

**AC Attendance - 44 members**

Adrian Carballo - LACRALO

Alan Greenberg

Alexander Schubert .berlin Office

Alfredo Calderon

Ann-Cathrin Marcussen

Annebeth Lange, co-lead

Ashley Heineman (GAC/US)

Avri Doria

Barrack Otieno

Berry Cobb

Cheryl Langdon-Orr (CLO - PDP Co Chair)

Chris Casavale - IPC

Christa Taylor

Christopher Wilkinson

David McAuley

Dessalegn Yehuala

Dev Anand Teelucksingh

Ejikeme Egbuogu

Greg Shatan

Griffin Barnett

Jaap Akkerhuis

Jeff Neuman

Jess Hooper

John Rodriguez

Jorge Cancio (GAC Switzerland)

Juan Manuel Rojas

Kavouss Arasteh

Martin Sutton, co-leader

Maureen Hilyard

Nick Wenban-Smith, Nominet

Olga Cavalli - co-lead GAC

Paul McGrady

Phil Marano

Ricardo Holmquist

Robin Gross

Rosalía Morales

Sophie Hey

Susan Anthony

Susan Payne

Timothy Asiedu

Yrjö Länsipuro

**On audio only:** Vernatius Okwu Ezeama, Bram Fudzulani

**Apologies:** Katrin Ohlmer, Marita Moll, Heather Forrest, Javier Rua, Luca Barbero, Justine Chew

**Staff:** Emily Barabas, Julie Hedlund, Nanig Mehranian, Steve Chan, Julie Bisland

**AC Chat:**

Julie Bisland:Welcome to the New gTLD Subsequent Procedures Sub Team – Track 5 – Geographic Names at the Top Level call on Wednesday, 22 August 2018 at 20:00 UTC

Julie Bisland:Agenda wiki page: <https://community.icann.org/x/5Q9pBQ>

Kavouss.Arasteh:Dear Secretariat Hi

Julie Bisland:HELLO Kavouss!

Kavouss.Arasteh:During CCWG ws1AND 2 ,BEFORE EVRY MEEETING , it was a google notification providing Agenda and Adobe

Kavouss.Arasteh:Now we have to search among tens of e-mail to find agenda and adobe.

Kavouss.Arasteh:Is it not possible that 6 hours before the start of the meeting such informartion be made available

Kavouss.Arasteh:Regards

Julie Bisland:we send meeting invite reminder (email) the day before, which has the AC link and the wiki agenda link. I'll note this to staff, though. Thank you!

Olga Cavalli - co-lead GAC:HI all can we test my audio?

Kavouss.Arasteh:Dear Secretariat, may I respectfully request you when you send the list of attendance ,kindly identify those from GAC attended the meeting

