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Julie Hedlund: Hello, and welcome everyone. So this is the RPM PDP working group working session. Again, as a reminder, we have some lunches here for working group members. Once everybody has gotten one, if there's any extras then we can open them up to others. So this is a continuation of the session we had yesterday on the results from the TMCH sunrise and claims surveys, and we have Greg Rafert here to continue with his presentation.

But before that, let me turn it over to one of our co-chairs, Kathy Kleiman. Thank you.

Kathy Kleiman: Okay, this is Kathy Kleiman welcoming everybody to our third out of four sessions. Brian Beckham I hope will be joining us sometime but he's probably in the GAC right now for the high-level meeting. Phil Corwin, second co-chair is here, and thank all of you for being here and for our sessions yesterday.

So we go back to Greg Rafert, Dr. Greg Rafert, to walk us through the analysis group results. We're continuing with our view of the trademark and brand owner survey and then we'll go onto registries and registrars today. Greg has a hard stop at 1:30. We don't because we continue on to a fourth session. But I understand he'll be talking fast. We did set up the rule yesterday that we're looking for clarifying questions only please so we can get through all the material. If you have longer questions, questions about analysis or why something was included or why something wasn't, please put it in a Google Doc, which I understand Ariel is going to be giving us a link to. So a Google Doc for longer questions and Greg will get back to us about those later.

So over to Greg.

Greg Rafert: Thank you, Kathy. Appreciate it. And thank you, Julie. It's good to see you all again. So where we left off yesterday just to remind you is we were going through some of the results from the survey with respect to trademark and brand owners and we're going to begin in the report right where we left off yesterday afternoon or early evening.

And we're going to start on Question 4 just to remind you, here we asked individuals who were responding to the survey how many of their company or organizations trademark had been recorded within the TMCH. Eighteen individuals indicated that none of them were and then of the 55 who said that they had at least one. Actually, it was 54 who had at least one because as you'll see in the open numeric field, one person indicated they had zero. Most had only one but there was a pretty good distribution all the way up to at least one individual indicated they had a thousand within the TMCH.

So Ariel, Julie, if you wouldn't mind going to the next question. So for Question 4A, if an individual said that they had no marks recorded in the TMCH we then essentially asked them why. And so here, they were given a number of response options that they could select and they were allowed to

select multiple options. So they could have just said that they weren't aware of the TMCH. That was approximately 28% of the individuals who answered this question.

Some people indicated that it was too expensive. That was about 22%. Some just said they weren't intending to make any sunrise registrations. That was 44%. They also - some individuals said their company relied on a watching service. That was 39%. And then finally, some individuals indicated - no worries, it's lovely to hear one's self over a computer. No. And a couple individuals indicated that it wasn't important to them.

We then asked in Question 5 whether the company or the organization was for profit or not for profit. 90% of the individuals who were taking the survey indicated that they had a for profit company. And now Ariel, if you wouldn't mind going to Page 34 of the report, Question 7.

So this survey was pretty long and so what we wanted to do was give individuals the opportunity to select the topics of most interest to them. And so we split this survey, the remaining part of this survey into three sections. There were questions regarding the sunrise period. That was category one. Category two was a section on reserve names and then the last category were questions with respect to the claims service.

There were 608 individuals who go to this question and of the 68, 52 said I'd like to take the sunrise period; 40 said that they would like to take the reserve name question section. And then 54 indicated they would be taking the claims service section of the survey.

And now, if we go onto the next question. So we're now moving into the sunrise period portion of the survey. And here what we did is we asked individuals how important each of the following factors were in whether or not they were going to register a domain name matching their mark during the sunrise period.

And this is a pretty long and busy table, but individuals were allowed to do is I think there are something like eight or nine options that they were asked to think about in terms of whether or not it was all the way from not important at all or very important, or they weren't sure.

So as an example, on that first row up there, we asked them the importance of the trademark being a core business brand as to whether or not that would affect their likelihood of registering a mark during the sunrise or for the sunrise period. And here, almost all individuals said that it was either very important or important.

Other factors that were relatively important to individuals were preventing third party registrations, whether they were potentially concerned about the risk of consumer confusion, deception, scam, or fraud. The new generic top-level domain related to a current business of theirs and also there were some - kind of way towards the bottom, if you don't mind scrolling down just a little bit. One of the other factors that they could select were proactive measures avoid reactive solutions like UDRP or URS.

Now, if we could go onto the next page because now, we're on Page 36, Question 11. We then moved onto asking about how price affected their company or their organization's decision to seek a sunrise registration and they were allowed to select always, very often, sometimes, rarely, or never. I don't think this is terribly surprising, at least to me as an economist, but price is an important factor and a number of individuals selected always, very often, or sometimes. There were very few rarely or nevers.

Now, if a respondent - this is Question 11A -- if a respondent indicated that price had at least some determining factor on whether or not they were going to register during the sunrise period, we then asked them essentially why. And what this table tells you, once again not very surprising, is that high prices make it less likely for individuals to register during the sunrise period.

If you can go onto the next page please, Page 37. We then asked in Question 14, did your company or organization attempt to register any of its trademarks in any new gTLD during a sunrise period, but it missed the 30-day registration window.

So there were a couple respondents that did, but by and large, individuals were not missing the 30-day window, at least for those that responded to the survey. It's always important to keep in mind.

Now, for Question 16, we asked them would it be preferable for the required length of the start date sunrise period to be extended from 30 days to 60 days. Here, there was I think a pretty overwhelming response. Certainly, a significant majority of individuals said that yes, it would be useful to extend the length of the sunrise period.

