Cheryl Langdon-Orr: Rather than do a full round robin, if you don't mind. Do you want to do a round robin of your people? I just don't want to spend the first hour, half hour of our short exercise going around the whole room. So, if perhaps the first time you speak, you could say, "Hello, my name is Cheryl Langdon-Orr." Which would be silly for you to say Mikaley, but, if I was to speak the first time, you could say, "Hello, my name is Cheryl Langdon-Orr, I am the current Chair of the At-Large Advisory Committee" which of course you are not. "And, I represent Asia Pacific."

So, I think that is the way we should go forward on that. There is another piece of housekeeping, which won't affect the industry side that we've got in the room. Somebody took one of these home, fess up. Find it. Bring it back. Search your hotel rooms. It says, "I'm missing. We need me back." Okay.

Alan Greenberg: Okay, I did it. I like to listen to Spanish, you know, while I'm in the shower, so.

Cheryl Langdon-Orr: On the housekeeping, for those of you who want to make good use of these excellent tools and the impressive services of the translation team behind me, #1 is English, #2 is French and #3 is Spanish. To start it, you do this. You push little buttons to select one, two or three. And there's this little whizzy thing that gives you volume. So, let's throw it back to you and open it.

Alan Greenberg: Okay. So, how do I want to start? We'd like to hear a bit from, from the ALAC, if we may, about where you spending your time right now, what your specific desired outcomes are for your current level of activity, anything else you feel compelled to share. I mean, obliviously the Registrars are aware of much of what the ALAC does, but, we are not as deeply aware as you are since you are involved in your own work. But, if you could share some of that, I think that would be helpful, if you don't mind.

Cheryl Langdon-Orr: Happy to do so, I'm sure I could probably list off half a dozen words that I want to hear from a half dozen people. Who would like to buy into that first step of where we are coming from and what happens in terms of bringing the voice of internet end-users into policies development processes? Something I think I've heard in any number of meetings here this week is the compliance word. And compliance goes with another C

word which is capacity. And that's ICANN's capacity to meet the compliance needs.

There is also a difference between simply auditing or looking for compliance, responding to a complaint. And again, we are not going to try to drill down and get into the how the responses go or whose issues it is particular port is not seen as such a high level infringement is one of them. We are not trying to get into those details. We are trying to take a helicopter view.

But we are deeply concerned that the concerns of community end users of the internet, as well as Registrarants, aren't coming with as much confidence into our space because of what adhering to that. And I thought I might toss to you, because I know you've got a fair amount of experience in the consumer end as to where the barrier is in terms of confidence and trust. And what is effectively our ability to ensure compliance comes to pass. Thanks, Beau, go ahead.

Beau Brendler: There are a few things I could say here, I guess. As you know several people in this room, including, including myself and Mikaley and others who are just part of the drafting team for RAA amendments and what not. You know, as part of what the GNSO asked for. And so I think you got a taste on Monday, I think it was the Monday evening session on that, as to what our priorities are about. Priorities are about the RAA. And I think that, you know, our experience in being part of that was obstructed in many ways.

I don't think the working group did, I think much of the heavy lifting was done in the Group B and I think that by and large the At-Large needs to pay more attention to the work that was done in Group A than was, Group B, excuse me, than was done in Group A and I accept responsibility for that. But, you know, it was kind of amazing to me that getting a couple of weeks into doing that working group there was really no document that we could use to talk about the RAA in plain English.

So we had to, in essence, delay the progress of the working group, for what was it, a month or something until ICANN could basically come up with a section of the RAA that could be read by somebody who didn't have a law degree. So, I think we have to step back quite a bit, and try to simplify what's in there for the general user. And I don't think, for

instance I don't think there is a translated copy of the RAA into Spanish, is there?

If we could have one motion to come out of this meeting to help make progress, it would be have the entire RAA translated into readable English; have the entire RAA translated into readable Spanish, French and the remaining UN languages or whatever, so that there is no misunderstanding on the part of users as to what really is in there and what is not in there, I think that would be usable on both sides.

