

Attendance: (34 Members)

Brian Beckham	Maxim Alzoba
Colin O'Brien	Michael Graham
Cyntia King	Michael Karanicolas
David McAuley	Mitch Stoltz
Diana Arredondo	Monica Mitchell
Gary Saposnik	Patricia Aufderheide
George Kirikos	Paul Tattersfield
Gerald M. Levine	Phil Marano
Greg Shatan	Philip Corwin
Griffin Barnett	Rebecca L Tushnet
Jay Chapman	Renee Fossen
John McElwaine	Roger Carney
Justine Chew	Steve Levy
Kathy Kleiman	Susan Payne
Lillian Fosteris	Zak Muscovitch
Lori Schulman	
Marie Pattullo	
Martin Silva	

Audio only: Claudio DiGangi

Apologies: Heather Forrest

Staff:

Ariel Liang
Julie Hedlund
Mary Wong
Berry Cobb
Dennis Chang
Antonietta Mangiacotti
Julie Bisland
Michelle DeSmyter

AC chat:

Michelle DeSmyter: Dear all, welcome to the Review of all Rights Protection Mechanisms (RPMs) in all gTLDs PDP Working Group call on Wednesday, 22 August 2018 at 17:00 UTC.

Michelle DeSmyter: Agenda wiki page: <https://community.icann.org/x/wANpBQ>

George Kirikos:Hi folks.

Julie Bisland:Hello George, welcome

George Kirikos:Hi Julie.

Martin Silva:Hi all

George Kirikos:Hi Martin.

George Kirikos:Summertime, and the livin' is easy.....

George Kirikos::-)

Martin Silva:summer time for you in the north, here I woke to 7Celsius

Martin Silva:xD

Martin Silva:and no vacation

George Kirikos:Do you get much snow in Argentina these days?

Maxim Alzoba (FAITID):Hello all

George Kirikos:Hi Maxim.

Martin Silva:@George, Argentina is Big, it only snows in the Andes mountain chains and the south south

George Kirikos:See: <http://mm.icann.org/pipermail/gnso-rpm-wg/attachments/20180821/c8e039b2/Co-ChairsProposedProceduresforURSPolicyandOperationalRecommendations-0001.pdf>

Martin Silva:thnks for the link

Steve Levy:Sorry for joining late!

Kathy Kleiman:Members of URS Data Subtesams are posted on the wiki -- just ask Staff for the link.

George Kirikos:Right, for the controversial ones, the time lag might mean going through them again.

George Kirikos:(time lag in getting responses)

Susan Payne:so are you saying if someone has already submitted a proposal they need to resubmit using the form?

Kathy Kleiman:We had originally said the deadline was Tuesday, 8/29 -- so the new deadline of 8/31 is more time (in a tight schedule).

Susan Payne:@Kathy - the deadline says 29th?

David McAuley (Verisign):sorry to arrive late

Diana Arredondo:Sorry for joining late

George Kirikos:But, most people will be submitting it near the deadline, so out of an abundance of caution, using .doc might be safer.

George Kirikos:If we submit by .doc, should be send it to the mailing list? Or to a specific staff member?

George Kirikos:*be = we

Mary Wong:The full record of each response is saved in Survey Monkey, and we can send it to that person on his/her request.

Ariel Liang:My email is ariel.liang@icann.org

Mary Wong:We strongly encourage members to use the survey tool for consistency and record keeping purposes. The doc version is intended largely to assist members who cannot access the survey tool for various reasons such as bandwidth.

George Kirikos:I think the group should weigh in, though, esp. if we're not going to get to them right away.

George Kirikos:How about the following Monday?

George Kirikos:That gives an extra weekend. Unless folks actually plan to look at it over the weekend, August 31st is the same as Monday or Tuesday (Monday is a holiday), if staff won't be looking at things.

Marie Pattullo:But could not every member have been a member of a ST if they had much to say?

Michael Graham:@George -- Subteam members had input in the process leading to draft, so their input is different.

George Kirikos:But, we agreed from the beginning there's no deference to the subteams.

Kathy Kleiman:I think the Super Consolidated Document is designed to provide that detail.

Mary Wong: The sub teams' actual proposals are not receiving greater deference than those of members - the process by which the Sub Teams arrived at those proposals are all documented.

George Kirikos: If things coming out of subteams are treated to a different standard (after the fact, because we didn't know this before subteams were created), it means EVERYONE will want to be on EVERY subteam next time, e.g. for the UDRP.

Marie Pattullo: I don't see it as deference - we've seen everything the STs have done to date and this is just anything on top of that.

