

Attendance - 40 Members

Benjamin Akinmoyeje
Brian Beckham
Claudio DiGangi
Colin O'Brien
Cynthia King
David Maher
David McAuley
Doug Isenberg
Elizabeth Lai Featherman
Gary Saposnik
George Kirikos
Georges Nahitchevansky
Griffin Barnett
Ivett Paulovics
Jason Schaeffer
Jay Chapman
Jeff Neuman
John McElwaine
Justine Chew
Kathy Kleiman

Lori Schulman
Louise Marie Hurel
Marie Pattullo
Martin Silva Valent
Maxim Alzoba
Michael Karanicolas
Michael R Graham
Nat Cohen
Paul Raynor Keating
Petter Rindforth
Philip S. Corwin
Phillip Marano
Rebecca Tushnet
Renata Aquino Ribeiro
Renee Fossen
Steven M. Levy
Susan Payne
Zak Muscovitch

Guest: Alex Noonan

On Audio Only: Scott Austin

Apologies: Lillian Fosteris

Staff: Antonietta Mangiacotti, Ariel Liang, Julie Hedlund, Mary Wong, Berry Cobb, Julie Bisland

WebEx Chat:

May 9, 2018 11:45:55 AM from George Kirikos to all participants: Hi folks.

May 9, 2018 11:54:41 AM from George Kirikos to all participants: Do we have an ETA yet on the restoration of Adobe Connect?

May 9, 2018 12:01:05 PM from Julie Hedlund to all participants: All -- As Julie Bisland is noting, please mute your line when not speaking. Click the microphone to the right of your name to that it turns red.

May 9, 2018 12:01:37 PM from Renata Aquino Ribeiro to all participants: (Hi all, Renata here, a lot of bg noise here so I'll mostly listen and type occasionally)

May 9, 2018 12:02:06 PM from Philip Corwin to all participants: Hello all

May 9, 2018 12:04:16 PM from George Kirikos to all participants: Zak has a new SOI.

May 9, 2018 12:04:30 PM from Julie Hedlund to all participants: @George: On Adobe Connect please see the Blog Post:<https://www.icann.org/news/blog/adobe-connect-update>

May 9, 2018 12:05:18 PM from Philip Corwin to all participants: Concur and look forward to Brain's assistance on our work ahead

May 9, 2018 12:06:51 PM from Maxim Alzoba (FAITID) to all participants: Hello All

May 9, 2018 12:07:21 PM from Martín Silva to all participants: hi all, I'm only on text for now.

May 9, 2018 12:07:33 PM from Renata Aquino Ribeiro to all participants: Hi Maxim, Martin

May 9, 2018 12:08:53 PM from George Kirikos to all participants: All I wanted to point out is that Zak has an updated Statement of Interest.

May 9, 2018 12:09:33 PM from Zak Muscovitch to all participants: Its not really new...but the "interim" title is omitted from my title as General Counsel of the ICA

May 9, 2018 12:09:44 PM from George Kirikos to all participants: Right, that's an "update" to the SOI, though.

May 9, 2018 12:10:00 PM from Zak Muscovitch to all participants: Many thanks.

May 9, 2018 12:12:15 PM from Paul Keating to all participants: Sorry for joining late.

May 9, 2018 12:12:25 PM from David McAuley to all participants: No objection here

May 9, 2018 12:12:29 PM from George Kirikos to all participants: It's a symbolic objection, as Brian has the numbers.

May 9, 2018 12:12:53 PM from Jeff Neuman to all participants: Let it be known that I symbolically endorse!

May 9, 2018 12:13:01 PM from George Kirikos to all participants: But, I think the issue of those 4 cases could have been handled better.

May 9, 2018 12:13:21 PM from Maxim Alzoba (FAITID) to all participants: could we conduct a doodle poll ?

May 9, 2018 12:13:23 PM from Susan Payne to all participants: I symbolically object to George's objection if you isn't going to explain it

May 9, 2018 12:13:30 PM from Michael Graham to all participants: @Jeff -- Agree

May 9, 2018 12:13:31 PM from Susan Payne to all participants: he

May 9, 2018 12:13:54 PM from Jeff Neuman to all participants: If we list objections, we should also list endorsements

May 9, 2018 12:13:56 PM from Lori Schulman to all participants: Yes, I joined late too. Apologies.