Annebeth Lange, co-lead:The person talking now is impossible to hear

Annebeth Lange, co-lead:Still impossible to understand  
Barrack Otieno:Greetings dear colleagues  
Rosalía Morales:Hello everyone!  
Annebeth Lange, co-lead:Hello all! Greetings!  
Cheryl Langdon-Orr (CLO - PDP Co Chair):Hi all I will join the audio bridge soon... I am in 2 meetings at one for the 1st 30 mins :-(  
Ejikeme Egbuogu:Hello a" geetings  
Annebeth Lange, co-lead:Julie, I fell out. I will call in again, and then we can start.  
Martin Sutton, co-leader:Just connected, thank you.  
Martin Sutton, co-leader:Javier sends apologies  
Olga Cavalli - co-lead GAC:Hi Martin  
Juan Manuel Rojas:Is there anyone speaking?  
Jorge Cancio (GAC Switzerland):Good evening from Switzerland!  
Olga Cavalli - co-lead GAC:Yes Juan there is Annebeth now talking  
Julie Bisland:@Juan: were not able to hear the intro?  
Nick Wenban-Smith, Nominet:good night everyone  
Juan Manuel Rojas:Nope.. I am not hearing nothing and I'm in audio bridge  
Juan Manuel Rojas:Let me check...  
Julie Bisland:Ok, I will have the Adigo operator redial you, please stand by  
Juan Manuel Rojas:I am hearing now...  
Julie Bisland:fantastic, thank you, Juan  
Jorge Cancio (GAC Switzerland):comment: it would be good if we also benefit from the F2F discussions in Barcelona  
Olga Cavalli - co-lead GAC:agree Jorge  
Cheryl Langdon-Orr (CLO - PDP Co Chair):deffinatly @Jorge, and the aggressive timeline & should allow for that  
Cheryl Langdon-Orr (CLO - PDP Co Chair):Jeff and I would like to offer our thanks and recognise the significant additional work that has been done by the WT Co-Leads in making all these adjustments... We trust the WT also appreciates this... and joins us with thanks...  
David McAuley:Agreed @CLO  
Dessaegn Yehuala:When will the WT5 subgroup consider the WT3 recommendations? Wouldn't it be a bit late to try to check the WT5 recommendations for its harmony with WT3 recommendations?  
Jeff Neuman (PDP Co-Chair):@Dessaegn - Can you be more specific? I do not see any inconsistencies between the recommendations, but it is quite possible that i may be missing something  
Dessaegn Yehuala:the human rights particulalry freedom of expression concerns.  
Olga Cavalli - co-lead GAC:Christopher not very clear sound for me  
Jorge Cancio (GAC Switzerland):comment: I will not repeat what I already stated, but it would be worthwhile to recall that the text on "the ICANN community may want to consider..." came from a good room-agreement in San Juan. This should IMO be reflected in the initial report for public comment...  
Susan Payne:maybe Christopher can type his comments - not at all clear what he said  
Jeff Neuman (PDP Co-Chair):@Dessaegn - You should feel free to make sure any human rights / free expression concerns re Geographic Names at the Top Level are brought up here.  
Jeff Neuman (PDP Co-Chair):It is possible that those issues are going to be dealt with differently for geographic names than as with other names  
Cheryl Langdon-Orr (CLO - PDP Co Chair):agreed @Jeff  
Ann-Cathrin Marcussen:+ 1 Jorge  
Jeff Neuman (PDP Co-Chair):But it is important to make the group aware of those issues so that if they are treated differently, this group acknowledges that and is ok with that

Dessalegn Yehuala:some have been already raised during mailing discussion and I am yet to see a proper response for instance universal protection of city names is a cause for concern, it will totally render the non-geo use provision useless

Rosalía Morales:+1 Jorge

Annebeth Lange, co-lead:@Jorge: Initial Report will be good to discuss in Barcelona.

Jeff Neuman (PDP Co-Chair):@Dessalegn - I am neutral in which way we go on this issue, but are you stating that there is a universal human right to make a non-geo use of a City Name? Or can I restate your concern as, "Has the group considered whether there is a human rights / Free Speech issue with not allowing the registration of capital city names or with requiring strings matching a city name without a letter of support or non-objection?"

Dessalegn Yehuala:ok, thanks

Jorge Cancio (GAC Switzerland):".swiss" is a case where a string had geographic implication and which could be solved through an early contact between authorities and applicant - but this was only feasible because the Swiss authorities were very closely involved in the process. It shows that early contact is key, and should be institutionalized...

Greg Shatan:Olga, it would be helpful if you could reflect both sides of any issue on which you mention one set of views. Thanks!

Dessalegn Yehuala:I saw some threads on that but none of them have been addressed or seen as human rights issue.

Susan Payne:@Jorge - it would be useful if you also explained how it was "solved"

Jeff Neuman (PDP Co-Chair):@Dessalegn - and as restated, I believe the co-leads would say yes that it has been considered.

Jorge Cancio (GAC Switzerland):@Susan: an agreement was arrived at

Jeff Neuman (PDP Co-Chair):It may not have come out the way you wanted it to come out, but that does not mean it wasn't considered

Susan Payne:@jorge - quite - what agreement

Greg Shatan:Jorge, could you be less opaque?

Paul McGrady:I'm not sure it is fair to say that a lack of clarity in the AGB led to the conflict over .patagonia. The AGB was clear that there was no problem with the application. The conflict arose because certain folks were unhappy about what the AGB said, but that is not the same thing as the AGB being vague or unclear.

Greg Shatan:Agree with Paul. Chairs should recall that they are speaking in a neutral capacity.

