

1           **November 15, 2000; 06:54:00 on RealVideo**

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3           HANSEN: Neulevel is pleased to announce that we have  
4           decided to join Sarnoff Inc. in the application for new  
5           TLDs and I would like to introduce Suman.

6

7           DYSON: Great. Fantastic. It was very nice of you to be  
8           together on the list

9

10          SUMAN: Could you please open our presentation please?

11                 My name is Shailendra Suman, Executive Director of  
12                 Sarnoff Corporation. This is an historic moment for us.  
13                 We are pleased to announce that Neulevel, which is a  
14                 partnership from Melbourne IT, based in Australia, and the  
15                 Washington DC firm, together with Sarnoff Corporation for a  
16                 people-centric domain name.

17                 Definitely we are not hung up on the question of a  
18                 one-letter domain name -- that was a marketing purpose for  
19                 the branding. But, what we are proposing is a people-  
20                 centric domain name which is three letters. We can call it  
21                 dot triple i, or dot i d i, or dot per.

22

23                 [INTERRUPTION BY BERKMAN CENTER STAFF TO FIX POWERPOINT  
24                 PRESENTATION]

25

1 SUMAN: May I have more time please?

2

3 DYSON: But the clock should have started at three.

4

5 [VOICES]

6

7 DYSON: No, no, it starts at three. We are really short of  
8 time. Just start it at three now, thank you.

9

10 SUMAN: This is a TLD for people, expanding and enhancing  
11 the utility of the DNS system. This is one of the best  
12 proposals because you are bringing the best team together  
13 in the technical plan, also in the protection of trademark  
14 and intellectual property. It's the most visionary business  
15 plan. The best team. And what it does is ensure equitable  
16 and cheap access to the DNS, including the provision of  
17 free domain names.

18 If you look at the technical aspects of it, Ken has  
19 described in his earlier presentation their experience in  
20 registry operations, in security and scalability. And  
21 ICANN Staff has said this about our proposal: in a  
22 technical way, "this is a model for a registry," so you can  
23 see our experience in building a technical plan for a  
24 system like a registry. It is highly reliable. And what  
25 we are proposing, our projections say that in the next four

1 years, we could have seventy-five million users. And we  
2 are proposing that thirty million of those users will get  
3 free domain names.

4 We are providing a completely open system, which will  
5 increase competition and innovation. And internet service  
6 providers will be able to develop services on this  
7 platform.

8 We have Sarnoff's global reach. We have clients and  
9 customers in almost every part of the world. As proposed  
10 in our application, if required, we will create an  
11 international advisory group for this proposal.

12 Since we will be providing thirty million free domain  
13 names, what this will do is provide a widespread use for  
14 this personal TLD, both in undeveloped countries and  
15 developed countries.

16 If you look at the IPC ratings, of all of the four  
17 domain names in the personal category, we got the best  
18 rating because we have intellectual property protections;  
19 we have all the provisions to prevent cyber-squatting. And  
20 if you look at the whole of the DNS system, we are the only  
21 one proposing non-transferability. Because the whole DNS  
22 system has taken on its own life; it has become a  
23 commodity. We want to go back to the fundamentals of the  
24 DNS system.

1           Why do we think we can do it? Because we have done  
2 it several times. We are one of the best places in the  
3 country in technology innovation. If you look at our  
4 history, in the last sixty years - we are not some fly by  
5 night company formed last year in a dotcom boom. We've  
6 been here for a long time. And we have really changed the  
7 world with technology.

8           If you look at our real, core strength, it is mass-  
9 marketing - anywhere from color television to videotape  
10 recording to today's digital TV - we have our technology  
11 behind those commercial products.

12           We are a company that is proud to say that we are not  
13 just an innovator of technology, we commercialize it. In  
14 the last five years, we have developed over twenty  
15 companies and raised in excess of two hundred million  
16 dollars. And we are proposing that we are the best to do  
17 this job.

18  
19 [TIME ELAPSES]

20  
21 SUMAN: Thank you.

22  
23 DYSON: Thank you. Ken?  
24

1 FOCKLER: Somehow in all the enthusiasm, I failed to get  
2 what top-level domain you are asking for?

3  
4 SUMAN: I don't think... what we are proposing is triple i.  
5 That is our first choice. But, I don't think there is any  
6 technical reasons... makes any difference if it is triple i  
7 or dot per or dot nom... what we are proposing is dot  
8 triple i.

9  
10 FOCKLER: Dot triple i... not dot nom.

11  
12 DYSON: Vint?

13  
14 CERF: On the non-transferability, I could imagine a  
15 circumstance in which someone dies and the family members  
16 want to pick up the name or something. Is this an absolute  
17 constraint, or do you imagine that there is some set of  
18 circumstances in which some transferability would be  
19 permitted?

