

# 2023-04-20 IDNs EPDP - Meeting #79

The call for the IDNs EPDP team will take place on **Monday, 20 April 2023 at 13:00 UTC for 2 hours.**

For other places see: <https://tinyurl.com/nhh7x6vn>



## PROPOSED AGENDA

1. Roll Call and SOI Updates
2. Welcome and Chair Updates (10 minutes)
  - Public Comment Proceeding Outreach (Blog, Community Webinar, SSAC, GAC)
  - ICANN77 Sessions
  - Membership Refresh

3. Review of Phase 2 Charter Questions (105 minutes)

4. AOB (3 minutes) – Cancel call on 4 May 2023

## BACKGROUND DOCUMENTS

[SLIDES](#)



## PARTICIPATION

[Attendance](#)

Apologies: none



## RECORDINGS

[Audio Recording](#)

[Zoom Recording](#) (including audio, visual, rough transcript and chat)

GNSO transcripts are located on the [GNSO Calendar](#)



## Notes/ Action Items

### Action Items

**Action Item 1:** EPDP Team members are requested to let the leadership team know if they will be attending ICANN77 sessions.

**Action Item 2:** Update the time allocated for specific charter questions as follows: D4 - allocate 4 meetings (previously 3); D5 - allocate 2 meetings (previously 1); D6a - allocate 2 meetings (previously 1).

### Notes

### Welcome and Chair Updates

- Phase 1 Initial report is on schedule to be published for public comment on Monday, 24 April.
- Thanks to all for your efforts leading up to this milestone.
- Public Comment Proceeding Outreach

- A Community Webinar will be held on the 16<sup>th</sup> or 17<sup>th</sup> of May from 11:00-12:30 UTC. Once scheduled, the webinar will be publicized through ICANN channels.
  - The plan is to invite SSAC members to the IDN EPDP call on either 18 or 25 May. Details to follow based on SSAC availability.
  - The GAC is interested in the general webinar and will follow up if there is interest for a more targeted webinar.
  - The meeting on 4 May will be cancelled due to conflict with the Extraordinary Council Meeting.
  - The meeting on 8 June will likely be cancelled because it is just before ICANN77.
  - The public comment period is expected to close on 5 June. If there are requests to extend the public comment period, it will likely be extended to 26 June.
- ICANN77 Sessions
  - There will be four sessions: 12 June from 13:45-15:00, 13 June 15:30-17:00, 14 June from 10:45 to 12:15 and 15 June from 9:00 to 10:15.
  - The focus will be phase 2 charter questions.

**Action Item 1:** EPDP Team members are requested to let the leadership team know if they will be attending ICANN77 sessions.

- Membership Refresh
  - As we move into phase 2, this may be an appropriate moment to do a refresh of the EPDP membership. This will be kicked off in the next week or two.
- The leadership team sees value in scheduling a face-to-face for this group outside of an ICANN meeting to help the group move efficiently through its remaining work. The group will need to begin planning for this soon.

#### Review of Phase 2 Charter Questions

- For the phase 2 questions, we will be estimating the time it will take to work through the charter questions.
- This will allow us to update the overall project plan and also deliver to the Board at ICANN77 a timeline of work that might impact the AGB. This work is a dependency to finalizing the AGB and proceeding to the next round.
- Slide 9 – Text in Board resolution outlining the deliverable that the EPDP needs to provide by ICANN77.
- Slide 10 – Discussion – to determine the number of meetings it will require to deliberate on a charter question, consider:
  - What data is potentially needed?
  - What are the potential outcomes?
  - How long it may take to deliberate on the question? – focus for today
- Work on Phase 1 charter questions was used as a benchmark for staff estimates of the number of meetings needed for each Phase 2 charter question.
- Slide 11 – Summary of “Length” Guesstimate
  - Total guesstimate is 60 meetings for all Phase 2 charter questions. The group should seek to find ways to make the work move quicker.
  - A CPH subgroup has been formed to discuss the topic of metrics. If the group is able to prepare some thoughts ahead of time it will help the EPDP move faster.
  - The group started a paper about a month ago focused on how some registries and registrars deploy variant domain names. There are at least two models for enforcement. The group is now reconvening with more focus. The group has a list of charter questions that will be the focus of their discussion and input.
  - Before going into the substance of the charter questions, the group will do an overview of how IDNs operate at the second level. Everyone needs to understand how it works now before the group can tackle the questions. The CPH Tech Ops group may be able to assist with this.
  - One EPDP Team member suggested working in sub-teams.
  - It was noted that this is already a small group. Leadership is unsure if use of sub-teams would work with this group and the subject matter. But the leadership will take that back to consider.
- Slide 12 – Charter Question C1 – Staff interpretation of question: Should the “same entity” requirement be extended to existing variant domains? *\* In this instance, the same entity requirement means that for a second-level primary label that arises from a registration based on a second-level IDN table, all of its allocatable labels must only be allocated to the same entity that registers the primary label or withheld for possible allocation only to that entity*
  - The suggested 4 meetings will be used as a starting point.
- Slide 13 – Charter Question C2 -- Question Interpretation: Part 1: Should the “same registrant” requirement be extended to existing variant domains? Part 2: Whether the current rules for activating variant domains should be updated?
  - It was noted that the first part of C2 might better belong under C1.
  - Clarification – we want to understand what registries and registrars do currently when they register IDNs at the second level, including variants.
  - The suggested 4 meetings will be used as a starting point.