May 9, 2018 12:14:08 PM from George Kirikos to all participants: Susan: I was concerned about neutrality, and his answer didn't address that concern to my satisfaction.

May 9, 2018 12:14:24 PM from Susan Payne to all participants: good point Jeff, I never formally endorsed on the list so now do so

May 9, 2018 12:14:28 PM from George Kirikos to all participants: Obviously Brian will get through, but I did want to go on the record.

May 9, 2018 12:14:29 PM from Michael Graham to all participants: @Susan -- Agree. I would have appreciated the basis for Geroge's objection.

May 9, 2018 12:14:32 PM from Marie Pattullo to all participants: Full support - symbolically & in reality.

May 9, 2018 12:14:36 PM from Petter Rindforth to all participants: Please list me as a full supporter to elect Brian

May 9, 2018 12:14:48 PM from Steve Levy to all participants: I support Brian's appointment

May 9, 2018 12:14:59 PM from Colin O'Brien to all participants: Full supporter of Brian as well.

May 9, 2018 12:15:03 PM from Georges Nahitchevansky to all participants: No concerns or objections with Brian's appointment.

May 9, 2018 12:15:06 PM from Doug Isenberg to all participants: I support Brian's appointment as well

May 9, 2018 12:15:08 PM from Griffin Barnett to all participants: Also fully support Brian

May 9, 2018 12:15:14 PM from David McAuley to all participants: agree with Kathy's suggested response

May 9, 2018 12:15:24 PM from Michael Graham to all participants: Fully support Brian's appointment

May 9, 2018 12:15:26 PM from Lori Schulman to all participants: INTA fully supports Brian Beckham as co-chair.

May 9, 2018 12:15:46 PM from Paul Keating to all participants: Paul Keating: I vote in favor of Brian's nomination. I trust he will act in a neutral manner

May 9, 2018 12:16:04 PM from Maxim Alzoba (FAITID) to all participants: we do not object to Brian's selection and would second his nomination

May 9, 2018 12:17:11 PM from Georges Nahitchevansky to all participants: Fully support Brian's appointment. I think it should be clear that the vast majority supported Brian and that only one person in a working group of over 100 people raised an objection.

May 9, 2018 12:17:32 PM from Susan Payne to all participants: I'm not on mute

May 9, 2018 12:17:41 PM from George Kirikos to all participants: His answers only came in today, that's why the objection came in after seeing his response. But, I don't disagree with the path forward, just wanted to record the objection.

May 9, 2018 12:17:43 PM from David McAuley to all participants: no

May 9, 2018 12:17:49 PM from Lori Schulman to all participants: No audio for Susan.

May 9, 2018 12:17:49 PM from Jeff Neuman to all participants: I had this issue on the last call

May 9, 2018 12:17:52 PM from Susan Payne to all participants: ok then I'll have to dial in

May 9, 2018 12:17:57 PM from Jeff Neuman to all participants: Sometimes lines are muted

May 9, 2018 12:18:09 PM from Nathalie Peregrine to all participants: @Susan, you may need to drop your audio connection and try again, as I see you have audio but cannot be heard.

May 9, 2018 12:18:13 PM from Cyntia King to all participants: Why not make objections/endorsements directly to "Panelists" in the chat?

May 9, 2018 12:19:13 PM from Ariel Liang to all participants: You may access Professor Tushnet's research data here:
<https://www.dropbox.com/s/1dodxsqkauqp1vr/URS%20Case%20Review%20-%20Final.xlsx?dl=0>

May 9, 2018 12:23:09 PM from Berry Cobb to all participants: I will comment a bit further regarding the Whois data and that part of the coding after Rebecca completes her presentation.

May 9, 2018 12:24:16 PM from Susan Payne to all participants: Apparently I was using the wrong addressee list: I would like to understand why the order of the agenda has been changed please

May 9, 2018 12:24:26 PM from Mary Wong to all participants: As the Providers Sub Team may recall, in developing the final list of provider questions staff had noted that some specific quantitative data reported in Rebecca's spreadsheet could be useful in partially answering some questions (based on numbers reported).

May 9, 2018 12:27:50 PM from Jeff Neuman to all participants: Rationales are not required for URS cases, right?

