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BEIJING – New gTLD Program Status Update

Monday, April 08, 2013 – 13:15 to 14:45

ICANN – Beijing, People’s Republic of China

Ladies and gentlemen, please take your seats. This session is about to start.

Ladies and gentlemen, please welcome ICANN VP of gTLD operations Christine Willett.

[ Applause ]

CHRISTINE WILLETT:

Good afternoon. Thank you so much for coming to this session. This is actually my first ICANN -- full ICANN meeting and first presentation at an ICANN meeting, so I'm so happy to be here talking to you about the new gTLD program and the accomplishments that the program has made in the last six months since the Toronto meeting as well as what is coming up in the future as we look ahead on the horizon for the gTLD program.

I'm going to talk for about 45 minutes covering a variety of topics, talk about what's happened in the last six months, what the timeline for the program is as we look ahead. I'll also certainly cover application processing, initial evaluation, the objections and dispute resolution, all of the work that is ongoing for the team. Then I'll be discussing operational readiness for the new gTLD program as we look to launching new gTLDs. I'll also be covering rights protection mechanisms like the trademark clearinghouse, URS, and then we'll cover operational

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support mechanisms, including EBERO, data escrow, and SLA monitoring. And then I'm going to give you a little insight into some of the operational strategy and work that my team and I have done to put in place, process team and technology to execute the new gTLD program.

Since Toronto we've covered a lot of ground. We've hit some major milestones for the new gTLD program, we started by issuing clarifying questions, we had that prioritization draw that kept a few of us busy in December. We have published the string similarity results and contention sets. And most recently we have begun to release initial evaluation results. And you've seen that on a weekly basis. So a lot has happened. We've covered a lot of ground, and I hope that you all see that the program is making steady and consistent progress as we move forward operationally.

I'd like to share with you a timeline for the program. There should be not a lot new here. CQs, starting with CQs at the first bar. That's our acronym for clarifying questions. We are looking to continue issuing clarifying questions through May. With IE results being published for all applications by the end of August 2013. Two weeks ago on March 26th the trademark clearinghouse validation system, verification system was launched by Deloitte and that system is up and running and is ongoingly available. We're here gathered at the Beijing meeting and we're anticipating GAC advice on applications here at the meeting or shortly thereafter. On April 12th we are looking to announce -- publish the full set of dispute announcements for objections. That will occur on April 12th. Later this month, possibly April 23rd, after the registry agreement

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is verified and approved by the ICANN board, we will begin the contracting with those applicants that have passed initial testing.

Predelegation testing is on the slate to begin as you see here April 29th. Once we have applicants who have gone through the contracting process, we'll be looking at beginning predelegation testing with them. And then you see a variety of additional times -- milestones here. Our sunrise and claims system for the trademark clearinghouse going live by end of June, beginning of July of this year. We have the URS and EBERO systems anticipated to be operational in July and August, and then the string contention procedures, the resolution procedures, community priority evaluation and auctions beginning as early as September. And we anticipate extended evaluation beginning in October. So this gives you a preview of the overall timeline for the program. I'll go into more detail in many of these areas throughout the presentation.

So initial evaluation results. To date we have released results for 100 -- out of the first 108 applications, 93 initial evaluation results passing. We started with 1930 applications. To date 39 of those applications have been withdrawn, leaving us with 1891 active applications. One string failed the string similarity review, and two strings we announced failed the applicant support review. We are continuing to release IU results on a weekly basis. This coming Friday we're looking to release results for the next 50 applications, so up to application priority number 150. Then the following week to 200, et cetera. Ramping to 100 initial evaluation results per week by end of May, beginning of June.

I'll mention that just to note we have not released results for all of the first 108 applications. As I mentioned, we released results on 93 of

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those and that is in part to a variety of reasons. Some of those applications have change requests pending, some of those had late issued CQs, clarifying questions from the evaluation panels, others are in -- still in review by the panels for missing information. So there are various reasons why those results are being withheld. We do anticipate those results being released for those applications in the coming weeks.

This next slide is a slide that those of you who participate in the webinars have seen. It shows the progress and status of the initial evaluations as we have seen them month-to-month. You can see we still have some applications that are in that preliminary evaluation stage by the panels. They haven't had their clarifying questions issued. Others that are pending their clarifying question responses, and others in the post-evaluation step after clarifying questions. For month-to-month, though, you have seen that these statistics move from left to right and you'll see that the last column with the initial evaluation results published will increase on a week-to-week basis.

I'd like to talk a little bit about the initial evaluation process. It's been ongoing for nine months now, and it -- it bears a little discussion. The evaluation is being -- evaluations are being performed manually by multiple firms, multiple expert panels are using their expert judgment to evaluate the applications based on the criteria set forth in the Applicant Guidebook. As much as possible, we have attempted to allocate or have the evaluation firms evaluate as many applications from a portfolio applicant as possible. That is for consistency purposes, but in some cases that has not occurred. So there are many applicants, in fact, who have had their applications evaluated for the same criteria. The financial panel could have been evaluated by one of -- or each of the

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three firms doing the financial panel evaluations. These firms are using their expert judgment based on what is in the AGB as well as the supplemental notes which we've published and the applicant advisories. Some of that expert judgment does vary from firm to firm. They -- we are not dictating their evaluation. What this means is that there can be differences in scores from question to question, from application to application. However, we are focused on ensuring consistency from an initial evaluation standpoint on the pass or recommended for extended evaluation criteria. So that is our -- we have a CQ process -- sorry, a quality control, QC process, in place to ensure that those results are consistent across firms.

In terms of publishing and publication of initial evaluation results, it's a multi-step process. It begins with a panel's -- this diagram is intended to depict the process from bottom to top. The steps in blue are the tasks and activities performed by our evaluation panels. The items in green are the tasks performed by the ICANN new gTLD team. So the panels perform their initial review of an application. They then have a process by which they can issue clarifying questions to the applicants. The responses from applicants go directly back to those evaluation panels for review, and those panels then deliver their results from initial evaluation to ICANN.