In Question 17, we then asked have you attempted to register a trademark as domain name in a sunrise period and could not. And here, about 29% of respondents said they could not; 61% said they had no problem and then there were about 11% but only three respondents that said they weren't sure.

So now moving onto Question 18. We asked here, should registry operators be required to publicly publish their reserve name lists? Trademark owners, a significant number of them, 82%, said yes they should be required to publish the reserve name list. We'll see when we get to the registry operator survey. Registry operators are less interested in publishing their reserve name list.

Kathy Kleiman: Kathy Kleiman. We're down to kind of fairly low physical counts. Is that because we're so far into the survey now?

Greg Rafert: Yes.

Kathy Kleiman: Okay.

Greg Rafert: Yes, that's correct. So there's been - we're now looking at individuals who said they wanted to take this portion of the survey and there were some screening questions to get to this part - or to this question in the survey.

Griffin Barnett: Thanks. Griffin Barnett for the record. I have a quick question about Question 17 where it says you attempted to register a trademark as a domain name in sunrise and could not. Do we have any rationale or any information about what they could not, like the reason for them not being able to register was?

Greg Rafert: So we didn't ask in the survey but there probably are some individuals in the room who could at least offer some suggestions as to why they could not. I think it's a little bit outside my area of expertise.

And now moving onto Question 19. So here, we asked in the event that a registry placed terms on its reserve name list and later decides to release them for registration, should that registry be required to provide notice of the release to the trademark owners? And here, I think not surprisingly, trademark owners were of the opinion that yes, they should be required to provide that notification.

Question 20 tells a similar story. So here, in the event that a registry has placed terms on its reserve name list and later decides to release them for registration, should the registry be required to provide the owner of that mark and is recorded basically priority opportunity to register that mark. And here, almost everyone thought yes, they should.

Now, we move on to the NORNs. So here, we asked first, has your company or organization ever received a NORN. A significant majority of the respondents said yes, they had.

Kathy Kleiman: Would these respondents be in the trademark clearinghouse? Was there a gating question on that? Go ahead. The microphone, sorry.

Paul McGrady: What's a NORN? I've never heard that said that way before. Are we talking about…

Kathy Kleiman: It's a great new acronym, isn't it? We've been here forever and there's still new acronyms. This is a Notice of Registered Name and I believe it's the notice that you get when you're in the trademark clearinghouse and you're during the trademark claims period or even afterwards, if it's extended, to say, hey, somebody just registered something with your name on it, a domain name that includes your trademark.

Paul McGrady: Thank you.

Phil Corwin: And could everyone who speaks please give their name?

Paul McGrady: Sorry. That was Paul McGrady who asked what a NORN was. I've received NORNs. I just didn't know I was receiving NORNs when I was being NORNed and I just turned NORNed into a verb. Yes.

Kathy Kleiman: You did a lot of vocabulary words in middle school, right, using them in a sentence. So a question to Greg. Were these - what was the gating factor? Were these companies that were already in the trademark clearinghouse or was this all trademark owners?

Greg Rafert: I believe they had to be in the trademark clearinghouse. I'm pretty sure to have been asked this question. I can double-check that but I'm pretty sure that was one of the gating questions required.

                  Now, if we move down to Page 39, and I promise I think we're getting close to the many, many tables in the report that kind of describe the result from the trademark owners. So Question 21A, so if they had received a NORN, then

we asked them did they follow-up with some type of action. And not surprisingly, I think, a very large majority, 81% of the respondents said yes, they had followed up with some kind of action.

Then we move down to a follow-up question and we ask what was the type of action that you followed up with. And here, they were allowed to select - the individuals that were responding were allowed to select as many of the responses that applied to them.

So here, we had 82% of individuals say that they added it to a list of monitored domains. 82% sent a cease-and-desist letter. 55% filed a UDRP complaint and then there were smaller percentages of respondents that either attempted to purchase it or filed a URS complaint.

Now, moving down to Question 21AII, it just rolls off the tong. This is another follow-up question and it asked what was the outcome of your company or organization's actions. And here, 77%, a relatively significant majority said that domain name registration was transferred to them. 77% also said that they were just monitoring it on an ongoing basis. And then there were smaller percentages for some of the other options. So for example, 23% indicated that the domain name application was withdrawn.

And finally, the last table, at least in this section of the report for the trademark owners, Question 22. We asked the trademark owners whether they believe that the following claims notice sent to the domain name applicant adequately informed the domain name applicants of the scope and limitations of trademark owners' rights. 59% said yes, it does; 29% said no. And the rest of the respondents were unsure.

Kathy Kleiman: Greg, this is Kathy Kleiman. Did you show them a claims notice?

Greg Rafert: Greg Rafert: We did. Yes, we gave them an example.

Petter Rindforth: Petter Rindforth. Sorry, just giving one step back as to the Question 21A.
                     You had these options, send a cease and desist letter and then farther URS
                     complaint, and then finally, UDRP complaint. Have you any ideas of if people
                     only sent a cease-and-desist letter or if they started with a cease-and-desist
                     letter and when - how many of them then proceeded to the next step, either
                     go by URS or UDRP?

Greg Rafert: So the survey wouldn't allow us to answer the question of the sequencing but
                     we wouldn't know whether a respondent only did one of the - selected
                     essentially one of the options, or whether they selected two or three.

Kathy Kleiman: This is Kathy. But if they selected two or three, it could be because they had
                     two or three domain names that had followed different paths.

