
UNIDENTIFIED MALE: We have Laureen who is joining right on time, so I'll just [inaudible] this call. Hi, Laureen. We were just about to start the call.

LAUREEN KAPIN: Hey, I'm so sorry. I somehow had in mind it was 10:30. My mistake.

UNIDENTIFIED MALE: No worries. There were a few issues with the changes to Adobe Connect. We're just about to start the call and [inaudible]. Please go ahead.

LAUREEN KAPIN: Okay. So, we have Dave and Drew on the line, which is good, and even other members of our review team which is also good. Let's get started then. I believe, David, you had passed around the revised recommendations, so I'm going to pass the baton over to you to walk us through those.

DAVID TAYLOR: Thank you, Laureen. I don't know if everyone had a chance to read them. Probably not. Probably everyone is just opening them up now. But, to run through them, the recommendation 40 is very similar to the old recommendation. You've actually seen a red line of this one before, and effectively with [inaudible] differences at the end, the CCTRT acknowledges [inaudible] this study was carried out by Nielsen and we encourage that to continue noting that the study needs to be

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

more user-friendly and the addition is in order to help ensure a higher and more statistically significant response rate. So, that's the slight change on that and it's just underlining what we're wanting from this impact study.

The question, I suppose, on that one is who do we address this one to, which is the one point I haven't covered in any of these ones because we were quite wide in the original where we were addressing them and [inaudible] and then we were going to pick up in the final drafting team. It's not something I'll go into now, but I can obviously [inaudible] tell me because I missed quite a few of the recent calls, so you may have decided that these are going in a different direction. [inaudible] here, so we can talk about that or deal with that offline.

If you want to go to recommendation 41, that's changed now in the fact that previously we were saying that we needed a full review of the URS and how it inter-operates with the UDRP was basically what we were saying and we're putting a caveat in there that given the PDP review that was going on, we needed to take on board that report and its publication, and if that report was substantial, then our report may well have some potential modifications.

Time has moved on, so the new draft on that, which is most of it, is new wording is since our initial draft recommendation, the PDP [inaudible] has started reviewing URS in detail. It's ongoing. Given its ongoing review, the CCTRT recommends that the RPM Working Group continues its review of URS and also looks into the interoperability of the URS with UDRP, so that's the original one we had in the recommendation.

Given the current time, it would appear that the appropriate time to do so will be when the UDRP review is carried out by the PDP Working Group, and at this time consideration be given to how it should interoperate with the UDRP. So, that's pretty much the same point but just building a bit more of what's going on with the RPM Working Group.

Then stressing there in the last paragraph that the CCT Review Team has encountered a lack of available data in many respects and the PDP review of all RPMs appears to also be encountering this issue, from the stuff I've been seeing anyway and this may well prevent it drawing firm conclusions. If modifications are not easily identified, then the CCT Review Team suggests continued monitoring until more data is available for a review at a later date and it's important that future review teams are able to have sufficient data and efforts need to be made to collect this on an ongoing basis. That's the new recommendation 41. Do you want me to move onto 42 straightaway and then come back to anything that we've got? Can we do that? Then we've got it covered.

So, this one was quite a bit more developed now than the old recommendation saying that we needed a cost-benefit analysis and its scope should be carried out to provide quantifiable information on the costs and benefits associated with the present state of the clearinghouse in order to allow for effective policy review. You'll recall that the rationale, which remains down the bottom, was that when we'd have the independent of the clearinghouse services report, it hadn't been able to make definitive conclusions because it specifically pointed to a lack of data and need to perform a cost-benefit analysis

which is really the [inaudible] of what we were putting in with this recommendation.

So, the new amended recommendation, which has quite a bit more detail – it's quadruple if not five times longer – a cost-benefit analysis and review of the clearinghouse and its scope should be carried out to quantifiable information the costs and benefits of the present state of the trademark clearinghouse services and thus to allow for an effective policy review.