Kathy Kleiman: As were the lengthy presentations

Cyntia King: +1 @Susan Payne Spitballing ideas in session is a far cry from writing the proposal for consideration by the group.

Susan Payne: @George - they still have to be considered by the full WG. The point is just that they don't need the same back-up because they have been the subject of extensive work and group discussion

George Kirikos: @Susan: not by the entire plenary, but just by a small subteam.

Susan Payne: @george - they are still going to get discussed by the full wg.

Mary Wong: The idea is that, as the Sub Teams' prep, review, analysis and reports have been presented at great length to the WG (as Kathy notes), their deliberations and rationale have already been documented and published. The proposals that emerged from the Sub TEams' deliberations are what are being considered now (starting today), by the full WG in plenary session.

Greg Shatan: +1 Susan. This is not an issue of "deference," which simply referred to the idea that the full WG could make changes to the subteam proposals as the WG saw fit, rather than handling them with kid gloves.

George Kirikos: If these are going to be in late September, then that shows that an August 31 "deadline" doesn't make sense.

George Kirikos: It doesn't take a month to review the proposals for formatting, etc.

David McAuley (Verisign): good points about alternate

Mary Wong: We hope to circulate all proposals at the same time, if possible, so that the WG can begin reviewing beforehand and to allow for meeting planning. That's why a deadline is critical.

Mary Wong: Please note that, as Phil mentioned, the Phase One timeline is getting very tight.

George Kirikos:@Mary: folks had 1 day to review this 4 page document. How much time do folks need?

George Kirikos:+1 Susan

Michael Karanicolas:Perhaps the key would be to crack down on time periods for those merely agreeing with a previous perspective, rather than adding new arguments

Martin Silva:shouldn't support be cross stakeholders to be more relevant?

Susan Payne:@Phil - thanks, understood

Martin Silva:if we have 15 members of the same stakeholder group then I don't know if that's relevant support (maybe shooting myself in the foot, but my honest opinion)

Marie Pattullo:How would that work with non-affiliated members, Martin?

Lori Schulman:We are not divided up by SGs so I don't think it matters.

Martin Silva:is not a strict concept

George Kirikos:Whoever is making notes, I suggest 5 to 7 minutes. :-)

George Kirikos:*Whoever, even

Cynthia King:Maybe we could have a hook & gong ready to go for repetitious arguments.....

George Kirikos:The proponent should also be allowed to respond in writing afterwards.

David McAuley (Verisign):+1 Cynthia

Martin Silva:jajaajj

Kathy Kleiman:@George - that's fair. I think the subteams likely do have a diversity of support.

Kathy Kleiman:They were fairly diverse subteams :-)

Marie Pattullo:We really can't revisit/relitigate every point - we'll be here for a decade.

Cynthia King:I have concerns about breaking members into constituent groups. Many who identify w/ a constituency may have very different POVs.

George Kirikos:@Kathy: but, we don't know the individual level of support, i.e. as per my concerns about page 4, there should be a uniform standard.

Marie Pattullo:+1 to Cyntia

Colin O'Brien:+1 Cynthia

Martin Silva:I'll just say I don't think diversity is irrelevant when it comes to support, besides substantially

Kathy Kleiman:The RDS Working Group calls did have names attached to it -- do people object?

Kathy Kleiman:calls => polls

Michael Karanicolas:"Many who identify w/ a constituency may have very different POVs." That may be true, but if support comes solely from a single stakeholder group, that's also telling as to whether it's going to be capable of achieving consensus later on.

Kathy Kleiman:Polls will not be held for everything.

Paul Tattersfield:One of the problems we had in the IGO/INGO group was the perception where those leading the working group supported a matter silence was treated as tacit support, when those leading the working group were against a matter silence was treated as implicit objection. Could this happen here?

George Kirikos:@Kathy: I think they should be, to ensure that all members have weighed in.

Mitch Stoltz:I don't think a bright-line threshold "substantial support" is possible ahead of time.

George Kirikos:Exactly, Paul T.

Cyntia King:@Michael Karanicolas Not really.

George Kirikos:Understood, just getting in queue.

Greg Shatan:These may be drafting issues, not substantive issues.

Susan Payne:@George - that's because subteam recommendations already likely have substantial support -- from all those who volunteered significant time to the subteam

Mary Wong:Perhaps the group can allow the process to play out, to see if these potential issues actually crop up?

David McAuley (Verisign):Great idea Mary

Greg Shatan:This is not at all the same issue as was expressed about the IGO/INGO group.

Michael Graham:@Susan -- +1

Marie Pattullo:Agree with Susan.

Michael Graham:@Mary -- +1

Michael Graham:@George -- I think we try the process and identify any REAL issues that arise.