Robin Gross:The problem with the AGB on this point was not that it was unclear, but that it did not properly balance legitimate interests in the evaluation process.

Dessalegn Yehuala:more restrictions are enforced that can be translated into freedom of expressions I am trying to write a white paper on those things and if need be I can share to the group during the Barcelona meeting.

Jorge Cancio (GAC Switzerland):@Greg: there is nothing opaque about it. There was an early contact. The applicant understood the linkage with the country's name and that application was dropped... now ".swiss" is open to all swiss companies etc...

Greg Shatan:"an agreement was reached" is a highly opaque statement.

Greg Shatan:What was the agreement?

Susan Payne:@Jorge - ok, so following contact by the Govt the applicant withdrew - yes?

Jorge Cancio (GAC Switzerland):what would you like to know? an agreement is something positive, at least it is very usual way of doing things here :-)

Susan Payne:Thanks for the clarification

Greg Shatan:an agreement is a container. I want to know the contents.

John Rodriguez:Should an initial question be "Is there a problem to be solved?" rather than "what are the problems we are trying to solve?" as some may say there isn't a problem, but rather overreach.

Susan Payne:+1 John. I think there was a problem.but I think that problem was overreach

Robin Gross:I agree, Susan.

Greg Shatan:+2. I agree with Susan also.

Maureen Hilyard:Sorry Im late from my last meeting..

Annebeth Lange, co-lead:It was very difficult to hear Christopher

Robin Gross:The sense of entitlement with no basis in law to control the use of words is a major overreach.

Kavouss.Arasteh:Olga, thank for your comprehensive brief. May be you just breath for a while and allow some reaction

Julie Bisland:welcome, Maureen!

Jorge Cancio (GAC Switzerland):@Greg: it is as simple as I said: the applicant understood the wider political implications and the connection with the country and dropped the application... There is no need for conspiranoia ;-)

Jorge Cancio (GAC Switzerland):Ignoring the fact that some strings have geographic implications and were not covered in the AGB does not help...

Susan Payne:Lowering hand as I was going to make the points Greg made about overreach and the fact that the possible "solutions" seem very one-sided

Greg Shatan:You mentioned one half of an example.

Jeff Neuman (PDP Co-Chair):ALL - Please recognize that everyone on this call comes into these calls with a certain perspective. Please feel free to express your perspective, but lets respect other people's perspectives without using terms like captured.

Jorge Cancio (GAC Switzerland):who is talking?

Cheryl Langdon-Orr (CLO - PDP Co Chair):this is Greg

Cheryl Langdon-Orr (CLO - PDP Co Chair):now Olga

Jorge Cancio (GAC Switzerland):I feel that people should follow the order of speakers

Greg Shatan:As a Chair, you are prevented from taking sides.

Jeff Neuman (PDP Co-Chair):@Jorge - Agreed.

Cheryl Langdon-Orr (CLO - PDP Co Chair):Back to ORDER PLEASE

Paul McGrady:I'm sorry, but I think I have completely lost the train of thought of this call. What is it we are supposed to be discussing?

Susan Payne:trademarks are an aspect of IP too - so what are you saying Christopher

Emily Barabas:@Paul, we are focusing on identifying problems that need to be solved, if any.

Robin Gross:I agree with the others who say the problem to solve is over reach.

Paul McGrady:@Emily, thanks for the general thought, but that is pretty general stuff. Are we supposed to be going through the varoius slides that Olga presented at length? What is the agenda for the call?

Greg Shatan:Was that an accusation, Kavouss?

Emily Barabas:At the moment, it would be great if everyone could focus on the problems they think exist, if any, and examples illustrating these problems.

Emily Barabas:The third high-level bullet on this slide

Greg Shatan:If a Chair is going to speak in their own capacity, one must expressly say so, and keep such interventions to a minimum.

Jorge Cancio (GAC Switzerland):My mic seems not to work, so I'll spare you my technical inability :-) But as a first issue I feel that whatever our opinion is on the motivations or on the possible solutions, we need to aknowledge that there have been issues with strings with geographic significance

Kavouss.Arasteh:Ido not understand what is minimum and what is maximum

Alan Greenberg:Sorry for missing 1st half of call.

