

**Transcription ICANN61 San Juan  
GNSO: RPMs PDP Working Group, Part 4  
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Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

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Kathy Kleiman: We would like to call this meeting to order in about 10 seconds.

Mary Wong: So if we can just start the recording? We are good? Thank you. And so we can open the meeting, Kathy.

Kathy Kleiman: Good morning, everyone. Good afternoon, good evening for people who are participating, including people participating very, very early their time, which we appreciate. This is Kathy Kleiman, and I'm with Phil Corwin, the now two cochairs of the Rights Protection Mechanisms Working Group. And we welcome you to our fourth out of four meetings here in San Juan.

And we're happy to be here and it's a very important session today where we're talking to the URS providers. We have Renee Fossen in person, the Director of Arbitration for the Forum, Ivett Paulovics, URS manager for MMSD, and Carrie Shang, ADR Legal Counsel for ADNDRC. Ivett and Carrie are joining us remotely.

As everyone knows who's been participating for the last day, we've lost Adobe Connect, which means that the traditional way we run the meeting is not traditional anymore, people will be raising their hands physically in the room. People will be speaking remotely and letting us know when they want to participate. We will try to remember to let you know when we move to the next slide because everyone's running their own slide decks now.

And we've been urged by our wonderful AV team to make sure that we speak slowly into the microphone, directly into the microphone if we want the people who are coming in on the phone bridge to be able to hear us. And I want to congratulate my cochair, Phil Corwin, on his birthday today so a round of applause for Phil, who always dedicates his birthday to us.

Phil Corwin: I'm happy to celebrate my birthday given the alternative.

Kathy Kleiman: And Phil, that's it for my opening remarks. I thought you might have one or two.

Phil Corwin: Yes, I'll be brief, we're all happy that this is our final morning of work in beautiful San Juan. Thank everyone for being here when it's such a lovely day out. We thank the providers for being with us and to present today and take initial questions. I'm co-chairing the sub team on providers and we're preparing - I think they're aware we're providing a more formal list of objective questions about how they handle various aspects of the rules, the MOU and the procedures set out for us providers. And we anticipate wrapping up that exercise and getting those questions out in the next few weeks, but so some of those questions may repeat queries that come from the audience today but that's fine, we'll get on the record here today and more formally with those written questions.

Just let me ask staff, do we know who's called in or do we need to ask who's on the line?

Ariel Liang: This is Ariel from staff. We have - besides Ivett and Carrie we have two other remote participants, one is (Diana Arondo) and the other is George Kirikos.

Phil Corwin: Okay. So that answers that question. So I'll be quiet and let our guests proceed with the presentation and we'll look forward to a productive and informative session. Thank you.

Renee Fossen: Good morning, everyone. Renee Fossen for the Forum. I think Kathy may have covered this a little bit in her introductory remarks, that we are going to take the categories or the topics that were provided to us as providers and we'll take them one at a time. So I'll start as Forum and then Ivett will provide her input and then Carrie will also provide hers and then we'll stop for questions on that particular topic I think it'll be easier to keep track of where we're at in the conversation doing it that way rather than waiting for questions at the end. So hopefully we can get through it; I think it's a little ambitious but we'll get started right now.

So we're going to each do some introductions about ourselves and our services. I'm Renee with Forum. I have been with Forum since September of 2016 so about a year and a half. There's our Website listed on the first slide on Page 3. I did want to direct the working group's attention to the URS documents that we have available on our Website. There are several to look at. And the demos I think are particularly interesting, they go through and it actually shows the screens that the parties would be seeing as they're filing.

We do plan on doing some updates but the probably not until the end of this year so I would take a look at those. We won't change the content necessarily just maybe the appearance of some of those documents on our Website, so please take a look at those. I contemplated going through those today but I just don't think that we're going to have time to get into that detail at this point.

Forum has been administering domain name disputes since 1999 with the UDRP and since the inception of the URS along with some other domain name dispute resolution processes. Onto Slide 4, Ivett, would you like to give your introduction?

Ivett Paulovics: Thank you. Hi, Renee and hi, everyone, in the room. Happy to be here today also if I'm present (unintelligible). Let's start with a little introduction about MFSD. At our online dispute management platform there is a description of the new gTLD program and the URS, also the rules, the fees, the (unintelligible) and the data information are published. And in order to file any form, so complaint, response, appeal or response to appeal, or other communications, it is necessary to register at our platform to have access to such online forms.

Our dispute resolution center is specialized in the resolution of intellectual property disputes. We are based in Milan and we were established in 2000. Since 2001 we are authorized to handle the dotIP domain name disputes. Since 2012 and 2013 we also have services for IP mediation and training. And since 2015, the end of 2015, we are URS provider as well. Thank you.

Renee Fossen: Okay, we'll move onto Slide 5 with Carrie.

Carrie Shang: Hi. This is Carrie Shang. I am the ADR Legal Counsel of (unintelligible) International Arbitration Center, the overseeing of our domain name dispute resolution services and other IP related services including mediation. So I would like to direct everyone to our Website, if you have the liberty to access the Internet from your end. You are going to see that actually the Asian Domain Name Dispute Resolution Center, ADNDRC, unlike the Forum or (unintelligible) it's actually a collaboration (unintelligible) that's by four different organizations. So we have (unintelligible) international economic and trade arbitration commission, Hong Kong IAC, International Arbitration Center. We also have IDRC (unintelligible), so and the Asian International

Arbitration Center (unintelligible) Malaysia, so basically this is a joint effort, it's a joint platform by four different offices.

It was established in 2002 meaning that ADNDRC is I guess the youngest center among the three of us and then we were joined by the (unintelligible) office in 2006 and 2009 respectively. We are able to administer (unintelligible) from domain names dispute resolution proceedings under the UDRP, URS, (CM), PDDRP, PDRP, SDRP and CEDRP.

So basically when any complainant would like to file a complaint and to the ADNDRC in whatever proceeding the complainant shall have the right to (unintelligible) one of the four offices to ask dispute resolution provider. And fortunately or unfortunately, for URS proceeding, parties have only chosen the Hong Kong office meaning the Hong Kong International Arbitration Center to administer the cases. So all (unintelligible) cases that are decided by the ADNDRC were actually administered by the Hong Kong Center of the ADNDRC. So that finish my introduction. Next slide.

Renee Fossen: Okay thank you. Moving onto Slide 6, entitled Communications. This is a slide, we'll have one for each of the categories where we have just a brief summary of the - what we were asked to talk about and a brief summary answer.

So communications with the parties to a URS proceeding and communications with registries and registrars throughout the duration of the URS proceeding. Forum, I'm going to just go down to Slide 7 now, just to jump right into it. Forum corresponds with the registry with the information that's available from ICANN via email and they send the complaint requesting verification and a lock. Correspondence with the respondent at the commencement of a case is an email containing the notice translated if necessary per Rule 9, complaint and a link to the online portal for filing a response. We'll only accept responses if they're filed on our portal.