20  
21 FAUSETT: Bret Fausett, counsel to Sarnoff in this process.  
22 We envision that there will be a handful of reasons why you  
23 might want to transfer. Divorce. Marriage. Death.  
24 Things like that. But they will be discrete, and

1 ultimately the goal is to make these things not  
2 commodities, but we will have some limited areas.

3  
4 DYSON: Just briefly, what are you merging? What is the  
5 joint venture going to consist of?

6  
7 SUMAN: Yeah.. its a Sarnoff proposal under NextDNS, and  
8 Neulevel is providing their proposal behind our proposal.  
9 The idea is to take the best of what they are good in and  
10 create the best of the best proposal. But, it's the  
11 NextDNS proposal under Sarnoff.

12  
13 DYSON: So are they going to do the registry operations  
14 basically or what?

15  
16 SUMAN: NextDNS is the registry operator.

17  
18 HANSEN: The form of the relationship is that of a  
19 partnership.

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21 DYSON: Thank you. Well if you would all do that we would  
22 save a lot of time this afternoon.

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**November 16, 2000; RealVideo at 02:55:45**

TOUTON: The next category to be browsed for selections into the basket...

DYSON: [Addressing Audience] Excuse me, could you please be quiet? Thank you.

TOUTON: ...is the general purpose TLDs personal group, which has six, five entries listed here. I would point out, remind you that yesterday two of these entries, that is JVTeam and Sarnoff, joined their proposals. I believe a specification sheet of exactly how they were joined has been circulated to you.

**November 16, 2000; RealVideo at 02:57:20**

TOUTON: Are there any other entrants in this group?

CERF: First, a clarification. Since we had said that JVTeam was a strong player, we now have JVTeam and Sarnoff together. What.. does that do anything funny? Does that mean we have implicitly put JVTeam/Sarnoff group into the basket as a potential player or not?

1 TOUTON: Well, I think it is up to you to put them in. As I  
2 understand, the process that was discussed before, you put  
3 things into the basket and see if there are too many of the  
4 same color.

5  
6 DYSON: I would propose putting them in.

7  
8 CERF: I think they represent a strong proposal, especially  
9 in combination. So, I would recommend including them. And  
10 I have a couple of other suggestions as well, but we will  
11 wait and see when this one comes.

12  
13 TOUTON: Comments about JVTeam Sarnoff?

14  
15 FOCKLER: I would support it too. I am looking for perhaps  
16 even some competition in this area. I would just like to  
17 point out what we are talking about in that particular case  
18 is dot i i i.

19  
20 TOUTON: Yes. Any other comments about JVTeam Sarnoff? Ok.  
21 I sense a feeling that it should go into the basket.

22  
23 **November 16, 2000; RealVideo at 03:56:00**

24

1 KYONG: I am concerned with dot air. Airline, airplane is  
2 fine. Air is associated with all kinds of things.  
3 Something that you breathe right now is air. How can you  
4 just give out air, of all things, for airlines?

5

6 [Laughter from the Board]

7

8 CERF: We can have some other things like wind.

9

10 TOUTON: Are there any others who feel that way?

11

12 WILSON: Dot narrow air.

13

14 KYONG: Airline or airplane is fine.

15

16 TOUTON: You would like a different string?

17

18 KYONG: Air is too big for just airline...to my mind.

19

20 TOUTON: Any other comments about dot air or how to proceed?

21

22 CERF: Let me see... if it weren't dot air you wouldn't have  
23 the concern that you just expressed, is that right? In  
24 other words, the concern is not with the business

1 proposition or the technical viability, but rather just  
2 with that... that choice.

3

4 KYONG: You are right.

5

6 CERF: I don't...the problem is... SITA itself is Societe  
7 Internationale de Telecommunications Aeronautiques. Air is  
8 shorter.

9

10 [Laughter from Board and Audience]

11

12 TOUTON: Comments? Well, I am trying to figure out what to  
13 do with it. Does it go into the basket or not? Is there  
14 any guidance?

15

16 CERF: I am reluctant to not put it in the basket because it  
17 is a reasonable proposal except for the concern that's been  
18 expressed about the generic word. So, I am not sure what  
19 to say.

20

21 DYSON: If someone were to take dot air, I think they are a  
22 reasonable candidate for it. And what I like about it is,  
23 it is not dot travel. It is not claiming all of the travel  
24 business. It says we are the international air...

25

1 CERF: Industry. Air industry. And its everything... it is  
2 not just air travel, but shipping and so on.

3  
4 DYSON: Yes, but I mean it is air. It is not sea. It fits  
5 well. And it is specific.