Julie Bisland:welcome, Alan!

Timothy Asiedu:Thanks for the opportunity to join you from Accra, Ghana.

Jeff Neuman (PDP Co-Chair):@Greg - As you have reframed the question, do you believe that there are any other names that should be addressed, given the "issues" presented in the previous slide

Annebeth Lange, co-lead:Hi, Alan!

Susan Anthony:I do not think that we can even say that there is agreement on the 2012 AGB.

Steve Chan:All, the slides are now unsynced

David McAuley:Thanks Steve, that's helpful

Robin Gross:We have to acknowledge that this group may decide NOT to create additional restrictions on names with geographic meaning.

Jorge Cancio (GAC Switzerland):some examples: geographic adjectives, terms that match geographic features of national significance, names referring to relevant territories not expressly covered by the AGB-terms...

John Rodriguez:+Greg. Before discussing a remedy to fix a problem, we should discuss if there is indeed a problem that needs to be fixed. There are different perspectives as to whether the previous concerns/conflicts referenced were really concerns/conflicts.

Greg Shatan:We do not have agreement on what the problems were. Some might say that the reactions were the problem.

Paul McGrady:+1 Robin. There seems to be a presupposition from some on this call that just because there were conflicts in the last round that the AGB needs to be amended.

Jorge Cancio (GAC Switzerland):@John: I guess that it seems quite factual that cases like ".amazon" are indeed an issue...

Robin Gross:"problems" has to mean more than "govts don't like the outcome and therefore it must be changed."

Jorge Cancio (GAC Switzerland):@Greg: ICANN cannot ignore political realities... hiding the head in the sand will not help... a different discussion is what solution we need

Susan Payne:+1 Robin

David McAuley:I appreciate Jeff's trying to get to some specific 'issues'. My struggle in following is that on another level we have a discussion about 'geo terms' without, as far as I can see, a definition of geo terms. Definitions are most helpful in these kinds of discussions, IMO.

Jeff Neuman (PDP Co-Chair):@Greg - I am trying to get that discussion started, but you are not giving your own view

Susan Anthony:yes, got it

Greg Shatan:Jeff had asked me a question. I thought that should be respected.

Jeff Neuman (PDP Co-Chair):@David - We tried that approach already and the response was that we could not define a geo term without knowing its implications

Greg Shatan:It's a perfectly valid question, thank you very much.

Jeff Neuman (PDP Co-Chair):So, we are again in a loop.....no one wants to define a geo term unless the know the implications.....AND ..... no one wants to talk about the implications until we define what would be covered.

David McAuley:Thanks Jeff, but we still discuss the term in some instances. But take your point

Jeff Neuman (PDP Co-Chair):How do we get out of the loop?

David McAuley:point, that is

Susan Payne:Olga since we have the slides unsynced would you mind identifying which slide you are on when you change slide

Emily Barabas:Olga is speaking to slide 11

Susan Payne:)

Jorge Cancio (GAC Switzerland):@Jeff: I think that when regardin the issues we have witnessed we may see what points can be improved...

Greg Shatan:I'll put forward the proposition that virtually all of these proposals are unnecessary because there should be no special protections for "non-AGB terms".

Robin Gross:I also do not believe in the creation of additional restrictions.

Kavouss.Arasteh:What are non AGB tERM?

Paul McGrady:+1 Robin. No additional restrictions.

Griffin Barnett:+1 to Greg/Robin/Paul

Emily Barabas:Hi Kavouss, see slide 8: Some Work Track members have expressed that there should be additional protections in subsequent procedures for certain types of terms that were not included in the 2012 Applicant Guidebook.

Greg Shatan:I am happy to let a fresh voice go forward.

Greg Shatan:before I speaking.

jaap akkerhuis:I'm afraid I have another call starting in a couple of minutes, so have to drop off

Alexander.berlin Office:The PEOPLE (and constituents) of a geo-community deserve to be protected - NOT the location itself. People want to exercise their free speech rights - and identify themselves via geo-location based 2nd level domain names.

Robin Gross:conflicts can be resolved with post delegation mechanisms that take into account all legitimate interests.