The notice is sent by fax and regular mail. The registrar we correspond with them via email and that comes after - with an email sent attaching the notice, translated if necessary, and the complaint. If there's a privacy shield some registrars will provide respondent information and if we are able to obtain more information then we do also send that information along with - we send the notice and the complaint along to the new contact information that we may get. Not all registrars will do that but if they do we take advantage of that.

The complainant, all correspondence is by email. Of course we'll accept phone calls from any parties in the process to answer procedural questions if necessary. There's a case coordinator assigned to each case and that coordinator will reply either via email with the answer to your question or they will give you a phone call.

I think to address Maxim's question from Saturday I think it was about why the registry doesn't get the notice at the time, the same information that the registrar gets at the time, it's because the case hasn't commenced yet so we don't really have a notice generated until after the case is commenced so that's why the registry doesn't receive that information.

Ivett, we'll go back up to Slide 6 then.

Ivett Paulovics: Thank you. With the parties the communications of MFSD is usually by email. Regarding the complainant it's by email to the email address provided in the complaint so it can be the complainant - the complainant itself or the authorized representative of the complainant. With the respondent all communications different from the notice of complaint and the notice of default are sent by email. Notice of complaint and notice of default are sent by email, by courier and by fax if there is any fax number available in the Whois data to all addresses shown in the Whois confirmed by the registry and to any mail address is provided by the complainant in the complaint.

The communications to the respondent are sent in English and are translated - with the translation also and with the notice of complaint we also sent the form of the response in the language of the respondent.

With the registries and the registrars, all communications are by email to the email addresses that are made available by ICANN. If there is any privacy question, the registry - if the registry - with the notice of lock provides any additional contact information for the respondent such information will be included in the notice of complaint so there could be also an additional address for the respondent if it made available by the registry operator.  
Thank you.

Renee Fossen: We'll go back up to Slide 6 and Carrie and then we'll just go down...

((Crosstalk))

Carrie Shang: Sure. Thanks, Renee. So I guess the simple way to answer this question is that ADNDRC everything is conducted electronically unlike the Forum or MSD, we do not provide (unintelligible) or fax or letter types of postal mail, everything is in email. We do have an online portal so that when they - the complainant has made any submission if any communication from the Center needs to be transformed - transmitted to the party then on the online portal there's a way for other case managers to access the information and (unintelligible) so that they - the complainant is going to receive the notice in that way.

But nothing is generated automatically. The case manager would have to actually operate that particular (unintelligible) for email to be sent. Also for communications with registries and registrars throughout the duration of URS proceeding all communication from the Center and registries or registrars are conducted in email and in English. We do not provide any additional translation in our communications with parties or registries, registrars.

Renee Fossen: Thank you, Carrie. Moving onto - we have time for questions, yes.

Phil Corwin: I'm going to start the queue. Phil Corwin and anyone else, please raise your hand. This is a question for the Asian Domain Name Dispute Resolution Center for Carrie, the URS rules say that under communications that a - the provider has a responsibility to employ reasonably available means calculated to achieve actual notice to respondent and that achieving actual notice or employing the following measures to do so shall discharge this responsibility and that's by sending notices (unintelligible) all email post mail and facsimile addresses shown in the domain name's registration data or the Whois database and also to the technical contact and the administrative contacts.

So I have a two - a two-part question. One, do you feel your complying with that rule by employing only email? And secondly, if you receive notice that the email has not gone through do you follow up by other means to try to assure that the respondent gets actual notice in sufficient time to be able to prepare a response if they wish to do so? But the main question is, since the other two providers are employing all those means and you're using only email, do you feel that you're in compliance with the rules?

Carrie Shang: Thanks for the question. So we have basically accommodated the supplemental rules under Article 3 of the supplementary rules. Actually we - for basically (unintelligible) of supplemental in order to implement the URS procedure has I guess written the rule in a way that everything shall be made electronically via the Internet in accordance with guidelines for URS submission.

I think the system has been designed in a way that makes sure - that has ensured the compliance but I would like to raise additional matter by saying that we do have this kind of procedure if there is a proxy and service, if we found that a proxy has used - by a particular respondent so that there's the possibility that the Center might not be able to identify the true identity of the



respondent. In that particular case, then the relevant office of Center is going to request the registry operator to identify the respondent to be notifying the registry operator updates complaint. So that is additional safeguard that we do in cases when a privacy or proxy service is involved.

Again, we have not received any complaint regarding not receiving notice so (unintelligible) we have been comply with the URS requirements, although we have not implement additional procedure to try to notify the respondent (unintelligible) services.

Phil Corwin: Okay. Thank you for that. And as mentioned, there will be very detailed written questions coming to all the providers in regard to communications and other practices. Are there other folks in the room or online who have a question regarding communications before we move onto the next section?  
Kathy?

((Crosstalk))

Kathy Kleiman: Okay. Ariel, go ahead.

Ariel Liang: And this is Ariel Liang for the record. There is a remote question from Justine Chew. "With respect to Slide 7, Renee mentioned that in the case where there is a privacy shield, some registrars will provide respondents information. What happens if a registrar does not provide respondent information? What do MFSD and ADNDRC in similar circumstances?"

Renee Fossen: This is Renee, I'll go first. If we don't receive that additional information from the registrar, which is not typical that we would receive information from them, because the case moves so quickly, we just proceed with the information that we have. That's really all that we can do. Ivett?

Ivett Paulovics: Yes, since the notice of lock is sent to the registry operator and registrar is copied usually, it's the registry operator that responds and if there is any

privacy shield the registry doesn't have the information available for them, it's only the registrar who has the underlying information regarding the registrant. And if registrar is not communicating any information we just proceed as Forum said, using the information that is available in Whois.

Ariel Liang: This is Ariel Liang for the record. Actually we do have another question from George Kirikos, but perhaps we can do that question later because it's not on the exact point we're talking about. And now we'll forward that to the three providers as well.

Kathy Kleiman: This is Kathy Kleiman. I have a question about translations. And how you know what the language of the registration agreement is? How you find that out and so how you know to whom you have to send a translated notice? Thank you.

Renee Fossen: Actually, Renee will start - this is Renee with Forum. With respect to translations, it's not the Registry Agreement doesn't govern what language it is, it's the physical location of the respondent. So we have whatever is in the Whois information or the information that we're able to get from the registrar, we use that information. And research whatever country it may be or region, province, to see what the dominant language is in that province or country or area. And we get - if we don't already have the translations we prepare those very quickly and get them sent in the appropriate language.