Greg Rafert: Yes, I agree. So I think now, we'll move back to the PowerPoint please and
                     we'll dive into the registry operator results. All right, so this is the fourth of
                     five groups. So we're getting close to the end, I promise. This survey was
                     offered in English and programmed by staff at Analysis Group. We provided
                     a general link to the ICANN community and relied on the ICANN community
                     and ICANN staff to get the word out to registry operators that we would love
                     to get their responses to the survey.

                     We began testing it on August 20. It was officially launched on September 6
                     and then we finally closed the survey on October 5. The survey was
                     originally supposed to be closed earlier but due to the relatively low response
                     rate to the survey, we wanted to leave it open a little bit longer to attempt to
                     get any additional responses that we could. We were targeting 50
                     responses. We did not receive 50 responses. We received 13 complete and
                     18 incomplete surveys, which is a pretty low completion rate on the survey.

                     And I think by and large that's because it was a relatively long survey, but it's
                     always hard to kind of infer what people are thinking when they're beginning
                     to take a survey and stop. So in terms of some of the key findings, as I

mentioned, and as the slide indicates, there were relatively few responses and so I think one has to be especially careful in interpreting these results. I think there are some useful trends and interesting data points that we've identified in the survey. But I certainly would not say that this is a statistically representative sample of registry operators, for example.

We also have found that about half of the respondents did not have any non-brand new gTLDs that had registration eligibility restrictions. In terms of some of the key findings that aren't related to the types of individuals or types of registries that were responding, we found that some but not all registry operators acknowledged that attempting to avoid - or that they attempted to avoid offering premium pricing for brand names during the sunrise period.

There was unfortunately no consensus regarding whether respondents would support a modification to requirements to publish reserve name lists. If anything, it seemed like there was certainly some hesitancy to doing so. There was not much of a consensus regarding the ideal length of the sunrise period and similarly, respondents were divided with respect to the ideal length of the claims period. And we can see some of that in a little more detail now, Ariel, if you don't mind switching us back over to the report.

And we'll begin on Page 41. For those of you that weren't able -- I think I see some new faces today -- who weren't able to make the presentation yesterday. What this chart shows are - so the blue bars are people who completed the survey. The red bars are people who did not complete the survey and for each of those two groups, we show how many questions a given respondent completed before they either completed the survey -- so those are the blue bars again -- or did not complete the survey. Those are the red bars.

So you see a large number respondents dropped out, between zero and 10 questions. And of those, what we see is most of the people who didn't complete the survey essentially opened up the survey link, looked at the

survey, and decided they didn't want to take it. There were a couple of respondents that made it somewhere between 11 to I think it says 30 questions in. As we did with the other survey responses, we've included those incompletes in the tabulation of the survey results that you'll see. So we try and include those responses when we can.

Kathy Kleiman: Do we have any idea how may TLDs these registry operators have? I know that was one of the questions. I wasn't sure if that's one of your tables.

Greg Rafert: I think it's actually - that's a good question. I think it's the next table. So I think if you go down just a little bit, Ariel - oh, no. Sorry, this is for eligibility restrictions. So I think we do somewhere in the report. I don't know if it ends up showing up in kind of the summary of these results. And I know we don't have a ton of time today. I appreciate it.

I think what we'll now do is move down to Page 43. So we'll begin with Question 5. And here, we asked if they took any steps to avoid offering premium pricing for brand names during the sunrise period for any of their non-brand TLDs. And here, 58%, so a slight majority, said that they did. 32% said they did not and the rest, two, 11%, were unsure.

So for Question 8, we then asked did you take any steps to avoid pricing brand names as premium names for any of your TLDs? Here once again, a slight majority said that they did. Moving down to Question 9, we then asked would you support modifying existing ICANN policy to require ROs to publish their reserved name list? And here, and we're getting down to relatively small numbers, but 50%, eight respondents said that they would not. And three, 19% said that they would.

Phil Corwin: Greg, Phil Corwin for the record. On the question of did they avoid or how did they treat brand names, how do we know how they would know what is a brand name since so many dictionary words - I mean there are unique brand names like Microsoft or Google that are well known. But there's a lot of

trademarks that are not well known and then there's a lot of trademarks that are - Tide for detergent. So do we have insight as to how they determined what a brand name? Or are we just assuming what they perceived based on whatever?

Greg Rafert: Yes, we are assuming that - it's kind of whatever they had kind of conceptually at the time that they were taking the survey. So we didn't provide any examples. And now, if we could move down to Page 44 please. And this is a follow-up to Question 9 as to whether or not they were interested in potentially publishing their reserve name lists.

So we're now down to I think a relatively small number, 13. We asked them what issues would prevent them from supporting such a modification and I don't think this is terribly surprising. So they were given a number of options. They could select multiple options. Most, a slight majority, said that they were reluctant to provide competitive data. Some respondents considered it to be a trade secret. Others just weren't sure and we did receive a small number of open field responses as well.

Now, moving down to Question 13, we asked did you run any sunrise period for longer than 30 days? If so, how long was you sunrise period. An exact majority, I guess, 7 of the 14 said that they did not run their sunrise period for longer than 30 days. There were some that ran it from I think up to 60 days. Now, Question 14, we were curious what they thought the ideal length, the ideal mandatory length of the sunrise period would be. And here, a majority thought that it would be 30 days. I think there was only one, yes, one respondent that thought 60 days would be a reasonable mandatory length.

And then finally, the last question that we provided in the body of the report and I think all the other tables follow below in the appendices, we asked them what would be the ideal length of the claims period. There were actually three respondents that said zero days. There were three that said 30 days

and then there were a couple that thought longer claims periods would be appropriate. So 60, 90, or 180 days.

