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CLAUDIA RUIZ:

Good morning, good afternoon and good evening, everyone. Welcome to the At-Large Consolidated Policy Working Group call on Thursday the 20th of September 2018 at 19:00 UTC. On the call today we have Olivier Crépin-Leblond, Cheryl Langdon-Orr, Tijani Ben Jemaa, Holly Raiche, Harold Arcos, Gordon Chilcott, Maria Korniiets, Jonathan Zuck, Alfredo Calderon, Harold Arcos, Joel Thayer, Yrjo Lansipuro, Jonathan Laprise, Avri Doria, Nadia Al-Araj, and Ejikeme Egbuogu.

We have received apologies from Marita Moll – a tentative apology from Marita Moll, Satish Babu, Kaili Kan, Kirstin Doan, and Eduardo Diaz is also a tentative apology. From staff today we have Evin Erdogdu, and myself, Claudia Ruiz on call management. Before we begin, I would like to remind everyone to please state their name before speaking for transcription purposes and also to please use star six to mute and star six to unmute for those that are on the bridge. Thank you, and I'll turn it over to you, Olivier.

OLIVIER CRÉPIN-LEBLOND:

Thank you very much. And today's agenda is pretty much the same type of agenda we've had in previous weeks. We'll first have an update on the expedited PDP from Hadia Elminiawi, then after that, we'll have a review of our Google docs and all the work that's taking place at the moment on the new gTLD subsequent procedures policy development process. Then we've got a lot of updates, and we're reaching very close to the deadline now for sending that statement out.

After that, a quick call for the root key signing key rollover, the KSK, and then immediately after this, we'll have a follow-up on the discussion on penholders, drafters, and any other At-Large policy interested topics.

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

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Are there any amendments or changes to the agenda or additions that need to be made at this point in time? I'm not seeing any hands up, so let's move on then quickly to our action items from our last call.

They're all pretty much done, apart from one, and that's to do with Evin, Jonathan and Justine to follow up on consolidating comments for the first draft of the gTLD subsequent procedure PDP. I think this can probably be ticked as well, isn't it? Let's just ask Jonathan. Is this proceeding forward and being consolidated?

JONATHAN ZUCK:

Yes. Evin, Justine and I had a call yesterday – I think it was yesterday, the days are blurring together – and Evin merged the two documents into a document that Justine had created that's more likely to be the format that we're going to submit the comments to the subsequent procedures working group.

She then circulated that document to all of the drafters to make their updates there. So there is now a consolidated document that everyone should be able to see. Presumably Evin or someone will put a link to that as Alan asked in the chat. We can circulate a link to the –it's now the ICANN or the CPWG document as opposed to being mine or Justine's document. [inaudible]

OLIVIER CRÉPIN-LEBLOND:

Okay. Fantastic.

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JONATHAN ZUCK: So that is in fact checked. Sorry. Briefly.

OLIVIER CRÉPIN-LEBLOND: That's great. Thanks very much for this. That's a good thing, and we will see a bit more of this in agenda item four. Prior to this, and not seeing any hands for any comments on the action item, I would suggest we go to the update from the expedited PDP. Lots of calls again. I've noticed there were apparently some calls in-between the actual official calls as well. And for this, we have Hadia Elminiawi who has joined us. Welcome, Hadia. You have the floor for an update, and I see that Alan has also reached us but is probably not on the call yet. But let's start with Hadia.

ALAN GREENBERG: I am most certainly on the call.

OLIVIER CRÉPIN-LEBLOND: You're here already? Oh, excellent. So then you can hear Hadia's update and you can add to this afterwards. Hadia Elminiawi, you have the floor.

HADIA ELMINIAWI: So basically, the [PDP's been discussing purposes,] and [inaudible] the interest and the purposes. So we basically have the interest, and then we need to decide whose purpose it is. And we've been working on that, but –

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OLIVIER CRÉPIN-LEBLOND: Hadia, sorry to interrupt you. Can you speak a little further from your microphone? Because you're sounding very loud indeed, and your voice is drilling into these headphones.

HADIA ELMINIAWI: Okay. Is this better?

OLIVIER CRÉPIN-LEBLOND: Yeah, that's a lot better. Thank you.

HADIA ELMINIAWI: Is this better? Okay. So, but there are two items. One concerning the law enforcement and the other concerning consumer protection [and DNS] abuse. Those two items, [we are currently disagreeing] on where to put them, because some of us see that these are [inaudible] purposes, and they do represent not only ICANN purposes – not only third-party purposes but also ICANN purposes, while other stakeholders see that this should be moved from the [practical] section where [inaudible] or disclosure more than [inaudible].

So that's one thing which we've been discussing. Another thing we've been discussing is about the data element, and we still haven't done much on that. we've been also discussing Appendix D, which speaks about the processing of the data. And again, some stakeholders see that we should remove this appendix, while others see that there are some items in there that are necessary to be retained.

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For me for example, I think that the processing activities are not present elsewhere, and [inaudible] whether we do have Appendix D or not, we do need to represent [inaudible] in the temporary spec. We've been also discussing Appendix A, but we haven't done much on that. So, basically, we are going to [have our face-to-face] meeting [inaudible] Monday, and hopefully, by the end of the week, we'll be done with the purposes and the data element. So that's about it from me, and I give the floor to Alan.

ALAN GREENBERG:

Thank you very much. The recent meetings have been very frustrating, because we end up going around in circles sometimes and we spend far too much time talking about what we should be talking about as opposed to actually talking about substance. Then we did it again today. We continually went back and said, "But should we be having this discussion now?" And often, the answer seemed to be no.

there is commonality among groups who you wouldn't have expected. Milton is one of the ones who's pushing really hard, and I support him for actually talking about the substance. We need to get into the real discussion of what elements are being collected, why, and eventually, who gets access to them and what's redacted.

The whole success of this process from my point of view, from our point of view, from the GAC point of view, is going to be to establish reasons that hold water under GDPR as legal reasons for collecting data. And we have, for some reason, completely shied away from that discussion.

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And hopefully, we will hold those in Los Angeles, and I hope to be able to come to closure.

We are working – I won't say working closely with, but we have support between some of the ALAC positions, the GAC positions and business constituency positions, because I think we all support each other in terms of we need to establish what these rationales are for collecting the data. And Hadia said something I may have misheard, but she talked about third-party purposes for collecting data. And as I understand it, there can be no third-party purposes. There may be third-party uses, but the purpose has to be associated with ICANN. And that's the challenge we have, of putting together the cases why data that ICANN has no need for itself can be collected and made available to other people.

So, I'm optimistic that we'll make some progress. We have a team of three facilitators and mediators, incidentally from CBI, the group that worked with LACRALO. And there are a bunch of people who are saying, "Why do we need them?" But I'm hoping that they will be instrumental in trying to force us to come to a common end as opposed to just restating our individual positions over again and being ignored by the other half of the group.

So I'm somewhat optimistic. We have a really big challenge ahead of us, because although we have talked now for seven weeks, I think, and 12 meetings, we haven't really made a lot of progress in agreeing on almost anything. So it's going to be interesting. I see Hadia has her hand up, and I suspect there may be to her people with questions. Olivier, are you [inaudible]

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HADIA ELMINIAWI: Okay.