Kathy Kleiman: Thank you. May I ask Ivett and Carrie also about translations?

Ivett Paulovics: Yes, sure. It's Ivett. As Renee said, the language of the proceeding is not as in the UDRP governed by the language of the registration agreement in the URS. So the language is usually the predominant language of the registrant country. So we do the translation in that language. We do the translation of all email communications, the notice of complaint, the notice of default and we also provide response form in such language to the respondent. Thank you.

Kathy Kleiman: Thank you. Carrie.

Carrie Shang: Sure. I would like to echo what Ivett and Renee mentioned that the language of registry document in URS proceeding is not as important as it is in UDRP proceedings. At times, we do have inquiries from - especially from the respondent side regarding language of the proceedings. As I mentioned in the initial introduction, we do not have a formal procedure of translating documents into the - translating documents or communications to corresponding languages, but our case administrators are usually happy to answer questions parties might have sometimes, usually the (unintelligible).

Kathy Kleiman: Thank you. David McAuley please.

David McAuley: Thanks, Kathy. Excuse me. David McAuley speaking. Just a point of clarification, Renee, for what you said, I didn't follow at all. So is the language translation for documents like notice or is the examiner's report in the other language? Does it affect how you pick an examiner? That kind of thing.

Renee Fossen: We translate all of our template documents because if there is a response that comes in from that complaint in that region, then we appoint an examiner that speaks that language. So we will have all the documents prepared for that examiner in that language so that they can be issued in the correct language. And we do have many determinations on our Website that are in foreign languages.

Phil Corwin: And, excuse me, Phil Corwin here. As we move onto administrative review, I want to suggest what we're trying to do is go through each section of the outline, ask questions relevant to that section and if there are additional questions, I know there's at least one pending - it's not key to one of these sections, that we reserve the last 10 minutes of the meeting which would start in about an hour for miscellaneous questions not related to specific topics in the outline to make sure that everything can be asked. I hope that's

acceptable? Thank you. And if there are no further questions we can move onto administrative review.

Renee Fossen: Thank you. Slide 10 then has the administrative review questions that were asked. With respect to Forum, the administrative review essentially is through the filing of the complainants. We have an electronic submission so if - and we can scroll down to Slide 11. So if you go to our Website and you go onto the complaint demo you'll see the screens that I'm talking about. But the complainant is required to supply the information and if they don't for each category the contact information, the respondent contact information, domain name, they'll get rejected or they'll be asked to correct the information or fill it in.

So the complainant contact information, the respondent contact information, the domain name, we have a system that's - it's automated so that we get a download from ICANN and we use that download to eliminate the gTLDs that aren't subject to the URS. So all of the new TLDs obviously are in there with contact information and then there's a handful, five or six, I think that have adopted the URS so those are also included in the information that we have so if a complainant picks one that's not in our download or on our list then it will be rejected for that reason.

And we will get notification of that if they try a couple of times, we'll reach out to them and kind of explain why, so we won't have any dotComs, those kinds of things don't get through so there's no administrative reason to review the complaint for something like that.

They're required to upload for each domain name three documents per the rules, screenshots, proof of use and evidence of the trademark. The URS procedure elements are series of tick boxes or check boxes and that's per Rule 3B. Six, and then the explanatory statement, I know there's been some conversation on the respondent side with this, but the explanatory statement is captured in a text box and the words are counted as you're typing so you

can see kind of how far you've progressed in typing your explanation. And you're not allowed to go over 500 otherwise it will ask you to remove some words and won't let you proceed with the rest of the complaint.

Other legal proceedings are captured in a text box, mutual jurisdiction is a series of check boxes. The mandatory statement is...

((Crosstalk))

Kathy Kleiman: ...Ariel, I think we (unintelligible).

Renee Fossen: Oh I'm sorry yes, 12, thank you Kathy. We're trying to keep each other honest here. Let's see, where did I leave off?

Kathy Kleiman: Mutual jurisdiction.

Renee Fossen: Okay, yes, so there's checkboxes for mutual jurisdiction, essentially there's checkboxes for everything that's not required to have some sort of text. To circle back on the abusive complaints, I know we've had quite a bit of conversation on that. The providers share a database for that. And currently there aren't any so - but that's something that needs to be disclosed, not by the complainant but that's something that we would check, you know, that's not an electronic thing that a complainant probably isn't going to admit that they've had an abusive complaint finding against them so that's something that we do check. Like I said though, there aren't any so there's nothing to check currently.

I think I covered that. The privacy shield, as far as case name, the respondent will be the party named in the Whois when the case is filed, even if the registrar does provide additional information that case name doesn't change. That's it for me. Ivett.

Ivett Paulovics: Thank you, Renee. So just as for Forum, also for MFSD, the complaint form is a checkbox form available online and after submission of the complaint, we carry out the administrative review within two business days as requested by the rules. First of all, we do immediately a screenshot and we also obtain a copy of the Whois data independently from the documents of the complaint. The administrative review is carried out manually through a checklist which is filled in by the case manager and there are in the checklist several questions about the content of the complaint.

So you can see on the Slide 13 that the first one is that the complaint content for a new gTLD or a domain name to which URS proceeding applies, is the complaint in English, that the complaint include all information, indication and declaration required by URS procedure and URS rules. Does the complaint relate to more than one domain name and are those domain names registered by the same holder? Have the filing fee been paid properly together with the submission of the complaint?

On Slide 14, you can see that there are two further questions so has the complainant exceeded its quota of abusive complaints? And is or are the disputed domain name, domain names part of an open or active URS or UDRP case? If there is - there are any administrative deficiencies there is no possibility to amend the complaint by the complainant but the complaint is dismissed by the Center without prejudice to the complainant's right to file a new complaint. And according to the rules, there is no refund of the filing fees.

Up until now we had three cases of dismissal after the administrative review. And in all three cases the complaints contended for domain names to which the URS proceeding doesn't apply so to dotCom domain names. So such complaints were dismissed after the administrative review. Thank you.

Renee Fossen: Carrie.

Carrie Shang: Hi, sure. So very much like the Forum, we do have an online portal, so for a party would have to fill in some necessary information in order for the complaint to get through the system, for example, name, address, contact information of the complainant, we do ask the party who is submitting the claim to upload the Whois information, and copy the trademark or service marks, screenshots of the disputed Website information like that.

So in order to get through the online portal there is certain kind of procedures that the complaint party would have to follow. After that, our case manager, upon receiving the complaint, usually conducts an initial administrative review of the complaint for basic compliance with the procedure. The rules also - the supplemental rules and everything is conducted within two business days acknowledging receipt of the complaint.

