donna "additional" to the 2012 round

Steve Chan:@Donna, Cheryl, I can confirm that's what I meant when that question was typed!

Robin Gross:I share the concern expressed about the stifling of innovation by not allowing TLDs to evolve post-launch in a way that meets market needs.

Donna Austin, Neustar:@Kristina, I agree that it could stifle innovation, but I guess the point I was trying to make is that if we decide on additional categories then the applicant should be held to something that they used in their application to make their claim.

Alexander Schubert:problematic example: somebody goes for .frankfurt but claims it is not for a city (hence needs no letter of non objection). they afterwards "change" their application model.

Donna Austin, Neustar:I'm also trying to think through possible gaming, particularly as it relates to resolution of contention sets.

Javier Rua-Jovet:bit low

Maxim Alzoba (FAITID):@Alexander, most probably mayors office of Frankfurt (one of them) will pull a letter from them

Cheryl Langdon-Orr (CLO - PDP Co-Chair):can you speak up Kurt

Christa Taylor:I agree with Kristina's point that to help promote innovation we don't want to be too restrictive. Additionally, those innovative applicants may not wish to disclose their complete plan for strategic purposes

Alexander Schubert:maxim: in my example no letter was ever needed

Alan Greenberg:I wasn't arguing about the concept, just that RSEP as defined could not be the right vehicle.

Kristina Rosette (Amazon Registry):Given the duration of complex RSEPs, I have significant concerns about the business impact of pushing business model changes to an RSEP (in addition to the not-so-minor concern that we're then allowing ICANN to decide business models).

Maxim Alzoba (FAITID):in case of name matching some city, GAC most probably will object and recommend to seek for letter of non-objection from that city

Maxim Alzoba (FAITID):like it happened with .spa

Alexander Schubert:maxim: per 2012 AGB no chance!

Greg Shatan:I have no doubt they will ask for that. But that does not make it so.

Alexander Schubert:.spa was on 3166 Alpha-3

Anne Aikman-Scalese (IPC):Agree with Kristina to the extent RSEP constitutes proposal for new business model but that it a bit different from switching from one existing category to another one that is already approved.

Kristina Rosette (Amazon Registry):+1 to Christa's point about business confidential information in application answers that are publicly available

Greg Shatan:If I want to use .frankfurt because I'm selling frankfurters or my last name is Frankfurt, that should raise no issues. We can consider a contractual prohibition against pivoting to a geo business plan.

Alexander Schubert:.spa was some region (not country 3 letter code) in 3166

Kristina Rosette (Amazon Registry):Support polling via email list.

Donna Austin, Neustar:Can we be really clear about the question being asked please?

Justine Chew:+1 Donna

Phil Buckingham:@ Alexander - we need to develop a definitive lists

Alexander Schubert:greg: exactly what I say! in THAT case a change of operation model is problematic.

Justine Chew:I support polling

Maxim Alzoba (FAITID):most probably a lot of generic terms are names of villages or small towns around the world

Heather Forrest:Apologies, I need to drop off of AC shortly but will remain on phone bridge

Heather Forrest:Always happy to participate in Sub Pro, Cheryl - keep up the good work

Alexander Schubert:one had to apply for cpe

Kristina Rosette (Amazon Registry):I think it's correct, Alan. CPE was a separate process from the application evaluation

Alexander Schubert:or twice :D

Greg Shatan:Question is whether all community apps went through CPE.

Alexander Schubert:the applicant applied for cpe

Steve Chan:+1 Jamie

Phil Buckingham:Agreed Jamie

Greg Shatan:But could you apply for community status without electing CPE?

Kristina Rosette (Amazon Registry):@Greg: Yes, if there wasn't string contention

Greg Shatan:Thanks

Jamie Baxter | dotgay:@Greg .. yes. if you designated your application as community, you were required to sign a contact as community even if you were not in contention.

Alexander Schubert:greg: you applied as community priority - if in contention you COULD HAVE applied for CPE

Steve Chan:When you applied as a community-based application and regardless of whether there was string contention or CPE, the commitments carried forward to Spec 12.

Alexander Schubert:the applicant had also to pay for the CPE - if they called for one!

Javier Rua-Jovet:<question> excuse my ignorance, what is the strawbunny definition of "community" in wt2

Javier Rua-Jovet:wt3

Alexander Schubert:steve: some circumvented that requirement by submitting TWO applications: a standard and an identical community priority one. should be outlawed!

Justine Chew:@alexander, did they pay twice?

Kristina Rosette (Amazon Registry):how are we distinguishing between application submission requirements and eligibility requirements?