OLIVIER CRÉPIN-LEBLOND: I note that Hadia has her hand up, so, Hadia.

HADIA ELMINIAWI: Okay. So, I just wanted to clarify what Alan brought up about the third-party purposes. Actually, what I meant is [inaudible] two items under the lawfulness and purposes in the temporary spec. One of them speaks about law enforcement, and the other, customer protection, DNS abuse. And my point was but some of us, including the ALAC, we see that the collection, the [processing] of the data and basically the collection is an ICANN purpose, and that's why those two items should be put under lawfulness and purposes, while other stakeholders look at it only from the disclosure point of view, and therefore, they do not find those two items fitting under lawfulness and purposes, and that's why they would like to move them from there and put them somewhere else. So maybe that's clear, Alan.

ALAN GREENBERG: Yeah. The problem is there, the argument that has been put forward is they are not ICANN purposes, therefore, we should segregate them.

HADIA ELMINIAWI: Yeah.

ALAN GREENBERG: The problem is if ultimately, when we come down to drafting final documents, if they're not ICANN purposes, there's no rationale for collecting them. and therefore, if there is a single battle, so to speak, if I can use war terminology, that's one of the battles, is to establish that these are ICANN purposes even though there may not be ICANN using the data. And that's where the challenge is going to be. But yes, you're right. The problem is they want to move them out, and by moving them out, it's the first step to saying they're not valid at all. And that's where some of the problem [sits]. So, it's going to be a challenge. People have said failure is not an option, but to be quite honest, it is an option. And I hope it's not one that we'll wander into.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks very much for this apocalyptic word that you're predicting to us. Are there any questions or comments?

ALAN GREENBERG: I see Holly is on the call.

HOLLY RAICHE: [If I may have a comment –]



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OLIVIER CRÉPIN-LEBLOND: Holly is indeed on the call, yes. Perhaps we should give her the floor, and then afterwards, I'll give the floor to Christopher Wilkinson after Holly. Holly, did you wish to add anything to this? Holly Raiche.

HOLLY RAICHE: Having spent about ten years on the WHOIS issues, I'm not the slightest bit surprised at the direction this is taking. But I share the kind of words of apocalyptic consequences that await. I think I've sat around too many WHOIS tables and watched discussions go absolutely nowhere in the space of an hour or two hours or three hours to be a bit surprised. But I am profoundly disappointed, because for this working group, there simply isn't time if we're going to come to [any kind of] conclusion at all. So I'm very sympathetic with Hadia and Alan, and I just admire their patience. And I'm just wondering why nobody has killed each other at this stage.

ALAN GREENBERG: Actually, this group is more civil than most. I don't know if Seun is on the call, by the way, but if he is, he may want to speak. Olivier, if I may, before I get into – you go to Christopher, I've not been particularly apocalyptic. I think there's a good chance we will come to closure, and one of the reasons I am somewhat optimistic is that we are getting synergy between the ALAC, the GAC, to some extent the SSAC people, and the business constituency people. Less so from the IPC, because I think from my point of view, IPC is almost tainted that they are looked on as being self-serving, and therefore being aligned with them may not be a good thing politically although their needs are not that dissimilar.

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But we're getting very similar comments made by several different groups, and I think together, we are going to end up being able to make sure that what we end up with is something rational.

OLIVIER CRÉPIN-LEBLOND: Okay. Thanks for this. Now we have Christopher Wilkinson, who has been patiently waiting. Christopher, you have the floor.

CHRISTOPHER WILKINSON: Thank you. Good evening, everybody. I believe that I'm unmuted and online. This is just a first statement to [inaudible] but I don't understand exactly where Alan thinks he's leading us to. I think he [inaudible] extremely positive, but I don't understand how we're going to manage the pushback which has been manifested by – I don't know the IPR constituency as such, but those businesses whose business model has depended on what, [in your own terms,] for what it's worth, illegal use and exploitation [inaudible] WHOIS.

I hope that Alan's optimism and constructivism is [inaudible] but as you see from my posting, I remain a little bit skeptical. By the way, I don't ask Alan to respond to this comment on the spot here, but later in the call if he takes the floor. I would also say [as I've already insinuated] to Maureen, the chair of ALAC has to be cautious and work on presenting consensus of a range of opinions of the At-Large members. Not just the ALAC, but At-Large members.

[This won't do.] You've got to have [inaudible] the chair of ALAC is represented, as I think Alan has endeavored to do in the past [inaudible]

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the consensus and the range of opinions and of interest represented by At-Large membership.

SEUN OJEDEJI: I'd like to stay in the queue.

OLIVIER CRÉPIN-LEBLOND: Thanks, Christopher. Next is Seun Ojedeji. Seun, you have the floor.

SEUN OJEDEJI: Okay. Thank you, Olivier. I'd just like to also [inaudible] I didn't think [inaudible] within the group, especially as the [inaudible] the data itself or the [inaudible] Personally, I don't think the [mediator] part of things [inaudible] given the group's own perception that makes it look like things are already going bad [inaudible]. And I don't think that's actually the case.

Since the group [inaudible] and the hope is that [inaudible] do a good job [inaudible] move forward and [inaudible] which I somewhat like personally [inaudible] discussion to give suggestions on how to make this thing much more focused [inaudible] what is the proposition of ALAC [inaudible] to have these propositions now. Is this something that we can do [inaudible] a meeting in-between other meetings so we can have a follow-up and then know what [inaudible] that I'd like to share a suggestion [inaudible] Thank you.

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OLIVIER CRÉPIN-LEBLOND: Thanks for this, Seun. Now, there are some discussions also going on in the chat. I wondered whether those people who are just on the phone call know that John Laprise has said a couple of things, and Alan has said, “John, you're wrong.” Goodness gracious. Well, some debate going on in the chat. John Laprise, may I just ask you if you could just take the floor briefly to explain what you've said? And then we'll get Alan to respond on that. I'm sorry to be putting you on the spot, I don't know whether you're able to speak.

JOHN LAPRISE: That's okay. Yeah, the role of GDPR is really answering to the terms of the EU. There are many – I've been going through it in my organization, and we're a nonprofit, and we collect a lot of data about our members, but we have to establish the rationales for all that data collection, and we're under restrictions for minimizing the data we collect, as well as the terms under which we collect data. For some of our data, it's contractual, on a contractual basis, because there's an exchange of money for services. In other cases, it's a legitimate interest because we're a professional organization, we serve the interests of our members.

For our marketing activities, it's a consent basis where we require opt-ins for the communications that we send out. But we have to adhere to a framework that GDPR puts up, and we have to establish the rationale. And if we fail to do that, we're going to get slapped around by the EU on this thing. If we can make the case and establish the rationales, then yay, but I've yet to see the necessary rationales in many cases for the data we collect. And that's going to be highly problematic, because

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what's going to happen is the EU is going to come back to us, someone's going to complain, and we're going to lose, and we're going to lose big. Thank you. John Laprise out.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, John. Alan Greenberg?