The administrative review is usually conducted in a way that is a little bit easier compared to the way that we are conducting an administrative review for UDRP cases. If a complainant is seen noncompliant, then just as the other two centers, the initial filing fee shall not be refunded. Another thing I would like to mention is that - and on Slide 10, you may see that total cases dismissed to administrative inefficiencies - I put zero, but as for all other websites, you are going to see (unintelligible) ADNDRC Website, enter URS determinations, you are going to see a lot of cases that under determination status (unintelligible). So those are usually cases that are submitted (unintelligible) but are not URS applicable, usually those are cases that are concerning domain names that are not new gTLDs, so they are the - they could be dotCom cases, dotCN cases, cases like that.

I mean, these kind of cases usually they are already given a dispute case ID, unlike UDRP cases, you only are going to send a case number after the administrative review is conducted. So these cases they get dismissed and on our Website it's shown as case withdrawn, but they do have a case ID. So what I say none cases have been dismissed for administrative deficiency, I have not considered those cases that are automatically deemed as URS non

applicable cases, but you can find that case data on our Website and their URS determinations.

((Crosstalk))

Renee Fossen: Okay, are there any more questions before we move onto the next topic?

Phil Corwin: Some, Maxim had his hand up and I have one quick question after him. I don't own if there's others with questions.

Kathy Kleiman: Do we have any in the chat? Okay.

Maxim Alzoba: Maxim Alzoba for the record. The question is for ADNDRC procedure about identification of privacy proxy service used by someone and, yes, an attempt to identify. I'm not sure that the registry operator is the party which has any kind of knowledge of this because if registrar for some reason in registration fields passes information which is, yes, equal to symbols, say in the privacy and proxy service, the registry doesn't have understanding if it was a real proxy privacy services or someone just added text saying that it is. So I think that the party which has some knowledge is registrar. And have you had any experience in asking registries about this or was it just designed process? Thanks.

Carrie Shang: Thanks very much for that question. I would admit that from based on our experiences, because we have only administered 33 URS cases so far, so we have not had any experience in that particular regard so that is a design process. But based on our experiences dealing with the UDRP cases we - I guess this is more like additional safeguards to ensure that the respondent receives the notice so as long as some kind of information is correct there we do not - we're not very concerned with that in administering cases because that is like additional safeguard for communication to be conducted in a safe manner. But it is a design process (unintelligible).



Phil Corwin: Okay. I'm going to have a quick question and then I see Zak's hand up and Berry's. Right. My question, and I'll direct it to the Forum but the other providers free to chime in if they wish. I note all the providers check if the complainant has any past findings of having brought abusive complaints. My question is, has that central database of abusive complaints been established? Is that what you're checking against or just your own cases? And am I correct in understanding from your comments that to date there's been no finding in any URS case of abuse on the part of the complainant? Thank you. That was Phil Corwin for the record.

Renee Fossen: Sure. This is Renee. We have - Forum is hosting the combined provider database. Each provider has login information to add any cases to the database. Only the providers that add information are able to edit any of that information, so another provider can't go in and take somebody out. So once they have entered something, should it happen, into the database, then only that provider that entered that can make any edits to it. So we've developed a system, at least amongst the three of us now, that we will inform the other providers the minute that we also get a finding of abuse case. So we'll have a couple of different methods but it certainly will be recorded per the rules in the database should we ever have one.

Phil Corwin: Okay and the - thank you for that. On the second part of my question was I correct in understanding that there's been no complainant to date has been found to have engaged in abuse, is that correct?

Renee Fossen: That's correct. I will say for a short period of time my - I believe that we had one that was checked in our database as abusive but it actually wasn't, it was an error. So you may have seen that if you've ever looked, I think it was sometime in early 2016, that it was on and when I joined as director I reviewed that case and had it removed because it was an error.

Phil Corwin: Okay.

Renee Fossen: There was not finding of abuse in that case.

Phil Corwin: Thank you for that. I think Zak was next and then Berry, was your hand up?  
So Zak and then Berry. Am I missing anyone?

((Crosstalk))

Phil Corwin: Okay, we'll get to that before we move on. So, Zak, go ahead.

Zak Muscovitch: Thank you. Zak Muscovitch. Phil has asked my question so I'll follow up on it.  
Are the providers integrating into their administrative review procedures a check of that repository of potential abusive cases or are they just entering the findings of an abusive case into the database? So in other words, I want to hear whether the providers are incorporating as a standard procedure to check that database every time a complaint is submitted? Thank you.

Ivett Paulovics: Sorry, but we have some slides on the - on this topic. So can we go to the slides of abusive complaints?

Ariel Liang: And this is Ariel Liang from staff. Ivett, can you let us know which slide number you want to go to?

Ivett Paulovics: Yes, it's 20.

Renee Fossen: Ivett, since you have a specific slide you want to the first crack at the question?

Kathy Kleiman: Do we have anymore administrative questions?

Berry Cobb: Thank you, Kathy. Berry Cobb for the record. And Carrie, this is for you and maybe I just misunderstood from your discussion, you had mentioned that you don't have any cases or complaints that were submitted that failed the administrative review but you did also mention that two cases - or at least

from my records you had two that were withdrawn, one was for a dotCom name and the other for a dotCN name. Can you just restate what you had mentioned?

And the reason why I'm asking is the document sub team was wanting to get - I'm thankful that you all provided the numbers for the number of complaints that had failed the admin review, so that's just one thing that we can check off from our data collection part. But can you just clarify you said none that had - no complaints submitted had failed the admin review but again, we do see two in our data set that were technically withdrawn. Thank you.

Carrie Shang: Thanks very much for the question. So for - so I - when I worked on doing the presentation I did not consider those case withdrawn cases meaning that cases that have not been filed properly under URS, cases that had failed an administrative review because I take - I (unintelligible) administrative review in more narrow way meaning that cases that have actually failed administrative review by (unintelligible) but there are cases, more than two actually, that basically our Website that had (unintelligible) cases that are usually that have not filed properly. So if you have (unintelligible) those cases on the Website that should give you the proper number. It's actually more than two.

Berry Cobb: Great, thank you.

Ariel Liang: This is Ariel Liang for the record. And there's a question from Justine Chew. "In the 17 cases dismissed," a question for Renee, "what administrative deficiencies featured the most frequently? What factors can be identified on the part of the complainants to explain these?"

Renee Fossen: Hi, this is Renee. Now I don't have in front of me exactly what each of those 17 entailed as far as the reason why they were dismissed, likely for nonpayment. But I certainly can check into that and circle back if it becomes a formal question.

Kathy Kleiman: Okay. Anymore questions on administrative review? If not, I believe our next topic is abusive complaints.

Phil Corwin: No...

((Crosstalk))

Kathy Kleiman: Examiners and appeal panel.

Phil Corwin: This is starting at Page 16 of the slide presentation.