May 9, 2018 12:27:53 PM from Cyntia King to all participants: Which tab are we on, lease?

May 9, 2018 12:28:41 PM from Cyntia King to all participants: Thanks.

May 9, 2018 12:28:43 PM from Maxim Alzoba (FAITID) to all participants: really interesting document, which allows to understand what is going on with URS (tab with parsed-whois-report)

May 9, 2018 12:28:56 PM from George Kirikos to all participants: This is where Adobe Connect made a huge improvement in effectiveness of these calls.

May 9, 2018 12:29:15 PM from Maxim Alzoba (FAITID) to all participants: not sure if it is going to be safe to publish it after 25th May

May 9, 2018 12:30:52 PM from Lori Schulman to all participants: My link isn't connecting to the report. I will have to download in the in the future. I am very interested in the concept of "passive holding"

May 9, 2018 12:32:21 PM from Lori Schulman to all participants: Too bad that on May 25th we won't have access to this WHOIS data.

May 9, 2018 12:32:43 PM from Julie Hedlund to all participants: @Susan re: pparently I was using the wrong addressee list: I would like to understand why the order of the agenda has been changed please -- Staff notes that this was an error. The intention was to revert to the original agenda.

May 9, 2018 12:33:00 PM from Julie Hedlund to all participants: Sorry -- "apparently"

May 9, 2018 12:33:21 PM from Maxim Alzoba (FAITID) to all participants: I suggest we make name phone and e-mail anonymised (like email1 instead of the real one)

May 9, 2018 12:34:22 PM from Lori Schulman to all participants: Renata, thanks. I appreciate the tip.

May 9, 2018 12:35:39 PM from George Kirikos to all participants: I had a quick followup question, too.

May 9, 2018 12:35:59 PM from David McAuley to all participants: Rebecca, just curious if you know, did examiners stick to one URS-provider or did they provide examiner-services through more than one provider. I would be interested, for example, if an examiner gave reasons for one provider but not for another.

May 9, 2018 12:39:09 PM from Paul Keating to all participants: GDPR does not apply here because the Personal Information contained is by definition public AND the registrants agreed to it in the context of the Registrant agreement.

May 9, 2018 12:39:33 PM from Michael Graham to all participants: I do not see a need to veil any information in Rebecca's study.

May 9, 2018 12:40:07 PM from Maxim Alzoba (FAITID) to all participants: formally it is full of personal information

May 9, 2018 12:41:14 PM from Cytia King to all participants: Wouldn't personal info in this context be considered public as it's judgment related?

May 9, 2018 12:41:27 PM from Philip Corwin to all participants: I thank Rebecca for this initial overview of her research. Given that the agenda order was mistakenly switched, I hope we will be able to end this initial discussion and return to the very important URS issue shortly.

May 9, 2018 12:45:23 PM from Justine Chew to all participants: MASTER -- Enter Data sheet columns AC onwards in orange, lots and lots of "N/A"

May 9, 2018 12:45:42 PM from Renee Fossen to all participants: I object to the classification of "offenders"

May 9, 2018 12:46:36 PM from Cytia King to all participants: Hi @Renee - please explain.

May 9, 2018 12:46:45 PM from Michael Graham to all participants: @Phil -- I agree. We need time to digest the data and come back with questions etc. We DO need to discuss the URS matter, however.

May 9, 2018 12:46:46 PM from Cytia King to all participants: Nope

May 9, 2018 12:46:51 PM from David McAuley to all participants: Thanks Alex and Rebecca

May 9, 2018 12:47:48 PM from Maxim Alzoba (FAITID) to all participants: that consent is no good after 25th MAY

May 9, 2018 12:47:51 PM from Nathalie Peregrine to all participants: @All: reminder to send chat messages to **ALL PARTICIPANTS**

May 9, 2018 12:48:23 PM from Maxim Alzoba (FAITID) to all participants: currently published WHOIS data is going to be reduced in two weeks

May 9, 2018 12:49:28 PM from Berry Cobb to all participants: Thanks Alex, but the credit of work and effort you did is all you.

May 9, 2018 12:49:35 PM from George Kirikos to all participants: Thanks Alex!

