

7 Members

Cyntia King
J. Scott Evans
Kathy Kleiman
Kristine Dorrain
Philip Corwin
Rebecca Tushnet
Susan Payne

Apologies:

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Staff:

Mary Wong
Julie Hedlund
Berry Cobb
Ariel Liang
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Michelle DeSmyter

AC Chat transcript 09 February 2018

Michelle DeSmyter: Dear All, welcome to the Review of all Rights Protection Mechanisms (RPMs) Sub Team for Data call on Friday, 09 February 2018 at 17:00 UTC.

Michelle DeSmyter: Agenda wiki page:

https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_Nw68B&d=DwICaQ&c=FmY1u3PJp6wrcrw113mSVz_gfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWG1BLwwehFBfjrsjWv9&m=UZgE-FIei4gd_PIXdq7663PBqxsjffikvxKQzPK90vM&s=_UgwPh3_5a9PcsiCByUm0T3B83UmfQTkv0Kw2rqDYPY&e=

Philip Corwin:Happy Friday to all

Kristine Dorrain:Happy Friday!

Ariel Liang:https://urldefense.proofpoint.com/v2/url?u=https-3A_docs.google.com_document_d_1EUXC03ccuYhRMa-5FX4hDCPrq88KkF6qBRkL6sCcNutoI_edit-3Fusp-3Dsharing&d=DwICaQ&c=FmY1u3PJp6wrcrw113mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSF04VShFqESGe_5iHWG1BLwwehFBfjrsjWv9&m=UZgE-FIei4gd_PIXdq7663PBqxsjffikvxKQzPK90vM&s=aDwvq_2fIOd2bQdZyKr1R2FgwgzVuFgLfJ6q630fZws&e=

Philip Corwin:Are we going to unlock the document?

Julie Hedlund:@Phil: It is unlocked.

Julie Hedlund:@Phil -- are you asking to unsync the doc?

Julie Hedlund:It is unsynced.

Philip Corwin:I meant in Adobe...and thanks for doing so

Cyntia King:Does Survey Monkey rely on self-qualification of respondents?

Ariel Liang:In the RFP we also specified that the vendor should propose outreach strategy for reaching target audience, especially registrants / potential registrants who are not necessarily involved in ICANN community

Cyntia King:Just wondering if we'd get more qualified response fromRegistry/Registrar mailing.

Cyntia King:I'm not as familiar w/ Survey Monkey.

Kristine Dorrain:got it, suggestion for multiple methods...thanks

Kristine Dorrain:completely agree that this is a GREAT opportunity to get feedback on the claims notice, Kathy.

J. Scott:I think you can ask questions about the reaction to the Claims Notice wording without having to give examples.

Kristine Dorrain:I'm just very nervous about the potential to misread the hypothetical data.

Mary Wong:I can't speak for my colleagues in Compliance, but will it be worth asking them if they have received any complaints about the Claims Notice?

Cyntia King:Good point Susan

J. Scott:I think we need to try and decide WHAT we are trying to solve for here.

Cyntia King:Perhaps we could set out a "fake" company - saying it could be a competitor of major brand X?

J. Scott:Do we think the average "innocent" infringer understands "good faith" v. "bad faith"?

J. Scott:The really bad guys know the difference, but will feign ignorance everytime.

Kathy:That's why Cyntia was suggesting...

Kathy:too...

Kristine Dorrain:And good faith/bad faith is not as much a dichotomy as a spectrum

Susan Payne:+1 Kristine

Susan Payne:sounds like a good idea

Mary Wong:There is no budget allocated for a focus group under this data request, unfortunately.

J. Scott:The notice is one thing. Do you understand the notice? What is this notice say to you? etc . . .

J. Scott:All of these questions about comprehension can be answered without any hypo.

Cyntia King:I think we should be judicious in how many hypotheticals we use. The more abstract & time-consuming the survey the fewer responses we'll get. We need balance.

J. Scott:The hypos require a lot of nuance that I think the average citizen is unaware of.

Kristine Dorrain:Agree, J Scott

Cyntia King:@Rebecca - that's a bit unfair. Average teacher may not understand that APPLE.TEACHER could be problematic - buy teacher gifts is okay, but selling online classes could violate TM.

Kristine Dorrain:One way to get at without the hypo: After reading this notice, would you think about what you intended to do with the domain name before you decided if you wanted to proceed?

J. Scott:+1 Agree Kristine

Kristine Dorrain:That goes to: what is the potential registrant thinking about rather than us guessing about what they're thinking about by looking at the the names they selected as "ok to proceed" in hypothetical

Philip Corwin:It's a Goldilocks challenge -- we want the notice to be enough of a warning to deter intentional infringement, but informative enough that good faith registrants are not deterred.

Kristine Dorrain:Yes, Phil, and we can't determine someone's intent (good faith/bad faith) by which domains they think it's ok to register.

Kristine Dorrain:that simply may reflect ignorance, not intent

Susan Payne:yes I think so

J. Scott:Have a query for Staff: What is the status of the Survey Provider RFP?

J. Scott:Thank you Ariel.

J. Scott:Good news!

Philip Corwin:Sounds good!

Susan Payne:great, thanks all

Kristine Dorrain:Thanks Rebecca!

J. Scott:ciao

Kathy:tx and bye!

Philip Corwin:Everyone have a great weekend