

**Attendance: (28 Members)**

Brian Beckham	Justine Chew
Christine Farley	Kamila Sekiewicz
Cyntia King	Kathy Kleiman
David Maher	Kristine Dorrain
David McAuley	Martin Silva Valent
Gary Saposnik	Maxim Alzoba
George Kirikos	Michael Karanicolas
Gerald Levine	Monica Mitchell
Griffin Barnett	Philip Corwin
Jason Schaeffer	Roger Carney
Jay Chapman	Sara Bockey
John McElwaine	Susan Payne
	Zak Muscovitch

Audio only:

Claudio DiGangi  
Dale Nelson  
Rebecca Tushnet

Apologies:

Marie Pattullo  
Greg Shatan  
Petter Rindforth  
Paul Keating

Staff:

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

**AC chat:**

Michelle DeSmyter: Dear all, welcome to the Review of all Rights Protection Mechanisms (RPMs) in all gTLDs PDP Working Group call on Wednesday, 05 December 2018 at 17:00 UTC.

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

George Kirikos:Hi folks.

Michelle DeSmyter:Hi there George! ;)

George Kirikos:Hi Michelle.

Martín Silva Valent:hi all

George Kirikos:Welcome Martin and Zak.

Zak Muscovitch:Many thanks :)

George Kirikos:There was an article in the WSJ about "Harvard Time", how classes start 7 minutes after the hour, etc. It's likely behind a paywall, but see: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_college.harvard.edu\\_admissions\\_hear-2Dour-2Dstudents\\_student-2Dblogs\\_harvard-2Dtime&d=DwIFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8\\_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe\\_5iHWGIBLwwwhehFBfjrsjWv9&m=tzzl21XWaxfDHuJENOL3cf3qGCLpITY-Itk-OTrBB4U&s=o-8T51XO5wfS\\_uKEiGbzddGirEtAO8METoZoamfWX5o&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A_college.harvard.edu_admissions_hear-2Dour-2Dstudents_student-2Dblogs_harvard-2Dtime&d=DwIFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBLwwwhehFBfjrsjWv9&m=tzzl21XWaxfDHuJENOL3cf3qGCLpITY-Itk-OTrBB4U&s=o-8T51XO5wfS_uKEiGbzddGirEtAO8METoZoamfWX5o&e=)

George Kirikos:Other universities have their own rules like that.

George Kirikos:Actually, not paywalled for me, see: [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_www.wsj.com\\_articles\\_what-2Dtime-2Dis-2Dit-2Dat-2Dberkeley-2Dten-2Dminutes-2Dpast-2Dreality-2D1543864590&d=DwIFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8\\_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe\\_5iHWGIBLwwwhehFBfjrsjWv9&m=tzzl21XWaxfDHuJENOL3cf3qGCLpITY-Itk-OTrBB4U&s=7uaTcE1xxcsy48mLdPpKW19rPD96hW4i1d9MBq5Jguw&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.wsj.com_articles_what-2Dtime-2Dis-2Dit-2Dat-2Dberkeley-2Dten-2Dminutes-2Dpast-2Dreality-2D1543864590&d=DwIFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBLwwwhehFBfjrsjWv9&m=tzzl21XWaxfDHuJENOL3cf3qGCLpITY-Itk-OTrBB4U&s=7uaTcE1xxcsy48mLdPpKW19rPD96hW4i1d9MBq5Jguw&e=)

Kathy Kleiman:Good to go!

Susan Payne:me too

Mary Wong:To highlight Julie's point, this is a best case scenario that is nevertheless very aggressive. As Julie will explain, this does not take into account further slippage or other factors unknown at present (e.g. how many public comments and how voluminous, number of preliminary proposals from within the WG for discussion regarding what to put in the Initial Report, etc.)

George Kirikos:[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_features.icann.org\\_calendar&d=DwIFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8\\_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe\\_5iHWGIBLwwwhehFBfjrsj](https://urldefense.proofpoint.com/v2/url?u=https-3A_features.icann.org_calendar&d=DwIFaQ&c=FmY1u3Pjp6wrcrwl3mSVzgfkbPSS6sJms7xcl4I5cM&r=8_WhWIPqsLT6TmF1Zmyci866vcPSFO4VShFqESGe_5iHWGIBLwwwhehFBfjrsj)

[Wv9&m=tzzl21XWAxfDHuJENOL3cf3qGCLpITY-Itk-OTrBB4U&s=-LtCPxt3E3PZO-KelJN7QNjckn 2IvFo070KxRZUGEE&e=](https://www.wipo.int/edocs/mdocs/wipo/en/wipoc/wipoc_070/wipoc_070_kr_en_01.htm)

Kristine Dorrain:@George, I don't think most participants have multiple participants.