6  
7 KRAAIJENBRINK: I would put it in the basket because it's a  
8 well prepared proposal for a closed sector, well defined by  
9 an organization which is the cooperative in the industry  
10 sector. So, on that basis as a really closed new top level  
11 domain, I would be able to carry that.

12  
13 KYONG: I will go along with that provided that the Staff is  
14 instructed to negotiate with them for somewhat more  
15 specific, more comfortable string than just dot air.

16  
17 TOUTON: Other comments?

18  
19 KRAAIJENBRINK: Although I feel that we are responsible for  
20 delegating strings, we could maybe think of a more generic  
21 like aero instead of air, which applies across more  
22 language borders and indicates exactly what is to be  
23 indicated, that it is for the whole of the airline  
24 industry.

25

1 TOUTON: Were there alternative strings on this one?  
2  
3 CERF: I think there were...  
4  
5 TOUTON: Aero was one of them?  
6  
7 DYSON: Aero is nice. More international than dot air.  
8  
9 VOICE: They have that: aero.  
10  
11 CERF: Is that spelled a-r-r-o-w?  
12  
13 [Laughter from the Board]  
14  
15 . . .  
16  
17 TOUTON: Would everyone be alright with putting this in the  
18 basket with a note that dot aero is preferred?  
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1           **November 16, 2000; RealVideo at 05:14:02**

2           [List now includes the seven final TLDs, plus Sarnoff's  
3           ".iii" and SRI's ".geo"]

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5           TOUTON: Following up on Mike's comment of a few moments  
6           ago, going down this list, which ones do people believe  
7           ought to be put into the final selection?

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9           CERF: I actually, as I look at that list, and the  
10          diversity, I don't want to take anything off of that list.  
11          I think it's a really interesting list.

12  
13          TOUTON: Esther?

14  
15          DYSON: I think it's more than interesting, it is broad and  
16          diverse. I have questions about one or two of them, but I  
17          think overall it does what we want to do. It's a good  
18          selection, a fairly broad, wide-ranging bunch of things.  
19          I'm still looking forward to rescuing Linda's list and  
20          seeing what that would add. It's still a, the big ones are  
21          pretty U.S.-centric, there's nothing that's other-centric,  
22          and frankly that was one of the appeals of dot P I D...

23  
24          TOUTON: Alright. I understand that on the list as a whole,  
25          there is a general comfort level. I think perhaps formally

1 we should go through each one and figure out if there is a  
2 basic consensus behind each one keeping in mind what the  
3 whole list is... and the desires of some of us to make sure  
4 there is diversity, geographically, of type. There isn't  
5 the same operator appearing too many times and those sorts  
6 of things.

7  
8 [Board reviews applications]

9  
10 **November 16, 2000; RealVideo at 05:18:54**

11  
12 TOUTON: The Sarnoff JVTeam Sarnoff personal name super  
13 joint venture. Everyone...

14  
15 CERF: It's OK.

16  
17 TOUTON: Everyone OK on that? Nod of heads please. OK.

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19  
20 **November 16, 2000; RealVideo at 05:29:40**

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22 ROBERTS: Going back to Hans's point about the delegation of  
23 strings, I would like to personally say that I find the  
24 triple i thing not acceptable as a string for the TLD  
25 space.

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WILSON: Talk some more, Mike...

ROBERTS: Yeah... it's essentially unpronounceable. It has no mnemonic value. It is confusing. It says nothing about what that might actually mean.

KRAAIJENBRINK: Can I try to solve it? I think if you try to pronounce it you get a very strange scream. eeeee.... But, noting that it is a joint venture between Sarnoff and JVTeam, and if I look into the list, JVTeam was dot per, P E R, so I think that we might take the liberty to assign the string dot P E R, dot per.

TOUTON: Alright. Let me just raise a point. That the alpha-3 string for the nation of Peru is dot P E R. The Governmental Advisory Committee at times in the past has expressed a concern about that situation. Andrew?

McLAUGHLIN: I was just going to raise that same point and just point out for whatever reason -- marketing surveys or their own conclusion -- they conclude that this is the string that will do the job for them.

VOICE: OK.

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DYSON: If we are going to make up the string, an English one that might work is dot self. The others I can think of are like dot I N D but that may be India or individual. But then we end up doing their job for them.

TOUTON: Any other comments on the string for the Sarnoff JVTeam?

CERF: Well, I'm not sure how we ended up on that one. If P E R is clearly a potential problem because of the nation of Peru, my reaction to your comments is not to feel too differently than you do, but on the other hand if that was the proposal and that was their choice, then perhaps we can just let them go with it and see what happens.

FOCKLER: Agreed.

MALE VOICE: Yeah, I could live with dot triple i.

ROBERTS: Well, I respect that. I mean my reaction would be to delete it from the list.