So, that's one thing and, you know and, and included in that I think compliance obliviously, as Cheryl mentioned it, we had David Giza in here the other day, yesterday I think it was, and planned to suggest to ICANN that more money be provided for his department for compliance. But, in that vein, I guess probably I would throw back to your community, I mean is there something that the At-Large can do to address the issue of, I know many of you do everything you can to dot your I's and cross your T's, and do a good job and all of that, but there are a few bad actors that kind of bring the whole thing down.

So what, what can be further done from the user perspective, or what can the At-Large do to be helpful to you in that regard? Because, obliviously those of you who are trying to provide good customer service and play the game and do, you know, what you are supposed to do according to the terms of the RAA certainly aren't happy when you see those people violate those things and blatantly get away with it. So, I'll leave it there for response or discussion.

Beau Brendler: I'm taking notes, and you know I can't write and talk at the same time.

Cheryl Langdon-Orr: Men cannot multi-task. We all know that. Did Mikaley - do you want to jump in head first?

Mikaley Naylem: You basically told me to jump in here so you can take the notes and everything else. Just for the poor scribes, it is Mikaley Naylem, and please get my name right, since it seems I'm turning up in transcripts with all sorts of interesting variations on my first name, my poor mother. The kind of thing that I think has come up as a recurring theme in the various working groups that I've personally been involved in.

I mean, you've been involved in several of them Beau, and Cheryl has been involved in quite a number of them, and other people from ALAC and other groups within the broad right constructer, I think the common recurring theme is, and I think Cheryl will agree with me, is education. I know, it's, the idea as Cheryl over in ALAC would agree with the Registrar I know is terrible, and in public, education, I think, is the key. So this, it's all very well for those of us who know what should or shouldn't be done, on both sides of the table, too, to try to beat each other over the head with sticks and RAA amendments and all sorts of other things, the ICANN compliance team, and whatever. But that doesn't actually solve anything.

And many of the issues that users have, be that through their own fault, or through the something done initially by a third party, or whatever it could be avoided if there was better education out there. And, you guys in ALAC are probably in a better position to do that than we are, because we are always going to be seen to be pushing our own commercial interest. Now, I will quite happily send out warning to my customers that to say, "Be aware of these letters that are coming through from a domain Registrar of America or a bunch of other ones, European directories something or other." I can't release that name. I can do that, but I'm only going to be able to reach my users. I can't reach every single one.

And, it's this end-user education to keep people aware of the fact that just because they signed up for something, you know, nine months ago, using a free hotmail e-mail address and then kind of forgot about it, that they can't turn around and blame us when we've done our up-most to inform them of the fact that it is up for renewal or whatever the case may be. And if they - and, we've had these discussions in a lot of different working groups, and those of you who are on working groups know, I'm more than happy to share my opinions on things. And I would prefer we were in a position where we were working together rather than having this advisory relationship.

I mean some of you are more than happy to work with us, and I think that's great, but other people unfortunately seem to want to have continue going at logger heads with each other. And that happens on both sides. But, I think it's better for everybody if we bring it down a tone and get it back to, what it is we want. And [Mason] will quite happily on behalf of the Registrars, he sounds like a broke record, no offense, [Mason], you

know we operate on a razor thin margins. We work very hard to get our customers.

We want to keep our customers. One of the most - one of the - if I look at my breakdown of my annual report that I send to my auditors, I have breakdown of staff, and my staff cost is high because of customer service, I've got marketing because I'm trying to get more customers. I've got, legal cost, I've got this, I've got that, I've got all these things there. I mean, it is not in my interest to give users a bad experience. It is not in my interest to do something to a consumer, to a user, because ultimately we're all users.

[Mason]:   Alright, thank you, so, first of all Beau, thank you for that perspective, I think that is useful. There's a lot of back and forth right then that I think could be useful to address. Beau, to your point about bad actors, you know, unfortunately just like in any business, there are bad actor Registrars, we are aware of it. The bad guys make the good guys look bad. And, we are not interested in that, right?