Griffin Barnett:As we've said/supported before, let there be an objection procedure

Kavouss.Arasteh:Pls kindly clarify what are those AGB Geographic names. Does it means that we should not even consider other geographic names which are not in AGB ?Does it mean that every georaphic name to be protected are already in GB? I disagree with that

Kavouss.Arasteh:I do not share the views of the speaker currwntly talking

Jeff Neuman (PDP Co-Chair):I heard you Olga

Annebeth Lange, co-lead:I think I have lost the line

Annebeth Lange, co-lead:I hear you

Annebeth Lange, co-lead:I call in again

Greg Shatan:I agree that objection procedures are a more fruitful discussion.

Greg Shatan:Then we need to discuss what is a valid basis for an objection.

Kavouss.Arasteh:Does it mean that .amazon should not be pèrotected??

Annebeth Lange, co-lead:I am back in again - I think

Kavouss.Arasteh:Who decide whether an objection is valid or not? WHAT ARE THE CRITERIA FOR SUCH DECISION

Greg Shatan:Kavouss, the trademark AMAZON is protected in virtually every country. That should be respected and protected.

Robin Gross:Yes, Kavouss, those questions sound like a more fruitful discussion for us.

Griffin Barnett:Those things wold need to be worked out as part of implementation

Susan Payne:@Robin @Kavouss - agree that would be a good area to discuss further

Jeff Neuman (PDP Co-Chair):@Griffin - we are trying to address as much as possible in this process and not leave it all to implementation

Greg Shatan:We know that there are terms that have geographic meaning. That does not need to be explained.

Greg Shatan:The question is should there be any implications raised by that fact.

Kavouss.Arasteh:jORGE +1

Griffin Barnett:@Jeff that's fine, I'm just saying those details would need to be worked out

Greg Shatan:Which, if any, non-AGB terms should be included in this procedure? The answer could be "none."

Kavouss.Arasteh:May be for some people geographic name of other countries has no meaning as in their own countries these people are not concerned about any thing than Money and money

Greg Shatan:The answer can't be "all."

Greg Shatan:"I'll take my ball and go home" is not a valid argument.

Kavouss.Arasteh:There are shortcoming in the existing AGB that needs to be addressed

Susan Anthony:What is or are the government interests that are being served by in effect reserving every name that corresponds to a geographic location?

Robin Gross:freedom of expression is a "land grab"?

Jeff Neuman (PDP Co-Chair):All - lets try to stick to what we think a good solution would be as opposed to just commenting that other solutions are not acceptable.

Alan Greenberg:A@Jeff +1

Jorge Cancio (GAC Switzerland):@Jeff: agree

Susan Payne:Let's try to remember that under international legal treaties there is no prohibition on the registration of terms with a "geographic context" as trademarks. So to be suggesting that this is in some way inappropriate or a land grab flies in the face of current international legislation

Kavouss.Arasteh:The interests of government are represented by the interests of their people which wants to preserve their identity, their historical heritage, their culture and and

Robin Gross:ICANN 2007 New GTLD Policy Recommendation G: "The string evaluation process must not infringe the applicant's freedom of expression rights that are protected under internationally recognized principles of law."

Jorge Cancio (GAC Switzerland):@Susan Payne: this discussion goes beyond strict international IP law... this is a policy discussion that has to consider national law, policies and sensitivities - otherwise we can close the shop and leave everything to IGOs...

Kavouss.Arasteh:No that is not true as no one wants to protect every thing they just wants to protect their identity, their historical heritage, their culture but not every thing

Alexander.berlin Office:Maybe we simply block ALL geo-names which do NOT have an AGB-process. So non-AGB geo name based strings would simply be NOT available in the next round. Probably several million strings. Why not? No agreement - no availability.

Greg Shatan:There is no .swiss TLD application, so I guess they were "persuaded" to withdraw.

Kavouss.Arasteh:The governments do not raised invalid or illegitimate objection

Jeff Neuman (PDP Co-Chair):All - If this is too theoretical, then lets come up with an example which I will make up. Here is the hypothetical - I am a chocolate maker and live in Switzerland. I apply for .madeupchocolate. I am the government of madeupchocolate located in the country of Canada. The government of Canada does not want the application to go forward. What happens?