TOUTON: I am sorry. Your reaction would be to delete the entry from the list altogether?

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KRAAIJENBRINK: Well, if I may, I believe we have the shopping cart here with eight very viable proposals. A spread of TLD strings which cover diverse applications as we have evaluated them from the proposals. So, I would like to go and find my credit card and go to the cash register.

TOUTON: Vint and then Esther.

CERF: I am still interested in Linda's list too, so I would like to go back.

TOUTON: Esther...

DYSON: You raised the issue of per. I'm not...how serious is that? I mean there must be a lot of three letters that are going to be restricted this way.

TOUTON: Only approximately 240 sequences.

DYSON: Forgive me, but I can't remember. There were no other strings they listed beyond dot triple i and...

1           McLAUGHLIN: There were a number of strings they listed.  
2           They listed dot i. They also listed dot triple i and some  
3           others. They said dot i is our preference and here is a  
4           whole bunch of things that we could find acceptable. And  
5           then yesterday they said that triple i was their first  
6           choice, but I think by no means is it their only choice.

7  
8           TOUTON: Another string was i d i and there was a third one,  
9           I think.

10  
11          McLAUGHLIN: If the only problem here is the specific  
12          string, that seems like one that could fairly easily be  
13          resolved... maybe even with some back and forth.

14  
15          MURAI: It could cause a future conflict then.

16  
17          DYSON: No, no. If we find another one. Not per.

18  
19          McLAUGHLIN: Jun's point is that any 3-letter code that we  
20          assign could potentially cause a future conflict. Although  
21          the 3166 maintenance agency does attempt to use non-  
22          conflicting strings when they assign a three-letter string  
23          for new codes on the list. So, in a sense, it is a kind of  
24          iterative process.

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1 TOUTON: Alright. Moving to the question of Linda's list.  
2 We've got this down to eight. And how many are on your  
3 list, Linda?

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**November 16, 2000; RealVideo at 05:48:11**

TOUTON: I think that just to be fair to those on that list and on the other list, we probably as a matter of making a clear record should go through the eight with a show hands on each and be sure to have a consensus and it's not being misread. OK. The JV Team dot biz. How many people think that that should be in the final list? I get eleven...

VOICE: And one abstention.

SECOND VOICE: Ten.

TOUTON: OK, ten. The Affilias dot web application. How many think that should be in the final basket? Eight?

FOCKLER: I'm not voting against it; I'm just abstaining.

TOUTON: OK. Anybody? Abstain. Abstain. Abstain. OK.

McLAUGHLIN: I am sorry. These are straw votes.

TOUTON: These are straw votes, that's right. So, eight out of eleven here, is that right?

1 CERF: Could I ask...

2

3 TOUTON: I am sorry...

4

5 CERF: A point of information. Those people who abstained,  
6 were they abstaining because of the label or were they  
7 abstaining because of other concerns?

8

9 TOUTON: Were you abstaining because of the label dot web or  
10 abstaining for some other reason?

11

12 MALE VOICE: dot web, that's my reason.

13

14 FOCKLER: My reason too...

15

16 DYSON: I am abstaining for a bunch of reasons all of which  
17 make me feel that it's not a, it's not a compelling  
18 proposition in a situation where we're looking for  
19 compelling propositions. It includes the string, but it  
20 includes other issues.

21

22 CERF: I understand.

23

24 McLAUGHLIN: Do you want to try a straw vote with dot info  
25 or something like that?

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TOUTON: No, I...

VOICE: No.

[SEVERAL VOICES SPEAKING AT SAME TIME]

VOICE: It's a very sh..., but.

TOUTON: Global Name Registry. How many think that should be on the list? That's consensus also.

TOUTON: Sarnoff, JV Team dot i i i. How many think that ought to be on the list? Six is all I get on that? Is that right?

DYSON: Would it be different if the string changes?

WILSON: [Nods yes]

MALE VOICE: Yes

TOUTON: Do people feel that having only six justifies changing the string?

1 VOICE: [Inaudible.]

2

3 TOUTON: Let's note that and go on.

4

5 FOCKLER: OK.

6

7 TOUTON: Registry Pro for dot pro. How many think that  
8 ought to be on the list? Clear consensus. Dot museum.  
9 How many think that ought to be on the list? Clear  
10 consensus. Dot aero. How many think that ought to be in  
11 the list? Clear consensus. Dot co-op. How many think that  
12 ought to be in the list? One not, two not  
13 supporting...right? But consensus, I think.

14

15 TOUTON: OK. Going back to Sarnoff/JVTeam i i i, where I  
16 think we had only six favoring, as it currently stands.  
17 Question was... is... would changing the string change that  
18 result? Anybody have any views? We are talking about  
19 Sarnoff/JVTeam's dot i i i proposal. It only got 6 votes  
20 in the straw poll. Let me ask those who did not vote for  
21 it, would that change your...? Linda. Would a different  
22 string change your mind?