This is where we build in since our initial draft recommendation, the PDP review had started reviewing the clearinghouse in detail and ICANN has appointed analysis group [inaudible] to develop an in-depth survey to assess the use and effectiveness of [inaudible] trademark [inaudible] RPMs, provided that this PDP review all RPMs with sufficient data and the survey and other surveys were able to draw certain conclusions, then the review team doesn't consider that an initial review is necessary.

However, review team does still underline its recommendation for a cost-benefit analysis to be carried out if such analysis can help obtain sufficient data for conclusions to be drawn objectively and such analysis should include but not necessarily be limited to looking at the cost to brand owners, cost to registrars and cost to registrars of operating with a clearinghouse now and going forward [inaudible] with premium pricing. This of course may be part of the analysis group survey. We would encourage that, because at the moment I think the status, as far as I was aware last week anyway of the appointment of analysis group has just been appointed and so they've got to work out what's going to

go in the survey. So, I'll ping that over. Once we agree, I'll ping it over to the RPM Working Group so they can try and build that into the survey as well.

Those are the three recommendations. Happy to take questions. Pretty much capturing everything we've discussed in the previous sessions on this. I pulled it all together and listened to our previous sessions to make sure I caught everything, which was fun.

LAUREEN KAPIN: Thanks, David. Any questions or comments for David on the revised recommendations? Okay. I'm hearing silence. David did circulate these yesterday and has now gone over them. I'm assuming then people have had some opportunity to take a look. I'm not hearing questions or concerns. If that's the case, my proposal would be to let this go to the full plenary with an eye towards getting approval at the next plenary call, unless folks have any other concerns about this.

Okay, so hearing nothing, I think our action item ... Oh, okay, Jean-Baptiste, go ahead.

JEAN-BAPTISTE DEROULEZ: Yes. Can I go next?

LAUREEN KAPIN: I'm sorry, I didn't hear what you said.

JEAN-BAPTISTE DEROULEZ: I believe, and David, correct me if I'm wrong, David won't be able to attend tomorrow's plenary call, so we'll have to maybe schedule that discussion around this recommendation at another time or maybe ask for preliminary input from the review team by e-mail.

LAUREEN KAPIN: Right. Why don't we send it around and ask folks if they have any questions or concerns? Because if nobody has any questions or concerns, we might be able to approve this just via e-mail. But if people do have questions or concerns, then I think we should schedule it for a plenary at a time when David can participate. I see Drew in the chat has a recommendation to clean up the language in the final sentence for recommendation 40. Can you be more specific, Drew, about what you mean by that?

DREW BAGLEY: Yes, can you hear me?

LAUREEN KAPIN: Yes.

DREW BAGLEY: Okay. Sorry. I wasn't sure if my audio was working. Yeah. I just think that to make it more clear, to read David's intent, I'm really looking at the language of "and we encourage that to continue noting that the study needs to be more user-friendly" to just making that a bit more

concise so it's easier to understand. Just since it's a long sentence, easier to understand what we're meaning there.

LAUREEN KAPIN: Right. Why don't we actually edit that now just to get it taken care of? Because this is an easy fix, I think. Maybe divide this into two sentences. The CCTRT acknowledges – and I don't think we need the fact. Acknowledges that the study was carried out in 2017 by a Nielsen survey of INTA members. Can we actually ... Is it possible to edit this on screen, Jean-Baptiste, or at least note these edits so it gets done?

JEAN-BAPTISTE DEROULEZ: Yeah. I'm doing the edit at the same time on the slide deck.

LAUREEN KAPIN: Okay. Do you want me to repeat that?

JEAN-BAPTISTE DEROULEZ: No, no, no. I have it, so please continue.

LAUREEN KAPIN: Okay. So then we would end the sentence. The CCTRT acknowledges that the study was carried out in 2017 by Nielsen surveying INTA members. We encourage ... Okay. We note ... Let's just say we note that this study should be more user-friendly in order to help ensure a higher and more statistically significant response rate.