The ICANN team then synthesizes these results from multiple panels, across all panels, (indiscernible) TAC, registry services, DNS, et cetera. We collate and synthesize these results. As we review the results, we perform outreach to the applicants. And I'll go into outreach in a minute. But if additional information -- if there's missing information in the application, we have a step to reach out to the applicants to allow

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them to provide that missing information. The information provided by applicants goes back to the evaluation panels, it's evaluated by the panels so that the panels can then deliver the final initial evaluation results to the ICANN team. From there we publish those results, again we synthesize them and we format that into the initial evaluation report which you may have seen out on the new gTLD microsite. The reports for those applications for which we've published results are available for download. There's a public version of the reports which is available to -- to anyone.

You see that there's a line between the delivery of the preliminary results to ICANN and our processing of those results. That milestone really marks a critical point, a critical process point for our team. We've noted that applicants are submitting quite a significant number of change requests after they receive their clarifying questions or during the outreach process. But what we are -- I want to clarify to everyone here, that change requests received after we receive the results, the preliminary results, from the evaluation panels will be addressed in one of two ways. Either it will be addressed at contracting, if the evaluation -- if the application has passed initial evaluation and moves on to contracting. Or it will be assessed in extended evaluation, if the application is recommended for extended evaluation. The intent here is that clarifying questions and the outreach process are intended to offer the applicants an opportunity to amend their applications but that the subsequent change requests, we are going to need to handle differently. So this is the line and point at which those change requests will be handled differently.

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Outreach. We've had a few questions about the outreach process, so I wanted to address it today. Outreach is really an opportunity for applicants to provide information that is missing from their application. As I said, the ICANN team collects and collates the results from each of the initial evaluation panels. Outreach is not an opportunity for a change request, it's not an opportunity for an applicant to amend other parts of their application. It's simply an opportunity for an applicant to provide this missing information. And it's -- we're viewing it as an administrative process. Missing information is something that might have been omitted through an oversight or an administrative error. So we're looking to not penalize applicants and pushing them to extended evaluation if this material could be readily available. Again, on the presumption that this is an administrative or clerical oversight, we are giving applicants a week to respond to these requests. After a week we will not be going back to the applicants, asking for the outreach materials again. We will simply be finalizing the results for that application and subsequently publishing those results. I'm sure that we'll have more questions about that process later.

After initial evaluation what happens to applications? Well, we are on the cusp of that right here this week. We are anticipating GAC advice to be coming this week. Applications that have passed initial evaluation, do not have objections, are not in string contention, and which do not receive GAC advice or objections will be able to proceed to contracting. After contracting those applicants will be able to begin their predelegation testing.

GAC advice is provided by the Governmental Advisory Committee directly to the ICANN board. It is not necessarily consensus advice but it

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is GAC advice on any single application or group of applications. Generally speaking the GAC creates a strong presumption, a GAC advice creates the presumption that the application likely will not be approved. If the ICANN board does not act in accordance with this advice, it has to provide a rationale for doing so. GAC advice will be posted to the GAC register of advice and via the GAC Web site. We also will be tracking the GAC advice through the new gTLD system as well and will be available on the microsite.

Contracting. Well, that -- the team, as you know, has been working on an updated revised version of the registry agreement for the last two months now and we expect that those registry agreement modifications will be confirmed this week and that the ICANN board will approve those registry agreement modifications shortly thereafter. We could begin contracting with applicants as early as April 23rd. Applications, as I mentioned, that would be eligible for contracting are those which pass initial evaluation, do not have any pending objections or GAC advice, and are not in string contention. The contracting process is a multi-step process. We will be soliciting information and exchanging information with the applicants in -- throughout the contracting process, verifying and getting updated letters of credit from applicants, we will be sharing contact and signatory information, getting any cross-ownership declarations, et cetera. These are just a few of the steps that will be exchanged during the contracting process.

Applicants that -- which accept the standard or base registry agreement will be able to proceed more quickly on to subsequent steps, phases of the program, predelegation testing namely. Applicants which choose to



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negotiate, are looking for changes to the standard agreement, will go into a separate path and go down the path to negotiation.

Predelegation testing. So after an applicant and an application goes through the contracting process they'll be able to begin predelegation testing. We completed a predelegation testing pilot this past week. We demonstrated that the predelegation testing system does indeed work. We also had a lot of lessons learned from that pilot. A number of takeaways there, a few of which include the fact that we need to have a higher level of communication between the applicant and our predelegation testing vendor to clarify information, to share information, to make sure that we get complete information and are able to proceed with the testing. We also need to provide customer support. We need to have resources from the predelegation testing vendor available on an extended basis. Our intention currently is to ensure that we have at least three hours of coverage in all of the time zones, during regular business hours. Also it's been noted that we need to provide more detailed information on -- in terms of a user guide, in terms of documentation as to what is expected so that applicants can proceed through predelegation testing as smoothly and efficiently as possible. There is going to be new information published as a result of the predelegation testing pilot, new documentation about the testing parameters will be posted in the next two to three weeks out on this Web site, this link here provided. The new materials address a number of technical issues that were raised, so I also want to encourage anyone who is particularly interested in predelegation testing to attend the session on Wednesday morning, Wednesday morning on predelegation testing. Our vendor dot SE who is actually performing the predelegation

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testing for us as well as the new gTLD ICANN team will be there to discuss those issues around predelegation testing in detail. It's going to be very much a workshop type of discussion.

As we look ahead, so beyond the sort of immediate phase of work, getting through contracting and predelegation testing, for applicants who are not eligible for contracting just yet, there are a number of paths. Some of them may be proceeding to extended evaluation, other applications which have objections will begin dispute resolution, and yet others who are in string contention sets may proceed and elect one of the string contention resolution methods.

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Extended evaluation. As we are now anticipating that initial evaluation will be complete by the end of August of 2013, we are able to forecast a timeline, a better timeline for standard evaluation.

Once all initial evaluation is completed, ICANN will post a notification that initial evaluation is done. This will trigger a few things. There are a few items called out in the applicant guidebook that begin after the end of initial evaluation, one of which is that applicants have a 15-day window in which to elect to participate in extended evaluation. They have to opt in. So, once that announcement goes out that initial evaluation is complete, that 15-day window will begin.

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Once we understand just how many applicants have opted in to extended evaluation, we'll be able to plan for the panel's work activities. We have panels lined up. The financial panel vendors as well as the technical and operations panel vendors, registry services. Even the geographic names panel are all available and waiting to and available to perform extended evaluation. So we're anticipating that extended evaluation will begin in October.