So, over the course of the last few months we've heard quite a bit about the desire on the part of community for the Registrars to more actively police themselves. I think if we can do that, if we can figure out an efficient and effective way to do that, I think we're happy to take up that case. You know, we are as interested in removing bad actors from the industry as, as you are. For a number of reasons, but not the least of which is, bad actors have a competitive advantage over us, right, because they do, because we spend the time and money and resources to try to do things right, and they don't.

And, you know, sometimes they get away with it. That's not fair. It's not fair to the union nor is it not fair to us. Mikaley brought up a point I would like to address as well. Yell if he is in the room. If I may, to your point, I'm going to lead in with what you asked. You asked what could be done to help the Registrars to make the user end experience more effective. I will tell you that I think it is the exchange of information. So, as a representative body of the end-user, if the ALAC can feed us information that is useful that tells us with specificity and with data what the problems are that end users are experiencing, we are in a position to do more about it.

An objection I have, and I think some Registrars do have, is sort of the observation or perceived problem and then leaping to legislation or purposed contract amendment without approaching the Registrars and saying, we're seeing this problem. What do you think can be done to resolve it? So involving us, involving us early in the discussion, rather than leaping to, we must have a change in the RAA or we must have a PDP or we must get compliance to crack down or we must whatever.

You know, we are not opposed to reasonable processes by any stretch. But we prefer to be involved in the discussion early on. Now, to the elephant in the room, yes I realize that the Registrars and ALAC have been adversary at times. None of are interested in that. I mean, I speak for the Registrars; no one is interested in getting in arguments. Alright, so, from today forward, okay, we want to have as collaborative and well intention and, and cordial relationship as we possibly can with the ALAC.

So to that end, we will share information to the extent that we can, that we are not precluded to by law, for example for doing so. I would like regular interaction with the ALAC, even beyond the ICANN Meeting, if possible, so that you can bring to us your concerns and maybe we can deal with them faster than we can through this sort of endless ICANN process we all spin around in.

Cheryl Langdon-Orr: Communication is certainly the key [Mason]. And, I think that was music to my ears and probably to many ears around the table, and just getting John's attention from the other end. We first met in, let me think, was it Deli? There was three, four of you and maybe five of us, look around the room now. We're sitting at the table, and we're sitting at a table with purpose. As opposed to who are you and why should I be here? So, huge steps forward in not so much length of time. Alan, then back to you.

Alan Greenberg: I almost wish I had talked before [Mason] did. Because then I could say what I'm going to say caused him to have that very generous approach. But I'll shorten what I was going to say. I think the problem has been that as soon as any discussion starts there is a lot of posturing and someone becomes aggressive and someone becomes defensive and everyone, you know and people generalize. And, we are dealing with a lot of different flavors of Registrars and a lot of different flavors of users. So yes, education is necessary.

On the other hand, to use an example that Mikaley has used, when someone comes up and says, "I didn't know I had to pay for my domain name, what are you telling me about?" Which sounds humorous, except an awful lot of people sign up for hosting agreements, which have in big bold letters, "free domain name", it may or may not have in small letters somewhere "for the first year."

You know, so we are dealing with a lot of different characters and lot of different situations. I was amazed, not amazed, I was intrigued the other day sitting in IRTP, Inter Register Transfer B discussion, and several Registrars, all of whom are in this room, were talking about when they are trying to reverse the transfer of a high-jacked domain, how frustrating it is when you are dealing with a Registrar who doesn't have, who has access or blocks it or doesn't answer their phone, or don't answer their e-mail. Just image what it is like if you are a poor Registrarant dealing with that Registrar.

So, there is a lot of different flavors going on and I think we need to try to understand that we are not taught people that one size fits all. It's not likely the Registrars in this room who are the ones that are causing problems to an end-user somewhere. There may be one that resells, but it's probably not the people who are having this discussion. And, so I think we have to recognize that any problems we are having are the tail end problems and not the 90% ones.