Kathy Kleiman: This is Kathy Kleiman. But we're down to, like, the last people of the 13 respondents. Okay.

Greg Rafert: The survivors. And I think with that, we can now back to the PowerPoint if you don't mind. And we'll be discussing the last group, which are the registrars. So once again, just to give you a little bit of background on the survey, this was only provided in English and AG analysis group programed it. We used very similar outreach approaches as well. So relying on ICANN staff and the ICANN community to help us identify registrars that might be willing to take this survey. The schedule for this survey was identical to the registry survey. So it was - we began kind of the beta testing on August 20. We've launched it fully on September 6 and then extended the closing of the survey to October 5.

Once again, we were targeting 50. Only received 16 complete surveys. There were 28 incomplete surveys and so once again, I want to be of course careful with kind of how we interpret any of the results coming out of this because very few individuals actually responded to it.

So go to the next slide. Here we go. We received responses from all of the ICANN regions except Africa for registrars who were responding to the survey. They offered a wide range of numbers of new gTLDs for sale, although most respondents sold more than 250 or offered domain names associated with more than 250 new gTLDs.

In terms of some of the key takeaways not relating to the demographic characteristics of the respondents, I think it was pretty clear that most registrars who responded to the survey would prefer more of a notice with respect to the start and end date of the sunrise periods, as well as when sunrise periods are extended as sometimes occurs. When we asked them to

consider the effect of extending the length - sorry, standardizing the length of the sunrise period, there was broad consensus that such standardization would be valuable to them in terms of decreasing their operating costs in particular.

Now, if we could go back to the report. And we'll start on Page 46. And this is a similar bar chart to that which we saw for the registries. So once again, the blue bars are people who completed the survey and how many questions they answered. The red responses or the red bars are individuals who didn't complete the survey and how many questions they got through. Once again, there were a fairly large number of potential respondents who opened the survey, looked at it, and decided that they would prefer not to take it at that time.

So now if we move down a little bit to the next page, thank you. This is Page 47. We asked them what country is your registrar headquartered in. It's a pretty broad I think swathe of countries. The Germany and the U.S. stand out as having the most responses but then you see a smattering of other responses from other countries.

Now, if we go down to Question 3, here we ask them approximately how many new gTLDs do you offer for sale? 48%, so almost the majority, indicated they offer 500 plus. We also see that between 250 and 500, about 23% of the respondents indicated that they sold that many gTLDs and then there's kind of smaller numbers further down.

If we go down to Question 48 or Question 4, here we asked them have you offered sunrise registrations in any of the new gTLD domains that you sell. And almost all of the registrars that answered this question said that they did. Now, if we move down to Question 49. Question 4A, we asked of the sunrise periods that you offered, how frequently did you encounter sunrise periods longer than 60 days? So about a quarter said never. 32% said in less than

half of the sunrise periods offered, and then almost 50% said they weren't sure.

If we move down to Page 50. So for question 4B, we then asked, so before the beginning of a start date sunrise period, on average, how much notice did you receive? And here, they said - so about a quarter, so it was 30 days of notice. And then of the remaining, it looks like about 32% said that the notice they received was actually a little bit longer than 30 days. And then we asked them another follow-up question. What do you consider an adequate notice of the start date sunrise period to be? Six said 30 days but 11, so almost half of the respondents said more than 46 days or more.

So there's a fair amount of interest, at least among these respondents for more notification.

Phil Corwin: Greg, Phil Corwin. In regard to receiving adequate notice of the sunrise, is the presumption that they interpret the question as receiving it from the registry operator? Because I know there are various companies and services that provide lists of upcoming sunrise periods or that any registrar could easily consult one of those lists and know that a particular sunrise is coming up and opening.

Greg Rafert: It's a good question. So I think at least my presumption was that you were receiving it form the registry operators. But it wasn't something that was specified in the survey.

Now, if we move down to - actually, we can skip down now I think to Page 51. You kind of see - we then asked them about adequate notice of the end date for the sunrise period as well. And you see generally similar results.

Let's start now or move to Question 4H. So here, we asked them essentially what would the effect on their business be if sunrise period length was standardized. And we asked them to think about operating costs, technical

requirements, administrative burden, customer understanding, and volume of sunrise sales.

And once again, we're down to pretty small numbers so that's important to consider. But seven of the 16 individuals who answered this question said they would either significantly decrease or decrease their operating costs. It would also decrease their technical requirements as well as their administrative burden.

We then asked them in Question 7 whether they considered the notice that they received on reserve names to be adequate on average. And here there were certainly some respondents who thought that it was completely inadequate or mildly inadequate. So about 22%. But then there were a fair number of respondents who thought more or less the notice they were currently getting with respect to reserve names was somewhere between moderately adequate or completely adequate.

We then asked them in Question 9 how long, in their opinion, the claims period should be. So 41% of the respondents, so seven people, said it should be fewer than 90 days and the rest essentially thought that it should be 90 days of more.

Now, moving to Question 13B. We asked them whether they encountered any challenges when sending claim notices for pre-order names. And here, it was relatively evenly split. So six people said yes, seven people said no, and two were not sure.

Then in Question 16, we asked them -- and this is the last question I think that we'll discuss today, unless there are any other questions you guys would like to talk about in the appendices -- but we then asked them essentially whether they would be able to provide a short survey to individuals who are registering a domain name. And this doesn't surprise me very much, but they were not very interested.

Kathy Kleiman: Why doesn't it (unintelligible)?

Greg Rafert: Just from past experience with trying to request data from registrar's for other ICANN projects. It's a little bit of a challenging process. And then I think we can actually just stay on the reports, Ariel. So that's everything that I think I wanted to discuss with you all today, but I'd be happy to take any questions you have.