23

1 WILSON: Yes, yes, yes. With a different string I would  
2 vote for it. I can make a suggestion for a string, but I  
3 don't think that's our job.

4  
5 CERF: Well, ultimately it is our job to finally approve a  
6 string. We do have that respons...

7  
8 WILSON: I'm supposing dot P E R S. It gets you out of the...

9  
10 CERF: No, we are not doing that now, we are doing Sarnoff...

11  
12 TOUTON: What she is saying is that...

13  
14 CERF: Oh, she is talking about the other case. OK.

15  
16 TOUTON: One way to handle this would be to say that they  
17 get one string and to require approval before execution of  
18 any agreement and then leave it for a matter for  
19 negotiation, expressing concern that that's not an  
20 appropriate string. Does that approach seem suitable to  
21 the Board?

22  
23 WILSON: As long as it comes back to the Board for approval,  
24 I don't think it is a problem.

25

1 TOUTON: Yes, Ken?

2

3 FOCKLER: Is it possible to see because in their application  
4 they did state other strings so that we don't have to be  
5 seen to be making them up, but there might be something  
6 else there. Andrew mentioned some, but I'm sure in the  
7 application, that I don't have, and it wasn't listed in the  
8 book, but in the actual application...

9

10 VOICE: I am looking...

11

12 KRAAIJENBRINK: We might provisionally approve triple i,  
13 but in such negotiations with Sarnoff/JVTeam ask for a more  
14 appropriate string which is brought back to the Board for  
15 approval. I think that carries full support in the....

16

17 VOICE: I agree.

18

19 TOUTON: Give me just a moment to have the team find...

20

21 DYSON: It's here. It's here.

22

23 FOCKLER: Maybe I am wrong...

24

1 TOUTON: This was a, this was a...There was a little bit of  
2 difficulty there because on item E2 which was where they  
3 were supposed to list the string, they only listed i. But,  
4 in the text of their proposal, they listed others.

5  
6 FOCKLER: "The adoption of alternate TLD strings such as dot  
7 i d i, i i i, or one, or some other string to be decided,  
8 will be considered although such string would be less  
9 distinctive."

10  
11 DYSON: Dot one is available.

12  
13 KRAAIJENBRINK: I am afraid we are entering a strange  
14 procedure here.

15  
16 ROBERTS: I thought I might explain that I had a sort of  
17 generic objection here. We were specifically asked in view  
18 of the several ccTLDs that are already exploring this space  
19 not to do this at all. And I didn't think that was  
20 controlling. But I must say that I feel that we don't,  
21 aren't particularly under any obligation to do more than  
22 one to deal with the proof of concept at the worldwide TLD  
23 level.

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25 TOUTON: Let me ask Joe, Joe Sims to make a few remarks.

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SIMS: Just in the nature of general advice, what we have here is an application which has changed dramatically since the time it was made with this combination. The string is a string which is not acceptable, apparently, to a number of the members of the Board. They did not actually request additional strings and if you read the language in the application, it says they would consider additional strings. This is a series of reasons why at this particular time and this proof of concept stage, the Board might consider that this should be postponed to a later date.

TOUTON: Any reactions to that from the Board members?

WILSON: Sounds wise.

FOCKLER: Having heard that, could we have one more show of hands on triple i?

TOUTON: OK, Let's....do people support the triple i proposal being in the basket?

[two board members raise hands]

1 MALE VOICE: It went down, but it got noted.

2

3 TOUTON: OK. I think it should be taken out of the basket  
4 then, is my understanding? OK. Please take it out of the  
5 basket. We now have seven.

6

7 DYSON: Wait. Can we hear why they changed their minds? I  
8 thought this was a....

9

10 CERF: No, no. It was the combining of two proposals  
11 together in the last minute...to create a joint.

12

13 DYSON: Yeah, no, I know. No, no, not why they changed  
14 their mind, why we changed our mind.

15

16 CERF: I will be happy to answer that. i i i does not...I'm  
17 like Mike. It doesn't ring beautifully on my brain. So, I  
18 would love to find something else. But, I would rather  
19 that the applicant find it rather than we make it up for  
20 them.

21

22 DYSON: Yeah. But, if we do that... As I understood, the  
23 proposal was to go back to them and have them in  
24 negotiation with us to come up with a new string, where it

1 is their string. But, we instruct the Staff to go forward  
2 with the proposal to amend it to suit us.