George Kirikos:There's a clear double-standard.

Lori Schulman:If we have made an earlier decision to not to defer to subteams than perhaps it's time to reconsider that. Otherwise there is no value in being on a subteam.

Susan Payne:the recommendations from the subteams really don't even seem controversial. Once we discuss them I'd be astonished if any of them don't have almost universal support

Mitch Stoltz:+1 to subteam proposals getting identical treatment to other proposals

Lori Schulman:Subteams have put in substantial work

Marie Pattullo:We've already seen the ST recs. If there are major issues with ST ideas, we'd know by now.

Lori Schulman:and that should absolutely be given weight

David McAuley (Verisign):+1 @ Lori re amount of work subteams did - let's not just toss that

George Kirikos:Thanks, Mitch.

Greg Shatan:Or we could just see now if there is substantial support for George's concerns.

Lori Schulman:The whole point of the subteam is to ease the burden on the whole group and facilitate detailed work

George Kirikos:If the subteams do have the support, then it'll be obvious when those recommendations are presented.

George Kirikos:The "presumption" for the subteams shows the clear bias.

Greg Shatan>Welcome to the group, Mitch. You missed all the subteam work and all of the time already spent in the WG on the subteam proposals. What is the basis for your support?

George Kirikos:Mitch already agreed.

Lori Schulman:No "clear bias"

George Kirikos:The co-chairs were on EVERY substeam.

George Kirikos:So, their views got heard.

David McAuley (Verisign):Agree with George's lrecent point about presentations and indication of support - and thus wisdom of Mary's suggestion - let's give this a try

David McAuley (Verisign):recent

Cyntia King:+1 @Marie Pattullo

George Kirikos:Let those subteams display their level of support, alongside everyone else's proposals.

George Kirikos:How is that "controversial"?

Susan Payne:@george - it says "unless there is substantial opposition". so if there is, then it's not going to get that presumption. why don't you just let this play out

George Kirikos:If it's "so clear", we'll all want to keep them.

Martin Silva:@Greg, that's personally targeting, Mitch can express his support like anyone else without having to explain to you personally his process to do so.

Ariel Liang:https://urldefense.proofpoint.com/v2/url?u=https-3A_www.surveymonkey.com_r_URSProposal&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzg_fkbPSS6sJms7xcl415cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBL_www.ehFBfjrsjWv9&m=z9SPsiJBmo6OD1TZO6_lyqS3JBi7i03LWTb58nE7dQ0&s=yeo4DFY_ktqTrisdmer1eTcPBZL4YzB2cTI6-lW6JtWo&e=

George Kirikos:Otherwise, *everyone* will want to join EVERY subteam in the UDRP work, if the subteams have some advantage.

Mitch Stoltz:@Greg I believe solid, balanced subteam work will speak for itself, as will less thorough or balanced work. The whole WG should consider that.

George Kirikos:The chat goes into the mailing list.

Cyntia King:Yet again we're being asked to re-cover work already completed.

Greg Shatan:Martin, it's not "personally targeting". That's a cheap shot. An unexplained "plus 1" is basically worthless. I'd rather give Mitch the opportunity to explain himself rather than just leaving it at that.

George Kirikos:THAT's THE BIAS, though.

David McAuley (Verisign):Thank you co-chairs, well organized, makes good sense, let's give it a try

George Kirikos:They're being treated differently, subteam vs. individual. Not just as "recommendations", but in the "substantial support" vs. "substantial opposition", etc.

Susan Payne:Co-chairs - maybe you need another bullet that says individual proposals with support will also be included as WG recommendations

Michael Graham:@Phil -- Agree, and thank you for the explanation. Now, let's move on.

George Kirikos:That's part of my point, yes, Greg.

Michael Graham:@Susan -- We discussed a LOT of different points and different points of view in the various WGs -- if they did not make it as part of the WG statement/proposal, they can still be raised, but they are not WG proposals.

George Kirikos:But, subteam recommendations are already ELEVATED to "Working Group" recommendations, regardless of the actual support level from the entire working group.

George Kirikos:So, this is ex post treatment of the subteams. If this goes through, it means that everyone will *have* to participate in *every* future subteam, or otherwise be disadvantaged.

Cynthia King:We are - again - spending a significant part of everyone's time addressing issues that may never happen. Can we please make a note of this for future reference in the event it becomes relevant & move on?

Steve Levy:+1 Cyntis

Paul Tattersfield:Doesn't this need more work before putting it out to public comment?

Michael Graham:Sorry, I meant "subteam" not "Working Group"

Steve Levy:Gotta run to a meeting. Sorry for leaving early.