Javier Rua-Jovet:yes

Donna Austin, Neustar:Can we be careful with the use of terms that may not translate well in other languages or be usefully understood by newcomers trying to get up to speed. I refer of course to 'strawbunny' which now we all understand to be a replacement for 'strawman', but we need to be mindful of others.

Greg Shatan:Some of those double-dip "communities" were dubious at best.

Robin Gross:I was just thinking that, Greg.

Alexander Schubert:justine: twi applications - each independent. so yes: paid twice.

Maxim Alzoba (FAITID):only rich communities passed

Greg Shatan:@Robin, Great minds....

Robin Gross::-)

Justine Chew:+1 CLO

Donna Austin, Neustar:WT5 is certainly considering that for Geographic Names

Steve Chan:Cheryl, I have my hand up

Maxim Alzoba (FAITID):@Alexander, in AGB there was a question 21 of "is an application for a geographic name " - and frankfurt falls there

Jamie Baxter | dotgay:Yes. If we change nothing then community applications will continue to be targets of gaming

Anne Aikman-Scalese (IPC):COMMENT: I think public good is relevant to closed generics, but is not a relevant judgment in relation to community applications. I also don't think we can avoid high scrutiny/visibility on community applications. COMMENT

Robin Gross:In addition to the "attributes" of different types, I wonder if we want to differentiate in the "treatment" of different types under the rules.

Greg Shatan:Robin, I was just thinking that (seriously).

Maxim Alzoba (FAITID):if we restrict names to some types - it will by definition restrict "new" types

Maxim Alzoba (FAITID):PICs were not in policies

Kurt Pritz:@Alan. same with closed generics

Edmon:1. last policy (2009) +community, 2. AGB +geo, 3. Registry Agreement (PICS/brand-spec13/...) +brand +closed generics limitation

Robin Gross:It is something that we discussed in the "community" discussions, but it seems to apply to all the types and then also as between the types.

avri doria:i thought it was policy + agb + the rest of the rules that were added later in process were taken as the status quo?

Donna Austin, Neustar:@Avri, i would support that explanation of the status quo.

Justine Chew:I am thinking the same as what Edmon and Avri posted also

Alexander Schubert:maxim: if you claimed that your TLD would not be used (marketed) for the city purpose - you only needed a letter of non objection for capital cities! .frankfurt for a brand doesn't need a letter!

Michael Flemming:So, the question is more along the lines of do we bring policy up to speed with implementation or make further changes?

Anne Aikman-Scalese (IPC):Agree with Avri. Let's acknowledge that when the Board acts, that is actually current policy even if not made by GNSO.

Maxim Alzoba (FAITID):some of those decisions in 2012 round were not fact based or were not properly developed via the multistakeholder process

avri doria:this is what i recall was said way back at the beginning. Stauts quo is what exists.

Maxim Alzoba (FAITID):there is a big difference between Board actions and Board approved policies

Maxim Alzoba (FAITID):the first is not a policy

Robin Gross:I agree, but we need to give differing weight to the different "rules". For example Board-GNSO approved policy has higher value than implementation guidelines and drafting done AFTER the Board's final approval of the policy.

Alexander Schubert:avri: just for clarification; so status quo is either policy or implementation or the combination?

avri doria:if the status quo is reaffirmed, it becomes policy, if not the new thing becomes policy.

Maxim Alzoba (FAITID):unless Board decision is called "Temporary Policy"

avri doria:exactly. there is lots of temp policy and whatever in the status quo

Cheryl Langdon-Orr (CLO - PDP Co-Chair):YUP

avri doria:implementation that does not match policy becomes defacto policy, generally

Maxim Alzoba (FAITID):is 2012 round over (not all applicants are processed)

Maxim Alzoba (FAITID):?

Robin Gross:or even implementation that we can't agree to change in a particular way

Maxim Alzoba (FAITID):implementation is actions of ICANN Staff and their actions does not constitute policy

Edmon:@avri agree, but we should still explicitly point to those i think in this iteration of policy recommendation (i.e. if there are any policy changes from the previous recommendation even if we agree with the changes)

Anne Aikman-Scalese (IPC):There are GNSO policy recommendations. These don't actually become policy until adopted by the Board.

Alan Greenberg:If everything is policy, to change ANY of the details, no matter how much it looks like implementation, it will take a GNSO PDP (or equiv) to change.

Greg Shatan:But of course — rejected policy recommendations are not policy.

Maxim Alzoba (FAITID):formally in ICANN legal framework there is no such thing as status quo

Justine Chew:what we should be concerned about is after we as a group conclude a policy of which elements are 'not adopted' by the Board then it's not policy

Kurt Pritz 2:I think the bright line is, if the GNSO & Board voted on it, it is policy: i.e., the GNSO Policy recommendations + the RPMs

Alan Greenberg:We spent a LOT of time a few years ago trying to differentiate policy from implementation.