3  
4 CERF: Well, as I understood Joe Sims' observation. Since  
5 the proposal is no longer what either of them were, it is a  
6 combined thing which has not been submitted to us as a  
7 combined proposal. It has simply been orally conveyed to  
8 us that they are jointly willing to work together. I  
9 understood Joe's comment to be a caution that we haven't  
10 actually seen a proposal of the joint group. We have only  
11 seen two different proposals and an oral commitment to work  
12 together. Is that a fair....

13  
14 SIMS: Yes, let me just add one point just to, just to make  
15 sure there is no confusion here. The applicants have said  
16 that they have left their individual applications in  
17 the...pending...so that there are two separate applications  
18 here. They have joined themselves together in the terms of  
19 a... of a... to let you know that they have joined together  
20 for technical purposes. So, I don't want there to be  
21 confusion on this. My point was that when we are trying to  
22 find a relatively limited number of very attractive  
23 applications to the extent there are significant questions  
24 or uncertainties about a particular application, that is a

1 factor that the Board could, and in my view should, take  
2 into account in deciding whether to proceed.

3  
4 TOUTON: Let me just make clear. There was a one-page sheet  
5 that was given to us yesterday... I don't recall whether it  
6 was distributed to the Board... describing in obviously  
7 very general terms how they would combine these two very  
8 extensive proposals. Vint.

9  
10 CERF: In that case, I would like to argue in favor of  
11 keeping them on the list, but having them in negotiation  
12 that produces a string that we approve.

13  
14 [The audience claps]

15  
16 TOUTON: Please... please no audience reaction. Again, you  
17 are here to observe, not to participate. OK.

18  
19 KRAAIJENBRINK: Do we need a third vote?

20  
21 TOUTON: Ok, let's do another straw...

22  
23 KRAAIJENBRINK: I'm asking because we made another vote on  
24 the proposal and that vote was only two for. The first

1 vote was only six for out of the eleven or twelve. So, I  
2 know that in America the recounting is a.....

3  
4 [Laughter from Board and Audience]

5  
6 TOUTON: Alright. In a moment, I will have another straw  
7 poll. Is there any more commentary about it though first?

8  
9 CERF: I feel a need to respond to Hans' observation. That  
10 is, we did not vote on the proposal I just put on the table  
11 specifically, which is to remand the string decision to  
12 negotiation and I think we should vote on this.

13  
14 KRAAIJENBRINK: I believe we should vote on every proposal  
15 in a formal way, maybe, if necessary. It was straw poll.  
16 But going from straw poll to straw poll..... If you need a  
17 third straw poll, then do it.

18  
19 CERF: We can remand this to the State of Florida at some  
20 point.

21  
22 TOUTON: I would like to avoid having more than three straw  
23 polls. Are there any other comments that anybody wants to  
24 make about this....it's not up there right now....Sarnoff  
25 JVTeam proposal. Thank you, Ben. OK. There being no

1           comments, let me do a straw poll. First... I think the  
2           first straw poll established... well, I am not sure what  
3           it established. Which Board members believe that Sarnoff  
4           JVTeam proposal should be on the list with a requirement  
5           that the dot i i i string be changed to another string to  
6           be negotiated and then approved by the Board? Is that the  
7           right straw poll, first of all?

8  
9           CERF: Yes.

10  
11          TOUTON: Which think that? One, two. Oh wait, there is a  
12          point of clarification

13  
14          FOCKLER: Does that in any way impact any other decision  
15          that we have made today? I don't think so for any of the  
16          other applications...

17  
18          TOUTON: Andrew, you have some sage advice.

19  
20          McLAUGHLIN: Jun will clobber me for saying this. The only  
21          one that I suppose that affects is that dot geo was taken  
22          out in part, I think, because it was the third  
23          instantiation of a registry by the same people. So, just  
24          so that the record is clear, that was one of the factors  
25          you talked about when taking out dot geo.

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FOCKLER: Was it focused just on the string?

McLAUGHLIN: No. No.

TOUTON: Ken was asking a broader question. Now, let's take the straw poll. Straw poll is -- should Sarnoff/JVTeam be put on the list with the understanding dot i i i is not acceptable, that a new string will be negotiated and will be approved only when approved by the Board? OK, another question.

WILSON: My question is under our procedures, is taking that step well within our... I am asking whether given the announced procedures, is taking this step well within...an acceptable range? Could we have some advice about that?

[Pause]

SIMS: I don't think it would be correct to give you a definitive yes or no answer on that, for which I apologize. But I think it would be fair to say that in the context of this entire process, to undertake a negotiation of this type with one of the applicants would raise some potential for claims of unfairness or discriminatory treatment. Now,

1 I'm not prepared to say that those claims could not be  
2 dealt with effectively if they were raised, but I also  
3 think that it would raise the potential for that sort of  
4 claim to be made.