Kathy Kleiman: So this is Kathy Kleiman. First, I wanted to thank Greg, Stacy, and the whole analysis group for this report. I also wanted to thank the data sub team members who worked for months and months of Fridays on preparing the questions and then for weeks of working with the analysis group on revising them.

                   So let me open up the floor first to the data sub team to see if - you've lived and breathed these questions and now, we finally get to see - of which I was a member. Now, we finally get to see the data. Are there any initial questions that you have? And also, are you surprised? Is this giving you data you're surprised at? Just any initial reflections because you guys have dealt with these questions for so long.

                   Okay. Then opening it up to the full working group. Questions for Greg about the data. Paul then Paul.

Paul Keating: Are you Paul (Non) or I'm Paul K., you're Paul (Non), right?

Paul McGrady: (V) Paul.

Paul Keating: (V) Paul. Paul Keating. I have a question. It's directed at - I'm trying to solicit from you a little bit of guidance. This was a survey. A lot of work went into it, both by members of the sub teams and by yourselves. But we had a pretty small survey universe and there would be, if someone were to look at it

from a statistically valid standpoint, it wouldn't be considered very - it wouldn't be given lots of weight. Let's put it that way.

So what would - how do you think we ought to take this information and how much importance should we be placing on individual responses versus the report as a whole? Thank you.

Greg Rafert: I think it's a really good question. I agree. I certainly wouldn't ascribe any kind of statistical validity to the survey instrument. I would kind of view it as part of the process. I've worked on a couple of ICANN reviews and within the context of a given ICANN review, we do surveys, we do interviews, we talk to other participants within the ICANN community. We read kind of external past year materials and reports.

And so the survey is kind of one component of that data collection exercise and thinking about the problem. And we kind of - it's not weighted more or less than any of those pieces. We kind of think about it as a holistic exercise and seeing are we identifying trends that we've also kind of heard about from just discussions with people in the industry, for example.

So I would view it -- and I don't know if this is helpful or not -- I would view it as a piece of information. I think there's some interesting trends in some of the questions. Is that the exact state of the world? So is it really that 55% of all registry operators believe X? Probably not but it might give you an indication as to kind of where people's views and beliefs are headed.

Paul Keating: This is Paul Keating following up. So it's more anecdotal than anything else?

Greg Rafert: Certainly for the registry operator and registrar surveys I would say that it's anecdotal information. It can be informative but you have to kind of look at it through the lens of there being not a large number of responses. For the trademark owner potential registrant and registrant surveys, one thing we don't have a large enough sample to say that it's statistically valid. But given

the higher response rates there, especially for the potential registrants, I say it begins to move away from the world of anecdotes and to be something a little bit more.

Paul McGrady: This is Paul McGrady for the record. Just to follow-up on the real Paul's question, which is what is better, what we have here, or no information? Right, is it better to have this, anecdotal information perhaps for the contracted parties, something more than an anecdotal for the rest. Is that a - in terms of decision making, is it better to have this or is it better to have nothing?

Greg Rafert: I at least think so. I think it's of course largely up for you all to decide but I would think that it's better than having no information.

Kathy Kleiman: And going to the queue. Michael Graham please.

Michael Graham: Hi, can you hear me? Can you hear me? I guess it's not working.

Kathy Kleiman: Michael, if you're speaking, we cannot hear you. Oh, okay, you put your hand up. Kristine please.

Kristine Dorrain: Thanks, Kristine Dorrain, Amazon Registry Services and Data Sub Team Member. A couple of things I guess I wanted to address. Maybe Paul McGrady's point about how - is this better than nothing. So we came to this survey through this lens of we were all sort of sitting around a room saying I represent a registry operator so I'd be like, oh, this is what I think registries think because I've talked to registries. And Susan says, well, registrars do this and someone says, the IPC thinks that. And it was a big game of he said/she said and who thought what and who was sort of representing their group or not.

So we came up with this idea of doing surveys the best we could, surveying people in the industry, registries and registrars. People in this room got

surveys to try to figure out generally speaking where was the pulse and what were people thinking. And that was really what we came down to. And there was a lot of horse-trading and we had to be wrangled by analysis group and we had to be wrangled by Lori from INTA who INTA had done a big survey that no one responded to.

It was very statistically valid as a survey itself, but nobody answered it because it was long and complicated. And so we were constantly being told, and this as well. Good job on the analysis group but don't make it longer. You've got to make it short enough. Get the high points. What data do you absolutely need?

So yes, it was a mix of information gathering. It was a mix of let's call it soft data. Yes, I mean is it going to stand up in court? Probably not but we know our communities. We know our constituencies and it provides us a basis by which we can stand up in a room and Paul's team can show up and say, yes, generally speaking, this does or does not reflect what I think the general consensus of trademark holders and IP holders think. And I can say I'm not surprised by the results of the registry operator's survey. And someone else can say they're not surprised with the results of the registrar's survey because it supports what we already know to be true because we've been involved in our constituencies for a really long time and we sort of know these answers anyway.

So it just provides another level of believability to those anecdotes and those surveys. So I hope that will provide a little more context into sort of how we ended up with this survey and kind of the horse trading that had to go on to get there. So thanks.

Kathy Kleiman: Thank you, Kristine. George, go ahead please.

George Kirikos: George Kirikos here. Can you hear me?

Kathy Kleiman: Okay, I can hear George back there. It's going to take something to tap him into the room.

George Kirikos: Can you hear me or should I wait?