Brian Beckham - WIPO:Correct @Kristine - having monitored all URS subteams, I do not recall a single overlapping participant other than chairs, but I could be wrong

Kristine Dorrain:@Brian, to be honest, my colleague Diana sometimes joins.

Mary Wong:@George, that were just suggested dates to enable the Sub Teams to have time to consider the individual proposals - so they can definitely be changed if the WG agrees.

Brian Beckham - WIPO:@George, do you intened to join all subteams now (noting you did not join any earlier efforts)?

George Kirikos:@Brian: yes

Maxim Alzoba:Hello All

George Kirikos:Because, the scope of the subteams \*changed\* before, i.e. they did more than they were supposed to, etc.

Brian Beckham - WIPO:@Kathy, as I said on our prep calls - I think those updates are a great idea (not sure whose idea it was)

Julie Hedlund:@George: There is nothing to prevent a sub team from picking a separate time/day, as staff noted, but that time and day would have to be non-conflicted and not everything may be on the calendar that you have posted.

George Kirikos:@Julie: already mentuoned how one could meet at 8 am Eastern time (i.e. APAC-friendly time), and the other at noon Eastern (and then swap times the next week).

Zak Muscovitch:Wouldit be possible to participate in more than one subgroup if the subgroups meet at the same time?

Brian Beckham - WIPO:@George, could you expand on why you think the subteams' scope expanded? They were there to propose operational fixes and they did not eclipse the ability of individual members to submit proposals (nor is that the intent now).

George Kirikos:Not meaningfully, Zak.

George Kirikos:But, there's no good reason to make them meet simultaneously.

Brian Beckham - WIPO:With this (evolving) conversation: do people still want to break out in to subteams, or do they prefer going straight to plenary discussions?

George Kirikos:I would have preferred plenary, but if there are going to be subteams that have this much power, it essentially requires participation in both.

Kristine Dorrain:I like subteams. I support parallel work but not calls scheduled on top of one another.

Kristine Dorrain:I do not agree with disallowing people from joining more than one.

Kristine Dorrain:Run them in parallel and people can decide to join one or more.

Brian Beckham - WIPO:That's a good point Zak, if the idea is to split up work, should people be on multiple subteams?

Philip Corwin:Both subteams must run concurrently to achieve the efficiencies of dividing the work.

Kristine Dorrain:+1 Phil

Philip Corwin:If we go with a Friday meeting then we can ask for the summary report by COB on Monday

CYntia King:Apologies for my late arrival.

Kristine Dorrain:+1 Susan

Brian Beckham - WIPO:+1 Susan

Brian Beckham - WIPO:(speaking personally)

Philip Corwin:That UDRP discussion could be on how to structure Phase 2, rather than starting the actual work. That is, organizational, not substantive..

Julie Hedlund:@All: Staff notes that there may only be one session at ICANN65 since it is a shorter meeting.

Julie Hedlund:@All: The thinking too is that the UDRP prep is a placeholder and it may be overcome if the timeline slips.

Philip Corwin:ICANN 65 is in Marrakech

sara bockey:apologies for joining late

Griffin Barnett:apologies form me as well for joining late, client call ran long and just concluded

George Kirikos:(new hand)

CYntia King:Quick note on Sub-teams - i believe the idea is to: (1) break the work into tracks that can run concurrently so as to move forward more quickly, and (2) to apply expertise to specific topics. This shouldn't preclude people from being on multiple teams and, with weekly reporting to the group, should give sub-teams the authority to make recommendations that are not re-worked to the studs, so to speak.

Kristine Dorrain:@George, it's my understanding that the subteams WILL be substantive, not just administrative.

Kristine Dorrain:It's about moving faster.

George Kirikos:@Kristine: right, that's what's being proposed, which means it's more important to be in both. Or, go back to the plenary model.

Kristine Dorrain:If people care about all topics, then yes, you'd need to join both. :)

Kristine Dorrain:Not everyone does.

Mary Wong:@Cyntia, right. Also, hopefully, the sub team model with regular reporting back to the WG (as is done with SubPro) will minimize risk of rehashing issues in plenary.

Brian Beckham - WIPO:Correct @Susan - it was supposed to be "operational fixes" in Phase I, but somehow morphed into a full-blown call for proposals...

Justine Chew:Can we reign back now that 'precedent is set'?

CYntia King:@Mary - Agree this is a great way to break work up to accomplish the objectives on time.

Susan Payne:it is it but we have talked about it for years!!!