5  
6 TOUTON: Let me just amplify on that. I do think that's  
7 right and I think that actually involves not only the  
8 string but also the joinder of the two applications. Other  
9 applicants may complain that they weren't permitted to  
10 change their application in a substantial way after  
11 submitting it. Alright. Let's do the poll I was doing on  
12 Sarnoff JVTeam as to whether people thought that that  
13 proposal ought to be on the list with the understanding  
14 that dot i i i would not be the string but that it would be  
15 negotiated, subject to final approval by the Board. How  
16 many feel that way?

17  
18 [No votes] [Laughter from the Board]

19  
20 CERF: It's all in how you ask the question, isn't it?

21  
22 TOUTON: We should offer our services to the West Palm  
23 Beach....

24  
25 DYSON: Can I ask for a different ballot?

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TOUTON: Alright. Please take that one off the list.

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**November 16, 2000; 06:08 on RealVideo**

TOUTON: Just to make sure on the breadth of our consensus here, Joe would like to address us.

SIMS: I would like to make absolutely certain that the record is clear and that the Board members are clear, and, with respect to the one that is on this list on which there has been some significant discussion back and forth, and a little bit of potential confusion, let's just make sure there is absolutely no confusion. With respect to Afilias, the string that is before the board is dot web, and not dot info or dot site or any of the other applications. So, when you are asked whether you approve the instruction or resolution which orders the staff to negotiate this with Afilias, let there be no confusion that this is with respect to dot web and not one of the other strings. If anyone has concerns or is confused about that, let's make sure we get that on the table before we go forward.

DYSON: I have concerns, but I am not confused.

SIMS: That's fine.

1 ROBEERTS: While Louie is doing that, did that cover the  
2 responses for that question? Thank you.

3  
4 FOCKLER: I think that I was confused. I agree that the  
5 discussion was about dot web, but Linda had tabled the  
6 alternate, and given the kind of polling we just went  
7 through, it suggests we didn't do the same thing with  
8 respect to that. As to which one were we considering,  
9 either which one was right or which one we were considering  
10 at the time. I thought... on the Afilias.

11  
12 ROBERTS: My recollection of the sequence of events was that  
13 the discussion this morning to get it into the basket was  
14 centered on dot web, but that was not an exclusive  
15 discussion. Subsequently, we aggressively narrowed this  
16 and so now you are being asked by counsel to verify that  
17 you are supporting this with that restriction. Vint?

18  
19 CERF: I continue to harbor some concern and discomfort with  
20 assigning dot web to Afilias, notwithstanding the market  
21 analysis that they did, which I internally understand and  
22 appreciate. I would be personally a lot more comfortable if  
23 we were to select a different string for them and to  
24 reserve dot web.

25

1 ROBERTAS: Other comments?

2

3 KRAAIJENBRINK: Well, I would not. I believe that we have  
4 discussed them considerably. The Afilias on .web. And, from  
5 their proposal, and from the discussions, I believe that we  
6 should award dot web knowing that IOD has been in operation  
7 as an alternative root with dot web for some time. But I am  
8 reminded, and I fully support what Frank Fitzsimmons said a  
9 few minutes ago that taking account of alternatives should  
10 open an unwanted root to pre-registration of domain names  
11 and domains. So I am fully aware of what I am doing in  
12 voting in support for Afilias dot web.

13

14 FOCKLER: I appreciate that and the process that I was  
15 thinking though was that, what I am going to be asked to  
16 vote for eventually is the whole package, and if we arrive  
17 at that through process, I would be very comfortable to do  
18 that. We may or may not, but I have a feeling this group  
19 might, through its show of hands, decide that web is what  
20 we're talking about. I just want to do that. Just want to  
21 have that step.

22

23 ROBERTS: Perhaps we should see if there is support for  
24 changing the string restriction by a show of hands.

25

1 SIMS: Let's just make it easier. Why don't we do just what  
2 Ken has suggested and do a straw a poll on including...  
3 continuing to include Afiliias with the dot web string on  
4 this list.

5  
6 COHEN: Joe, can I ask you a question for a minute, because  
7 you're being too subtle for me. What are the consequences  
8 of this?

9  
10 SIMS: I don't... I am really not trying to balance legal risk  
11 here. I am just trying to make sure that the Board is clear  
12 and there is consensus on this point, because I do think it  
13 is important that when the Board makes its final decision,  
14 that it, in fact, is a consensus decision. Yes, sir?

15  
16 CERF: Just a suggestion Joe, I would invert the proposed  
17 straw pole. What I would like to know is whether the board  
18 would show any support at all for the alternative which  
19 would be to award dot info to Afiliias and to reserve dot  
20 web. If there's no support for that, then obviously we have  
21 the alternative, but it is that particular aspect that I  
22 have some discomfort with.