Kathy Kleiman: For those who are remote, we're having some trouble with the remote participation. Ariel, will we be able to get George?

Ariel Liang: This is Ariel from staff. Tech is checking the audio output so they're trying to resolve some problem and when it's ready, we'll let the remote participants know.

Kathy Kleiman: And both George and Michael are remote, right? So while they're working on bringing remote people in, we open back up to the room. Questions and we should note, community members, first are the lunches open now, Julie, for community members? Please go ahead and help yourself. And also, this is a meeting where if you have questions as well, please come to a microphone and let us know.

    Okay. Back to the working group. Questions for Greg? We have him for another 20 minutes and then he has to leave. So it's a lot of data for us to absorb, a lot of tables, a lot of reports and we really appreciate it.

Kristine Dorrain: Thanks, I guess I should have put my hand out. Kristine. I have a quick question. I haven't seen the full survey results. Do you - and I know we did this really quick. For the registry operators, do you remember offhand or did you have a chance to look just now? Did we ask how many TLDs each registry operator represented? The reason I ask is because, and several of us did bring this up in the data sub team. But they're by, like, portfolio, there are not 50 registry operators. So ultimately, like, if you're looking at Donuts, you've got 300. If you look at Amazon, you've got 52. If you look at Google, you've got fortysomething, right.

And then if you take all the dot brands out of there, you don't have that many individual registry operators unless you want Amazon to answer 52 times, which is going to be statistically not helpful. So I think it's super important and I thought we specifically asked that question for a reason. Because one of the things I noted in the registrar's survey is we got a couple of registrars that offered 500 or more new gTLDs. So that's significant. They had a lot of experience.

So at least a handful of registrars have a lot of experience dealing with a whole tone of different registries, good, bad, indifferent. Maybe they hate Amazon, I don't know. But the good news is they have a lot of data. Just in amongst those two registrars in dealing with a lot of registries. So I think we have things that we can work with that provide a bigger basis as well going forward looking at those results.

Greg Rafert: So we did ask how many non-brand new gTLDs they have a signed registry agreement for. So of - I'm looking at the question right now. So 11 said one, 2 said two, 4 said they had 3 and then 2 said that they had 22 and 1 said they had 241. It's very precise.

Kathy Kleiman: Okay. Over to staff to read comments in the chat room. We're still working to get the remote feed in. Okay.

Ariel Liang: This is Ariel from staff. Michael Graham has said two comments. I wanted to say two things. None of us believed the surveys would be conclusive, however in the course of our discussions, we determined that in order to obtain some data to help guide our review and determinations, some data would be useful. And he added, I'd like to thank Greg, Stacy, and analysis group for doing so much on the limited budget we were granted.

And then there is a question from George Kirikos for Greg. Greg has a PhD so I trust that he can answer this. Would Greg confirm that trends refer to changes of data over time and this survey was a one-time survey. Thus, isn't

it entire incorrect to claim that this survey is an indicator of a trend when there is no way to detect change over time from a single survey?

And then he also asked another question. What was the actual budget for this survey? Sorry, this is Ariel Liang from staff. We can probably answer George's second question. The actual budget is $50,000.

Greg Rafert: And to your first question, George, yes, I was being a little loose with my language in terms of using the word trends. So I definitely did not mean to imply or suggest that we're looking at changes in perceptions or people's views over time.

Georges Nahitchevansky: Georges Nahitchevansky for the record. Greg, just as a follow-up to George K.'s question, if you have different data points at different points of time, like for example, there was an INTA survey and there's other surveys and other things, and they kind of indicate the same thing, doesn't this in connection with your survey indicate a trend possibly?

Greg Rafert: Yes, I would say that it's indicative of a certain fact existing in the world I guess, let's say. So if you see kind of the same thing in three different places than it's more likely than not that that thing is actually real.

Phil Corwin: Phil Corwin and this is not a co-chair comment, strictly a personal comment. I think these results are useful for what they are, which is not statistically valid, but mostly anecdotal data, which kind of reinforces what we already suspected or thought we knew. The only thing I saw that surprised me was that almost a quarter of registry operators would be okay with a perpetual claims period. But then again, they're not the ones who have to generate the claims notice. That's the registrar.

So I think the working group can do with these answers what it wishes. For example, if someone want to propose a standardized sunrise period of a particular length, we know from the survey that registrars would like a

standardized period because it makes - it lessens the administrative burden. But they don't want to go beyond 30 days because they're only interested in getting to land rush and general availability and getting past that.

The trademark owners would like it standardized so they know exactly what it is for each registry, it doesn't very. But they'd like it longer, which isn't surprising because sometimes they might miss a sunrise that's only 30 days. And the registry operators want flexibility and don't want it longer. And general registrants really don't care because they're not the ones taking advantage of the sunrise. That's for trademark owners.

So we can make of this what we wish when we deal with proposals. I think it has some value and as we get to proposals on the clearinghouse, and claims, and sunrise, we can refer to this as useful but not conclusive I think. And then we weigh the remaining arguments by proponents of various proposals as we deem fit. Thank you.

Paul McGrady: Thanks. Paul McGrady here and I know Phil took his co-chair hat off when he said that, but I didn't hear anything in there that couldn't have said by a Chair, frankly, because we've…

Phil Corwin: I'm just being extra careful, Paul.

Paul McGrady: Because the survey is what it is, which is it's a collection anecdotal to statistical whatever of people's points of view. We're not out collecting data about the lifespan of bovines or something. We're collecting statistical data about the views of the people in the community, essentially to see if those views correlate with what's around the table that's being brought to the table by the working group, right.