- Slide 14 -- Question Interpretation: CanROID be used to identify the same registrant for both existing and future variant domains? If not, what other mechanisms, if any, exist to identify the same registrant?
  - Comment: We might ask ICANN Compliance about cases where there were issues with the use ofROIDs, specifically with respect to uniqueness. Using the sameROID for different registration may not be a good idea.
  - Comment:ROID may also be mentioned in the Transfer Policy PDP. To the extent that there is something that came up in that group that is applicable for this group, there should be information exchange.
  - Comment: The decision about whether to continue using it or not will extend to other already existing processes where it is used as an object.
  - Comment: From early data gathering, some Rrs create new objects and others reuse them when the registrant is the same.
  - Comment: Same entity is meant in legal terms. The only way to determine if it is the same entity through official identification or paperwork. This needs to be done through the registrar.
  - The suggested 4 meetings will be used as a starting point.
- Slide 15 -- Question Interpretation: Should additional requirements be developed ifROID is determined as the mechanism to identify the same registrant?
  - The suggested 2 meetings will be used as a starting point.
- Comment: Each foundational question may require 4 meetings.
- Questions: Is there a way to look at the foundational charter questions together to get to answers more quickly?
- Some support expressed for looking at commonalities between the questions and looking holistically at groups of questions.
- Comment: It might also be helpful to think about the end goal and what we are trying to achieve to get a registrant equivalence. Framing the end goals may make it easier to answer the individual questions, taking into account what is possible today or not.
- Question: Can that be guided by the SubPro recommendations -- specifically the rationale for the recommendation about same entity at the second level.
- Comment: In the top-level deliberations, we focused on four specific principles. Perhaps focusing on whether these principles are applicable here might be useful.
- Response: These principles might be good to keep in mind, but they may not flow through to the more operational questions about the second level.
- Slide 16 -- C4 -- Question Interpretation: Should IDN tables under a gTLD be mutually coherent for an existing gTLD or a future gTLD?
  - Comment: It might also be good to add back end registry providers in the list of entities that might be able to provide data.
  - Comment: Back end providers can say what happens but they do not decide. For many years, registries were promised by ICANN that the current IDN tables would be grandfathered. In reality, ICANN make the registries use new formats for IDN tables.
  - Response: Understanding the point above, it still may be useful to reach out to back end registry providers for data. Note that the IDN tables are a political object between GDS and registry operators. This is something to be aware of, but not for this group to act on.
- Slide 17 -- C4a -- Question Interpretation: Should variant domains under a single TLD behave the same?
  - Comment: The SubPro recommendation focused only on variant TLD labels. For completeness we included the question in this charter.
  - Clarification: SubPro recommendations on the IDN topic were adopted by the Board as part of the package of SubPro recommendations approved at ICANN76.
  - The suggested 1 meeting will be used as a starting point.
- Slide 18 -- C5 -- Question Interpretation: How to harmonize IDN tables to ensure the ones under a gTLD are mutually coherent?
  - The suggested 2 meetings will be used as a starting point.
- Slide 19 -- C6 -- Question Interpretation: Should IDN tables use the LGR format, as specified in RFC 7940, for both existing gTLDs and future gTLDs?
  - The suggested 2 meetings will be used as a starting point.
- Slide 20 -- D4 -- Question Interpretation: Should the variant domains from a variant label set have the same behavior throughout the domain name lifecycle?
  - SubPro already has a recommendation that variant labels do not need to behave the same, and this has been approved by the Board (see SubPro recommendation 25.8).
  - EPDP Team members suggested reserving 4 meetings for this topic rather than the proposed 3 meetings.
  - Comment: This might even require a standard change with respect to EPP. This may require an exchange with TechOps.
- Slide 21 -- D5 -- Question Interpretation: Should each variant domain incur fees paid to ICANN by its registry and registrar?
  - The EPDP Team will take into consideration Preliminary Recommendation 7.6 from Phase 1.
  - Comment: It's better to frame this in terms of billable transactions, not domain names. The math behind fees for registries is more complex than 18 cents.
  - One part is reporting and the other part is related to fee accrual. There may be a second part to this question as well that needs to be identified.
  - Given that additional data may be needed, the group will allocate 2 meetings rather than the 1 meeting originally suggested.
- Slide 22 -- D6 -- Question Interpretation: Whether and how should the Transfer Policy be updated for variant domains?
  - Note: RPs Phase 2 work is being deferred for 18 months.
  - The suggested 2 meetings will be used as a starting point.
- Slide 23 -- D6a -- Question Interpretation: Should the variant domains from a variant label set be transferred to the same entity as a remedy of UDRP?
  - From one perspective, UDRP providers should weigh in on any precedents. From another perspective UDRP must follow the same rules as for normal Transfers.
  - The suggested 1 meeting will be updated to 2 meetings.
- Slide 24 -- D7 -- Question Interpretation: Whether and how should suspension related procedures be updated for variant domains?
  - From one perspective, due to the differences between Primary and non-Primary labels, 2 meetings is ok.
  - The suggested 2 meetings will be used as a starting point.
- Slide 25 -- D7a -- Question Interpretation: Should all of the variant domains from a variant label set be suspended as a remedy of URS?
  - Suggestion to address all URS questions together and all UDRP questions together. It might be possible to reduce the overall number of calls for related charter questions.
  - The suggested 2 meetings might be reduced if efficiencies can be realized.