ALAN GREENBERG: I'm not going to spend several hours here doing what we're going to have to be doing next week. I'll give a simple example that has nothing to do with law enforcement. We collect technical contacts right now. We require it be collected. I can think of virtually no use that ICANN has of that data. But if you go back to why do we have WHOIS in the most basic sense, it's to make sure that the Internet can be fixed if it breaks. And to do that, you have to be able to contact someone who's responsible for the part that is broken. And therefore, we collect data, technical contact, to allow those people to be contacted when something must be addressed. That's an example of us having a purpose to collect it, even though we're not going to be the ones to use it.

The arguments for some of the other uses that are going to be used by third parties are a little bit more – not constrained, they're a little bit more complex, and they're more subtle. But that's an example. And if you look at the RDS report that my group just issued and the law enforcement survey, you may be surprised that the number of law enforcement organization – I'm talking about real law enforcement, not

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cybersecurity people, who use WHOIS actively and who are saying, “We don’t know what we’re going to use instead.”

The most interesting part of the survey, I thought, was those groups who say, “We don’t really need WHOIS, we can get the information other places.” And about, I think, 25 or 30% of them answered that. But when asked what the other places are, their answer was things like DomainTools, which just means they’re getting it through an intermediary, but it’s still the same information.

So, there's going to be a lot of interesting discussions. And there are those of us who say we’re crying wolf and all of this can go away and it won't really matter, and others who believe that the Internet would change substantially if we can't fix some of these problems. So, our challenge is to try to fix them. And I'm not going to predict we’re successful or not. I'm putting my time into it, so I obviously think it’s worthwhile having the discussions.

OLIVIER CRÉPIN-LEBLOND: Greg Shatan.

ALAN GREENBERG: By the way, we’re now 40 minutes into or 35 minutes into a 20-minute session. So, Olivier, you may want to take control.

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OLIVIER CRÉPIN-LEBLOND: Yeah. Thanks. We have, but it's an interesting discussion, and we need to pursue this. So we've got Greg Shatan and Hadia Elminiawi, and I think after that, we can move on. So, Greg, you have the floor.

GREG SHATAN: Thanks. I'll be brief, because as Alan said, we could talk about this for hours and hours. And he's already on the hook to do that next week and has been doing it for the last couple months. And we could go back and forth. I think that there is an end result that is not violative of GDPR. I've spent a lot of time in my day job working with GDPR and reasonably knowledgeable of it now. And without getting into a long analysis, certainly, if we do things the wrong way, we could lose. But that's not – the wrong way is not the only way, and I think if the goal is, as it should be, to maintain WHOIS to the greatest extent possible while also complying with GDPR – and not just to the greatest extent possible, but fully complying, but not fetishizing it, then I think there's a path. And if we have another few hours, I'm happy to discuss it. But we don't. I can break it down, but I think it's there. Thanks.

OLIVIER CRÉPIN-LEBLOND: Thanks, Greg. And finally, Hadia Elminiawi.

HADIA ELMINIAWI: Just a quick comment. I just want to say that ICANN's mission speaks directly about mitigating of potential or actual harm to people, and also speaks about the security and the stability of the Internet. So these are the core of ICANN's mission. And then the title 47 of the GDPR states

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that combating fraud is a legitimate interest, and title 49 of the GDPR also cites that security is also a legitimate interest. Therefore, [inaudible] that John was talking about, those are legitimate ICANN purposes. Thank you.

OLIVIER CRÉPIN-LEBLOND: Thanks for this, Hadia. As Alan was saying earlier, we are spending a bit of time on that. So it's good that we're moving forward, and please come back to us next week with some more updates. And let us know on the mailing list if there is any requirement for input from our part of the world.

Next in our agenda is the review of this initial report on the new gTLD subsequent procedures that's a public comment period that is soon arriving at its deadline date. So, we need to get moving and get some text down on paper. Jonathan Zuck has been shepherding this process very well indeed, and I'm glad to pass the floor over to him. Jonathan, you have the floor.

JONATHAN ZUCK: Thanks for the undeserved introduction, Olivier. We do now have a consolidated document as I mentioned earlier, and Evin posted the link to it and has just posted it again so that everyone can read it. And drafters, at least at this point, should be able to edit it. So this would be the document that we're working from, and probably the format that we will convert into a PDF when we're done to submit it, given the questionnaire format of the call for comments.



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So this document is fairly close in structure, I think, to what we will hand in, and we welcome people's comments. And now is the time to be making those comments. I've just been talking to Evin. I believe tomorrow, we'll publish this link to this document in the wiki page so that everyone can begin to comment on it as well, but if you have comments you want to make, then please do them soon.

Part of what we're trying to do is figure out where we have consensus and where we don't, and where we still need to have discussions in this group to reach consensus or decide to move forward without it or drop that discussion. So that's one of the trickier parts here, and I'm operating on the assumption that we want to at least have rough consensus for us to even respond to a particular question. I'd be interested if people have a different view on that. We don't necessarily have to have 100% consensus, but probably a majority or a strong majority consensus for us even to address a particular question.

One of those is the notion of assessing subsequent procedures in rounds, something on which there has been a lot of e-mail discussion. And one might say that the majority swung in favor of rounds, but the minority are speaking out in favor of first come, first served. And do we feel like we have enough of a consensus about that that that can be the ALAC position on that topic? So I ask that question generally, and that's a specific example. Holly, you have your hand up.

HOLLY RAICHE:

Yeah. Just a question. Are we going to reply simply by providing answers, or are we going to have kind of an overview of at least a

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paragraph or two saying this is what we think? And the reason I ask is the way the document was produced for comment is just god knows how many questions. You don't get from that a reading, a feeling of where people stand. It's not a helpful way to reply, and that's why I'm just wondering, are you going to do some kind of overview at the end saying this is generally where we are, and then we responded to the boxes?

JONATHAN ZUCK:

Well, Holly, I think that's an excellent question. I guess given the enormous number of questions and the variety of those questions, I'm not sure I know what an executive summary of that would look like necessarily, right?

HOLLY RAICHE:

Yeah.

JONATHAN ZUCK:

So, it may be that it's a question of – and I can try to put together a few bullets for the next call of maybe what we feel more strongly about so that we're trying to somehow promote some of the questions in importance and summarize our responses that way. That may be the way you approach something like an executive summary that says, well, we answered all your questions or the ones we thought were relevant to end users, but here's three points we really want to focus on. Right now, I'm not positive I know what those are.

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HOLLY RAICHE:                                Yeah.

JONATHAN ZUCK:                            And so I will try to make some guesses at that and circulate it on the list so that we have something that we can go yay or nay on very shortly, because the comments are due, I guess, before our next call. So I guess it will be happening on e-mail. So, I'll try to circulate some bullets along those lines. I agree with the value of that. It's just not clear to me what those things are because [inaudible].

HOLLY RAICHE:                                Yeah. Thanks, Jonathan. I appreciate the problem.

JONATHAN ZUCK:                            Thank you for the question.

HOLLY RAICHE:                                Yeah. No, look, I appreciate the answer, and I feel daunted. I guess that was why I looked at the huge number of lines and just thought, "What the hell are we saying?" And just even a few bullets would be really helpful.

JONATHAN ZUCK:                            Well, this is what they wanted from us.

HOLLY RAICHE:                                I know.