So as Kristine said, essentially, yes, this basically supports what people have been saying. We've not put the questions of the charter out to the larger community through this survey. And so it's good for what it was meant for. It

wasn't meant to conclude our work. It doesn't conclude our work. It supports and informs our work. And so that's a good thing. And as you say, and as I implied in my question, some is better than none, right. So I think this is helpful but I do think all it really does is enforce that we've got a lot of work ahead of us still. Thanks.

Kathy Kleiman: This is Kathy Kleiman. I think great. We have more data. We have more information and we have more work ahead. I apologize for all the chatting going on. We're trying to figure out how to get the remote participants in. I'll fill you in on what we've found which is that - and sorry, guys. Sorry Michael and sorry George and everyone else participating remotely. We will not be able to bring you in by phone or by remote participation, by Adobe Connect Audio or by phone for the session. But between sessions, we'll - for the next session, you should be in. We'll reestablish and be able to bring you back in.

So please put your questions in the chat room. Staff will read them out. Greg is still here to answer. But we're not going to be able to bring you in by audio on this call. Go ahead, Phil.

Phil Corwin: And just to add to what Kathy said, with my co-chair back on, it's unfortunate we're having this technical difficulty, but this is just the first look at these results from the working group. We'll have plenty of opportunity for further discussion of what it all means and what proposals we might want to consider based upon this reinforcement of what we already thought we knew. Thank you.

Kathy Kleiman: Any other questions, concerns, discussions, background requests?

Paul Keating: Hi, Paul Keating for the record and I'm not trying to add controversy where none needs to be but I was just thinking about Paul's comment about more information is better than no information. And I remember that yesterday, you didn't have a restriction on at least the council's participation in the survey as prohibiting someone who is in the working group already from participating in

in the survey. So I'm wondering how many people in any of those questions participated who were actually working group members.

And the only reason is that if we're going to allocate importance in any degree to the survey, want to make sure that we're not double counting people, right, because we have our own opinions during the working group and working group sessions. And I don't want there to be a perceived even concept out there that certain people, whether it's on the domain registrant side or the trademark claimant side were in the survey pumping up the results so that effectively their position during the working group could be sustained to a higher degree of importance.

So if you could verify that, if there's any way of verifying it, or just simply asking people -- members of the working group -- whether or not they participated in the survey that would answer the question and eliminate a potential source of conflict and suspicion. Thank you.

Greg Rafert: So to verify, we would need them to identify to us that they took the survey and we can also identify the responses as long as they gave us some sense for - assuming they remembered how they answered certain questions. And maybe that latter part is not possible.

Paul Keating: It's Paul Keating. Couldn't we just put a poll out from the chairs just asking if anybody participated in the survey period, yes, no. We don't care how. It was yes, no.

Paul McGrady: Other Paul. So Paul McGrady. I guess I don't understand the reason for the concern because again, we're not going out and measuring scientific facts. We're not going out - this is what it is, which is a collection of the opinions of the community and working group members are members of the community. You don't cease being a member of the community just because you joined a working group. That would essentially undo any motivation to join a working group.

So I would hate, for example, to see the views of all the members of the ICA be ignored because they have someone on their working group work, or all the members of INTA be ignored because I'm a board member of INTA and I'm on the working group, right. So before we start deconstructing what this, you know, trying to find ways to not really believe what this says, we need to remember that all it says is here are some of the opinions and points of view of various members of the community. It's not laying out scientific facts. We've not put the charter questions out there. This isn't anything more than a collection of points of view.

So I just don't want us to go too far down that path or else we're going to have a very thin working group indeed in the future. Thanks.

Paul Keating: Thank you, Paul. This is Paul Keating. I'm not attempting to invalidate. I'm just trying to go down the same path that you did, which is more information is better information. So if I have the information about how many people from the working group participated in the survey, particularly since the survey had such a very small universe of response, that will allow me as an individual member of the working group to assess the level of importance that I care to give to the survey results. That's all I'm looking for. I'm not looking to chastise anyone. I'm not looking to invalidate anything. I'm not looking to embarrass anyone. I just want to - and I'm perfectly happy with that request from staff to members of the working group being completely anonymous. I don't know want to know who was responding. I just want to know if a significant number of people from the working group participated in the survey. That's it. Thank you.

Phil Corwin: Phil Corwin. First of all, Paul, (V) Paul, the question asked about an anonymous survey of working group members. That's the type of things the co-chairs take up when we have our planning call. So we're not going to give an off the cuff answer here, particularly when one of us is not even in the room. I do think this is, one, I'm sure that maybe not the individual member

of the working group but the organization, or company, or trade group, or whatever they represent, I'd be surprised if that didn't happen. Because we have 150 members of this working group and they represent registries, and registrars, and trademark owners, and registrants and all of that.

So I'm just assuming that if they didn't individually fill it out, the organization, there's probably some overlap but I don't think it's double counted. I think it's different because I think in this way that when we have kind of free ranging discussions around a particular topic, people are just giving their opinions and viewpoints from different perspectives. And that's different from asking a standardized set of questions where everybody's answering the same questions. I think it's that qualitative difference that makes us different than just saying it's double counting in my personal view.

But the co-chairs will take up your question at our next planning call.

Kathy Kleiman: This is Kathy. We'll take it up the next leadership call, but I see what Paul is saying. I see what both Pauls are saying and so on one hand, I mean of course we want the registries and registrars to respond. This is - there weren't that many responses. We want everybody. But to what Paul Keating was saying, Paul, there was a lot of publicity in the ICANN community about this. And so who responded and ideally, we'd love to know a lot more detail about who responded and how much on the trademark owners and on the domain name registrants, it seemed - particularly on the domain name registrants, it seems a pretty savvy group that responded.