Dispute resolution: So on March 13th, the objection filing period officially ended. To date we have had 220 objections validated by our dispute resolution service providers.

33 of those were for string confusion, 69 for legal rights objections, 23 for limited public interest objections, and 95 on the basis of community objections.

Of those 220 objections filed, 24 were filed by the independent objector, 11 of those limited public interest, and 13 for community.

We anticipate publishing a dispute announcement of all of the verified objections on the 12th of April, which would be this Friday. Once that notification is published, then the dispute resolution providers will also be publishing notifications to each applicant and officially notifying them of their objection.

From that notification point, a 30-day window then begins. And the applicants will have 30 days to respond to those objections. The objection response must be filed with the dispute resolution provider as well as the filing fees by the applicant must also be submitted to the dispute resolution provider within the 30 days.

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If those are not both completed, then the objection can be verified. And it will default to being found in favor of the objector.

String contention resolution: We're starting to get a lot of questions about community priority evaluation and auctions, the two primary mechanisms of string contention resolutions. For those problem sets that the applicants do not resolve amongst themselves, community -- applicants which have applied as a community can seek community priority evaluation. That is, again, something that would be elected by the community applicant after -- within 15 days of the end of initial evaluation.

We have multiple firms identified and prepared to perform the community priority evaluations work. We're anticipating that that work could begin as early as September once the applicants elect community priority evaluation.

Auctions: Again, for applicants and contention sets by which applicants have not resolved the contentions amongst themselves, ICANN will offer auctions to resolve those contention sets. We're anticipating that those auctions will follow the completion of community priority evaluation.

The contention -- sorry -- the string contention resolution mechanisms, not for all contention sets, but for many contention sets, also the expectation is that the applicants -- all of the applicants in the contention set have passed either initial evaluation or passed extended evaluation. They also would have resolved their objections, so that the dispute resolution objections would be complete.

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Clearly, if we're beginning auctions and CPE in the September time frame, this would be only for the contention sets that do not include applications which have -- are electing extended evaluation, only for those contention sets which include applications that all have passed initial evaluation.

I'd like to segue and talk about some of the other initiatives that the applicant guidebook has called for to -- as rights protections mechanisms for the program.

The first of which is the trademark clearinghouse. The trademark clearinghouse has -- we've got a few key dates and milestones here. The verification service launched on March 26th. We published just a few days ago the draft document of the rights protection mechanism requirements. That was posted on the trademark clearinghouse page of the ICANN micro site.

In the next days or week, we expect that the Deloitte and IBM agreements, three agreements, will be posted as well.

We're anticipating the sunrise capability for the trademark clearinghouse to be available as early as July of this year, followed a month later in August by the claims capability for the trademark clearinghouse.

The trademark clearinghouse is being built -- is really two pieces. The verification system that was launched by Deloitte and then the centralized database and claims -- sunrise and claims verification system which ICANN is operating with the support of IBM.

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There is a session on Thursday. I believe it's back in this room Thursday morning 9:00 a.m. Karen Lentz will be facilitating that session. She will have both Deloitte and IBM here. And they will be covering the trademark clearinghouse in depth. So I encourage you to attend that session if you have specific questions about the trademark clearinghouse.

Moving on to another rights protection mechanism, the URS, the Uniform Rapid Suspension mechanism. It's really intended to provide a rapid relief for trademark holders in clear-cut cases of infringement at a lower cost and at a faster pace than the existing UDRP mechanism.

So on February 20th we announced our first URS provider, the National Arbitration Forum, NAF. We expect later this month to announce at least one possibly two additional providers for the URS.

And, between April and June, we'll be working with those providers to publish specific details, system details, about the URS system, the announcements interfacing and the expectations of how the registries would expect to interact with the URS.

By July we will have the URS system with the first provider up and running. And we're anticipating having a demonstration of that at the Durban meeting in July.

Our final rights protection mechanism as called for under the applicant guidebook, post-delegation dispute mechanisms.

There are two of these called out in the applicant guidebook -- the registry restrictions dispute resolution procedure and the trademark dispute resolution procedure.

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As part of the revised registry agreement that was published in February and the PIC specification, the public interest commitments specification that was a part of that revised registry agreement, we also introduced the concept of the public interest commitment dispute resolution procedure. We've subsequently published the PICDRP rules. And so we're now looking at three dispute resolution mechanisms. We will be - - staff will be launching RFPs to identify and select providers for these three functions in the coming months. And we are working and anticipate that all three of these would be in place by the time the first gTLD is indeed operational.

Now I'm going to cover a couple things that -- parts of the AGB and projects that have been undertaken that we are considering operational support mechanisms. They are not on the critical path to delegating the first new gTLD. They're not necessarily even on the critical path to having the first new gTLD operational. But these are enhanced mechanisms that the guidebook calls for that we'll be putting in place to assist with the smooth, continuous operational monitoring and support for new gTLDs as we move from 23 top-level domains gTLDs to possibly over a thousand gTLDs. That's what these tools are anticipated to assist us with.

A key component of one of these mechanisms is the SLA monitoring tool. ICANN has partnered with Zabbix to build a platform to monitor the registry operations of all of the new gTLDs. It's really intended to ensure that the registries are providing the required baseline level of service in three primary areas -- in DNS, in RDDS, and EPP. This tool will be applying monitoring nodes across all ICANN regions. We will be having, we anticipate, the first launch for the first release of the SLA

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monitoring tool on August 1st of this year. That will have a preliminary set of capabilities with additional functionality coming online by October 1st, at which time we'll have full EPP, WHOIS, and correlational testing capabilities operational.

Centralized zone data access program.

This is a way to provide a streamlined mechanism for consumers, law enforcement, other interested parties to access all TLD zone file data in a single location and in a standard and consistent data file format.

The model for this has been developed by a community of registry operators and security experts. We're anticipating having the CZDAP, the centralized zone data access program, live in June with extended functionality being launched in July. EBERO, the emergency back-end registry operator. This month we announced that we've selected three EBERO providers -- NeuStar, Nominet, and CNNIC. These emergency back-end registry operators will each provide the five critical registry services functions for 3 to 5 years in the event of a TLD failure. So we will be moving forward in the coming months contracting with these providers. We will have workshops at the end of April to finalize the details on the implementation of the EBERO service. Each EBERO provider will go through extensive testing, and we will simulate a cutover with each provider before they go live. We again expect that the EBERO service provider will be live and operational by August.