Marie Pattullo:I'm getting confused. What was the point of the STs if it wasn't to bash out complex issues between a diverse group of experts to unburden the entire WG?

Paul Tattersfield:It has the potential to be a big problem

George Kirikos:Well, a clear advantage has now been given to subteams.

George Kirikos:Which hadn't been contemplated *before* these subteams were created.

Greg Shatan:We could push the timeline back by 6 months to give individual recommendations the same level of “bashing”, analysis, compromise, etc. as the subteam work.

George Kirikos:The rules are being changed in the middle of the game.

Ariel Liang:https://urldefense.proofpoint.com/v2/url?u=https-3A_www.surveymonkey.com_r_URSProposal&d=DwIFaQ&c=FmY1u3PJp6wrcrwl3mSVzg_fkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBL_www.ehFBfjrsjWv9&m=z9SPsiJBmo6OD1TZO6_lyqS3jBi7i03LWTb58nE7dQ0&s=yeo4DFY_ktqTrisdmer1eTcPBZL4YzB2cTI6-lW6jtWo&e=

Ariel Liang:This is the link to the form. Cannot be displayed in AC

George Kirikos:So, now everyone will feel forced to join each subteam in the future, lest they be disadvantaged.

Susan Payne:there's no advantage. we are STILL GOING TO REVIEW THEM before they go in. In fact if we hadn't just spent 75 minutes talking about this we'd be reviewing them now

Cynthia King:Everyone doesn't have to be on every sub-team, but it makes sense that we recognize the work performed by those people who dedicated extra time & effort to participate in additional review/vetting. IMHO

Greg Shatan:Or we give the individual recommendations the advantage of being put into the Initial Report without the same amount of work, so long as they get substantial support.

Mitch Stoltz:The weight to be given to subteam recommendations will be evident from the recommendations themselves, and will not require any presumption.

George Kirikos:@Susan: there is a double-standard. Re-read my email to the list.

Susan Payne:no thanks

Mary Wong:Please, I hope it is not overstepping for staff to suggest again that the WG give the process an opportunity to play out; recognizing the concerns that have been raised today so that we can all be watchful if the potential problems do indeed appear.

Susan Payne:I've read it. I disagree with you

Greg Shatan:It would be a double standard to treat two different things the same.

Lori Schulman:I have a problem with a deadline right after Labor Day

George Kirikos:@Susan: if it's the same standard, change the wording to be identical to the criteria for Individual Working Group recommendations.

Cyntia King:+1 @Mary Wong

Michael Graham:@George -- I think we all understand your position.

Michael Graham:@Mary -- +1

George Kirikos:Isn't next week Asia Pacific?

Lori Schulman:My regrets for the next call. I will be on vacation.

Kathy Kleiman:Tx Phil!

Paul Tattersfield:I think after what happened in the INGO/IGO working group there are going to be heightened concerns that would not otherwise be aired even if they prove unfounded

David McAuley (Verisign):Thanks Phil for walking us through this

Lori Schulman:Yes, thanks to Phil for shepherding us through the process.

Susan Payne:I'd like to propose that each individual is limited in the amount of airtime on any of the upcoming calls

David McAuley (Verisign):good question Kathy

George Kirikos:+1 Paul T

Lori Schulman:Agree with Susan. We need time limits for individual statements.

George Kirikos:@Susan: only if we also limit the co-chairs to the same time limit.

Julie Hedlund:Sorry -- I'm not on audio.

Julie Hedlund:Got kicked off.

Julie Hedlund:I think that the Asia Pacific time is on Thursday, at 1200 UTC

Susan Payne:@george - yes if they are putting forward a position. no if they are carrying our chairing duties

Julie Hedlund:The next day.

Julie Hedlund:We will confirm.

Julie Hedlund:08:00 EDT.

Michael Graham:@Susan -- Agree, and do not agree with limitation on Chairs

Julie Hedlund:05:00 PDT.

George Kirikos:John McElwaine suggested a neutral professional chair.

Lori Schulman:I do believe that ICANN has had moderated discussions before.

George Kirikos:That was something that would ensure no position was advantaged by any chair.

Mary Wong:Staff is working on an updated timeline that we will be sending to the co-chairs later today.

Mary Wong:To take into account this URS procedural approach and the Sunrise/Claims surveys

George Kirikos:Ouch for the Pacific Time Zone.

Zak Muscovitch:Many thanks Phil, Kathy and Staff

Lori Schulman:Thanks. Bye.

Maxim Alzoba (FAITID):bye

Mitch Stoltz:Thanks all.

Paul Tattersfield:Thanks Phil, All. Bye