Jason Schaeffer:+1 Susan

Julie Hedlund:@Kathy, Phil and all - please see the previous comment from staff: Mary Wong: @George, that were just suggested dates to enable the Sub Teams to have time to consider the individual proposals - so they can definitely be changed if the WG agrees..

Julie Hedlund:So, staff confirms that if the WG wishes the timing of the submission of individual proposals can be changed.

CYntia King:Every proposal is being opened for public comment?

Philip Corwin:@Cyntia--that is up to the WG. That became the result for all URS proposals. How we approach Sunrise and Claims will determine what goes out for public comment in the IR. For the FR, of course, only recommendations that have WG consensus support are in it.

Brian Beckham - WIPO:@George, just to clarify, the idea was either go straight to plenary, or use subteams

Philip Corwin:Not occasional updates -- weekly updates for every week that the subteams meet.

Brian Beckham - WIPO:Or rather, the question, I should say

Susan Payne:SubPro manages fine to run subteams and have occasional plenary calls of the full WG for updates etc

George Kirikos:There are really only about 15 or 20 people in the entire PDP who do most of the discussion, etc. Having the rest be an "audience" week after week in the plenary keeps that plenary updated continuously, rather than expect them to digest a month's work in one update.

Susan Payne:+1 Cyntia

Maxim Alzoba:short brief, work , debrief might help (if done properly)

Julie Hedlund:@George: It is envisioned that there would be weekly updates -- not monthly.

Maxim Alzoba:\* cycle

George Kirikos:@Julie: but, those are email updates, not "meetings" via Adobe Connect.

Susan Payne:really good suggestion from Cyntia to have the pros and cons presentations

George Kirikos:How often have we seen anyone respond via email to the mailing list, or engage in substantive discussions on the mailing list, of all those past email updates?

Mary Wong:@George, the mailing list can be used to ask and answer questions.

George Kirikos:Almost never happens.

George Kirikos:@Mary: in theory, yes. But, practically, no.

Maxim Alzoba:could it be both? like e-mail before the meeting with the recommendation to read across it, and short 7min brief during the call?

George Kirikos:Current doc is at: <https://mm.icann.org/pipermail/gnso-rpm-wg/attachments/20181204/16f562d3/StatusofTMCHRelatedRPMsDiscussions-3Dec20181-0001.pdf>

George Kirikos:if folks want to view in their browser)

George Kirikos:@Maxim: but there aren't regular weekly calls for the plenary for most of the time the subteams are doing the work.

Kathy Kleiman:Sunrise and TM Claims starts middle of page 4

Maxim Alzoba:during the summer 2017 it worked somehow (with subteams)

Maxim Alzoba:or I think so :)

CYntia King:Thanks so much to staff!

Mary Wong:Just to keep things interesting - the staff merry-go-round :)

David McAuley:+1 @Cyntia - loads of good work

Martín Silva Valent:does this include all our comments n

Kathy Kleiman:@Martin - all our comments?

Justine Chew:Looks daunting yet fun.

Martín Silva Valent:sorry I hit send, I mean if this includes appropriate public comment received by WG from SOs, ACs and the ICANN community  
the ICANN Community

Mary Wong:The list of data sources in the Appendix following the Sunrise and Claims tables (that Julie is describing) correspond to the chronological data we listed in the last document (summary status).

George Kirikos:+1 on page numbers!

Susan Payne:@Martin - effectively yes. that comment led to the compilation of the charter Qs, but as you recall they were super-biased on all sides so we had sub teams spend considerable time trying to get the the neutral heart of those comments

Martín Silva Valent:i cant

Julie Hedlund:@All: These PDFs are for display and reference -- for the Sub Team work we will use Google docs/sheets.

Martín Silva Valent:only chat

Kathy Kleiman:Tx Martin, I'll read...

Susan Payne:can I respond fto Martin or benefit of those not in the chat

Susan Payne:no need - Mary has it

George Kirikos:<https://community.icann.org/display/RARPMRIAGPWG/2017-08-16+Review+of+all+Rights+Protection+Mechanisms+%28RPMs%29+in+all+gTLDs+PDP+WG>

Martín Silva Valent:just not to repeat my question each time, maybe we should add those to the other docs as well

Susan Payne:no need

George Kirikos:Many articles about (alleged) abuses of sunrise periods, for example, discussed on industry blogs, and in the comments to those blogs.

George Kirikos:Those are links to the sources, but not the pages/articles \*within\* those sources.

Mary Wong>Note that the WG had also directed staff to just find the info/articles - and that the WG would review all of the sources found. To be honest, staff is not certain this is still the best course to take. There is a lot of opinion out there, not much hard data.