And, finally, data escrow.

The data escrow specifications have been published. The registry agreement that the applicant guidebook called for registry operators to



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use an approved data escrow agent. And this past month we published the requirements and the application for data escrow providers to apply to become an approved new gTLD data escrow provider. We're encouraging applications. So -- and my team will be working with the registry services team to process those applications so we can get multiple data escrow providers up and running and approved around the world.

Finally, I'd like to talk a little bit about the team in the new gTLD team.

Fadi mentioned this morning that we've had a focus on process, people, and technology.

To achieve what we have in the last six months is not the work of one person. It is truly a team effort.

I'd like to acknowledge some of the folks here who have contributed to this effort. Trang Nguyen is with us. Trang is leading the initial evaluation effort. Russ Weinstein, leading predelegation testing as well as multiple evaluation panels. Karen Lentz leading the trademark clearinghouse project. And a multitude of others both here and back in Los Angeles.

What I bring to the table from my background is an understanding and a belief that you have to focus your energy and that there's a methodology and a way of doing things. And people, process, technology -- it's the methodology that I grew up living when I was a consultant many years ago.

In the last six months, the team has focused on defining and documenting the process and the procedures that we're following. Its

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initial evaluation, CPE, extended evaluation -- the guidebook describes these in broad details. They are not the details that a team could execute to from a day-to-day operational standpoint.

So we have undertaken in the last four months an effort to document specific procedures that include what we do, what the panels do, and how we publish information to the community, how we work with applicants. So here you see just an example. Fadi showed slides similar to this this morning. So we have flow charts. We've done this to document the requirements for the system, for the tools, for the people and the technology.

Objections and dispute resolution, another area.

These are not areas and functions that are simply outsourced. Yes, we have three dispute resolution service providers. But how ICANN operates to interact with those providers to get the data, to publish the data, and interact with the community, we have called these out and put these to paper so we understand how we need to operate.

It's also helping us to define the system requirements as well as the resource needs. From a people and personnel team perspective, I've spent some time also defining an operating model. What are the functions? What does the ICANN team need to do to execute upon what's in the guidebook? And it's not just application processing. That's what we leap towards and what we assume. As I described, we have a number of ongoing projects around the rights protection mechanisms and our operational support tools. But we also have a stakeholder customer support team. It's the team that supports all our applicants presently. The team also needs -- we have program operations

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functions. We have program support. We have systems and technology. So this is how the team is being organized. We're staffing appropriately. We're looking at the process definitions to drive the resource needs in these areas.

And, finally, by documenting the process and looking at the people, it's allowed us to examine how are we operating today? What areas need improvement? And we've certainly heard the feedback that the customer service center had some improvements to make.

And a big part of those improvements and what was holding us back, I felt, were the systems we were using. So next week, April 16th, we will be launching a new CRM system. The new gTLD team is piloting this new CRM system powered by Salesforce as our platform. But it is going to be our case management or trouble ticketing tool to support the applicant community. So applicants, you'll be getting a series of e-mails in the coming days to announce this cutover. I'm happy to report that this that Salesforce system will not be behind Citrix. So, hopefully, the user access will be slightly improved. It's been vetted by our security team, and we're quite confident that this is going to allow us and enable us to better serve the applicants and the applicant community and, ultimately, all of the stakeholders and community of ICANN.

So on that I just want to highlight a few of the additional sessions that we're holding on new gTLDs. Following this session, I think we have -- following a brief break, we are having a session on new gTLD security and stability and resiliency.

And then there's also a session Cyrus Namazi is holding on the RAA registry agreement and registrant's rights and responsibilities. On

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Wednesday we have two technical sessions -- one on the IDN variant program, the other on predelegation testing. And then Thursday I already mentioned that we have an extensive session on the trademark clearinghouse.

Thank you so much. I appreciate the opportunity to speak with you today. Tremendous audience. So now we have some time. And we'll be able to take questions from the audience, thank you.

[Applause]

I'm going to apologize right now that I cannot read name tags. And, even if I know you, I apologize for not calling by name. But let me have the first question, please.

ADRIAN KINDERIS: Yes, my name is Adrian Kinderis. Can we go back to the slide on the GAC advice with the pause button, please?

CHRISTINA WILLETT: Is that something the team can move back to the slide?

ADRIAN KINDERIS: It was pretty much right at the start. Probably three or four slides in. I've been holding my breath since. I can ask my question -- well, we're nearly there, I think. Just a couple more. So it's sort of two parts.

I have trouble understanding the GAC advice. Because what you said is that applicants have 21 days to respond to the GAC advice. And they're responding to the board, right?

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CHRISTINA WILLETT: Correct.

ADRIAN KINDERIS: And so the board won't do anything to that GAC advice until such time as they've received the responses from the applicants?

CHRISTINA WILLETT: So I don't want to speculate on what the GAC advice will be. The GAC issued a memo on the 31st of March on the type of advice they'll be issuing. Nor am I in a position to speculate on what the board will be doing. So --

ADRIAN KINDERIS: This is a process question. There's no speculation. So I'll ask it again.

You said that there will be 21 days -- if you keep going through the slides, I think it's coming up -- 21 days for the board to -- sorry, for an applicant to respond to GAC advice.

CHRISTINA WILLETT: Correct.

ADRIAN KINDERIS: Next slide. Once published, applicants will have 21 days to submit a response to the ICANN board.

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So there must be a reason for that. Now, is that in order for the board to take that into consideration with their response?

CHRISTINA WILLETT: I did not write the guidebook. That is what the guidebook calls for. The guidebook calls for 21 days for -- to allow applicants to respond.

ADRIAN KINDERIS: That's okay. I just want to get that, because there's a question coming.

So, if the board then is going to take that into consideration, those applicants that are specifically named in the GAC advice, that's who they're referring to. I'm concerned that -- and now you're going to tell me I'm speculating -- whereby, the GAC advice is such that it is all-encompassing and non-exhaustive, that, therefore, all applicants must respond and all applicants are waiting another 21 days, so that no applicant can proceed because they are all impacted. So, therefore, we've got a 21-day delay if the GAC advice is, indeed, non-exhaustive.

CHRISTINA WILLETT: That was a statement.