I'm addressing this to the group, but especially David also. Do we want to suggest that it should be shorter? My recollection it was interminable.

UNIDENTIFIED MALE: Ha-ha, interminable.

LAURENE KAPIN: I'm so subtle and politic there. I think you had a lot of people starting it and then dropping out as I recall.

DAVID TAYLOR: That's absolutely right. I think that's been taken well on board. I mean, there's actually a committee looking at the next draft as we speak, although it's probably not going to be ready for six months, but given that we're saying it needs to be [inaudible] 18 months after our report, they'll be well ahead.

Yeah, I suppose ... I don't think want to prescriptive. I want to be open. But, we can certainly make that comment. I think that was just really the user-friendly, wasn't it? Make it more user-friendly.

LAUREEN KAPIN: Right. Well, what we could say is we note that the study needs to be more user-friendly and perhaps shorter in order to help ensure a higher and more statistically significant response rate. Would that be sufficiently non-prescriptive but still making a helpful hint?

CARLOS RAUL GUTIERREZ: Like asking lawyers not to charge per the hour, but we can give it a try.

LAUREEN KAPIN: You're so cynical, Carlos.

DAVID TAYLOR: But, the thing is, Carlos, we don't charge by the hour. We charge by the minute, mate.

LAUREEN KAPIN: Right, right. That's exactly right. Or the eighth part of an hour, as I recall.
So, Jean-Baptiste, did you get that last sentence?

JEAN-BAPTISTE DEROULEZ: Yes.

LAUREEN KAPIN: Perfect. Okay. Then, any other questions or comments? Okay. Jean-Baptiste, is that an old hand?

JEAN-BAPTISTE DEROULEZ: No. That was [inaudible] part of my first question and it was a question to David on the different updates that you provided for recommendation 40, 41, and 42. I just wanted to ask you whether the [inaudible] of this recommendation stay the same or whether those

could be [inaudible] as well, and [inaudible] whether the priority level would change, whether there would be a [inaudible] or whether they stay the same and sent for the success measures?

DAVID TAYLOR: I think they were staying the same, unless I'm mistaken on our previous call, whichever one that was. That was one thing I've left to everybody else, to see if anybody thought they should change. From memory, I think [inaudible].

CARLTON SAMUELS: I was trying to get in, but nobody was hearing me.

DAVID TAYLOR: Oh, hey, Carlton. Go.

CARLTON SAMUELS: If you're going to make the change, I suggest that the change, since you're saying you're going to the [inaudible] saying that what should be done to make the survey user-friendly, you attract knowledge, the reason that you're saying and that is to say ... I would've just said there's low participation in this survey made it inconclusive and we expect a restructuring of the survey to improve response rates. Something like that, because if you're going to tell them that you have [inaudible] other things that could've been wrong with the survey. So, I think it is [inaudible] low response rate suggests that they might want to do something to improve response rate. That's what you're really after.

DAVID TAYLOR: If we can word it easily without being prescriptive, I'm happy to have that in there. I'm just worried we're getting a little bit overly prescriptive. That was my thinking, just saying it's got to be user-friendly for the users to play with it, so that [inaudible].

LAUREEN KAPIN: Right. I think what Carlton is saying, though – and Carlton can jump in if I'm misunderstanding – I don't think Carlton is focusing on the second part which could be, which might dance into being prescriptive. I think he's saying we need a little more of an exclamation in that first explanation, in that first sentence, so that—

CARLTON SAMUELS: That's what I'm saying, Laureen. That's exactly what I'm saying.

LAUREEN KAPIN: Okay. So, would this work then? So, Jean-Baptiste, I'm going to give another suggestion here for an edit. In that first sentence, the CCT acknowledges that the study was carried out in 2017 by a Nielsen survey of INTA members and ... A Nielsen survey of INTA members that yielded a lower response rate than anticipated. Okay. Anticipated, period. Not a comma.