Renee Fossen: Hi, this is Renee from Forum. I'll go first. Examiners and appeal panels, there were a couple different questions with respect to that topic. The first being selection, Forum's selection preference is given to those with experience in IP arbitration and domain name disputes. I can say that with the current URS arbitrators or examiners we have now, most of those, I would say - I can't give a percentage but I would say that most of them have been empaneled since the beginning or at least within the first six months of the URS program. We haven't added many after probably 2014; I can't be certain but so as far as their experience they've had at least several years now.

For assignment, it's a strict rotation with the exceptions made for availability. If an examiner is unable to do it in the quick turnaround time, they can't always be on call for such things, then we move onto the next one on the list. And as I mentioned earlier, with the language issue, if we do get a response in a particular language, obviously we have to go to the next examiner on the list that speaks that language so we're skipping over others but then we go back to the - to pick up where we left off with the English speaker rotation.

Training, initially there were webinars and a PowerPoint that was put together to get the URS examiners up to speed. There is also an annual in person domain name dispute training session or meeting that is offered. Ivett.

Ivett Paulovics: It's Ivett. We have a list of examiners, which is published with their bio at the Website. The examiners are selected between professionals of multiple jurisdiction, it's because of the language requirements of the URS. So we have currently 23 examiners from the different part of the world so with different language skills who are experienced in cross border intellectual property disputes, ADR proceedings and in particularly in domain name disputes.

When we are assigning a case to an examiner the most important requirement is the language so if the language of the response is different from English, we have to appoint an examiner who is fluent also in such language. We make a case by case analysis obviously, and we adopt the principle of the rotation and also for MFSD it's important that the examiner is available due to the strict timeframe of the proceeding.

Regarding the appeal panels, there can be single member or three member panels. The panel members should be different from the examiner who decided the complaint. So far there were no appeals handled by MFSD. We provide online training sessions so webinars and face to face training sessions are also organized regularly. Also such events can be found at our Website, they are published under News and Events. Thank you.

Renee Fossen: Carrie.

Carrie Shang: Hi, so for ADNDRC we do have established a URS panel that's specifically dealing with URS cases. The way that we're doing our proceedings, for different policies we establish separate panel considering a lot of factors that have mentioned already here by our colleagues from the Forum and MFSD. Particular applicants experiences in IP, arbitration, domain name disputes, IT, these kind of areas of law. And we - it is basically - it is basically a (unintelligible) system of rotation and invitation. So most of our panelists join the panel by applications but we do identify experts, specialists in area and

send our application to them, because sometimes we do outreach to experts in the field by sending invitations to them to join our panel.

For - when it comes to assignment, a lot of different factors are taken into consideration including the nature of the dispute, the availability of the examiner, which is particularly important for URS proceedings considering the rapid nature of this kind of proceedings. Identity of the parties, we give consideration of nationality of the party, for example, if it's a American trademark owner files a complaint against a Chinese domain name holder, usually we are not going to appoint an examiner that is from the United States or from China, we try to appoint a person who that is of neutral nationality.

We also consider their independence and impartiality of the examiner, their past experiences working with either parties, the relevant legal background. So as I said here, it is really a balance of factors, a lot of factors are given to consideration here when it comes to appointing a particular examiner. The same goes for appointment of the appeal panel. Here parties also have the liberty to choose from a single member panel or a three-member panel. And we are not going to appoint the same panelists for the initial examination or the appeal, although we have not administered any appeal cases of URS examinations.

For training we have a lot of materials readily available online, not only on the ADNDRC Website but also on the - each for (unintelligible). We also provide a new training session sometimes separately by (unintelligible) and sometimes jointly together. So that concludes my part.

Phil Corwin: Okay. Thank you. And I just want to note at this point I've confirmed with my cochair, we'd ask that as we proceed, we've got about another 30 minutes to complete the presentation that the provider representatives keep their remarks fairly brief and likewise questions. With that, do we have questions regarding examiners and appeals panel? I see Lori.

((Crosstalk))

Kathy Kleiman: One more quick note.

((Crosstalk))

Phil Corwin: Okay go ahead, Kathy.

Kathy Kleiman: And I just wanted to note that there are questions coming in via the - via our ListServe that we will get to, we're going to work very hard to reserve that 10 minutes at the end to get to questions that may be outside of the topics that we asked the providers to speak to. So I just wanted to let people know on the list that we are reading the list.

Phil Corwin: Okay, so I see Lori, any other hands? I want to put myself in the queue. Kathy. Anyone online, Ariel, with a question? Okay, so Lori, Kathy and myself. Go ahead, Lori.

Lori Schulman: Hi. Lori Schulman for the transcript in whatever form it will be. Yes, I have a question directly to MFSD and then perhaps the other providers could very quickly. It's a yes or no answer. I noticed that for MFSD there were zero appeals so far, so I just wanted to know if that was also true - what the appeal rate was from the other providers, what the numbers are. And for MFSD specifically with zero appeals, have you gotten any insight as to why there are zero appeals?

Ivett Paulovics: It's Ivett. So you mean which is the reason that there was no appeal until now?

Lori Schulman: Yes correct, thank you.

Ivett Paulovics: Okay, I assume that the parties didn't have any reasons to appeal. I mean, or they were satisfied with the outcome of the proceeding or since the URS doesn't preclude subsequent UDRP proceeding there is also the possibility to file a UDRP after the URS. I don't know really know the reason so we haven't been contacted neither by complainants, neither by respondents regarding the appeal proceeding.

((Crosstalk))

Renee Fossen: Okay, Carrie.

Carrie Shang: Sure, so Carrie from the ADNDRC. Same as MFSD, we also have not received any appeal of our cases. The reason could include, as Renee, probably parties are just very satisfied with the results of the examinations, also they have alternative remedies that could be provided to them in court of competent jurisdiction.

Another reason that is from the 33 cases that we have actually handled, only six parties have submitted responses, which basically means that probably a lot of respondents have just not given their consideration to the URS proceeding, the suspension of the domain name to them are probably not as serious as having the domain name transferred to the trademark owners. I guess those are some potential reasons that we have not received any appeal in our experiences.

Renee Fossen: Hi, this is Renee. We will have a topic for appeals but I will just quickly say that we have - Forum has had 14 appeals covering 16 domains. As far as the negative not why certain practitioners are not appealing, I do try and ask some of the respondent attorneys, well why - if I have the opportunity to do so casually - why didn't you appeal a particular case? And basically it comes down a client decision where it's just maybe not worth it for them to proceed any further.



Phil Corwin: Okay, so Kathy and then we have a remote question then I'll ask my question last on this section. And again, hopefully brief questions and quick responses so we can get through the whole presentation. Kathy.