Greg Shatan:Alan, what output of a PDP is not policy (when approved by the Board)?

avri doria:isn't that what the new implementation groups deal with.

Maxim Alzoba (FAITID):for example current RSEP process, where current implementation contradicts the policy itself

Greg Shatan:That was usually in the opposite direction, where certain changes outside a PDP were either advanced as "implementation" or challenged as "policy."

Alan Greenberg:If you go back to the report that created the URS and TM Clearinghouse, it said in large bold type that this as implementation and not policy.

Greg Shatan:The P&I Group created some ways of resolving that.

Greg Shatan:@Alan I don't disagree with that.

Anne Aikman-Scalese (IPC):This discussion all relates to how the three Policy and Implementation WG tools adopted by the Board relate to the proposed "Predictability Framework".

Emily Barabas:spreadsheet: https://urldefense.proofpoint.com/v2/url?u=https-3A_docs.google.com_spreadsheets_d_1mA-5FhTUhLhJSsfcmoQwREtUqxykZ5KfJffzJAAhEvNIA_edit&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzgfkbPS6sJms7xcl4I5cM&r=DRa2dXAvSFpClgmkXhFzL7ar9Qfqa0AIgn-H4xR2EBk&m=Ix0v8BEnki2OG7pjrRq-rXYHGhuPq5XMeOMPkTaoxE&s=jN5gp29-CCAMF-G0WOHEbEI14khrfvRBWCwjsuGDIw&e=

Anne Aikman-Scalese (IPC):Slide 21 would be a great slide for public comment.

Anne Aikman-Scalese (IPC):yes

Maxim Alzoba (FAITID):what prohibits a company to apply as a brand then sell domains as a generic TLD? (calling it a franchise)

Maxim Alzoba (FAITID):*and later

Anne Aikman-Scalese (IPC):yeah - good idea!

Maxim Alzoba (FAITID):with lower barriers it would be used a lot

Javier Rua-Jovet:Thanks CLO

Greg Shatan:Maxim - Spec 13

Anne Aikman-Scalese (IPC):@Cheryl - issues must be highlighted in Initial Report for public comment. The issues I raised in Work Track 4 should form part of the Work Track 4 Initial report. I had understood these would be discussed further. Please add these issues to the call agenda for Work Track 4 March 1 call. Thank you, Anne

Alexander Schubert:maxim: I agree. I warn of this since a year. applicants will apply as closed generic - then "lease" domains instead of allow registrations. the domain leasers will have ZERO rights.

Anne Aikman-Scalese (IPC):QUESTION: When do we, as a group, see the Initial Report drafts and how much time will we have to consult our constituencies before the Initial Report is adopted and published?
QUESTION

Anne Aikman-Scalese (IPC):Please see my question in chat.

Alexander Schubert:implementation should be much easier this time as we change the 2012 AGB and NOT just make policy recommendations.

Anne Aikman-Scalese (IPC):I don't have a mike. PLEASE SEE QUESTION

Anne Aikman-Scalese (IPC):PLEASE SEE QUESTION IN CHAT

Karen Day:@Donna - fund it?

Anne Aikman-Scalese (IPC):COMMENT: We must be given enough time to review draft Initial Report with our constituencies. COMMENT

Donna Austin, Neustar:@Karen--not sure I understand.

Karen Day:Akram has said that FY19 budget contains no \$ to start implementation work

Justine Chew:my time's up. gotta drop off. thanks all!

Donna Austin, Neustar:@Karen, I'm talking about something different and it seems it may have been a communication coming out of the GDD Summit.

Phil Buckingham:Agreed Karen . How ICANN funds the implementation stage .

Alexander Schubert:bye

Javier Rua-Jovet:Good night, and see you all in Puerto Rico!

Terri Agnew 2:next call: The New gTLD Subsequent Procedures Working Group call will be held on Monday, 05 March 2018 at 15:00 UTC for 90 minutes.

Maxim Alzoba (FAITID):will they do it for free?

Maxim Alzoba (FAITID):safe travels

Karen Day:@donna, yes, I remember that was a conversation in Madrid, I was just meaning that if there is no \$ they won't do anything no matter where we are

Robin Gross:Thanks, Cheryl and all. Bye!

Javier Rua-Jovet:Bye

Edmon:thx bye

Karen Day:both need to come together to get us going

Christa Taylor:Goodnight

avri doria:bye

Cheryl Langdon-Orr (CLO - PDP Co-Chair):Bye THANKS everyone!!