Jorge Cancio (GAC Switzerland):@Susan Payne: please be so kind not to misrepresent my inputs and what we have done in Switzerland - your apparent lack of understanding of positive sum solutions is quite astonishing

Kavouss.Arasteh:oh .band, .brand and .brand and not .reality

Jeff Neuman (PDP Co-Chair):Sorry, my hypothetical has me being both :)

Christopher Wilkinson:@Susan - a .brand has a pre-exi

Dev Anand Teelucksingh:@Greg are you sure - [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_dot.swiss\\_en\\_&d=DwlFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=QiF-05YzARosRvTYd84AB\\_UYInlydmFcjNmBM5XgySw&m=Xnca\\_tW9sBYby-niStRqsS5K2uJuDYEAMuSNbnfFdIM&s=DmoGo8JDuUT2oiVHRTyv-jnjHVv8fdatty\\_NbbS27dM&e=.swiss](https://urldefense.proofpoint.com/v2/url?u=https-3A_dot.swiss_en_&d=DwlFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=QiF-05YzARosRvTYd84AB_UYInlydmFcjNmBM5XgySw&m=Xnca_tW9sBYby-niStRqsS5K2uJuDYEAMuSNbnfFdIM&s=DmoGo8JDuUT2oiVHRTyv-jnjHVv8fdatty_NbbS27dM&e=.swiss) .swiss was delegated

Christopher Wilkinson:pre-existing trademark Correc?

Nick Wenban-Smith, Nominet: I agree with Susan here, there should be options for coexistence and that there are some words which have multiple meanings and the fact that one is a possible geo significance shouldn't be an absolute bar to it being a gTLD

Susan Payne: @Jorge - I asked you to explain what the solution was reached in Switzerland and this was what I understood your explanation to mean. If you'd like to correct that impression you gave me then please do go right ahead

Kavouss.Arasteh: What are the intellectual property issues that some people claim are protecting?  
Jorge Cancio (GAC Switzerland): misrepresenting my points on non-AGB terms as a veto from Governments is poor

Alexander.berlin Office: When it comes to gTLDs - "free speech" in the context of geo-name applications is the right of citizens and constituents to have fair access to 2nd level names. Once snagged up by a brand - that's not working anymore....

Jorge Cancio (GAC Switzerland): @Susan: in fact as the term "swiss" was not under the AGB rules, there was no veto and no obligation to withdraw - there was pure and simple persuasion that it would be better to have the .swiss open to all swiss stakeholders... I guess this is very hard to understand to sum-zero minds and approaches

Kavouss.Arasteh: I do not believe that there is any intellectual property that people claim to fight for  
Kavouss.Arasteh: Alexander ++++1

Cheryl Langdon-Orr (CLO - PDP Co Chair): clearly there is still much for us all to discuss on these important matters... PLEASE do use your mailing lists effectively between now and the next call...

Susan Payne: @Jorge, I was referring to the "proposals" on the slides as all essentially reflecting the notion of a primacy for Govts and reflective of the notion that there is some right to veto which the applicant must overcome

Greg Shatan: "Persuasion" is such a malleable term.

Cheryl Langdon-Orr (CLO - PDP Co Chair): Good observation(s) Steve

Jorge Cancio (GAC Switzerland): @Susan: thanks for correcting your interpretation on our Swiss experiences, much appreciated

Nick Wenban-Smith, Nominet: thanks Steve!

Cheryl Langdon-Orr (CLO - PDP Co Chair): Thanks Steve good observations IMO

Kavouss.Arasteh: There are more than enough in the mailing list but no one listens to that. Read Alexander's pages of comprehensive argument, were those taken into account??

Kavouss.Arasteh: Governments do not have veto but just have the right to protect their citizen

Cheryl Langdon-Orr (CLO - PDP Co Chair): Well Said Jeff...

Kavouss.Arasteh: Secretariat only take into account some comments but not all

Kavouss.Arasteh: Sorry not all

Jeff Neuman (PDP Co-Chair): For the record - I am not actually a chocolate maker (But I make some great cupcakes :))

David McAuley: I have to leave a few minutes early. These are difficult discussions and I want to thank all who contribute, and thanks also to chairs and staff.

