

Attendance: (11 Members)

David Maher
George Kirikos
Jay Chapman
Paul Keating
Paul Tattersfield
Petter Rindforth
Philip Corwin
Poncelet Ilelji
Reg Levy
Susan Kawaguchi
Zak Muskovitch

Apologies:
Osvaldo Novoa

Staff:
Mary Wong
Steve Chan
Dennis Chang
Michelle DeSmyter

Adobe Connect Chat:

Michelle DeSmyter: Dear all, welcome to the IGO-INGO Access to Curative Rights Protection Mechanisms meeting on Thursday, 21 June 2018 at 16:00 UTC.

Michelle DeSmyter: Agenda wiki page: [https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_ZIYpBQ&d=DwICaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIbLwwwFhFbfjrsjWv9&m=Y0pcDwN7x_wC1ublL0AnRk5flgMgMIO1CB8HWTnc0Hs&s=Lhmjm72ONFYMnCxAp86rO_I8cVSdix\]criF_xL88-7Q&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A_community.icann.org_x_ZIYpBQ&d=DwICaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIbLwwwFhFbfjrsjWv9&m=Y0pcDwN7x_wC1ublL0AnRk5flgMgMIO1CB8HWTnc0Hs&s=Lhmjm72ONFYMnCxAp86rO_I8cVSdix]criF_xL88-7Q&e=)

George Kirikos: Hi folks.

Petter Rindforth: Hi there.

George Kirikos: Hey Petter. How are you?

Petter Rindforth: Well, I managed to get online this time. Hurray!

Steve Chan: Hi Michelle, all

Steve Chan:Not dialed in yet :)

Petter Rindforth:Don't take my happiness away....

Poncelet Ileleji:Hello All

Steve Chan:Glad you made it into the audio AND the AC room this time Petter!

Paul Tattersfield:THnaks for the email Mary very much appreciated I'll respond in detail after the call

George Kirikos:Good attendance as we push towards the finish line.

George Kirikos:Was intended as a friendly amendment, so hopefully folks find it acceptable.

Mary Wong:Recommendation

George Kirikos:Rec #3.

David Maher(PIR):My name should be added to the list of support for recommendation 2
Mary Wong:@David, we'd noted that specific names are not attached to support levels for the Final Report.

Mary Wong:Although they may be helpful as the group discusses what the right consensus levels are (which this group has been doing).

Mary Wong:@George, noted

George Kirikos:Rec #2 looks good to me now.

George Kirikos:<https://mm.icann.org/pipermail/gnso-igo-ingo-crp/2018-June/001323.html>

George Kirikos:Right, they were broken up, but then some 'leftover language' doesn't seem to make sense anymore.

George Kirikos:So, these are all friendly amendments.

Mary Wong:@George, yes indeed

George Kirikos:Mute? *6

George Kirikos:No objection to that being part of policy guidance, i.e. ways of resolving the dispute without invoking a UDRP/URS at all.

George Kirikos:The Implementation Review Team can put that into guidance for IGOs, etc.

George Kirikos:https://urldefense.proofpoint.com/v2/url?u=https-3A_docs.google.com_spreadsheets_d_e_2PACX-2D1vQgB2sY5AgaBZUHsHJJPLIsAwTFj-2D0i3FsammN5q-2DiD1QCQ-5FEMBC8LTzZ30TGvrf6Fw-5FmUvlnHa9DV9_pubhtml&d=DwICaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBLwww ehFBfjrsjWv9&m=Y0pcDwN7x_wC1ublL0AnRk5flgMgMIO1CB8HWTnc0Hs&s=GWBkGiwWkBkzHWEBtE_xY3NZqi8Wz5q2H7ASu-4bLDE&e=

Philip Corwin:What is that language? We all need to see it.

Zak Muscovitch:just taking a look

George Kirikos:This was the issue of subsidies.

Mary Wong:It's in the Notes

Zak Muscovitch:I like the wording

Mary Wong:On the screen (between the Rec text and the Consensus level)

George Kirikos:I don't think Zak spoke to the new language, but I think he, Nat and Jay would help raise Rec #4 back to "Consensus" if they agree to specific language.

Reg Levy - Tucows:Zak, can you please speak up, I can barely hear

George Kirikos:Now it's better.

Reg Levy - Tucows:yup! thanks :)

Jay Chapman:Same goes for me. I'll support

George Kirikos:lol

George Kirikos:Yep, consensus.

Mary Wong:So, change to Consensus but include the Note language

George Kirikos:Rec #4

George Kirikos:That's not accurate.