And, also, we've talked a lot about data. All you're ever going to get from At-Large is analytical data, analytical situations. There's an upland who said the plural of antidote is data, is information. But, you know, typically Registrars are the ones with the data, if they are willing to share it. And, I understand fully why you may not be willing to share it for all sorts of competitive of reasons. So, it's a difficult situation and I think we are going to have to work under the assumption that we are all approaching this in good faith and we may get somewhere. It is still going to be hard.

Greg Chinawith: Thank you [Mason] for acknowledging the potential or perhaps the historical animosity between the At-Large and the Registrars, actually the animosity between the At-Large and the non-commercial constitutes has been much worse than it has been with you guys. And, they are supposed to be on our side. That's supposed to be a joke, but it's not really funny if you think about it. But, in terms of information that is useful, you were talking about - I mean we have both people here from New John which is

an ALS in North America. We have a couple of other ALS's who send me information that I sometimes passed on to ICANN enforcement or I sometimes I write, you know, stories about it or something.

I mean, would you like that, you know, would it be helpful for certain, at certain times for us to give that information to you in such a way that you could review it or something like that. I mean, would that be helpful? And then the third point I wanted to make was, I think users are in a relatively desperate situation, and I'm talking end users, when they are looking for someone to help them in terms of, in essence, an occurrence that is because of some type of registration abuse, right.

So I think that there is somewhat of a knee jerk reaction on my part, or our part or the user communities' part, to think okay, that has got to be an element of, you know, poor enforcement of the aspects of the Registrars' accreditation improvement. Well, that's really the only direction, in essence, that is the only way we know to go. If there is another one, I mean if there is another aspect of trying to improve the situation for consumers who are specifically victims of registration abuse, then let's talk about that because, you know we can certainly attempt to help.

Alan Greenberg: That's Greg Chinawith from Diens.com. That's really what - kind of a few things - one, just in response to a question of to whether to send stuff before, how can we begin to facilitate that communication? So, you know, I can tell you that, and this doesn't have anything to do with me being a Registrar, anytime you just develop something like that New John Report, and you send it out, and I don't know if there was contact before with the Registrar about the particular issues that were raised in that, but to me it's always, you know, you know if it's going to be accusations of breach and that kind of thing, and then made publicly for the first time, and maybe those weren't. I have no idea of the history of that stuff. But, that's a very, I think you're right.

That goes back to the aggressiveness with which the parties kind of come to this type of thing. And, you know, that can, you know, it's both parties, you know. One party gets their hackles up and the other parties, you know, want to be aggressive about enforcement. And so I would say, to me that type of thing, that type of communication where sometimes, you know, some of the breaches are relatively technical in nature, right, so, one of the ones I noticed I think was discussed on Circle ID was the, the, you know, whether or not the corporate forms have been filed. Because if a

company is a couple of months late with their forms, that's one thing, but to end up on a report, to end up on a report where you are being called out as, you know, a scourge of the internet because of that type of thing, you feel unfairly persecuted.

And, I have no idea right or wrong about how that worked out about that report, but I can tell you that's the kind of the, that's when you get your hackles up, and I think that is the type of things that communications can really solve. If there are any concerns about that kind of stuff, I know that every business in here wants to have their cooperate forms, I mean there is no reason why you would not want to have your cooperate forms in order. And, you'd rather be reminded about that politely, off to the side, than be call out about it in very a public way.

So, I think that is the type of thing that communication helps and people, especially the people in this room, want to be good actors. And, so, hopefully that we can develop this types of, you know, the ability to make the phone call, as opposed to, you know, have it out in the public square, so that we can actually be more effective in working out.

Cheryl Langdon-Orr: What I'm hearing is there are rules of engagement. We've got to the table, we haven't even got to discuss the menu yet, but, but it would be nice to know whether we were using swords, or knives and forks. And, I think to start establishing some accepted norms and rules of engagement would be very good. I come from, and it is not my day job, it is from another volunteer aspect of my life, a slightly larger consumer advocacy role in the telecommunications industry.