JONATHAN ZUCK: I think that's the one thing that we can say. They structured it that way, and we're trying to respond in the way they requested. I think we'll have plenty of opportunities to make more rhetorical statements about the overall report. That's my hope and expectation.

HOLLY RAICHE: Thanks.

JONATHAN ZUCK: Tijani, go ahead.

TIJANI BEN JEMAA: Thank you very much, Jonathan. I am one of the members of the drafting team for the applicant support, and unfortunately, Justine is not on the call now. I saw the document circulated by Evin, and I agree with most of what Justine wrote. It was more or less a compilation of what we gave as input all together. I still have some points that I will address very shortly by an e-mail to Justine, or perhaps [better be] on the Google docs. But –

JONATHAN ZUCK: Or maybe an e-mail to the whole group, to the CPWG group.

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TIJANI BEN JEMAA: Yeah. My first question is, when – what is the timeline? When is the deadline to submit our comment? Do you know?

JONATHAN ZUCK: Well, technically, the deadline got extended to the 26th, so that's in six days. So that's why I'm asking the question about consensus, because I think at some point, we will need to slash and burn things on which we have not achieved consensus, because we want to make sure that we're presenting a unified voice and that everyone on this call can speak – as we say, sing from the same hymnal is an expression we have, so that everybody is talking the same talk when talking about our messages after the fact.

TIJANI BEN JEMAA: Hello, Jonathan?

JONATHAN ZUCK: We want to make sure that –

TIJANI BEN JEMAA: I don't hear you.

JONATHAN ZUCK: Yeah, can you not hear me?

TIJANI BEN JEMAA: Now I hear you.

JONATHAN ZUCK: Oh. Okay.

TIJANI BEN JEMAA: Okay. Jonathan, it's okay, but I have another – I agree with your approach. First of all, I'd like to say that answering the questions is a very good method to comment, because if we do so, we will impact the decision, because they will take the questions, and they will see who agree, who don't agree, etc. So our comment will be more effective if we answer the questions.

But besides that, we may make – as you said, I agree with your approach – an executive summary and try to stress or to focus on some very important points besides the response to the questions. So I think – and the second point, if it is in six days, I think we are really late, because we have to finish this before this date so that the draft will be accepted by ALAC and then we submit it to the public comment. Thank you.

JONATHAN ZUCK: Yes. Thank you. We are running up against the deadline, there's no question. That said, I think reaching consensus is more important than the deadline in this particular case, because I think subsequent procedures folks actually want the answers to these questions. So this is a little bit different than a regular comment period. I think if we're two days late, it's not like they'll decide not to read them. So let's focus on gaining consensus. Alan, go ahead.

ALAN GREENBERG: Thank you very much. I think we have enough challenge ahead of us trying to get answers to the questions, and answers that actually address the things coherently and that we can support. I'll go back to the word "consensus" in a moment. I would not worry about trying to summarize. There is nothing that is being mentioned that is not [as questions.] The only summary that I would put in, if you could get consensus in it, is we don't really see a need for a lot of new gTLDs, but since you're asking the questions, here are the answers. That's the only summary that I would consider ALAC, summarizing positions that people in ALAC have expressed over the years. However –

JONATHAN ZUCK: Well, but I – okay.

ALAN GREENBERG: Go ahead if you want. I'll come back.

JONATHAN ZUCK: Sorry. If there were two or three points that were most important to us, like we wanted to really hone in on community [priority] evaluations or really focusing in on achieving more applications from lesser developed regions or something like that, that might be something that got promoted out of the questions. That's all I was trying to say.

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ALAN GREENBERG: There are specific questions about those, and we need to have strong statements and answers, not wishy-washy ones. Now, if in answer to those specific question, we say, “Well, some people think this and some people think that,” then having a summary statement saying we feel strongly about it is not going to cut anything. So it all comes down to the statements. As you point out, we have six days.

As one of the few people in this group who have been very active on all of the parts of the PDP and the working groups, it was really embarrassing last time we answered questions to be asked, “Why did ALAC say this?” And we look at it and say, “I don't know why we said that. That doesn't make any sense.” It'd be nice if that didn't happen again. So we need things that are cohesive, which comes down to my single comment that I'm going to make. If you want to reach consensus, please give us commenting rights on that document. Because if all I can do is look at it, there's no way you're going to find out if I'm agreeing or disagreeing.

JONATHAN ZUCK: You should have commenting.

ALAN GREENBERG: At this point, I went to that link that was gotten, and I have view only.

JONATHAN ZUCK: Okay, then you will have commenting – it got circulated too quickly then. You should have commenting privileges on it.



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ALAN GREENBERG: Thank you very much. If I do, I will comment.

JONATHAN ZUCK: Not drafting, but commenting. Okay.

ALAN GREENBERG: I understand. I think commenting goes along with suggest mode I think is what it's called, which means you can suggest text, but it doesn't replace it, and you can add comments. I personally think comments are the better way to get messages across than starting to randomly change text. But that's a personal opinion. Thank you. That's all I had to say.

JONATHAN ZUCK: Thanks. Eduardo.

EDUARDO DIAZ: Jonathan, we need to answer this thing box by box? I mean, do we need to have those boxes that we're not really going to comment on out of the document and just put the ones that we'll comment on? because it's very hard to read. That is if it's required to answer that way. And I agree that when you read all these comments, they are all not – there is no flow to it. And I agree with – Alan has a point there that we may want to say this and these are – and some answers to the questions asked in the document. Making an executive summary that encompass all of this is going to be a pain. Thank you.

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JONATHAN ZUCK: Thanks, Eduardo. Cheryl may actually comment on this. Oh, it looks like she lowered her hand.

ALAN GREENBERG: Cheryl had her hand up but someone took it down.

JONATHAN ZUCK: I see.

ALAN GREENBERG: By the way, Jonathan, if I may interrupt, there's somebody with host privileges that is taking down hands when they shouldn't. Please don't do that.

JONATHAN ZUCK: Okay. I don't know who's doing that. So, yes, Eduardo. As an overarching thing, I certainly intend to go through this to make sure that there's consistency between things. I don't think that there's as much risk in this document for contradicting ourselves as there's been in some previous ones. But I'll certainly do a read-through for that particular problem. Cheryl, do you still have something to say? No, okay. Olivier.

OLIVIER CRÉPIN-LEBLOND: Thanks, Jonathan. Alan earlier said that it would be no use to send a wishy-washy comment that says, "Well, some people in the community

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like this, others like something else” and that we should just focus on things that we all agree on in some way. And he also mentioned that, well, there might be just one thing that we agree on, which has been repeated many times, that we don’t need new gTLDs.

And I think that’s actually incorrect characterization. I’ve certainly heard some people in our community that are saying that you need maybe more IDNs, you need more community TLDs. Even on this, we can’t say we don’t want any more TLDs. And we’re just going to have to write it in a way that shows what the majority feeling is, but also recognize that we do have other voices that don’t absolutely agree with this. So we don’t just say all of At-Large, all of the end users, all the people out there want this. It’s not just a black and white scenario. Thank you.

JONATHAN ZUCK:

Okay. And Tijani.