See: https://urldefense.proofpoint.com/v2/url?u=https-3A_docs.google.com_spreadsheets_d_e_2PACX-2D1vQgB2sY5AgaBZUHsHJJPLIsAwTFj-2D0i3FsammN5q-2DiD1QCQ-5FEMBC8LTzZ30TGvrf6Fw-5FmUvlnHa9DV9_pubhtml&d=DwICaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBLwww ehFBfjrsjWv9

https://www.google.com/search?q=&m=Y0pcDwN7x_wC1ublL0AnRk5flgMgMIO1CB8HWTnc0Hs&s=GWBkGiwWkBkzHWEBtE_xY3NZqi8Wz5q2H7ASu-4bLDE&e=

George Kirikos:I would 'count' it as 4 against (including myself), but there's more than enough for it, to make it a consensus.

Mary Wong:No worries Phil

Philip Corwin:If 6 are for but four against that could be divergence

Mary Wong:Not any more :)

Philip Corwin:It's certainly not consensus

George Kirikos:At least 7 for.

Philip Corwin:I am arguing against interest, as I support it, but we should be consistent

Philip Corwin:7 for, but how many against? Can we have clarification?

George Kirikos:I would say around 4 (although the '4' isn't necessarily binary --- i.e. the changes Zak/Nat/Jay argued for weakens my 'no').

Mary Wong:As staff recalls it, Jim Bikoff clarified that he did not support at all, Reg and Zak expressed strong opposition at the idea of subsidies but may not have been opposed to the idea of the Board/GAC having that discussion.

Mary Wong:@Zak, correct

Paul Tattersfield:Zak +1

Jay Chapman:agree!

George Kirikos:That makes sense, Zak.

George Kirikos:Maybe Reg should weigh in too.

George Kirikos:As long as registrants get equal access to the \$\$\$\$, that is more balanced, then simply giving \$\$\$ to the IGOs, tilting the balance in the dispute to their favour.

George Kirikos:But, the levels aren't binary.

Zak Muscovitch:i would still like to give this a shot right now

Zak Muscovitch:ok fine, Petter

Philip Corwin: If we are going to substantively revise language then we need feedback from all WG members, not just those on the call

George Kirikos: Give the ICANN Board parameters for the discussion with IGOs, so that if subsidies ever do get provided, then registrants aren't disadvantaged.

George Kirikos: Since Options #2, #3, and #5 are easier, might be best to finalize them now.

Mary Wong: Can we just ask if anyone disagrees with the current designations with 2, 3 & 5?

George Kirikos: Those look correct to me, for #2, #3, and #5.

George Kirikos: Here's my analysis of who is for/against: https://urldefense.proofpoint.com/v2/url?u=https-3A_docs.google.com_spreadsheets_d_e_2PACX-2D1vQgB2sY5AgaBZUHsHJJPLIsAwTFj-2D0i3FsammN5q-2DiD1QCQ-5FEMBC8LTzZ30TGvrf6Fw-5FmUvlnHa9DV9_pubhtml&d=DwICaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBLwwwehFBfjrsjWv9&m=Y0pcDwN7x_wC1ublL0AnRk5flgMgMIO1CB8HWTnc0Hs&s=GWBkGiwWkBkzHWEBtE_xY3NZqi8Wz5q2H7ASu-4bLDE&e=

George Kirikos: (and it's not always 'binary')

George Kirikos: The Support for Option #1 of Rec 5 is much stronger than the support for Rec 4 (also going to be marked as consensus).

George Kirikos: Option #2 is dead.

Philip Corwin: Like the late Justice Scalia, I am proud of my minority dissent in favor of option 3

Paul Keating: Hello, Sorry I am late. Adobe issues with my new Mac

Mary Wong: It's important to clarify whether there's also consensus on Option 4; it contradicts Option 1 somewhat

Philip Corwin: I'm indifferent to where the non-consensus options appear in the document so long as the texts and support levels appear somewhere in it

George Kirikos: I think it gets downgraded, Mary, to Strong Support but Significant Opposition for Option #4, avoiding having 2 conflicting "Consensus" options in Rec 5.

Mary Wong: Thanks George, that may make things easier.

George Kirikos:But, I think the key, as Phil said, is having expanded explanatory text, so that none of the debate gets lost. i.e. it needs to be in the final report (rather than simply relegated to the audio recordings and the mailing list)

George Kirikos:So, we might need 10 or 15 pages in the final report, to talk about all we did around Rec 5.

Mary Wong:Note that the Implementation Review Team should include members of the WG, if possible, so their recollections of the policy deliberations are helpful there too. The Final Report will contain some descriptions of the deliberations as well, following the template of other PDP reports.