And, many people who have come to this table were going to sit as a consumer advocate, have come battle damaged. They have been diced, sliced, vilified, and in some cases literally served, for trying to bring some things to other industries. And, so we've got a set of expectations, we've got a set fears, we've got a set of 'well, would you listen to us anyway?'. If we come back, we have some rules of engagement, which is what I'm hearing you are all interested in, that's going to be very different, and I look forward to that for certain.

And remember strangers actually got because, we've done this at a CC level. It's not impossible. Stefan, you want to speak, and I must apologize I do need to go. And, Alan can you keep an eye on naming people? And you're going to have to identify your own. Thanks a lot.

Stefan VanGuilda: Thanks Cheryl, Stefan VanGuilda.   I just wanted to echo some of the points that have been made. So, before coming on the GNSO counsel, the only contact I'd ever had with ALAC as Registrar was talking to Sebastian who does an excellent job of talking about ALAC within the French sphere, I'm French. So, that's why we know each other. But, through being on the counsel, the GNSO counsel, and talking with Alan, and understanding ALAC's point of view of having certain positions explained.

I'm beginning to understand some of the antagonism that you may feel towards our group and the misunderstandings that we may feel towards yours. Those still endure that, they are still there, and two days ago I came down to breakfast and someone introduced me to someone from ALAC. And it was almost a huge of misconception to start on both sides. Because once you get, you know, someone comes into a conversation with a set of preconceptions you get all defensive.

So, I just want to say that what we are doing here today, which is a real first as far as I know, is extremely important for our groups. The communication channels that we have really can't only be at a GNSO Counsel level, although it's a pleasure to talk to Alan, we really need to be able to talk together as groups, I think that's really important.

Helen Laverty: Helen Laverty from Dot Alliance. I just wanted to say how much I appreciate this week and I think it is good to see the Registrars and ALAC together. I think a lot of the animosity in the past may have come from ALAC not enough communication and not with Registrars and coming up with decisions that we as Registrars maybe don't view has had the right amount of information.

As Registrars we have an incredible amount of resources and information because we deal directly with the registrants. We deal directly with the registrants. We have all this information. Please, please use us. Ninety-nine percent of the Registrars are actually fully on board with your reins. We really want to serve our registrants. Of the one percent, less than one percent that don't, we like them to leave as much as you guys would. So please us, please let's not fight, use us, get the information from us and we'll be in the best situation for you to make the best decisions in conjunction with us. Thank you.

Alan Greenberg: Sorry, I couldn't see who it is. Beau, go ahead Beau and then [Mason].

Beau Brendler: To that point on communication, which is a good one. I wanted to just
                    talk a minute about RIP working group which, I think is obliviously
                    concluded and submitted its report, if there's a way within the ICANN
                    sphere, a way of doing things that, that type of process could be improved
                    and by improvement I mean, you know started out with that thing, I made
                    the first five or six meetings, but it literally went on for a year and a half,
                    and here on the volunteer side of things, it's very difficult to find anyone
                    who can sustain a year and a half long policy analysis process. Some of
                    our terms at the At-Large are only two years.

                    So, if there is a further deliberation on the registration abuse policy's side,
                    that At-Large could be more involved in, or if there's a special
                    convocation, I think in that meeting on Monday, I think it was mentioned
                    there is some interest in getting Registrars and law enforcement together,
                    at which point I added yes and the At-Large as well, if you can, maybe
                    that's the format to talk about it, but it's very difficult for us on this side to
                    engage in a year and a half long process of anything, so, just to throw that
                    out there for consideration.

[Mason]:   Well, I think, yes. You're not going to find disagreement on that. I mean,
                    to find a year and a half of occasional time to sustain a PDP or
                    involvement in any kind of development of anything, is difficult for
                    anyone, especially you, especially us. So, a couple of points I just want to
                    make. And I will take the blame for this, this actually is not the first
                    meeting of ALAC and Registrars. My colleague John Navid, before
                    would, who severed as Chairman of the Registrars before I started a year
                    ago, he arranged for meeting with the ALAC.