Jorge Cancio (GAC Switzerland): @Jeff: open for a joint venture?

Steve Chan: @Jeff, I assume you'll be bringing some for the WG at ICANN63 :)

Jeff Neuman (PDP Co-Chair): @Jorge (if you can get me some good Swiss chocolate - absolutely)

Cheryl Langdon-Orr (CLO - PDP Co Chair): Ohh Sounds delicious @Jorge and @Jeff :-)

Robin Gross: Merriam Webster defines "veto" as "an authoritative prohibition". That is indeed what we are talking about here when we give this power to govts to prevent a string simply because a word has geographic meaning.

Nick Wenban-Smith, Nominet: A geographical indication is a legal right akin to trade mark; wouldn't they have a legal rights objection route under existing rules?



Kavouss.Arasteh: Some individual spoke 9 times during this session .It is not fair

Jorge Cancio (GAC Switzerland):awareness, contact, incentives for a positive-sum result, and mediation/resolution of disputes look to me as something more sophisticated than just "veto" yes/no

Jeff Neuman (PDP Co-Chair):@Greg - Can you (and others) please submit your arguments for or against geographic indicators

Annebeth Lange, co-lead:@Kavouss: We always hope that more GAC representatives will attend and speak

Alexander.berlin Office:Nick: Legal rights objection iare COSTLY and requires legal counsel and big fees!

Alexander.berlin Office:iare = are

Nick Wenban-Smith, Nominet:I agree with Jorge that some sort of mediation would be beneficial in these cases, just not sure what happens if deadlock?

John Rodriguez:There are varying interpretations as to proper scope of protection for Geographical Indications (GIs), a form of intellectual property, so it would seem more challenging to address in this group.

Nick Wenban-Smith, Nominet:@alexander well that's what a TM holder has to do if someone applies for their TM as a TLD. Cuts both ways ...

Jorge Cancio (GAC Switzerland):@Nick: I guess that an ICANN panel would decide... but the authority could always go to the courts...

Jorge Cancio (GAC Switzerland):or the applicant

Greg Shatan:Geographical indications are only superficially akin to trademarks. In some countries they are trademarks (or they are not protected at all). There is little transnational harmonization, in contrast to trademarks, which are the subject of nearly global treaties, etc.

Greg Shatan:The lack of consistent treatment is a huge issue in trying to impose anything at a multi-national level.

Nick Wenban-Smith, Nominet:I think we can all agree that this is all quite a difficult topic!

Alexander.berlin Office:TM holders have budgets and staff and experience with these problems.

Susan Payne:@Jorge - i think the problem is that we cannot see that we are talking about positive sum results. Maybe that has happened in the past behind the scenes, but all of the options so far being talked about look a lot like the applicants getting blocked. what is the positive sum for the applicant if they cannot get the authority to give them a letter of non-objection and their application does not proceed? So yes,it would be good if we can talk about how to achieve a positive sum

Greg Shatan:How about the applicable local law that there is NO protection for a particular term?

Jorge Cancio (GAC Switzerland):@Susan: I have repeatedly suggested that in such (rare) cases there could be resort to mediation/dispute resolution...

Jeff Neuman (PDP Co-Chair):@jorge - given what happened with .swiss, are there things that we could recommend as possible solutions going forward?

Jorge Cancio (GAC Switzerland):@Susan: the fact from the 2012 AGB round actually shows that the vast majority of applications subject to non-objection letter were succesful to the benefit of all involved

Jeff Neuman (PDP Co-Chair):If we do have mediations

Alexander.berlin Office:Bye!

Nick Wenban-Smith, Nominet:One final thought, the total number of problem cases were quite small, may be we just live with that?

Ann-Cathrin Marcussen:Bye all!

Nick Wenban-Smith, Nominet:night everyone

Robin Gross:thanks all, bye

Avri Doria:bye

Barrack Otieno:bye

Rosalía Morales:bye!

Dev Anand Teelucksingh:bye all

Annebeth Lange, co-lead:Bye, bye

Juan Manuel Rojas:Bye

Jorge Cancio (GAC Switzerland):bye all!