May 9, 2018 12:49:56 PM from Cyntia King to all participants: @Maxim - I believe the GDPR requirements to hide Registrant info do not apply to arbitration, which agreement specifies the publishing of case info.

May 9, 2018 12:49:59 PM from Berry Cobb to all participants: Dec 2017

May 9, 2018 12:50:33 PM from David McAuley to all participants: Many thanks to Rebecca and Alex

May 9, 2018 12:52:11 PM from Cyntia King to all participants: Hello?

May 9, 2018 12:52:21 PM from Julie Hedlund to all participants: @All: We are getting the document up.

May 9, 2018 12:52:32 PM from Julie Hedlund to all participants: It is up.

May 9, 2018 12:55:17 PM from Maxim Alzoba (FAITID) to all participants: @Cyntia, for example in <http://www.adrforum.com/domaindecisions/1598577D.htm> there are no phones, or home addresses and it is pretty much safe, but publishing all does not add useful information, and I believe that at least replacement of e-mails, phone numbers and addresses (leaving country) will make this document safer without removal of vital info

May 9, 2018 12:57:21 PM from David McAuley to all participants: appreciate the review/analysis by co-chairs and staff on this, thank you

May 9, 2018 12:58:08 PM from Cyntia King to all participants: While I understand your sentiment, as a person who investigates abuse, I can tell you that name/address/email info is critical to understanding patterns.

May 9, 2018 12:58:57 PM from George Kirikos to all participants: Let's stick to the current timeline/plan.

May 9, 2018 12:58:58 PM from Maxim Alzoba (FAITID) to all participants: @Cynthia, it is not resolved yet, unfortunately, and even registrant ID is considered to be personal info

May 9, 2018 12:59:31 PM from Maxim Alzoba (FAITID) to all participants: and patterns can be established for anonymized elements too

May 9, 2018 1:01:31 PM from Cynthia King to all participants: @Maxim - I agree there's no clarity regarding use of info in some cases. I disagree that anonymized info is just as good. I investigate as a primary function of my job & I can tell you anonymized info is not just as good.

May 9, 2018 1:02:34 PM from Michael Graham to all participants: Agree with @Cynthia re: the importance of the information to analysis and understanding of data.

May 9, 2018 1:02:57 PM from Rebecca Tushnet to all participants: Cynthia, I'd appreciate it if you could say a little more. Is the issue that you can detect patterns where people make slight changes to the registrant info that would be visible to a person but not to a simple algorithm? Could you give an example?

May 9, 2018 1:04:32 PM from Rebecca Tushnet to all participants: I ask in part because it may be that we can give that human review to these 833 instances and then anonymize.

May 9, 2018 1:04:52 PM from Cynthia King to all participants: The language in the charter says we'll assess effectiveness of URS in Phase I, but I read that discussion of "whether or not all RPMs collectively fulfill purposes for which they are created" can be had in Phase II. Especially where the URS & UDRP have several commonalities (per Jeff Neuman's excellent analysis last call).

May 9, 2018 1:07:56 PM from John McElwaine to all participants: That is not correct

May 9, 2018 1:08:15 PM from Cynthia King to all participants: For example, when I investigate potential patterns of abuse I have found commonalities in the formatting of respondent emails (e.g. battlefieldgoddess@gmail.com/battlefieldgoddess@live.com; similar registrant names across several registrars known to be connected - like the now-defunct Oakwood Services registrar, etc.)

May 9, 2018 1:09:00 PM from Philip Corwin to all participants: Between Berry and Dr. Tushnet's case analysis, and review of the answers to Providers and Practitioners questions, we will certainly have conducted a very full review of the URS. That doesn't mean we have to decide every URS policy issue in Phase 1. And in fact if we don't have a consensus on any policy issue it will be effectively be deferred to Phase 2 and can be revisited then.

May 9, 2018 1:09:44 PM from Martín Silva to all participants: +1 Phill, that seems more reasonable.

May 9, 2018 1:11:00 PM from Cyntia King to all participants: @Phil - isn't that what @Susan Payne has been saying? That we can review the URS data then move review to be concurrent w/ UDRP?