TIJANI BEN JEMAA:

Thank you, Jonathan. Of course, if there is something that is not included in the questions, we can add it, which is not only the questions. We can add what we want to add. Second point, if now we have for certain questions two opinions, it is not the final draft, and I think [by just input it like this] so that we discuss it more and we come up with a consensus or we don’t answer the question at all or we don’t say anything about it. But we need to have consensus on these points.

For example, for the applicant support, there is only one question where we have different positions. So I think that it is not so dramatic. I

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think we are not far from the solution, but we have to work on it. Six days is very short. We have to work on it very soon. Thank you.

JONATHAN ZUCK: Yes. So, I guess what I'm going to – Sébastien.

SÉBASTIEN BACHOLLET: Yes. Thank you, Jonathan. Just to say just a specific point, I sent to the list the decision of the board about .amazon, and there was discussion about the fact that it's just related to geographic TLD. But I really think that it's a much broader issue, the fact that different applicants can use the same .something. It's not just a case of geographic TLD with a trademark, but it's much larger. We had the discussion, and it was rejected as a solution. Now that the board takes this decision that it could be a solution for .amazon, I really think that it's the solution we can reintroduce. I know we have just six days and it's maybe not this time, but I want us to keep that in mind and to have that in our discussion. Thank you very much.

JONATHAN ZUCK: Thanks, Sébastien. I think there'll be a completely different discussion about Work Track 5 and the geographic names, so that's not part of what –

SÉBASTIEN BACHOLLET: No. Sorry, Jonathan. My point is exactly that it is not just a WT5 question, it's much broader than that. A TLD, not a geographic TLD,

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could be used by different actors and be split. At least I think it's possible, and the way .amazon will do it will be a good example. And it's not the end of the game, but it's not just a geographic TLD. It's my point. You can disagree with that, no problem, but I think it will be opened for other TLDs than the geographic ones to share it amongst different applicants. Thank you.

JONATHAN ZUCK:

Thanks, Sébastien. Sorry, I guess I meant that it wasn't how we were being questioned in the current comment period, wasn't about this, except that there is some things about resolving contention sets as well that I wanted to raise. Greg, go ahead.

GREG SHATAN:

Thanks. I agree with Sébastien that this should be viewed as an option for resolving contention sets. In a sense, it already is. I don't think there was anything that stood in the way of a private deal between two applicants for the same string, to find a way if their interests were different to kind of divide up the spectrum, so to speak. But of course, it was never contemplated, there was no roadmap for it, it was not encouraged, and therefore, it didn't happen. Plus, people like winner takes all. Some people do at least, and that was kind of the theme of the first round. So I agree, this could be in there beyond WT5 as a way to resolve contention sets. The peculiarity in .amazon – and I guess in WT5 more generally – is that this was not a contention set between two applicants. It was a problem between an applicant and a nonapplicant making a claim during the process. It would be very interesting to see if

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that happened outside of the geographic area, and that would open up a whole different can of worms if you kind encouraged everybody who wanted a piece of .web to try to get a piece of it, or .pool or whatever it might be. I don't see that going – I don't see extending that beyond contention sets, and that does point out why if we do it for geographic terms, that has to be done very narrowly, or else, we're basically kind of creating a whole separate set of rules for that version of things without much granularity. So that would be fun. So I think that is kind of the difference between the WT5 version of what .amazon can inspire us to do, and the WT 1 through 4 version of what .amazon resolution should inspire us to do. Thanks.

JONATHAN ZUCK:

That would suggest trying to reach consensus on this .amazon resolution within this community to comment on it as part of this comment period. Is that something that people feel strongly or feel this information has aged enough on the shelf that we want to take an ALAC position on this level of immediacy? Again, I don't think this is the last bite of the apple when it comes to subsequent procedures. I'd be disinclined to try and bring that about at this late hour, but if people feel strongly, we could do that.

Another proposal I've heard floated is the idea of just having a drawing to see who wins the contention set so that it doesn't have anything to do with money, and so it just becomes random who wins the contention, all things being equal, I guess, as opposed to an auction or something private or public or ICANN otherwise. That's certainly been raised as well.

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Greg, [inaudible] running games of chance. I suppose, but at the same time, the alternative has simply been whoever's got the deepest pockets ended up getting it, which this community has expressed some resistance to as a generalized outcome. So that's why I raised it.

The other thing I wanted to talk about was rounds and whether people felt like this was important enough that we ought to be reaching consensus and speaking on this or if we think there's too much contention within the At-Large community on this issue of rounds versus first come first served that we might not want to comment on it.

Because it's – something about it hasn't reached any – certainly any whole consensus, but there might be a majority view in favor of rounds within this group, and so the question is whether or not folks think that this is important for us to reach a consensus view on so that we can all be saying the same things about it going forward. Olivier, go ahead.

OLIVIER CRÉPIN-LEBLOND:

Thanks very much for this, Jonathan. I've read the follow-up and the discussion on this, and clearly, there are two points of view. And I don't even agree with myself, which is a big problem. And that one part of me tells me, well, if we have rounds, we're going to be able to have auctions, and if we have auctions and the auction's run by ICANN, and if that's the case, then that will generate more funding for ICANN, and therefore, it'll be another income in order to sustain ICANN operations.

But then another side of me tells me, but wait a minute, if we have rounds and if we have auctions, then communities will never be able to put the same amount of money than commercial applications, and

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therefore, this is discriminatory towards community applications. So I guess we have to weigh either and make a decision somehow. Thanks.

JONATHAN ZUCK: Thanks. And so I appreciate you diving into the weeds. I guess part of my question is whether or not this topic is important enough to us that we should work toward a consensus or if we should let this go. Or do we believe that we have a consensus? And I guess that's a separate question. Alan, go ahead.

ALAN GREENBERG: First, a question. When you're talking about rounds, are you talking about evaluation in rounds or when you can submit an application? Because you could have continuous submission of applications but you only evaluations every six months.

JONATHAN ZUCK: Yes, there's all those permutations. That's exactly right. So the question –

ALAN GREENBERG: Okay. If we're talking about –

JONATHAN ZUCK: If we reached a consensus on any of those –



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ALAN GREENBERG:

I thought we had. Maybe I've been sleeping. If there are people in this group who are saying you should be able to submit an application any time and it just gets evaluated just like an application to be a registrar or application to buy a Subaru, if we're talking that, then community priority evaluation has no meaning. And I thought we were strongly supporting that.

So if there are people here saying we should have – you should be able to submit an application and it gets processed without waiting for a window to start the processing, regardless of whether you can submit the application anytime or only in specific spaces, then you're saying we do not want CPE, and I didn't think I ever heard anyone saying we do not want CPE. So, I thought we were unanimous. If I'm wrong, tell me who it is.

JONATHAN ZUCK:

Well, one notable is Evan Leibovitch, but there were two other people whose names I can't remember. Of the ten people talking about it, there were three people that didn't agree with that connection, the CPEs, because they didn't think that they would work anyway, and that therefore, we should give up and just do first come, first serve.  
[inaudible]

ALAN GREENBERG:

The last CPE didn't work. We got it wrong. But just because we screwed that up doesn't mean we should give it up. Okay, I'll be quiet.