                    I don't know how regular they were, he was very good about it. So, you
                    know, it's my fault we haven't met up to this point, but I am glad we're
                    here. So, when it comes to the idea of sharing information, what we've
                    done at this meeting is, we've had either first time meetings, or first in a
                    long time meetings with a number of groups. We met formally with the
                    GAIK, we met formally with law enforcement agencies, we're meeting
                    with you. We meet all the time with ICANN staff on various matters, as
                    you can guess.

                    All of these groups have been vocal in policies or areas that are important
                    to the Registrars. Obliviously the biggest one right now is the RAA. I

think that much of what's happened with the contention or discomfort around issues with the RAA probably could have been eliminated if those conversations had been happening sooner than they did. And again, the Registrars, especially me, I will take the blame for that. It would be useful however, if the ALAC and the law enforcement community and others who, for example now want more than a 150 changes in the RAA, would approach the Registrars and say, "We're experiencing the following problems, what can you do to help us solve them?"

And then we will decide together what the right avenue would be to solve those. It may not require a contract change, it may not require a PDP, or maybe it does. Maybe we can just get together and solve the problem. So it would be - I think we would find less contention all the way around if we could be approached with an explanation of a problem, and then work together to try and find a solution to the problem. I also want to make one procedural point if I may.

We had quite a discussion yesterday, as you might guess, in our stakeholder group meeting about the RAA and about the process for amendment. If you look at the current RAA, the process for amending it is unclear.   We are in the process of finding a way to clarify that. I think it would be useful for Registrars and the entire community to recognize the GNSO process is there for a reason. If you handled everything through the contract, we wouldn't need a GSNO.

So, the contract needs to be treated like a contract and not as a policy tool. So there are multiple ways to get desired outcomes. They don't all have to be crammed into a contract; maybe there is another avenue to address them. And we are willing to help you find those avenues.

Alan Greenberg: Okay Sebastian, and then I've put myself in the cue and then Carlton.

Sebastian Bachollet: I would talk in French to give you some flavor of what it's like At-Large meetings and please take your headsets. It's why I'm asking to observe everything. Good afternoon and thank you. I know that Christopher and Stephan need headsets to understand what I'm going to say, thank you. I think, well, why did I speak French? Well because I believe that this meeting is important and interesting.

And I hope we have other such meetings and one of reasons why or one of the ways to keep improving the relationships between finities represented

within ICANN and the Registrars taking part in ICANN's work maybe to consider having meetings at the national level and at the regional level, instead of waiting to be gathered all together in an ICANN meeting or instead of waiting for having global discussions. We could have local interactions about GTLD's.

There are already local interactions about CCTLD's, but these interactions could also focus on GTLD's. If we are here today it is in my opinion because our two groups, both groups have made progress in order to allow this. I think that one year ago, one year and a half ago, At-Large was much more focusing on its internal problems. The need to implement things, and security operation of the center of the system, because you should realize that At-Large may represent 120 regions and 120 associations in a number of countries and that whole system had to be put in place. And it's operation had to be launched and was quite complex.

Now, that the system is operational it is very good that we should have this meeting. We had the debate about the RAA, but I think there are other topics that are worth while sharing opinions about for example, vertical integration. I think there are topics on which we may disagree, but we should at least share our views about the objectives, share our fears, our wishes, our dreams. And if we had more such exchanges and sharing, we would feel closer together and feel closer to the different topics.

On this particular topic, I don't see how we can reach a consensus and will certainly not reach a consensus if bridges are not put in place, if dialogues are not established, particularly between our two groups. I am not going to dwell for any longer on this. Thank you very much for having accepting to listen to me in French with simultaneous translation and enjoy your work.