Kathy Kleiman: Okay. And I'll try to ask quickly because I know we have a lot to go. In the - we have a group that's looking at questions for practitioners. And one of the questions is based on some information, so let me ask you practitioners being the attorneys who work with both the complainants and the respondents, the registrants. Do practitioners know who is the examiner? And do they have the opportunity to object say on the basis of conflict of interest, no that's someone in my law firm or no, that's, you know, anything that might be a direct conflict of interest. So do practitioners, so very, very briefly, do practitioners know up front before the decision is made who the examiner is?

Renee Fossen: This is Renee, I'll go first. They do. An email is sent out saying to both parties, indicating that an examiner has been appointed and then it's the responsibility of the party to go to the portal to get the identity of that examiner. And at the same time then they can check the resume on our Website and get more information on that particular name.

Kathy Kleiman: Thank you. Ivett?

Ivett Paulovics: Yes so upon appointment and acceptance of the examiner, MFSD informs the parties by email and also the registry operator and the registrar are copied in this email of the name of the examiner. And also the date within aside from exceptional circumstances the examiner should render its determination. And any party may challenge the appointment of the examiner provided that the determination hasn't been already published so within the term before the determination is rendered by submitting a request of challenge in writing to MFSD specifying the reason within one business day from the receipt of the communication of the appointment. So far there was no such challenge of the examiner.

Kathy Kleiman: Thank you very much, Ivett. Carrie, did you want to take a second?

Carrie Shang: Sure. I'll just add that in our practice prior to the appointment of any examiner we do ask the examiner to declare in writing to parties and the Center any potential conflicts or potential impression (unintelligible) so we do ask the examiners to write that declaration of impartiality and independence as other centers, we also give the parties the opportunity to challenge each examiner.

Kathy Kleiman: Thank you.

Carrie Shang: Although we have not received - yes, any challenge in that regard. Thanks.

Phil Corwin: Okay, Ariel.

Ariel Liang: This is Ariel Liang from staff. There's a question from Justine Chew. "Question for all three providers, one, might there be circumstances where examiner bios are not published on your respective websites? Second, are appeal panel members of a different from the examiner who decided the complaint? Would it be the same for the de novo reviews as opposed to the de novo appeals or does is this subject to parties' choice?"

Renee Fossen: This is Renee. Unfortunately I have some short term memory problems so I always have trouble with two part questions. The first question I believe was would there be an instance where a CV or resume wouldn't be on our website? For Forum, hopefully not, probably not. If we are notified if somebody is searching for a particular examiner name, then we get a notification for some reason that resume is not available. I had maybe one instance of that just recently because I'm updating, I'm currently updating the resumes and I had a misload so I was having somebody search them for me and then I was notified that we didn't have it on the Website, so I quickly fixed that.

So we do. And I don't know if it makes more sense now to just send this first part through to the other two? So I'll send it over to Ivett for this first part.

Ivett Paulovics: From our side all the bios are published on the Website so we have 23 examiners and all the 23 bios are on the Website. Thanks.

Renee Fossen: Carrie.

((Crosstalk))

Carrie Shang: ...same here that we do have all our panelists' bios CV on the ADNDRC Website, and we - our case managers also from time to time remind our panelists to update their CV in a particular instance that we send out someone's CV, hasn't been updated for example for the past three years, so we sometimes do ask - also ask them to provide us with the most updated CV before we proceed with the appointment.

Phil Corwin: Okay thank you. And this is Phil, I'll ask a quick question, this is a question just directed to the Forum. I note in your presentation you say that preference is given to examiners with IP or Internet law arbitration, other domain name dispute experience. I note that the section 2B.3 of the memorandum of understanding entered into between ICANN and all the providers requires each examiner to ensure that each provider that each examiner has an understanding of global intellectual property issues as they relate to the Internet. So can you confirm that all your examiners do in fact have Internet IP background and expertise?

Renee Fossen: That's a tough question but I would say that through the training that they're provided that they would have that. We do have, and for the - some of the US examiners we have judges so not necessarily all judges have extensive like didn't have that as part of their practice, so but certainly they have had experience with intellectual property cases and through the training that

they're provided with they have an adequate basis to decide domain name disputes.

Phil Corwin: Okay thank you for that answer. And we'll have some written questions that go a little bit deeper on that. So let's move onto the next section which is...

Renee Fossen: There was one second part of the question...

Phil Corwin: Oh.

Renee Fossen: ...still pending. And I'll just quickly read it again because Ariel - are appeal panel members always different from examiner who decided the complaint? Would it be the same for de novo reviews as opposed to de novo reviews or is this subject to the parties' choice? There is new appellate examiners are appointed for appeals. Now I think all the providers are going to maybe have some different thoughts on this, but not thoughts but since there isn't a lot of experience with appeals.

The only choice that the party would have would be at three-member panel in an appeal so they would have - they would give us a list of three and I think this is covered in the appeals section that we'll be talking about later. They'll be given the list of three - we request a list of three from each party. We do our best to empanel one of the three from each party's list and then Forum appoints a chair for the URS appeals. Ivett.

Ivett Paulovics: Just to be short in my answer, it's the same for MFSD.

Renee Fossen: Carrie.

Carrie Shang: I do not have anything to add here.

Phil Corwin: Okay, the next section is on abusive complaints. We've already had some discussion on this so I'd ask the providers to just focus on aspects of abusive complaints we haven't already discussed. Thank you.

Renee Fossen: I'm not certain from Forum's perspective, this is Renee, that there's anything that we haven't covered. Ivett.

Ivett Paulovics: Yes, I mean, that before I didn't reply to any questions regarding abusive complaints so regarding the submission of the determination finding abuse, we publish the determination containing such finding at our Website between the determinations. And there is also a separate part of the Website where there is abusive proceedings where it should be published. As I said before, there was no abusive complaints before so we - when it happens we will be made such determination with the case details to the other two providers. And since we have an access to Forum's abusive finding database we will also submit to such database the - such data.

On Slide 23, you can see our proceeding regarding flagging and tracking the abusive cases. So during the administrative review of the complaint, in our checklist there is a question, "Has the complainant exceeded its quota of abusive complaints?" And filling in this checklist there are some reference to the URS procedure - the - which provides what is the case of an abusive case. So in such case we - so sorry, so filling out this checklist we check out at the Website of the Forum and Website of ADNDRC if there were any abusive cases regarding such complainant and also at our Website. Thank you.

Carrie Shang: I would like to add that we do remind our examiners of the existence of the abusive complaints rule and we ask them to provide us their finding for any abusive complaints whether while we have not had any (unintelligible) of finding abusive complaint. Another thing I would like to mention that because of the way that our online portal is designed, it is not the - abusive

complainant is not automatically barred from utilizing URS, so it is a part of the administrative review process to flag that. That's it for me.