May 9, 2018 1:11:58 PM from Georges Nahitchevansky to all participants: We are off topic George. Please stop

May 9, 2018 1:11:59 PM from Martín Silva to all participants: no, he says that if we have open things we can't resolve, then it may make sense, but we should do as much as we can and arrive to some conclusions for the URD

May 9, 2018 1:12:02 PM from Martín Silva to all participants: URS

May 9, 2018 1:12:39 PM from George Kirikos to all participants: Georges: it's about how this proposal was allocated staff resources, while requests for data are denied for over a year.

May 9, 2018 1:13:08 PM from Philip Corwin to all participants: @Cyntia--close. We can collectively decide what URS issues to address in Phase 1 and which to defer in Phase 2 so long as we have focused on it and have included an informed assesment of its effectiveness in the Initial Report. Does not have to be all or nothing.

May 9, 2018 1:15:33 PM from Cyntia King to all participants: @Phil - It may be the collective decision that's problematic.

May 9, 2018 1:16:58 PM from John McElwaine to all participants: @Maxim - thank you. My point exactly concerning GDPR. We don't know and will not for an unknown period of time.

May 9, 2018 1:17:36 PM from Maxim Alzoba (FAITID) to all participants: for example transfer of domain requires to know e-mail of the registrant ... and it is going to be an issue

May 9, 2018 1:17:54 PM from Philip Corwin to all participants: The default position is that if we can't agree on an issue then we likely lack consensus and there will be no recommendation in the Initial Report -- and it will be deferred for (possible) resolution in Phase 2.

May 9, 2018 1:19:11 PM from Maxim Alzoba (FAITID) to all participants: notification is going to be via web-form or anonymized e-mail

May 9, 2018 1:19:13 PM from Mary Wong to all participants: @Maxim, some of the GDPR implications are not necessarily requirements under the URS, though (as you noted) there are implications for how Rys and Rrs may deal with the providers and registrants. So there are likely to be a greater number of practical issues rather than policy ones.

May 9, 2018 1:19:43 PM from Mary Wong to all participants: For purposes of RPM review - not necessarily review of other consensus policies (e.g. around transfers).

May 9, 2018 1:19:56 PM from Maxim Alzoba (FAITID) to all participants: ability to contact will be maintained (it is possible to do without knowing the particular e-mail)

May 9, 2018 1:20:51 PM from Cyntia King to all participants: @Maxim - what happens if the registrant changes their email address? Witout a kick-back notification & access to the address, how will the Respondent know about the URS?

May 9, 2018 1:21:34 PM from Paul Keating to all participants: Maxim, The registrar is required to keep track of its customers. If the Registrant changes the email and fails to notify the registrar, that is the fault of the registrant. So it goes to default.

May 9, 2018 1:22:03 PM from Maxim Alzoba (FAITID) to all participants: @Cyntia, there going to be web-form of sorts to contact registrant (or email forwarding)

May 9, 2018 1:23:36 PM from Cyntia King to all participants: @Paul - understandable, but harsh. I'd prefer the Providers have my address & fax, to send notification, as well.

May 9, 2018 1:24:01 PM from David McAuley to all participants: I will be at RightsCon and not available for call next Wednesday

May 9, 2018 1:24:14 PM from Lori Schulman to all participants: I am not available on either date.

May 9, 2018 1:24:21 PM from Susan Payne to all participants: what would the time of the meeting be on 23rd?

May 9, 2018 1:24:22 PM from Philip Corwin to all participants: Thanks to all for agreeing to a constructive approach on URS that negates the need to ask Council for a Charter change and leaves self-management decisions to the WG. I look forward to a robust discussion of Initial Report process matters at a session in Panama.

May 9, 2018 1:24:25 PM from Michael Graham to all participants: I will not be available 5/23

May 9, 2018 1:24:56 PM from David McAuley to all participants: No objection here

May 9, 2018 1:24:58 PM from Philip Corwin to all participants: For the record, I am unable to participate in a call on 5/16 or 23.

May 9, 2018 1:25:30 PM from Cyntia King to all participants: @Kathy - Agree no meeting for next 2 weeks.