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JONATHAN ZUCK: I understand. I'm not trying to get you to be quiet, I'm trying to – I'm just talking about the discussion. So there's two things, is about whether or not we'd reach consensus on this, and whether or not it's important enough to us that we do if we haven't. That's what I'm trying to get to, not the merits right now.

ALAN GREENBERG: Okay. Yeah, I thought it was one of the few things we had reached consensus on, but apparently, I'm not paying attention.

JONATHAN ZUCK: And I think there's a majority view, right? And so that's my question. I think that what you're expressing is kind of a majority view, it's not a full consensus. And if we're okay with that and this is important to us, then we should go ahead and express that view in this response. I guess that's what I'm getting at. Christopher.

CHRISTOPHER WILKINSON: Good evening again. I asked for the floor just to reiterate the position that I've taken in the PDP, that the rounds should be disaggregated in batches. I think it was originally Greg's words of [inaudible] batches specifically for categories of new TLDs. [In the last of the] discussion, I think we need to make it very clear indeed that first comes first serve will result in the inability of the community, even ICANN itself, of [inaudible] evaluation procedures to establish priorities of particular preferences.

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We absolutely need high priorities and reserved priorities for communities, IDNs and certain categories of geographical names. The open process has resulted in hundreds of top-level domains which are hardly used at all, and in some cases – I don't want to [cite] the company whose name begins with [D] – which have resulted in the concentration of the TLD market in ways which are anticompetitive. No, we can't go down that road. At-Large has to make it very clear that we are supporting a batched process where each batch is [least] to specific quality priorities. We've discussed this in the PDP, we've discussed this in other fora. It's a no brainer and has to be assumed. Thank you.

JONATHAN ZUCK:

Tijani.

TIJANI BEN JEMAA:

Thank you, Jonathan. This issue of rounds is very important for At-Large in my point of view, and we need to get consensus on it. And now we have a good consensus, but with minority view. But if you want to have more clarity about the support of one option or the other, we can go on a survey for it. but I think that At-Large should express its point of view about this issue, and I find that we may not participate in this consultation and we may get the solutions that we prevent communities and people needing support to apply for a gTLD not having any chance to have it if we go for one option or the other. So we need to be clear about our position. We don't have to say, "No, it is not important." Thank you.

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JONATHAN ZUCK:                      Okay. Thanks. Alan, is that a new hand now, or is that your old hand still?

ALAN GREENBERG:                    Sorry, that's an old hand. I'll lower it.

JONATHAN ZUCK:                      Okay. Thanks. So it sounds like we have consensus that we care about this, and it sounds like we on this call have rough consensus about not being pure first come first serve. So our position is about open application, perhaps transparent and batched evaluation. Seems to be where we have a rough consensus.

So, I will get with Justine, who is hopefully sleeping right now, and later this evening I guess or something, and then express that as where we reached on that topic that she had asked to be discussed. Sébastien.

SÉBASTIEN BACHOLLET:                Thank you very much, Jonathan. What is – why you use the word “transparent?” And I saw that Greg also write something about “transparent.” I would like to question that, because if your small organization decides to apply for one extension, if it's transparent, you know that some organization will immediately put the same application, and then you have a big chance that it will be the one with more money, with more time, with whatever. Therefore, you have less chance for smaller group, for diversity if you have such transparency into the process. We need to have a [reveal date.] If not, we as end user and small group and so on, we are dead. We will not have any application

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anymore. No need. We spend money for nothing because some big player will take and [inaudible]. Thank you.

JONATHAN ZUCK: Thanks, Sébastien. I'll call in Greg rather than answer for him. [inaudible] Go ahead, Greg.

GREG SHATAN: Thanks. I think it's high time to consider a transparent basket. We saw in the first round a lot of the negative effects of having a black box system with the reveal day. There were a lot of wasted applications, in part because people weren't sure who else was applying for things, and therefore, they were kind of putting in their marker, and that's been one of the causes for a lot of the withdrawals and non-delegations and the like. So I think that is not something that's a good thing.

And I think there also may be times when it's appropriate to have competition on a given string as opposed to letting the early bird catch the worm, even if it's not quite first come first served, it's kind of a modified first come first served. I think however this does go back to and is hand in hand with how one resolves contention sets. If it's always the bigger, better-funded group, then that's a big concern, although I'm not sure I believe as much as some others do that there will be hundreds or thousands of followers coming in to take all the good ideas. There are other reasons that good ideas can be turned into good gTLDs aside from having more money. But as I said in the chat, looking possibly at a meritocratic way of settling contention sets may be something to explore. I don't like the random choice, and I don't love

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the money bully choice that much either. Neither of them necessarily results in the best use of the spectrum as it were. And I have no idea what's likely or unlikely. And I think we've seen the cons of a – we've seen what it looks like with a black box, and I think that it would be worthwhile seeing a white box for that matter. We could consider alternating, might be interesting to see whether people would hold their bright ideas for the black boxes or not, but I don't think it's a foregone conclusion that we're going to get a better result out of the black box. But we certainly are going to continue to get a lot of misfires and dry wells among the applications, I think.

JONATHAN ZUCK:

Thanks, Greg. And I guess what I thought you were going to say is that part of why we are forming a rough consensus around batched evaluations is that we believe that a first come first served situation will not allow for community priority evaluation. So that suggests that communities will take longer to get their applications in, not be the first ones in most cases. And so a black box can work against a smaller organization in that they're unable to spin up and get an application done in time with the reveal day. So that's just something else to consider on the transparency question. Sébastien, you have your hand up again.

SÉBASTIEN BACHOLLET:

Yes. Thank you, Jonathan. Just to add that one point of – I will not say the solution, but a part of the solution could be to allow different applicants to merge the application. Not to choose one among them,

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but to merge them into one single application. And it could have been very beneficial for some of the applications. Maybe less money for ICANN, but a better domain name system. Thank you. And I can give example if we want one day, but I don't think we have time now. Thank you.

JONATHAN ZUCK:

Okay. It seems as though we don't have consensus on the transparency question, but we do on the rest of that particular issue. I'm going to, I thin, pause here because we want to have Greg to have a chance to lead a discussion on the unified access model. We left him out of the agenda accidentally. So sorry, Olivier, to step on your MC role here, but I just wanted to make sure we left room for that discussion, because there was some lively conversation about it on the website, and I think it would benefit from being aired here. So, I don't know, Greg, the best way or the peppiest way for you to summarize the contention that's taken place and lead the discussion, but I open the floor to you to do so.

GREG SHATAN:

Thanks. We only have about 10-12 minutes, so I don't know if we have time for kind of a full discussion, but at least [want to] open the floor. I think there were a couple of contentious points. The one that's kind of at the front of my list has to do with – there's a specific and a general point. The specific point has to do with – on access on behalf of intellectual property owners, although I suppose it could relate to others as well, which is whether we should allow access by

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representatives, and specifically by outside counsel. And a number of concerns were raised about them.

Some of them, I think, were concerns that could be raised in order to make sure that if this result were to take place, it would be done properly. In other words, there are cautions that need to be worked out, like for instance how do you deal with the question of whether to expect that outside counsel will say they represent somebody when they don't. And then there's just kind of a more general idea that it shouldn't be allowed, period.