Phil Corwin: Okay thank you for that. This is Phil. I'm going to note we're at 9:54, we have three sections left to - in the slide presentation, responses, determinations and appeal. I note that there haven't been many responses or appeals so let's try to get through these quickly because we did promise two people online we'd had the last few minutes for miscellaneous questions. And of course as noted, we're going to be sending the providers a long list of several dozen very clear written questions about this and other subjects, so this won't be the last chance we have to get responses from them.

And with that I'll turn it back over - do you have anything to say, Kathy?

Kathy Kleiman: Yes Phil, this is Kathy. If there are questions we can't get to today can we add them to the provider's questions list and just kind of have them evaluated by the provider sub team for inclusion.

Phil Corwin: I would say sure, if they're about compliance with the rules, procedures, the MOU, sure.

Kathy Kleiman: Thank you. Renee, go ahead please.

Renee Fossen: Thank you. We're on responses for those of you not in the room, Slide 25. Experiences with anecdotal feedback from respondents, Forum has had some, although we have received relatively few responses. The responses must be filed in the portal and of course all the issues with anybody having to do anything electronic, but the filing itself is very similar to the complaint with a combination of checkboxes and text boxes. There's a 2500 word limitation for responses and once it's received the response period ends and the parties are sent an email - and this is - I included this in the slide, Kathy, because I remembered your question so, we've answered that one already so I'm not going to cover that.

We have received correspondence from respondents where the respondent has ultimately - does not file a response so we'll get an email and saying I don't know what's going on and so then we'll reply and say, here's what you need to do, re-forward the email that we've sent that has the link to the portal and just try and help them out that way. Obviously some of them are not complimentary and they're rather insulting so for those we try and do the same thing but, you know, we only give them so many tries to email us back and forth. That correspondence is not included in the file because that correspondence is not a response and it's not filed on our portal. And per the rules, you're only allowed to have the two documents.

((Crosstalk))

Kathy Kleiman: Excuse me just a second? Ariel, I think we're on Page - Slide 26. Great.

Renee Fossen: Of course Forum has received some feedback from both complainants and respondents on the word limitation, it's not enough. And just general complaints as I said before about having to use the portal. That's it for me. Ivett.

Ivett Paulovics: Yes, thank you. So, so far there was only one response filed in the URS disputes handled by MFSD. Such response was submitted within the 14 day response period and there was no other respondent who contacted MFSD with any complaint or feedback, so we haven't received any questions neither informally by email so my response is there was no such feedback.

Renee Fossen: Carrie, and we're on Slide 28.

Carrie Shang: So from the ADNDRC, I guess our experiences are quite similar with MFSD that we have not been (unintelligible) parties regarding their experiences with the URS process. We have six out of the 33 cases that respondents have

actually filed a response. But we have not received their feedback since then after the proceeding is complete. That's it for me.

Renee Fossen: Okay are there any questions on the response section?

Kathy Kleiman: I see no questions in the room. Are there any questions online, Ariel? And note that as Renee said, we've covered some of these topics already with questions. Next topic please.

Renee Fossen: The next topic is determinations. Oh.

Ariel Liang: This is Ariel Liang from staff. There is a remote question from Justine Chew. "How do the providers ensure examiners comply with URS rules 13B, the examiner's determination shall be in writing, the provide the reasons on which it is based, indicate the date in which it was rendered and identify the name of the examiner." Emphasis added to highlight the pertinent element.

Renee Fossen: Thanks, this is Renee. I think we will cover this with this current slide that we're on now, determinations. So for Forum, it's - we have a template for determinations through the portal. There are text boxes that are required to be filled out for the reasoning. Determinations are issued upon completion to the parties and are available on the Website immediately. And all of the decisions on the Website can be full text searched. I'll kick it over to Ivett right now. Ivett, do you have anything for determinations you'd like to say?

Ivett Paulovics: Sorry, so just that like Forum we have an online determinations form to which the examiner access through its account at the platform. And only in exceptional circumstances so if there is any technical problems with the platform, the determinations are filed by email to MFSD. And the examiners are provided with the instructions on the URS elements and (unintelligible) and how to conduct the examination of the URS proceeding by the references that can be found in the online determination form.



So there are some boxes and for each box there are the references to the rules and the procedure of the URS. The determination shall need the requirements of the procedure of the rules and regarding the length of the determination there is not a limit, the examiner can determine itself as long as he deems appropriate. So there is no any length limit to the determination.

When the determination is received by MFSD, it is transmitted to the registry, copied to the registrar with the specification of the remedy and the required actions so if the examiner decides the suspension, the registry is requested to suspend the domain name and if the examiner finds that the control of the domain name should be returned to the respondent such action is requested to the registry and it is also sent to the parties. And after that it is published at our Website.

And after receiving the confirm from the registry that the suspension or returning the control to the respondent was carried out, we also do a check that in the Whois data such action is reflected. Thank you.

((Crosstalk))

Carrie Shang: ...ADNDRC our approach to determination very, very similar to what other - the other two providers. We have a template for examiners and we do all have our past decisions made available online for examiners who would like to make special efforts and to any case. Within seven calendar days of receiving a determination, any party may actually (unintelligible) a notice to the Center, any other parties request the examiner to correct any computational error, any clerical or typographical errors in the decision.

And such corrections shall be given in writing to the parties and then become part of the determinations, although we have not dealt with this kind of (unintelligible) the parties request a particular case in the determination. And also the Center adheres with their very strict (unintelligible) publication rules so within 24 hours upon receipt of that determination we make the decision

available to the parties, registrant, the registry and we make it available on the Center's website.

After receiving determinations from examiners, we do reach a decision and ensure that the determination complies with the rules. If it is found out or checked that a particular examiner's writing of decision (unintelligible) the standards of URS then there is usually an internal reference so that a particular examiner is really, really unlikely to be appointed in determining later URS proceedings. All that information usually is not going to be made available to the public. Thanks.

Kathy Kleiman: Great, thank you. Do we have any questions about determinations? Okay. Phil.

Phil Corwin: Okay, that brings us to the final section on appeal, noting that the Forum is the only one of the three providers that's had any appeals, there's been zero filed with the other two. I'm going to ask Renee to present quickly on that and that we have the other information about how the other providers have set it up, we can look at their supplemental rules so if you could just talk about your experience with appeals and whether any of them have been successful, that would be helpful, and then we can get to questions on that and the two miscellaneous questions we have over the email. Thank you.

Renee Fossen: Hi, this is Renee. I think we've covered quite a bit of appeals. I don't know that there's anything else I can add other than there have been, I believe, successful appeals. I don't have the exact breakdown of how many were successful but since there are 14 I don't know that that would be that difficult to figure that. I just don't have off the top of my head as I sit here how many have been successful.

Phil Corwin: Okay, so we can get that on the record when we send the written questions. Berry.