Is this representative? We don't know the full millions of domain name registrants. So I see some of the questions Paul Keating is raising. Others have been raising it as well, also some of the questions Paul McGrady is raising. But this is the information we have, so we will be trying to figure out how to factor it in.

Any more questions though for Greg about the structure, the process? It looks like we've got Kristine and Paul, you guys can fight out who goes first.

Paul McGrady: Just for the record, I hope I'm not raising questions. I hope I'm raising assurances because I think that the work was good and I think that this gives a lot to think about and move forward with. Thanks.

Kathy Kleiman: Kristine, and then we'll go to some of the chats. Okay.

Kristine Dorrain: Thanks. This is Kristine from Amazon. I have two things. One is I wanted to echo something that Michael Graham said in the chat and I know that Ariel read it out, but really thanks to you guys for what you did. I was probably the loudest and most vocal person. So nice to meet you. We gave you a very, very hard time but you came through and nobody screamed at us, and thank you. So we will take this work and take our next steps with it as we're discussing what weight we give it, that sort of thing.

Also not to segue too quickly, do we know what our next steps are? And I'm sure if that's a premature question for staff and the co-chairs. Thanks.

Julie Hedlund: To your second question, so staff has developed a tool and actually, you can see it here. This will be a Google Doc and we'll send it with some instructions for how best to use it. So we'll make that easier. It is in the timeline that we circulated to all of you before that for the next two weeks, I think, if I remember correctly, we will have this open to capture questions. And then there will be a working group meeting to go over the responses and also to obviously convey them, in the meantime, to Greg and his group. And then of course, in the meantime, consulting with the co-chairs as far as how they want to proceed in collecting the questions and what we do with that information.

But at the very least, we want to collect it so that - and get it fairly quickly to analysis group so that they can be responsive.

Kathy Kleiman: And just pointing to the spreadsheet. This is the one that we discussed
                    yesterday and staff created last night to be a place to record kind of more
                    general questions or now in fact any question that we want to go to the
                    analysis group. But that's not exactly responsive to Kristine's question, which
                    is how are we as a whole going to be processing this data. Back to you.

Kristine Dorrain: Thanks, and actually, my question was more nuanced than that. It was will
                    the work sub team get this again before it goes out to everybody? The
                    reason I ask is because the full working group doesn't have the benefit of
                    many, many months of, like, wrestling with the initial questions, versus the
                    reworded questions, versus the how they translated into the survey. So we
                    started, as you remember, with a whole bunch of initial questions. The
                    survey doesn't match one-to-one with that.

                    And so do we have sort of a responsibility to go back and sort of answer
                    some of those initial questions for the greater working group so that we have
                    something to discuss? Or are we literally discussing raw data with the
                    working group? Thanks.

Phil Corwin: Kristine, Phil Corwin. I'll be honest, the co-chairs have been so busy making
                    sure we finish up considering all the URS proposals and planning for
                    Barcelona, we haven't really given a great deal of thought to next steps,
                    particularly because we're first unveiling this survey here. But just for my
                    clarification, for what particular -- and I'm not saying it's a good idea or a bad
                    idea, we'll take it under consideration -- why would you like to reconvene the
                    sub team that prepared the questions? What value do you see in having that
                    as a preliminary step before further working group discussion of these survey
                    results? Just so we understand where you're coming from.

Kristine Dorrain: Thanks, this is Kristine. Allow me to be really clear. I don't necessarily think
                    we should. It's a lot of time and effort. However, I was wondering if it was an
                    obligation because we had started with multiple layers of questions and the

survey itself and the data we gathered didn't necessarily match with the questions. That's why I was wondering if we were going to be asked to go back and do it so I could plan for my scheduling.

If that's not what the working group wants to do, by all means, I'll keep my Friday mornings to myself. Thanks.

Phil Corwin: We probably weren't thinking about it but now that you've raised it, we have to.

Kathy Kleiman: Okay. And as we go into our final few minutes of this session, we do have a question in the chat room.

Ariel Liang: This is Ariel from staff. There is a question from George Kirikos. I'd like to point Greg to Page A2-526. Is that a representative sample of the entire universe of trademark holders given the number of firms who - and with revenues in billions of dollars? And he has a follow-up.

Greg Rafert: Yes, I would say it is not a representative sample of trademark owners.

Ariel Lang: And this is Ariel Liang again. His follow-up question is according to Page A2-5, more than half the respondents were multibillion-dollar firms. And then there's another question from Scott Austin that said there appears to be concern about limited responses. From his experience and expertise, would there be a better approach for outreach or incentive for response advising how much time it will take, how important it is, downloadable to filling over time on their own, or some other way to encourage greater participation.

Greg Rafert: So we did discuss the possibility of incentives with ICANN staff as we were working on this proposal and unfortunately, there just wasn't a sufficient budget to provide those incentives. But it is something that you would typically provide.

Kathy Kleiman: This is Kathy. Wait a second; $0.75 was an extraordinary incentive. And is there anything else in remote? Okay, should we wrap up? On that note, I would like to again thank, as we did yesterday, thank Greg for the incredible effort of the analysis group, to let him know that he's not off the hook yet, and that we'll be following up with questions, to thank the data sub team again, and to thank the full working group for our third session.

Our fourth session starts again in 15 minutes? Now. Its starts now. Let's take a ten-minute break please and we're going to reestablish the call so we're going to be taking down the whole Adobe Connect Room and reestablishing it in hopes of getting our Adobe Connect back for everyone. Thank you.

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