CYntia King:How do we ensure we're capturing respected, journalistic & original (not repetitive) material?

George Kirikos:These are sources of data, e.g. documenting specific abuses of domains like THE.TLD, etc.

Griffin Barnett:Agree with Brian - I think those sources are fine to bring up as part of WG discussions but not appropriate to cite or include in our Initial/Final reports

George Kirikos:Right, data. Not "opinions"

CYntia King:But how do we ensure this is an "academic" fact-finding article & not a biased "hit piece"? We'd need to vet any of this material closely. Who would do that - the WG?

Mary Wong:@George, to be honest, given the wide ranging sources and general directions we got from the WG, it was extremely difficult for staff to find the "needles in the haystack". We don't have research staff or assistants to do the initial searching, it is just Julie, Ariel and me.

Brian Beckham - WIPO:@George, what about studies on typosquatting, etc., I think ultimately we will all be better off if we simply acknowledge that these articles (factual or otherwise) are fine to inform our individual views, but should not be in the Working Group report as specific articles will not represent all views



George Kirikos:It's far more "academic" than the "surveys" that were not statistically valid, filled out by folks paid 75 cents.

Brian Beckham - WIPO:+1 @Cynthia (again, speaking personally)

CYntia King:Including material could be very problematic. What does this material add?

George Kirikos:Documents list of strings that gamed the sunrise.

David McAuley:could typist pls mute

Mary Wong:@Cynthia, the WG was very clear to staff when this was first raised that staff should not opine on which sources were authoritative or "more informed", that would be for the WG to do.

George Kirikos:Documents how the TMCH was letting in questionable marks.

CYntia King:@George: You have no way of asserting that. AND actual first-person information from stake holders is a far cry from third-party writings.

George Kirikos:Although, Rebecca's list of 10 TMs, all of which were deemed acceptable, was already powerful evidence.

George Kirikos:TM holders prevented us from seeing the entire TMCH database (which should be public). Now these alternate sources of documenting the abuses are not desired to be included??

George Kirikos:If you don't like those articles, then give us the raw data from the TMCH instead.

Brian Beckham - WIPO:@George, the very notion of a "questionable" mark is one that may require a nuanced legal assessment and supports the point I am trying to make

Susan Payne:@Kathy - doc was circulated with the agenda

George Kirikos:@Brian: not really. Look at the 10 examples from Rebecca, from way back. e.g. "CARS" figurative mark from Disney -- deemed OK. LOL

CYntia King:@George: Do you not see that you're trying to "color" the conversation rather than present findings & recommendations? You're saying that you're trying to include anecdotal material that fits your narrative, rather than considering the material internally then presenting the argument to the public.

Michael Karanicolas:@Cynthia - given that the databases are secret, the third party articles are necessary to understand what's going on. It's often original research in an areas where we can't find our own data

Brian Beckham - WIPO:To be clear, that is not to say that the TMCH or Sunruses were not "gamed" but articles will almost necessarily be biased - again, fine to inform our views, but should not be seen as "authoritative"

George Kirikos:@Cyntia: disagree. It's already been established that that \$50K survey was "at best" anecdotal, and not scientifically or statistically valid.

George Kirikos:Yet, we're going to invest several more weeks "analyzing" that?

Michael Karanicolas:@Brian - No single document should be viewed as "authoritative" above all others, in my opinion

Maxim Alzoba:URLs does not seem to work , I tried to use the dashboard document

CYntia King:@George: Would it even be legal to get the raw data fro the TMCH? That info likely includes info made private by the GDPR.

Zak Muscovitch:Many thanks, Staff!

George Kirikos:Bye folks.

Maxim Alzoba:bye all

Michael Karanicolas:It's all about contextualizing your views with different perspectives. If someone has an obvious bias, that should be factored in to the subjective aspects of their analysis

Brian Beckham - WIPO:@Michale, bias is subjective

Michael Karanicolas:@Cyntia - we both know the GDPR is not the main obstacle to getting data from the TMCH

Ariel Liang:@Maxim - if you are referring to the table of content on the PDF, the link doesn't work as we just show the PDF version for display purpose. The actual google spreadsheet has the workable link that can help readers jump through different tabs

Martín Silva Valent:thank you staff!!!!!!

George Kirikos:+1 Michael

CYntia King:@Michael Karanicolas: I can understand the folks in this working group using the info to infor our opinions, but certainly we shouldn't publish theis info to the public.

Zak Muscovitch:Thank you, Kathy

David McAuley:thanks Kathy and staff and all

Jay Chapman:Thanks, all

Martín Silva Valent:tmch should not be secret!