Berry Cobb: This is Berry. Just real quick, from the document sub team in terms of data gathering, I believe that that group or the larger group when it's figured out will be reviewing those 14 cases in a little bit more - 14 cases where an appeal was filed in more detail. Thank you.

Kathy Kleiman: Great. Any other questions about appeal? Great, we promised to save 10 minutes at the end, and we have questions from George and from Claudio. So I'll be reading - I'll be trying to summarize George's question, which is quite long. And it has to do with in 2009 the Minnesota Attorney General was very concerned and actually sued NAF over its consumer arbitration business involving credit cards. This is not a new question for Renee. But let me ask - and it's going to take me a second because George revised the second question.

"In light of that proceeding, and that decision, how do NAF's business practices," I think we say the Forum's business practices, "in handling domain name disputes differ from those in the consumer arbitration business which it left? And how can domain name registrants be confident that the same abuses which were alleged in consumer arbitrations are not present in its domain name dispute business?"

And let me switch to the revised second question, which is "In light of that question, who are the beneficial owners of the Forum," and he said NAF, "of the Forum, and do they have ties to the trademark industry, law firms or anyone else that might affect the Forum's neutrality? In other words, where is the statement of interest for the Forum itself as an organization?" And George, I hope you don't mind my substituting Forum for NAF. Thank you, Renee.

Renee Fossen: Well I guess this question is for me. With respect to the topic of consumer arbitration, that is a political football in the United States certainly, and for the record, Forum voluntarily ceased doing consumer arbitrations. As far as how can domain name registrants be confident that those same abuses won't

happen, alleged abuses won't happen here, well that's why we're here; that's why I'm here explaining our processes and how we do things. Everything is published, as far as determinations, examiner information is published, so I don't know how I can prove a negative that we don't have those abuses anymore.

As far as the SOI for NAF, I can't tell you who the owners are, I don't know that they can tell you who I am so I don't know how they would have any influence on how I essentially run the business the domain name programs. It's not like owners are in my office on a daily basis. I don't even know who they are necessarily. And if there are any further questions as for their identity, I think I would definitely have to run that through staff counsel.

Kathy Kleiman: Thank you.

Phil Corwin: Okay, thank you for that response, Renee. And as noted, it's the job of this working group to determine whether the Forum and the other providers are administering the URS in compliance with the rules, procedures and MOU, and we'll be issuing some determinations on that. I would say personally I haven't seen anything to indicate that any of them are going rogue or substantially out of compliance, there may be some fine tuning needed but that's for the group to decide after we complete our review.

I'm going to go on - Claudio DiGangi, I hope I haven't mispronounced your last name, Claudio, has two questions. I'm going to ask them separately because they're on separate topics. And Claudio's first question is, "If a domain is used to further a phishing attack, do their online filing systems," that is the provider's online filing systems, "accept evidence of email abuse such as the email header?" So that's Claudio's first question.

And I'll ask for brief responses from the providers in regard to that.

Renee Fossen: The evidence that Forum would consider would be the information is able to be attached to the complaint. I guess that's all I can say for that one.

Phil Corwin: And that type of evidence would be a permissible attachment as a follow up?

Renee Fossen: That wouldn't be for us to decide, that would be for the examiners to decide. They could attach anything they wanted but the examiner would decide if it falls within the categories.

Phil Corwin: Comments from the other providers on that question? Brief comments? Thank you.

Ivett Paulovics: If it's attachable to the complaint it is - it can be accepted as proof. Thank you.

Carrie Shang: Yes, I agree what other providers' comments and I do not think I have anything to add on this particular point. Thanks for that.

Phil Corwin: Okay so to summarize those answers, all the providers have said that that type of evidence could be attached to the complaint and the relevance would be determined by the examiner. Claudio's second question was, "If this working group decided to recommend that the URS become a consensus policy applicable to legacy domains, are the providers - can they easily scale their services or would they anticipate any challenges in doing so?" I guess that presumes that there be a significant number of filings against domains at legacy TLDs if URS became an available dispute resolution policy for those TLDs. So we'll start with Renee on that.

Renee Fossen: I think the system itself would be easily scalable. I think we would have to certainly consider if we'd want to undertake that if it were applicable to legacy domains. With the fee structure that is provided, you know, I'll be honest that we're certainly not making any money off of the URS cases so and not that that's, you know, the primary concern what we were trying to do is give our

filers a complete package of options. So I guess that's to be determined at a later date.

Phil Corwin: Okay and responses from MFSD and then from the Asia Dispute Resolution Center.

Ivett Paulovics: MFSD have - has no technical problems to receive complaints also for other type of domain names, different from new gTLDs if it becomes - if URS becomes a consensus policy, so there is no such technical issue. Thank you.

Carrie Shang: So from the ADNDRC side, I definitely agree that there's no - not much technical (unintelligible) for us to extend the current URS system to legacy domains. I would say that we would welcome such extension at ADNDRC because we (unintelligible) I think if the working group agreed to extend URS to make it applicable for legacy domains that would actually help us to expand our services provided under the URS, so that is our answer to that question. Thank you.

Phil Corwin: Okay, thank you very much for those responses. We're about to wrap up but I see Berry Cobb wants to intervene with a statement.

Kathy Kleiman: And I think...

((Crosstalk))

Phil Corwin: And is there another?

Kathy Kleiman: Oh, no.

Phil Corwin: So, Berry, go ahead.

Berry Cobb: Thank you, Phil. Berry Cobb. Just real quick, there were two cases filed with Forum which is for dotPro, which is kind of a legacy TLD. One I think the

result - the claim was denied because I think it was paired with another domain and the other case was suspended with a default suspension. So there's a hint of legacy out there but just to tack onto what Claudio was asking, thank you.

Phil Corwin: Thank you, Berry. And just to add to what Berry's statement, of course URS is available at some legacy TLDs which have accepted URS in negotiations for renewal of their Registry Agreement but it's not yet a requirement for all legacy TLDs. With that, we're one minute over. I think it's been a very productive session. We thank all three providers for being with us. As noted we got the high points today, we're going to be sending detailed written questions and we'll be getting responses on those for the record.

And with that I'm going to see if my cochair has any concluding statement.

Kathy Kleiman: I'd like to thank the community for a marathon set of sessions, four sessions, during this meeting. Thank the working group, and I'd like to thank the community for joining us today. And just to share that this is an example of kind of the deep dive we try to do into data and especially thank the providers who on very little time put together all these slides and came to join us. So thanks to everyone. Safe travels home. And we'll see you online. Our next meeting is...

Ariel Liang: This is Ariel from staff. Next meeting is Wednesday 28th of March 16 UTC.

Kathy Kleiman: Thank you very much. Take care everyone. Safe travels home.

Carrie Shang: Thank you very much.

END