23  
24 TOUTON: Linda.  
25

1 WILSON: When Andrew brought us back into some of the  
2 reasoning of Afiliias, as I recollected, it was that they  
3 felt that the strongest way to provide real competition in  
4 this space was with a dot web. I think we have to go back  
5 to what is it we are really trying to achieve in this  
6 round, and part of what we are really trying to achieve is  
7 some real difference in the domain name space and whatever  
8 goes in, we have a great sense that it will succeed. That  
9 tipped me in terms of some other reservations I had about  
10 Afiliias, and so it made me come out with a willingness not  
11 to insist on setting or try to insist on setting aside web  
12 because I felt that it had been a realistic approach to  
13 choosing a string. That there isn't any prior claim on it,  
14 in terms of its not being available, and it allowed the  
15 organization to put forward its best proposal.

16  
17 SIMS: If I might, let's... I think the simplest way to make  
18 the record clear here is this: Afiliias with the dot web  
19 string is currently on the list. Let me ask, how many of  
20 the Directors would want to take that off the list?  
21 Afiliias dot web. We can talk then about Afiliias dot site  
22 and Afiliias dot info, but if the board is in favor of  
23 continuing the status quo, we can do it the positive way.  
24 How many would favor leaving it on the list. Let's do it  
25 the nice, positive way. Leaving it on the list, with dot

1 web, as it is. How many would be in favor of that? How  
2 many do we have?

3  
4 [Six show of hands]

5  
6 SIMS: How many are not in favor of leaving it in... Are the  
7 others abstaining or voting against it?

8  
9 MALE VOICE: You didn't ask.

10  
11 DYSON: We are waiting to have Vint's question asked.

12  
13 SIMS: OK.

14  
15 CERF: Well... the way you are constructing the question, the  
16 next question is how many are opposed to having Afiliias on  
17 the list with dot web. I would like to hear that question.

18  
19 SIMS: How many are opposed to having Afiliias on the list  
20 with dot web. I see three hands... OK, so we have six in  
21 favor, three against and the rest abstaining. So the Board  
22 must use it own judgment then to decide whether that is the  
23 consensus.

24

1 CERF: Actually, if you are willing to have the vote on the  
2 other motion, which is to award dot info to Afilias, if  
3 that doesn't carry at all then, we might...

4  
5 SIMS: Well, we can certainly take a straw pole.

6  
7 CERF: That's what I would like you to do.

8  
9 SIMS: Let's take a straw pole on how many of the Directors  
10 would be willing to award dot info, I take it is the one  
11 you want, to Afilias, instead of dot web. Can we have a  
12 show of hands on that? One, two, three, four, five, six,  
13 seven? Is that correct?

14  
15 MALE VOICE: Count me as eight.

16  
17 SIMS: Eight. How many are opposed, would be opposed to  
18 that? Two. In my uneducated eyes, that appears to be more  
19 of a consensus.

20  
21 [Applause from audience]

22  
23 CERF: My recommendation on the basis of that straw vote is  
24 that Afilias should appear on the list as dot info and not  
25 dot web.

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WILSON: Say that again, Vint.

CERF: I said that my interpretation of this is that Afilias should appear on the list under the name dot info and not dot web. That would be my interpretation of what we just did.

SIMS: Well, should we... Just to button this up, can we take one final straw pole on that question. Should Afilias be on the list...I am sorry... Helmut?

SCHINK: Are we going to do this procedure for all the other applicants?

SIMS: No, because this is the one on which there has been lack... some not as clear consensus. Everything else there has been very clear consensus. This one there wasn't as clear consensus. So I think we want to try to get to consensus, if possible. So let me put the question again. How many directors would favor leaving Afilias on the list with dot info as a string instead of dot web. Can I have a show of hands there? One, two, three, four, five, six, seven, eight, nine. I think that is a consensus of the Board. Yes, sir?

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FOCKLER: I hesitate, but just for clarification, going over my notes when I read the application, I thought they asked for, they suggested site was their second choice to info, and I am not sure that the letter that you just read changed that.

TOUTON: We better check the records. I was under the impression that it was info.

CERF: While we're waiting, can we have a recount?

[Laughter]

FOCKLER: It's in the TLD policies section of their application.

TOUTON: Let me ask a question of clarification to you Vint. In some of your comments you spoke of reserving dot web. Did you in fact mean to reserve it for any particular purpose or simply not to assign it?

CERF: No, to withhold assigning in this round, that's all.

TOUTON: OK.

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McLAUGHLIN: I am quoting from their application right now.  
This is section E2, the second paragraph ..third paragraph  
in the section says "additionally, Afiliias is proposing to  
introduce dot info as a second alternative followed by dot  
site."

FOCKLER: Great. Thank you. I stand corrected.

**End: 06:22on RealVideo**

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