George Kirikos:Heather

George Kirikos:Heather made a motion, to try to get our work done by July: <https://mm.icann.org/pipermail/council/2018-June/021493.html>

George Kirikos:GNSO Calendar: https://urldefense.proofpoint.com/v2/url?u=https-3A_gnso.icann.org_en_group-2Dactivities_calendar-23jul&d=DwICaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBLwwwwehFBfjrsjWv9&m=Y0pcDwN7x_wC1ublL0AnRk5flgMgMIO1CB8HWTnc0Hs&s=1dB9OUbUllurCoY_SW3YZ6ZkywKN6C6UEtH2preR0jo&e=Our target date is July 9, 2018

George Kirikos:Section 4(k) is the main change for Option #1: https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_resources_pages_policy-2D2012-2D02-2D25-2Den&d=DwICaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBLwwwwehFBfjrsjWv9&m=Y0pcDwN7x_wC1ublL0AnRk5flgMgMIO1CB8HWTnc0Hs&s=5bnMEXTv8d2JVjKpOgbUCAjgsreFSofMBwsxE624fiY&e=

Mary Wong:That's correct, George

Mary Wong:And that was the staff's 2nd point

Mary Wong:We have some comments on the next steps

Zak Muscovitch:Any change resulting from Option 1 could likely be satisfactorily addressed in the UDRP Rules, rather than the UDRP Policy. The UDRP Rules already deal with what happens when there is a court proceeding (See Paragraph 18): https://urldefense.proofpoint.com/v2/url?u=https-3A_www.icann.org_resources_pages_udrp-2Drules-2D2015-2D03-2D11-2Den&d=DwICaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBLwwwwehFBfjrsjWv9&m=Y0pcDwN7x_wC

[1ublL0AnRk5flgMgMIO1CB8HWTnc0Hs&s=ANSyV7nFyNpaac1laowZcpSGS4NoLBwcyHAX18hA--E&e=](https://www.ietf.org/mail-archives/ietf-ietf@ietf.org/thread/18hA--E&e=)

Susan Kawaguchi:It would be very difficult to have a call during the IcANN meeting

Philip Corwin:I would object to any call during ICANN62

George Kirikos:Perhaps 2 calls the following week, then? like a Monday and Thursday?

George Kirikos:Otherwise, we get stalled for 2 weeks in a row.

George Kirikos:Since, we'll want to do a deep dive of the text, to make sure everything is acceptable.

George Kirikos:Can we get it next week? (like Monday)

George Kirikos:Even a rough draft, so we can start thinking about what text needs to be added.

George Kirikos:Can we get the most recent draft, then?

George Kirikos:Since, I think about 10 or 15 pages need to be added, to support Rec 5.

Philip Corwin:I want to speak to this issue as well

George Kirikos:I just don't want us to get stalled for 2 weeks.

Mary Wong:@George, we don't currently have a draft that is in a form that is shareable for review or editing. Apologies.

George Kirikos:Because, July 4 is a USA holiday, too.

George Kirikos:And July 1 is a Canadian holiday....folks will start to tune out.

Susan Kawaguchi:agree and several of us are flying to Panama soon

George Kirikos:Maybe have a "small drafting team"??

George Kirikos:i.e. so we can rapidly turn around changes, etc.

George Kirikos:July 2 is a Monday, so is July 9th.

George Kirikos:But, leaving time for a minority report gets right.

George Kirikos:*tight, rather.

Mary Wong:Minority staement are typically filed in opposition to Consensus recomemndations

Mary Wong:(not to the report in general)

George Kirikos:How many of us are going to Panama? If most of us *aren't* going, perhaps the rest of us can have a call?

George Kirikos:Maybe put a checkmark if you're going to Panama, and X if you're not?

Susan Kawaguchi:Staff will not be available to manage the call

Mary Wong:@George, there are also ICANN62 sessions where members may participate remotely, so it's not just a matter of travel

George Kirikos:@Mary: did we have such a meeting scheduled, though, for this PDP?

George Kirikos:(for ICANN 62)

Mary Wong:We did not, George

Mary Wong:Confirming Susan's point that staff will not be available to staff a call next week. It is not just Steve and me, it is our secretariat support staff, all of whom are supporting multiple groups and sessions.

Philip Corwin:Council may be so busy with post-Panama issues at the July meeting, including one or two EPDPs on GDPR, that they may defer consoideration of our report to August anyway

George Kirikos:It's more the "Explanatory text" that might be divisive.

George Kirikos:Maybe Heather should be contacted, to confirm they want it by July?

Philip Corwin:I object to any WG call scheduled during the Panam meeting, as it excludes WG members participating in person or remotely

Susan Kawaguchi:I will speak with Heather

George Kirikos:(I still have that Section 3.7 call with her; maybe Phil will now join me on it) HA! :-)

Mary Wong:@George, your call is with Petter, is it not?

Mary Wong:Not Heather

George Kirikos:True, Mary. First with Petter, then with Heather if we can't resolve things.

George Kirikos:Section 3.7 shouldn't affect it.

George Kirikos:Was intended to ensure we get time to finish our work.

George Kirikos:Section 3.7 challenging consensus designations is different.

George Kirikos:(but, I've not done that)

George Kirikos:So, next call is early July. See you then!

Susan Kawaguchi:Thanks all

George Kirikos:Looking forward to the next draft final report. Let's keep up the hard work.

Paul Tattersfield:thanks all, bye

Jay Chapman:Thanks, all

George Kirikos:Bye folks.