Then there's the more general issue, as I see it, of whether there is kind of a general antipathy to intellectual property interest as a whole as part of the end user position set. Personally, as an end user, I'm not a fan of IP overreach, and there's certainly enough of that to go around. But that does not mean that kind of the essential [inaudible] of those tools is equally – or frankly at all – problematic. And I think that in spite of what was said on the list, I think it 's fairly well settled in more corners that trademarks are, among other things, a consumer protection tool and are certainly not kind of an antitrust problem where one can jack up prices because you have a trademark.

Trademarks stand for reputation, and if it 's reputation that helps to sell something and the brand is [what] you know that you're going to get what you pay for and you can charge a premium for your reputation as providing something good, that's really why a branded good may cost more than a nonbranded good. [But then again, brands can use] to be disruptive and to charge lower prices, as I think some Amazon competition can be seen.



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So, that's kind of the general, but I'd like to open the floor. I'd also say that I am not here representing intellectual property owners or the intellectual property constituency, and that in my practice, I am much more – I spent nearly all of my legal time not representing intellectual property owners, and sometimes challenging IP owners, but usually on things that are unrelated to trademarks and copyrights. And I strongly believe in the role and purposes and needs of the end user, including advancing the good and trying to control the bad that comes out of the fact that intellectual property exists. So, I would not call it a moral conflict. Actually, I think I'm quite at peace with my position, which is one of the reasons why I'm here and not on an IPC call, for instance. Thanks.

JONATHAN ZUCK:

So, do we want to do a quick discussion about this on this call? There's been some discussion on the e-mail about – and there was some in the chat as well, John Laprise raised something, as did Alan. Christopher, go ahead.

CHRISTOPER WILKINSON:

Hi, Jonathan. Hi, Greg. I think [inaudible] I'm sure it could be nuanced and there are situations where what I have described is not 100% true, but there are also situations where what I've described is probably 150% true. Jonathan, I don't want to take time additional. I feel that Greg has recognized that there is an issue, and I appreciate sincerely and understand his declarations of his neutrality, but I think At-Large has to look at this from a very dispassionate point of view. And I look

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forward to the contributions and comments from other members.  
Thank you.

JONATHAN ZUCK: Olivier, go ahead.

OLIVIER CRÉPIN-LEBLOND: Thanks very much, Jonathan. I'd like to find out where we are on this, because the wiki page which deals with this topic is explicitly saying that the call for comments close on the 14th of September, but it says the public comment closes on the 31st of August, and we're on the 20th. It says 14th of September, yeah. Thanks.

UNIDENTIFIED FEMALE: Hi, Olivier, this is – just to clarify, that was an internally set deadline since there wasn't an official deadline.

OLIVIER CRÉPIN-LEBLOND: So what's our deadline now? Do we have a deadline, or no deadline?

UNIDENTIFIED FEMALE: There's not a formal one, but if the community would like to set one, we could.

GREG SHATAN: is someone speaking? Because I'm not hearing anything.

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JONATHAN ZUCK: Yes. People are speaking, Greg. And I heard you. Alan, go ahead.

ALAN GREENBERG: I just wanted to make a quick comment. Although I didn't plan it that way, my career in ICANN started off with a collaboration with the intellectual property people, and what they provided us with gave us our first big win of credibility as At-Large. We don't always agree with intellectual property, but there are great synergies, and I think we need to make sure we don't forget that. Thank you.

JONATHAN ZUCK: Thanks, Alan. Yes, we can, Hadia. So I think this is kind of important in all of our discussions about this access thing, whether we support IP interests in some verified form as being a valid subscriber to nonpublic data through whatever model [or] RDAP tiered approach comes to pass. And I don't think we should always be dismissive that the IPC can advocate to this, because I think that there's some acknowledgement that there's end user interest in trademark protection and copyright protection because there's a high correlation to malware and things like that. So I think we need to try not to be dismissive of things just because they happen to coincide with the interests of the IPC from time to time. Alan, is that a new hand, or do I go to Holly?

ALAN GREENBERG: No, it's a new hand. I just wanted to reiterate what you just said. It's very hard to argue – I'll take the example of a company that is viewed as

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the devil or our savior today depending on what your perspective, it's Facebook. But if Facebook is protecting their brand by stopping people from cybersquatting and essentially doing identity theft by having people log onto their Facebook account on a fake site that looks like Facebook – and remember, there are literally hundreds of thousands of other sites that allow you to log on with your Facebook ID. So once your Facebook ID is compromised, that's it for many people. And how can you not say that is not protecting consumers? Yes, it is protecting their brand, but it also has other effects. And I think we need to be very careful if we're going to say we are not supportive of activities like that. Thank you.

JONATHAN ZUCK: Thanks, Alan. Holly? Holly, if you're speaking, we can't hear you.

HOLLY RAICHE: Hear me?

JONATHAN ZUCK: Now we can.

HOLLY RAICHE: Okay. Years ago in the privacy proxy server debate, the compromise that the group came to is if there are lawyers or individuals asserting their copyright rights, and it's a legitimate case, then they need to have the contact – at least a contact e-mail, and if that doesn't get a response, then some further details. But the debate went along sort of

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GDPR lines, “Is this a legitimate complaint? And if so, they should get access.” So that was the position that ultimately the group came from, and I was comfortable with that at the time.

JONATHAN ZUCK:

Thanks, Holly. Alan, is that new? No. Greg, go ahead.

GREG SHATAN:

Thanks. And sorry I missed a couple of comments before. I think Holly’s last point is well taken, and I think we need to keep in mind here that we have an accreditation framework and model here. So there are not going to be random users of the access portal or portals, however it’s going to work. So everyone is going to be – anybody who is coming to use this for access is going to be accredited and will have signed terms of use in order to have their access. So there’s quite a bit that we can do upfront to control for misuse of access.

So I think that that’s – and I don’t believe that was necessarily contemplated in privacy proxy, which is one of the problems there was anybody can call up and say that they want information. Here, they would have to be somebody who was vetted, listed, bonded, and generally was known noble. So you would have not just an e-mail contact, you basically have them kind of within the basket. They’re under control of the system. So I think that is a method that can be used to deal with specific concerns.

And the specific concern of a lawyer saying that they represent somebody they don’t, the biggest concern about that is that that would

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be unethical and could subject you to being disbarred. But I'll say that when I file a case, a notice of appearance in court, I don't have to submit anything from my client that says I represent them. But I could be sure that if I were to say that and tried not to do it, I would be disbarred. If I did it without actually having a client in the case, I'd be washing dishes pretty soon.

So, I think we need to look at those kind of controls, including obviously revoking access. And if somebody is acting as a representative for a number of owners, the last thing they want to do is lose the access by which they're getting there. So I think there's definitely going to need to be a policing and enforcement function, but overall, we have a long philosophical discussion about the good and bad of intellectual property, and I was reasonably happy with intellectual property as a concept before I even went to law school, being a lawyer and also working in public relationship beforehand, being a musician, rather, and the like. So, it's still an end user thing. Clearly, there's the good and the bad in all of it.