ADRIAN KINDERIS: Thank you.

CHRISTINA WILLETT: I'm -- I -- if those -- that hypothetical situation occurs, I think that's possible.

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ADRIAN KINDERIS:                    Okay. So you could get specific with me, just so I'm very clear. The board will not respond to the GAC or can't respond to the GAC, as per the applicant guidebook, until the 21 days have passed?

CHRISTINA WILLETT:                I don't think that the applicant guidebook states that. That's not policy. The board -- I won't speak to what the board is going to do. We've got multiple members here.

ADRIAN KINDERIS:                    Okay. I should have stayed in my seat. Thank you.

MICHAEL PALAGE:                    Hello, Christine.

CHRISTINA WILLETT:                Oh, yes, thank you.

MICHAEL PALAGE:                    Very good. Welcome to ICANN. That was your first meeting and interrogation in person. Mike Palage, Pharos Global. I have a two-part question. The first question with regard to contractual modifications where those parties will engage with ICANN's legal team to seek modifications.

My question is: What is the process by which those change -- potential changes will be communicated to the community? Will the community

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see what those proposed changes are before they're signed, or will there be ability to comment before execution? That's part 1.

CHRISTINA WILLETT: That's part 1?

MICHAEL PALAGE: Yes.

CHRISTINA WILLETT: Okay. And what would be part 2?

MICHAEL PALAGE: Part 2 is going to be under the standard registry agreement, registry -- ICANN has the obligation to treat all registries equitably. So, if ICANN goes about allowing some changes to be made, if there's a certain applicant that just signs on the dotted line on day one because they want to get into the zone but then 3-6 months later they see someone who had a more favorable contractual term and they say, hmm, I want that as well, what is the process going to be to allow for those changes that ICANN approves to be retroactively retrofitted?

And, just to give you a little history, ICANN has already gone through this with regard to dot tel and dot mobi when there is kind of one asked for it; the other one got it. So I'm just trying to raise a little historical perspective to help you and your team manage this process. Because you can see the N factorial problem here of making changes then



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people wanting to go back and forth. So that's one and two, part 1 and 2.

CHRISTINA WILLETT: So I have the great fortune not to be part of the negotiations team.

MICHAEL PALAGE: So can I get John up?

CHRISTINA WILLETT: What I can say is that I do understand that contracts, once they're finalized, are published to the community. I don't know that we'll necessarily be publishing contracts midstream during negotiation. That would seem prohibitive and unwieldy from a process. And unlikely to move negotiation for anyone forward very quickly.

But, as we have with all registry contracts, registry agreements, they would be published after they're signed, for sure.

MICHAEL PALAGE: Just a quick follow-up, though. Again, you just need to look at history and also Article III section 6 of the ICANN bylaws where, if there is a proposed change that impacts fees to a contracted party, ICANN has proposed a 21-day comment period.

CHRISTINA WILLETT: I'm sure our legal team is well aware of that and will be negotiating with that in mind. Thank you, Michael. Wendy?

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WENDY PROFIT: Hi, this is Wendy Profit speaking on behalf of remote participants. I have two questions.

First one: Will the body that handles the objections handle them based on the prioritization draw or based on the order on which the objections were received?

CHRISTINA WILLETT: So good question.

This came up recently. The intention is generally to -- that we've asked the DRSPs to handle the objections based on the priority of the prioritization draw. However, I will caveat that by saying, when there are strings -- the same string is applied for across with a range of priority numbers, the DRSPs have the ability to bundle -- to consolidate those objections. And so there may be some differences.

Also, the DRSPs are going to be putting panels, expert panels in place. So there could be multiple different panels that would be operating each in priority order. So it would be generally in priority order. But we're not able to dictate the exact operation of each and every panel.

And then the ultimate resolution, the dispute resolution on objections, is dictated by the process of the objection. So we may see dispute resolution on these come out in a different sequential order than by priority.

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WENDY PROFIT: Thank you. And the second question is from Phil Buckingham. What is cross ownership declaration?

CHRISTINA WILLETT: That is a good question and one I am not capable of answering. So I'd have to defer that question. So let me take a few questions down here, cross ownership. And I'll see if we can address these at the end, if we have time permitting.

On the -- to my left.

AMADEU ABRIL i ABRIL: This is your left? I don't know which side you're looking. Sorry. I can't see you at a distance. My name is Amadeu Abril i Abril. I work for CORE, and I have two sets of questions.

One is as applicant, and the other one is as an ICANN participant. But I will not do the line twice. Which do you prefer first, Christine?

CHRISTINA WILLETT: Whichever you would prefer to ask.

AMADEU ABRIL i ABRIL: Good. Let's start with very short question as an applicant.

You said, for instance, that you have some documented procedures regarding how to deal with dispute resolution providers, how they have to deal. Why this is just kept for you? Probably these are very useful documents for the whole community. And there is nothing secret,

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nothing mysterious, and nothing that refers to concrete cases but just as procedure. Why don't we have all this?

I'll give you an example. For a long time we're refraining from contacting ICC to understand how community objection will work. And then a seminar was organized. And the first thing we worked on is, well, I was expecting your calls and nobody was calling. And simply because many of us thought we should not contact the ICC. We were just contacting ICANN and was not providing any answer. So there is this kind of misunderstanding that probably it is very good to work document internally would be published something that's new to everybody, not just to you Christine. This is also new to us, right? In the same line of things that --

CHRISTINA WILLETT: I'm sorry. I missed the question.

AMADEU ABRIL i ABRIL: The question is why are you not publishing all part of all this internal documentation procedures about how you handle dispute resolution providers, what they should do in what way, et cetera, so we have more clarity about all these objection procedures. That is new to everybody.

CHRISTINA WILLETT: So, in terms of publication of objection procedures, we have published all of the documentation. We have had a webinar on objections. We are not dictating. These are, in many cases, global, experienced arbitration firms that have their own procedures. The objection process

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and the dispute procedures that they are following are published in the guidebook. So we have not -- there's no additional information that we're withholding and that is yet to be published.

AMADEU ABRIL i ABRIL: Fair enough. And a couple of requests.

On community priority evaluation, there's very little information. There's been very little discussion.