CARLTON SAMUELS: That's right. Right.

LAUREEN KAPIN: Okay, and then I think we can just keep the rest. We note that this study should be more user-friendly and perhaps shorter in order ... Yeah. I think the rest just stays the same. Does that address your concerns, Carlton?

CARLTON SAMUELS: That is exactly right. Yes, it does, because you tell them why you are making the recommendation in the second sentence.

LAUREEN KAPIN: Okay, good. I think that's an excellent point. Then, back to you, Jean-Baptiste. You were asking David and I think appropriately to make sure that there's clarity on the rest of these recommendations which include the measures of success, all the other parts of the format that all of our other recommendations have been in. I think David was asking for input on that, but also, David, I'm going to bounce it back to you as well. I mean, take a look at it to make sure that it all still hangs together in light of these revised recommendations.

DAVID TAYLOR: Okay. I will do. I think we did look at it on a previous call and I think we just started it with they were okay, but it was just subject to anybody's suggestions or amendments.

LAUREEN KAPIN: Right, and I guess I'm just saying one more look wouldn't hurt.

DAVID TAYLOR: I'll have another look. Yeah. Sounds good.

LAUREEN KAPIN: Then have another look and then I would get it out to the full plenary to allow them to consider it. Someone wanted to speak, so go ahead.

JEAN-BAPTISTE DEROULEZ: Yes. That's me, Laureen. David, I just wanted to suggest [inaudible]. I'm more than happy to use [inaudible] recommendations that you sent and add the previous [inaudible] to these individual recommendations so that you can have a quick look. And if that's okay with you, can just forward it to full review team or just give me a green light to send it to everyone. Is that better?

DAVID TAYLOR: That's very helpful. Yeah, very helpful, Jean-Baptiste.

JEAN-BAPTISTE DEROULEZ: Okay.

LAUREEN KAPIN: Okay. Then are we moving on to recommendation D? I thought there was one that you didn't have a chance to get to and I wasn't sure. Okay,

recommendation D. Thank you, [inaudible], Jean-Baptiste. That's crossed out. That's the one we're not moving on to.

So, what we're moving onto then is Drew's recommendation C.

JEAN-BAPTISTE DEROULEZ: Yes, and I'm just going to project what Drew has just shared just before the call. Just one second.

DREW BAGLEY: Hello?

LAUREEN KAPIN: We're kind of on a pause. We're getting something on the screen, but Drew, do we have you ready to leap into the fray once that is on the screen?

DREW BAGLEY: Yeah, and I'll start speaking to do stalling tactics.

LAUREEN KAPIN: Oh, good. I love the transparency.

DREW BAGLEY: Yes. So, basically, we've already gone over this as a subteam that we are consolidating recommendations 19 and 34 into recommendation C. So, the only difference today is that I added two sentences I guess that said

a little more on the rationale for 19 and 34, and so now I've added that to recommendation C. That way, the consolidation I think is probably a bit more intuitive than it previously was into how we're accomplishing the same thing we set out to accomplish with recommendations 19 and 34 now with recommendation C because during our last discussion, we talked about adding a little more background to this. Otherwise, everything should be familiar to everyone.

But, basically, recommendations 19 and 34, as well as recommendation C, deal with calling for ongoing data collection related to DNS abuse so that our DNS abuse study isn't just a one-time thing.

And before we even had the results of the study, our logic going into this was of course the fact that we knew that data needed to be fresh and to exist over time so that we could detect trends and so that we could determine the efficacy of safeguards not only for our own CCT Review Team, but also so the community as a whole could determine it, not wait for another review. Then also of course so that a future review team, the next CCT Review Team would have data to look at, which we did not have and that's why we commissioned a study.

Then, with recommendation C, this of course in addition to those reasons, we saw the results of the DNS abuse study and saw that there was a need for data-driven policy making like we talk about with every subject area and specifically to continue ensuring that DNS abuse data was readily available to the community.