- Slide 26 – D8 -- What the question is asking: What data should be recorded in the IANA WHOIS and Registry WHOIS with regard to variant domains from a variant label set?
  - When someone searches in WHOIS, should additional information about the variants be available? This was discussed in the Internationalization of Registration Data group. The background from that group might be appropriate to pull into this discussion.
  - Comment: IANA could have bootstrap XML file to provide the variants.
  - Question: Do we also need to consider the registrar WHOIS?
  - The suggested 3 meetings will be used as a starting point.
- Slide 27 – F1 -- What the question is asking: Should variant labels of a registered mark also be recorded in the TMCH? 2. Are variant labels of a registered mark eligible to receive Sunrise and Trademark Claims services?
  - Comment: It would be helpful to have someone from Deloitte and other relevant parties provide input.
  - Response: ICANN org's research function reached out to these entities as part of their previous work. This may sufficiently meet the need.
  - The suggested 2 meetings will be used as a starting point.
- Slide 28 – F2 -- What the question is asking: RPM catch-all question
  - The suggested 1 meeting will be used as a starting point.
- Slide 29 – G1 -- What the question is asking: Since IDN Implementation Guidelines have contractual implications for registries and registrars, what is the proper mechanism for updating them in the future?
  - It was noted that this may require connecting with IDN ccPDP, as the Guidelines also apply to ccTLDs. ccTLDs are required to make a commitment to abide by the Guidelines.
  - The suggested 4 meetings will be used as a starting point.
- Slide 30 – G1a -- What the question is asking: Should a separate legal mechanism, other than the IDN Implementation Guidelines, be created to enforce IDN related contractual obligations for registries and registrars?
  - Likely requires coordination with ccPDP 4.
  - The suggested 2 meetings will be used as a starting point.
- Additional time will need to be allocated to review early input from ICANN org, for the first reading and second reading to review draft text, as well as time to develop the Phase 2 Initial Report.
- Leadership suggested that it might be helpful to move to two meetings a week, with a first, shorter meeting devoted to context and setup and the second meeting devoted to discussion.
- The group may also want to think about rotating the times of the meetings to accommodate participants in different time zones.

**Action Item 2:** Update the time allocated for specific charter questions as follows: D4 - allocate 4 meetings (previously 3); D5 - allocate 2 meetings (previously 1); D6a - allocate 2 meetings (previously 1).