So, we're kind of overtime at this point. I will respond on the list and try to come up with some changed language. I will say that the initial writing I made was based on several inputs that I received, and I was not just kind of substituting my judgment for everybody else's, but rather, balancing a number of different inputs. And in terms of kind of the form, I know Tijani and their concern is kind of about the length, and this kind of goes along with the discussion we were having about the length of the [inaudible] response. And for the same reason, I think we want to make sure we're answering the questions.

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But I think it's really only the italicized parts that are kind of opinion, I think, or position or statement. So, one thing to do would be just cut out everything but the italicized part, but then it would be kind of impossible to review without having the nonitalicized part to say what question you're answering or what the basic concept is. So, that was kind of intended to try to make it easier to read as a unitary document. But if one thought they knew what was being asked, they could just go through the italicized paragraph and look at the positions. Thanks.

OLIVIER CRÉPIN-LEBLOND: Have we lost Jonathan?

HOLLY RAICHE: I don't know.

GREG SHATAN: You still have me.

JONATHAN ZUCK: I'm just speaking into a muted microphone. That must be it. I'm sorry. Are there any other questions for Greg? Okay, Alan, I see you have your hand up.

ALAN GREENBERG: I have a statement, not a question. I find these discussions saying what happens if someone is unethical or what happens if we let any Joe in rather a waste of time. Anything we come up with, regardless of who

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designs it, regardless of whose name is on it, is going to have to be GDPR compliant and we're going to have to convince the various authorities that we're doing it legitimately. So, that's a given. Thank you.

JONATHAN ZUCK: Yes.

GREG SHATAN: I'll agree with that 100%. We're not trying to game GDPR here.

JONATHAN ZUCK: Thanks, Alan.

ALAN GREENBERG: Well, we might be able to try to game it, but ultimately, we're going to have to get their agreement, like it or not.

GREG SHATAN: Gaming it within the rules I mean is okay.

ALAN GREENBERG: That is what gaming is.

GREG SHATAN: [Oh, gee. Then maybe we are.]



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JONATHAN ZUCK:                    Alright.

ALAN GREENBERG:                Folks, I've been on calls for the last I can't count how many hours, and I need a break before the next one.

GREG SHATAN:                    [inaudible]

JONATHAN ZUCK:                Alright. Well, take a break, Alan. I just want to reiterate that we've circulated the answers as they currently stand, the subsequent procedures questionnaire. Please do take a look at it and comment on it. You should have comment ability with that last link. Sorry about that before, Alan.

The last thing that I was asked to just bring up very quickly on this call is potentially making a proposal for the At-Large to be actively involved in some way in reaching out to its various constituencies and communities about the KSK rollover. So some of this would be done via social media or direct outreach on the part of regional leaders, etc., and so I wanted to know if there was anybody objecting to kind of the pursuit of something like that as a show of force by the At-Large and the demonstration of the value of our numbers. So that's one of the things

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we were thinking about trying to do and I wanted to raise it here first in case anybody had immediate reactions. Greg, I assume that's an old hand. Thank you, Holly. Olivier, go ahead.

OLIVIER CRÉPIN-LEBLOND: Yeah. Thanks, Jonathan. Of course, I totally support that we should get our ALSes, we should get everyone involved to do this whole promotion of the KSK rollover via social media. And perhaps – the ALAC has a social media working group, so maybe we can ask that the ALAC asks its own working group or recommend that this happens.

At the same time, I also recall in a previous meeting with the GAC that the ALAC has spoke not the GAC about the root KSK rollover, and we were pretty much kicked out, being told it's not our job to talk to them about this. I wonder whether we should ask the SSAC whether they have spoken to the GAC about this, because I would have thought that an excellent channel for communication was going to be governments talking to their own ccTLD operators and talking to their own industry. I haven't seen that explicitly out there. That's why I wonder whether that's been done. Thanks.

JONATHAN ZUCK: John seems to be saying that it was a dead end with the GAC, and I don't know that answer, but that's [inaudible]

OLIVIER CRÉPIN-LEBLOND: It was a dead end for us.

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SEUN OJEDEJI: Can I please be in the queue?

OLIVIER CRÉPIN-LEBLOND: Well, then so be it, the dice are thrown, because that happens in a few weeks' time, by the way, this KSK rollover.

JONATHAN ZUCK: Alright. Well, then it sounds like there aren't any strong objections, so we'll try to convene something. Eduardo, go ahead.

SÉBASTIEN BACHOLLET: There's Seun asking for the floor. Please add him.

EDUARDO DIAZ: Should I go? Okay, anyhow, I wanted to say if a [promo] is put together about the [KSK,] I can promote that through my network. I just need something to promote it. I would be glad to do it on this side of the ocean. Thank you.

JONATHAN ZUCK: Perfect. That's the idea. Sébastien?

SÉBASTIEN BACHOLLET: Sorry, Jonathan, it's Seun asking for the floor. He's just on the phone, I guess.

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JONATHAN ZUCK: Oh, Seun. Okay.

SÉBASTIEN BACHOLLET: Seun. Thank you.

JONATHAN ZUCK: Okay, Seun, go ahead, please.

SEUN OJEDEJI: Okay. Yeah. Thank you. Yes, I just wanted to [inaudible] need to be clear to tell the ALSes indeed what they need to do, because on the side of the end user, there's really no [inaudible] to do in terms of KSK. [inaudible] on what it is that we expect of them to do in their own [inaudible]. Thank you.

JONATHAN ZUCK: Thanks, Seun. So, I think we'll try to put together some kind of a flyer and maybe work with staff to have that flyer have some different languages or something like that. So I think when we do this, it'll be beyond just social media, but distributed social media or something like that as well. So, John, I'm going to hope that you can broaden a call, and we'll try to then make a proposal into ICANN and try to get support to try to make an At-Large overall effort to reach out to our constituencies. I think we're out of time, but I'm going to hand the microphone back to Olivier.

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OLIVIER CRÉPIN-LEBLOND: Thanks very much, Jonathan. And we're now into Any Other Business. Not seeing anyone putting their hand up, I'd like to thank everyone on this call, and it's been very good. Lots of discussion, we've got a number of action items that are there, we're reaching the end of the process or the finalization of the process on some of our texts and comments that we're putting together. So until we meet next week, we'll have to have I guess a lot more commenting on the Google doc, and we'll follow up then and we'll follow up on the mailing list.

And just one last thing, the next call, I believe – let me just ask now whilst everyone is still on the phone – is going to be rotated, and that will be on a Wednesday again. Is there – there's Alan, Hadia, Jonathan, Greg, anybody else who is working on this? Do you have a major problem with next Wednesday at 13:00 UTC? I'm not seeing any red crosses or anybody saying no, so that we'll then use the rotation. With this, thank you very much, everyone. This call is now finished. Good morning, good afternoon, good evening, and good night.

UNIDENTIFIED FEMALE: Thank you.

UNIDENTIFIED FEMALE: Thank you. Bye.

JONATHAN ZUCK: Thanks, everyone.

UNIDENTIFIED FEMALE: Thank you.

CLAUDIA RUIZ: Thank you, everyone, for joining the call, which is now adjourned.  
Please remember to disconnect your lines. Thank you.

[END OF TRANSCRIPTION]