So, you'll see I added sentences that note that comprehensive DNS abuse data collection and analysis is necessary for studying the efficacy

of safeguards put in place to protect against malicious abuse issues associated with the expansion of the DNS. Furthermore, progress and trends can be identified [inaudible] studies over time. Then the rest of it is all the same.

Then we have ... I did add language to the success measure and edited the success measure to basically encompass what we were setting out in recommendations 19 and 34 as well as our intention of recommendation C when it stood on its own. So, the success measure now reads: comprehensive, up-to-date, technical DNS abuse data is readily available to the community to promptly identify problems [inaudible] data-driven policy solutions and measure the efficacy of implemented safeguards and ongoing initiatives. Furthermore, the next CCT Review Team will have a rich data set of DNS abuse from which to measure safeguard efficacy. So that's the updated language.

Does anybody have any questions or comments or suggestions?

LAUREEN KAPIN: Anything for Drew? Any objections to this?

UNIDENTIFIED MALE: No objections.

LAUREEN KAPIN: Okay.

DAVID TAYLOR: Good to me.

LAUREEN KAPIN: Yeah, and with me, too. Okay, then, if that's the case, I would recommend a similar approach, that this gets circulated to the entire review team. And since Drew will be able to participate in the call tomorrow, we should put it on the ... We should keep it on the agenda for the plenary call. Okay.

Then I think we are in the any other business category. Does anyone have any other business to address or discuss? Okay. I'm not hearing anything. Jean-Baptiste, do you have any questions or parting issues that we need to deal with?

JEAN-BAPTISTE DEROULEZ: No, Laureen. At this stage, what I'll do is to update the recommendations that David submitted and then back to him for his review and then I can share that to the review team for review and approval. And recommendation C I will circulate ahead of tomorrow's plenary call.

LAUREEN KAPIN: Great. So we have an updated calendar invite that lists the Adobe Connection for tomorrow's call. Am I remembering that correctly?

JEAN-BAPTISTE DEROULEZ: Yes, and [inaudible] updated all the different [inaudible]. Normally, the Adobe room should be reflected in there. Correct, Brenda? Brenda says correct in the chat.

LAUREEN KAPIN: Okay, great. Okay. Well, then, I think we're done then for this session. I'll speak with the folks tomorrow except for you, David, and we'll miss you and catch up with you when your schedule gets a little less hectic.

JEAN-BAPTISTE DEROULEZ: Laureen, before everyone leaves, can I just ask a quick question just to David regarding recommendation D? how do you suggest moving on on this one?

DAVID TAYLOR: Yeah. What I want to do is get back to Drew. I couldn't get it to him before his flight on Friday. I tried in the morning. I did try and get up at 4:00 and I just failed. My body wasn't working. I want to get back to him with the draft. It's had, I'd say, fairly substantial work on it. I need to just sit down and go through more stuff and finish up with the case study, etc. It's quite a bit in there. So I want to go back to Drew because it's based on our discussions, etc., we had when we were at the last ICANN meeting. Then, if he's okay with everything in there, then we'll submit it to this team, this subgroup. Obviously, if I give it to him the night before, he won't have had a chance to look at it, so I need to make sure I give it to him in a little bit of time ahead, depending on how long Drew can turn it around. That's what we'll do, and then as soon as

[inaudible] Drew's got it, between Drew and I we can say this is good for a subteam call next week, later that week or whenever. So we can maybe just call out on that and let you know, but it should be two weeks away I'm guessing.

JEAN-BAPTISTE DEROULEZ: Thank you, David.

LAUREEN KAPIN: Okay. Well, thanks, everyone, and we will speak again shortly.

CARLOS RAUL GUTIERREZ: Thank you.

DAVID TAYLOR: Okay, bye.

LAUREEN KAPIN: Bye-bye.

[END OF TRANSCRIPTION]