Alan Greenberg: Thank you Sebastian. A couple of comments in response to various things, my first is in regards to what Helen said about 99% of the Registrars, and I'll start off with a very short story. In another life I used to be a very large IBM customer and we were having a particular problem with hardware maintenance.

And, when my IBM salesman came to call the next day, I told him we had a major problem. He said, "It's not my division." I said, "But, you're the only IBM person in the room." And, that's the situation that the

Registrars are in here. We know that it's only one percent or three percent or 4.4%, it doesn't matter what the percentage is of the Registrars that cause problems and the individual users that have problems, but our only contact are the people that show up at these meetings.

So, forgive us when we try to characterize something sometimes as Registrars do this, it may not be all of them, and we are not accusing you personally and we're too much of a gentleman and gentlewoman to accuse you even if you are guilty. But, it's the only conduit we have to truly fix the problems. I don't know how else we can address that. In terms of what [Mason] said about the, we don't know how to fix, how to amend the RAA. Thank you for saying that.

I was absolutely amazed when I - I sit on the GNSO and was watching the process last time where the GNSO was effectively expected to rubber stamp the negotiated agreement and rightfully said, "Hold on, we all have responsibilities to our own groups.

How can we just vote yes, just because you told us to?" And, I was amazed that that set of changes in the RAA didn't include a change as to how it will be amended the next time because now, we are going to be back in exactly the same position. So, thank you for bring it out loud and maybe this time around, I don't know how we're going to amend the RAA this time, but maybe the next time it will be a bit easier. Sorry, I think [Carl], okay, go ahead.

[Carl]:   Thank you. I am, I quite agree that dialogue is important and also endorse the fact that the Registrars who would show up at this meeting would not be the ones who would be guilty of egregious conduct. The speaker said, "Well, every time we have a problem we don't have to assume that it is an amendment to the RAA that will solve the problem."

And so, I ask the question, "What do we know and when did we know it?" If there is no other vehicle, since the only other way is to persuade misgrants to behave, and since there will be a natural reluctance on the part of business, independent businesses to tell other independent businesses how to run their business, and since you don't now have a mechanism tool to exact punishment or sanction to those who misbehave, can you suggest another way to make that happen?

Alan Greenberg: [Mason]?

[Mason]:   Yes, I know that's a queue. I don't want to lead Ed. Thank you for that information. I'm sort of reminded of an ongoing joke in the law enforcement community where the union would organize the police organization and then the policemen would ask the union organizers to go and organize the crooks. Because, then, you know, you would have them all in one place. So, thank you for bringing that up. The answer is, we don't know yet, but we are willing to find a way. We have, we, in the last round of the RAA changes we agreed to enhance compliance mechanisms, we agreed to additional training, we agreed to several provisions that would be beneficial to us and our end users, and would draw a further distinction between the good actors in the industry and the bad.

                    Now, what to do about the bad ones? It may be on occasion that a change in the agreement would be warranted so that it could be used as a compliance tool or tool to use to weed out the bad actor. Speaking generally, I simply wanted to make the point that the RAA is a contract between two parties. It's not a policy tool. The policy process exists within ICANN to create policy. So, I don't disagree with your assertion that maybe an enhanced RAA could be useful in weeding out bad actors. We should just take care with how we go about doing that.

Alan Greenberg: Just quick further on, and then Garth. The RAA is not a policy tool, but there is a sub-section of the RAA which is subject to consensus policy, and that is the best way to change it, because it happens immediately, not five years from now for the bad guys who aren't interested. Compliance can only force compliance if someone is violating a rule. Just because they are anti-social and aren't nice guys, compliance can't do much about it. So, that's why our inclination is to try to put things in the RAA where it won't hurt the good players, but may force the outliers to either fix, get their act together or give compliance an opportunity to do something about it.

[Mason]:   May I address that quickly? I appreciate that point of view, Alan. I generally agree with it. Here's a perspective I would like to share and let the ALAC keep in mind. When changes are made to the RAA, or changes are made to any procedure that Registrars needs to follow, it adds operational impact on us. And, it could mean anything from needing to reprioritize work, to hiring or letting go people that we employ. It could impact our ability to produce a profit and pay ourselves and our employees.