One thing. In the guidebook it says that it will start as soon as, you know, everybody in the contention said it has passed initial evaluation. You said today and I think it was said after Toronto that it will start in September. Can you confirm that September is the expected date, not May or June if, let's say, number 100 is in contention with number 200?

CHRISTINA WILLETT: That's correct. As we moved, because of the prioritization draw and we no longer have contention sets being approved together in batches, a number of things in terms of process had to change. So community priority evaluation is one of those things. Again, applicants, as I mentioned, can opt in to community priority evaluation after initial evaluation is complete.

AMADEU ABRIL i ABRIL: And could you organize a session in Durban on the community priority evaluation?

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CHRISTINA WILLETT: Absolutely.

AMADEU ABRIL i ABRIL: There's lots of holes there.

CHRISTINA WILLETT: Most definitely. There's plenty of decisions to be made, much more documentation that we need to published, much more discussion to be had about the exact process for community priority evaluation.

AMADEU ABRIL i ABRIL: Good. And then two final requests for improvement. One is regarding the escrow provider, the fact that sets of requirements that we never heard about were published in March 7, exactly -- that's one month ago? Yes, one month ago -- means that no new provider will be ready to sign any agreement with the first TLD applicant like, for instance, CORE.

So I understand that this is new for everybody. But sometimes ICANN is a little bit late in publishing these kind of things. We have nothing against Arrow Mountain or NCC. But publishing this in March 7 expecting somebody will get a given ISO certificate in three weeks I think is not very rational.

CHRISTINA WILLETT: Thank you very much for your questions. I appreciate it. We'll do a better job trying to balance the questions as we go forward.

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On that note, yes, we did publish the criteria to become an approved data escrow provider in March. We do have a -- those instructions do allow for a short path for the existing registrar data escrow providers to become approved. And, yes, there is -- there are criteria, including ISO certification, to be an approved data escrow provider.

Antony.

ANTONY VAN COUVERING: Am I correct in hearing that you GAC advice will no longer need to be consensus advice?

CHRISTINE WILLETT: That is, by my reading of the guidebook, what the guidebook calls out.

ANTONY VAN COUVERING: So you don't think that's new?

CHRISTINE WILLETT: You know what? Again, I apologize. New to me versus new to everyone else. That's based on my reading an excerpt from the guidebook.

ANTONY VAN COUVERING: Okay. With regard to objections, you said that they would begin -- well, I guess I'll just cut straight to my question.

Isn't a requirement, a finding of standing to object, a first step before the actual objection procedure can begin? And if that's true, how can that start whenever it's beginning to start and there's a 30-day window?

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CHRISTINE WILLETT: I asked that question myself, whether the administrative review by the DRSPs was to include the standing. And I was told it does not. That the standing is affirmed by the expert panels that the DRSPs put in place. It's not a part of the administrative review.

ANTONY VAN COUVERING: So as someone who is objected to, I would have to pay my fee only to find that the objector has no standing to object to me.

CHRISTINE WILLETT: That is what the guidebook describes, yes.

>> (Off microphone) You get your money back, then.

ANTONY VAN COUVERING: Okay. One last question. Thank you. You said the auctions would only start after community priority evaluation was finished. Can you give us an estimate of how long community priority evaluation is expected to take?

CHRISTINE WILLETT: You know, we're anticipating community priority evaluation could run anywhere from 6 to 12 weeks.

Now that said, I realize we have a challenge. We are going to have IDN applicants that are in contention sets that very likely may pass initial



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evaluation. They may not have objections. They may be able to proceed directly to an auction. So I expect that we will get -- we may have a need and be encouraged to provide auctions before that. So we're looking at the timing of that. I can't commit to being able to provide auctions before CPE at this time, but we're looking to balance what is the right timing availability. We expect to have the ability and capability with our selected vendor in the September/October time frame to be able to conduct auctions.

ANTONY VAN COUVERING: One final quick question. The guidebook seems to me to be ambiguous about the simultaneity of the auctions. It seems unlikely that ICANN would want to wait until everything, everything, everything is finished to conduct auctions. But it might not want to do them one at a time. Are you considering doing them in batches? Can you speak to that question?

CHRISTINA WILLETT: You're right. Can we hold 5 in a day? 20 in a month? There's no limiting sort of SLA about the timing of auctions.

I think that there are a number of factors that need to be considered around auctions. And, frankly, as our -- as we are documenting the process and the procedures around auctions, we're asking ourselves a lot of those questions. And I expect that we are going to be needing to consult with the community about what some of the preferences would be. I think that there will be challenges in conducting batches of auctions and simultaneous auctions. But it is something that we're

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looking to determining can we have multiple auctions going on at the same time in a way that the same applicants weren't in any single auction, if not in multiple auctions simultaneously. I think that there is - - there's -- certainly would be present a challenge to applicants. So --

ANTONY VAN COUVERING: Go ahead, sorry.

CHRISTINA WILLETT: We're trying to consider all of those factors. So thank you. Thank you.

ANTONY VAN COUVERING: Thank you very much.

>> Hello. My name is Sheil, and I'm with Applicant Auctions. We're the neutral party that's helping to resolve some of the contested domains, some of the new contested gTLDs.

So my question is around the same, and Antony actually asked a question I was going to ask. So thanks for that.

But The question I have is so, if domain contention is resolved by a party such as ourselves, would we be able to then move directly into contracting?

CHRISTINA WILLETT: If an applicant resolves contention, a contention set is resolved among applicants and the other applicants withdraw, then we would be left

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with one active application in a contention set. And that applicant could proceed to contracting.

>> Cool. That's it. Thank you.

CHRISTINA WILLETT: Next question.

>> I have three, but they're very short. Two are yes/no. The first is that, picking up on something that Antony mentioned, there is, in fact, a discrepancy in how you characterized the board's action on GAC advice versus what's in the guidebook. So, just for purposes of clarity, is what's in the guidebook what controls or what you said that controls?

CHRISTINA WILLETT: In terms of what is in the guidebook, what was the question?

>> There was a slight distinction between how you described the deference the GAC advice is entitled to and what's in the guidebook. So I want to know which is correct?

CHRISTINA WILLETT: Well, I was taking my statements from the excerpt I had from the guidebook. If I misspoke, it's certainly possible. Is that a guidebook? I

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don't have a guidebook in front of me myself. So I'm guessing you're going to quote from the guidebook.