May 9, 2018 1:25:39 PM from Susan Payne to all participants: so 9am in Seattle - I can do if we decide to meet

May 9, 2018 1:25:50 PM from Maxim Alzoba (FAITID) to all participants: I will be not able to participate on 16th May

May 9, 2018 1:25:58 PM from Mary Wong to all participants: @Susan, 10 a.m. I think (Seattle)

May 9, 2018 1:26:15 PM from Susan Payne to all participants: ok, thanks mary

May 9, 2018 1:27:03 PM from Cyntia King to all participants: As we're waiting for survey responses, I don't think we'll lose much in terms of work product.

May 9, 2018 1:27:10 PM from Maxim Alzoba (FAITID) to all participants: on 16th May there might be almost no Registrars or Registries .. so it affects the ability of the community to participate

May 9, 2018 1:27:53 PM from George Kirikos to all participants: Maxim: not 24x7 on those days, though.

May 9, 2018 1:28:08 PM from George Kirikos to all participants: Pick a time that doesn't conflict with their scheduled events.

May 9, 2018 1:28:41 PM from Susan Payne to all participants: could I ask a question once we get to the end of this discussion please

May 9, 2018 1:28:44 PM from Justine Chew to all participants: About Susan Payne's list?

May 9, 2018 1:29:01 PM from Susan Payne to all participants: my list?

May 9, 2018 1:29:02 PM from George Kirikos to all participants: There's internet on planes. Remote participation.

May 9, 2018 1:29:09 PM from Georges Nahitchevansky to all participants: Agree no meetings on 16 th or 23rd

May 9, 2018 1:29:27 PM from Colin O'Brien to all participants: Agree on no meetings on 16th or 23rd

May 9, 2018 1:29:32 PM from Mary Wong to all participants: @Justine, the chairs and staff were waiting for the conclusion of the Phase 1/2 discussion to review the timeline. We have a draft that is under active discussion with the chairs that take into account Susan's and others' suggestions.

May 9, 2018 1:29:34 PM from Maxim Alzoba (FAITID) to all participants: Agree on no meetings on 16th or 23rd

May 9, 2018 1:29:59 PM from Susan Payne to all participants: seems like a good idea

May 9, 2018 1:30:12 PM from Justine Chew to all participants: Thanks @Mary

May 9, 2018 1:30:43 PM from Michael Graham to all participants: Agree no meetings on 5/16 or 5/23

May 9, 2018 1:31:06 PM from Julie Hedlund to all participants: Hand down.

May 9, 2018 1:31:06 PM from Paul Keating to all participants: have problem with mic

May 9, 2018 1:31:24 PM from Paul Keating to all participants: Corrected - ready when you are for me

May 9, 2018 1:32:27 PM from Mary Wong to all participants: Ariel will respond, thanks Kathy

May 9, 2018 1:33:27 PM from Paul Keating to all participants: @John, Thank you for your offer of compromise. I would request that you share the list with the WG as a whole (after working on it with Staff) instead of sending it only to the Co-Chairs. I would ask that it include your proposals on what issues/topics you are proposing to punt to Phase 2 and why.

May 9, 2018 1:33:38 PM from Rebecca Tushnet to all participants: FYI, Alex did the work by examiner/provider: Turns out that examiners only copied and pasted in ADR forum. All ADNDRC and MFSD cases had at least some explanation provided.

May 9, 2018 1:35:17 PM from Mary Wong to all participants: For the Sunrise & Claims survey, following the announcement of the vendor, the Data Sub Team will work with the vendor to develop the final survey questions (based on the very detailed guidance that the Sub Team developed and that was circulated to the WG and published as part of the RFP). The WG will have a chance to see the final questions before they are sent out to the target respondents, but it will not be a "drafting by group" exercise at that point.

May 9, 2018 1:35:46 PM from John McElwaine to all participants: @Paul - I am happy to run it by the WG first

May 9, 2018 1:35:56 PM from Paul Keating to all participants: @Chairs, can I suggest we have a fixed 2 mins during each call to update outstanding work such as the issue of the providers, etc who are out to contract.

May 9, 2018 1:36:54 PM from George Kirikos to all participants: Why are they by default deferred, if there's no consensus?

May 9, 2018 1:38:07 PM from George Kirikos to all participants: Bye folks.

May 9, 2018 1:38:23 PM from David McAuley to all participants: Thanks all, especially Alex and Rebecca, good bye

May 9, 2018 1:38:31 PM from John McElwaine to all participants: Bye