>> No. So the second question is: To extent that I have documentation that one of the dispute resolution providers is not acting in accordance with the requirements set out in the guidebook, do I direct that to you, to legal, or both?

CHRISTINA WILLETT: You can certainly direct that to me, and I would engage legal on that.

>> Super. Last question is I'm very pleased to see that ICANN intends to publish the agreements with Deloitte and IBM. Does ICANN intends to publish its agreement with the independent objector? And, if not, why not?

CHRISTINA WILLETT: Oh, that agreement predates me. I have no idea. I can -- I'm happy to look into that, though.

>> That would be great. Thank you.

CHRISTINA WILLETT: Next question.

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CONSTANTINE ROUSSOS: Hi, this is Constantine Roussos with dot music. My first question is: Do you think that the community priority evaluations are subjective in regards to grading? So that's my first question. And I think the answer is yes, it is subjective, because you're grading 14 out of 16 points to pass.

So my next question is -- because we haven't been given any information on what kinds of advice ICANN is going to give the panel that's doing the community priority evaluation on how to grade these community applications. So we want to know if ICANN is going to take into consideration the public interest and the context of the community and how they respond to that specific string. So we would like more information on how these are going to be graded. Because we've spent a lot of time in our outreach years, and we want to know that this is going to be done in a fair manner and consistent with what ICANN is doing with their plans to -- for the public interest.

CHRISTINE WILLETT: Of course. So I would -- I would not say that my vision for community priority evaluation would be subjective. I think that the guidebook describes a -- as much as can be, an objective set of criteria for scoring, 16 points, 4 different dimensions of evaluation. I anticipate, as we did for the financial and technical panels, I anticipate that we will need to work with that panel on guidance, criteria, and just as we issued advisories to the applicants on the financial and technical panels, I would anticipate that we would issue and disclose that same information to the applicants so that everyone understands what that --

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if there is indeed any more detailed evaluation criteria that would be given to the panel that the applicants would also be aware of that as well. Thank you.

JIM PRENDERGAST: Hi, Christine, Jim Prendergast. Two quick questions for you on the outreach. That's a new term. New process, I guess. Can you give me an example of what would fall into that category?

CHRISTINE WILLETT: Okay. One example, we had a few applicants who submitted a link to a document instead of attaching a document, and because it was a link the panel wasn't able to evaluate that document and we felt that that was -- even though it had been asked in the clarifying question, clearly the applicant thought that they were providing the link and they were providing the document. So in that situation we felt that by asking the question for the actual electronic original document that that could then be provided as -- that would be a missing -- an example of missing documentation that the panel could then evaluate.

JIM PRENDERGAST: Okay. So those types of responses wouldn't be a change request situation or anything like that, right?

CHRISTINE WILLETT: Well, it could have been. It could have been a change request. Whether it would have passed or not is, you know, subject to the decision of the committee. But, you know, the delay, the pushing an

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application to making it eligible for extended evaluation versus passing initial evaluation is a pretty significant impact.

JIM PRENDERGAST: It wouldn't subject them to an additional 30-day comment period on that new information.

CHRISTINE WILLETT: Correct. It's -- we're treating it as just as the applicants are providing additional information for the application as part of the clarifying questions. The outreach materials become part of the application the same way.

JIM PRENDERGAST: Okay. And then on the objections, I thought I heard you say that starting on Friday ICANN will make the dispute announcement and then the DRSPs will notify the applicants that they've formally been objected to.

CHRISTINE WILLETT: Correct.

JIM PRENDERGAST: And that will happen in priority order, or is it going to happen -- is it a stampede? I thought everybody was getting the same --

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CHRISTINE WILLETT: I think the DRSPs are going to do a big blast and notify everybody at once.

JIM PRENDERGAST: Everybody has to respond in the same 30-day period.

CHRISTINE WILLETT: In terms of panels and evaluation work, I'm expecting that work will occur in priority order. The resolution, the DRSP resolution procedures.

JIM PRENDERGAST: I think the goal, if I'm not mistaken, I'm sure somebody will correct me, but the goal is to try to resolve these disputes, these objections, in 45 days.

CHRISTINE WILLETT: Yes. So there is a timeline, yes.

JIM PRENDERGAST: Okay. So all at once.

CHRISTINE WILLETT: Yes.

JIM PRENDERGAST: A fun another 30 days.



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CHRISTINE WILLETT: Yes, a lot of activity at once. Thank you. Next.

HENRY CHAN: Christine, this is Henry Chan speaking for (indiscernible). I've got two questions about the processes you mentioned before. One is about outreach. Would outreach be carried out through the TAS or e-mails. If e-mails from who and to whom?

CHRISTINE WILLETT: So when we began the outreach process, it was something we created in an ad hoc way. So for the first week or so we did make calls to the applicants for in outreach, calls and e-mails, but we recognized pretty quickly that that was not going to be a scalable and repeatable procedure. So we are using our customer service team, and it will soon be our sales force system, our CRM system. So the applicants will be notified through the CRM, they'll get that notification type e-mail, and then they'll be able to access the system and be notified of that response. The e-mail will include the information that's being requested and will include the timeline for response.

HENRY CHAN: Okay, thank you. Second one would be about registry agreement negotiation. I wonder if you, at this point in time or maybe later, you have more details to share about registry agreement negotiation like who will be dealing with and how will the contract negotiation be carried out.

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CHRISTINE WILLETT: The -- you're not talking about in general. The general --

HENRY CHAN: The registry agreement.

CHRISTINE WILLETT: But the actual by applicant. So the applicant, you can elect to negotiate the terms of the agreement. That will be negotiated with the ICANN legal team. My team will be tracking the progress of that application, so we'll be able to know that that application is in contract negotiations.

HENRY CHAN: That will be electronic, right, the negotiations by e-mails.

CHRISTINE WILLETT: Will it be facilitated by e-mail? I expect that it would be facilitated greatly by e-mail with most likely at some point when you negotiate a contract you likely need to speak to somebody live but I think, yes, that will be greatly facilitated by e-mail.

HENRY CHAN: Okay, thank you.

CHRISTINE WILLETT: Thank you. Next.

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ERIC PEARSON: Hello, Christine. My name is Eric Pearson from Starting dot. I would like to get back to the timing of the community priority evaluation, please, just to make it clear. Does the CPE start in September or does it start at the first moment when a community applicant has passed initial evaluations? When does it start, please?

CHRISTINE WILLETT: It will begin in September. The rationale there is because the -- all of the strings in a contention set will not have completed initial evaluation until the entire initial evaluation process is complete, so the community applicants have 15 days after the end of initial evaluation, not that so if you're application number 700 and your results are published in June, you don't have 15 days, say, to June 15th or July 15th, you have until September to elect and opt into CPE.

ERIC PEARSON: You're saying up to but not -- we could not start that process on June 15, even if our only contender also went through initial evaluation positively on June 15?

CHRISTINE WILLETT: That is correct. So from an operational standpoint, we're looking to have the vendors that the CPE panels do their work together -- pardon me, together. So we're going to have one single opt-in period and then proceed through community priority evaluation for everyone who's opted in.

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ERIC PEARSON: That creates significant material detriment, which you will please contemplate.

CHRISTINE WILLETT: I understand.

ERIC PEARSON: Thank you.

CHRISTINE WILLETT: I understand. Thank you. Time -- can somebody keep me on time? Okay. So we'll take a few more questions.

WERNER STAUB: My name is Werner Staub, I work for CORE. I heard Fadi say this morning that ICANN was going to become an agile organization. That it was not going to do everything sequentially, that things that could be done in parallel would be done in parallel. Now, we don't have a very good track record on this, quite frankly. That's not your fault. This happened before. And some of these things that were serialized the wrong way were actually announced very late. For instance, the objections having to be completed before the community priority evaluation is nonsense but it was decided and very late and it forced many communities to do multiple objections against multiple, you know, non-community contenders where the community priority evaluation was supposed to handle that first. And was also supposed -- essentially to be a short way to protect the community so they would still have the ability to have an objection thereafter, something went

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wrong because the community priority has never been done. Nobody knows what it's supposed to be.

Now, this has already happened. Now we have the next one. I'm still confused about what is happening with extended evaluation and community priority adoptions. What stops the elimination of a given applicant who is not completed the evaluation simply because he has not completed the evaluation, he cannot see if there's a problem, there cannot be an auction. What's the problem?

CHRISTINE WILLETT:

So the guidebook, as it was written -- so let me address the question a couple -- your point in a couple of ways. One, the objections were always going to be -- the objection filing period ended before community priority evaluation was going to be completed as per the guidebook. So that would be one item. Again, that was the result of the -- all of the policy work that went into the guidebook. You're correct. On the one hand there are likely contention sets with community applicants in them that will also have members of those contention sets who are going to go through extended evaluation. Given that we expect extended evaluation to be several months long, we did not want to wait for community priority evaluation and push that until after extended evaluation. So we're trying to begin multiple things. So as you notice, I discussed finishing initial evaluation in August, opting in for extended evaluation as well as community prioritization in September, beginning CPE as early as September, beginning auctions and extended evaluation in the October time frame. So we are moving towards a multi-threaded approach for the program

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where it is feasible. With the understanding that there will be contention sets with applicants that are in extended evaluation and so the -- the applicants may not be able to -- even by electing CPE in the September time frame, you may not know the outcome of extended evaluation for some of the applicants in your contention set.

WERNER STAUB: Why do we need to know the outcome of extended evaluation? It is totally unrelated.

CHRISTINE WILLETT: Well, I think that is your situation. I think that there are other applicants who might feel it would be beneficial. If no one else in their contention set is going to pass initial evaluation or pass extended evaluation, they might -- may not feel the way to opt in to community priority evaluation. There are -- I don't disagree with the scenario and perhaps your interest, but I think that there are a lot of different scenarios that -- of who's in contention, who's going to objections, who's going to extended evaluation that are difficult to contemplate and each stakeholder in those situations might have different desires. So we are trying to be able to get these future phases of the program moving as quickly as possible, and yet do it at a measured pace so we are prepared, so we have the people, we have the process, and we have the tools to administer those processes whenever they begin.

WERNER STAUB: I still think it is worthwhile looking at whether this information is needed. Try to save somebody from the -- an expense of a comparative

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evaluation because, you know, from -- not to have expense you have to wait a year longer, you know. That makes so sense. If it's just for that. So it would be better to allow them to be held in parallel. There are other cases like the.

Now, for the objections themselves, this is my next questions, will they be conducted in parallel? There's many objections. I think there are enough panelists available.

CHRISTINE WILLETT: The objections and dispute resolution providers are -- they will begin their work, they will be working to resolve these objections simultaneously.

WERNER STAUB: Okay.

CHRISTINE WILLETT: One quick question?

WERNER STAUB: Yes, there is actually a question about the way -- the first thing we heard of you, you know, the same thing in the webinars, those are the first time when the discussion feature was suppressed on the webinars.

CHRISTINE WILLETT: Yes.

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WERNER STAUB:

And we no longer could see the questions sent actually, and some of the questions were sent by -- in writing because acoustic is always difficult. And they were not answered. Now, is there any reason why this form of transparency has been introduced?

CHRISTINE WILLETT:

So I'm happy to address that. So we did have the question and answer pod and the chat room open for the first couple of webinars I conducted. In terms of Q&A what we found was that actually we got the same question asked dozens of times. That having the chat room, the Q&A pod open, did not prevent the same question from being asked and was more difficult to administer. So we have opted towards what I'm trying to do, much like we're doing here, to have more of an open dialogue. We have the phone lines open for questions and answers and we answer the questions that come in through the pod. What we've also instituted is any questions that we're not able to answer during the webinar or that come in through the chat pod that we're not able to answer during the time available, we do publish an FAQ. We publish those questions and responses to those within two weeks of the webinar.

In terms of the chat room, I actually found that some of the dialogue was not constructive to the presentation and the open sharing of information, so the -- you know, there are -- they are all well enabled technologically. I know that other mechanisms have been employed to share chat and dialogue amongst members participating in the webinar, but the content in the chat pod was so distracting that we didn't feel



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that it was a productive component of the webinars, so that was removed.

Wendy, just a time check, how many minutes? We're out? We're done? So I'll be around for a few minutes afterwards. Thank you so much. I appreciate all of you listening and participating in the questions. Thank you for welcoming me into the ICANN community. I appreciate it. Thank you very much.

[ Applause ]

[ End of Session ]