It may mean we have to call ICANN on the phone and say, "The last thing that you told us we had to do, we can't do now because of this." And, it could mean we would have to past cost down to our registrants, which is nothing that we ever really want to do. So I ask that anytime there is a change to the RAA or a PDP is initiated that is an impact on the Registrar operationally and the potential impact on the Registrarants be considered.

Alan Greenberg: Noted, and I think understood. But, it's still probably the only way to get the bad actors and put a nail through their something's, Garth? Sorry but Garth was next on the list, on that item. Okay.

Garth Gruens: Okay, everybody queued up. My name is Garth Gruens from NewJohn.com and I thank you for this meeting, it's a good meeting. First, I'm sure that many of the Registrars in the room don't like me. Let's get that out of the way and get down to business. I hope that you take away from this meeting a few things. One of them is, I do not want you to be responsible for answering for bad Registrars.

I don't want you to be responsible for answering for bad Registrarants. I don't think that you should be deciding what site is illegal or immoral; I don't think you should be deciding what constitutes an accurate Whois record. I don't think that this is your place, and I don't think that it should be and I don't think you should have to spend a dime on it. What I would really like to see is a comprehensive process that handles these issues. And, it maybe something similar to existing compliance that can handle these consumer end issues.

Now, with that being said, there has been a lot of talk throughout the week at different sessions about money. About how much it would cost to have a validation system, about how much it cost to verify existing records, about how much it would cost for, to respond to police various court orders. And, I'm sure for some Registrars that is a very serious concern, in terms of staffing and in terms of budget. And as I said previously, I don't think you should have to carry the burden for that.

But, with that said, I'm often in the position of having to unravel some mysteries about the industry and explain them to my clients and consumers in general. And, in terms of money, we notice that on paper there are 940 or so Registrars, but in reality, 490 plus are controlled by

five companies. And that, in essence, these are redundant or superfluous accreditations and it piles up.

And these five companies are contributing an additional, and maybe I know if it is excessive, $2 million dollars per year to ICANN, which is almost 3% of their annual budget. Now far as answering to the consumer how the industry works, I would just like to know, what's the reason for this? Thanks you.

John Berryhill: John Berryhill, Iregistry.com. The reason for the multiply redundant Registrars is a historical artifact of the domain name market, itself. There was a point in time at which there were certain end users who, after the .com busted of 2000, found they could fruitfully pick up abandoned detritus domain names. What happened is that the Registrars, who operate on thin margins, suddenly noticed that some of their own customers were making a lot of money.

And, when they, and I'll get to the point. The Registrar that I represented in the constituency is somewhat different from other Registrars. The Registrar that I represent serves, basically, domain Registrarants who got tired of being screwed by the screw you terms of service of the Registrars. But in any event, many of the larger Registrars basically established armies of shelf Registrars for the purpose of repetitively querying at drop time the registry, and they've been sort of kept on as appendices.

But, the reason that they ballooned, it was simply to have more accreditation threads for the purpose of picking up expiring names. Since that time, as we now know, most of the commercial Registrars, when a domain name expires, don't actually allow the domain name to expire through the registries, because the Registrars have sort of pulled that back. But it's an historical artifact of what amounted to an evolution of successfully larger creatures dining on each other at the expired domain buffet.

Garth Gruens: Thank you John. I've actually heard that explanation before, and I believe it in part, but it doesn't explain Enams 11 new accreditations last year and it doesn't explain the purchase of expired accreditations by these five Registrars. Thanks.

Alan Greenberg: Okay, we have Beau next.

Beau Brendler: Thanks, three quick points. One very quickly is, that when I made the joke earlier, I just wanted to make sure it wasn't interpreted that, back when the first Registrar/ALAC meeting happened, I was At-Large's point person for Registrar relations back then, and John Navid was terrific, never anything but a gentlemen. I didn't want it to get misconstrued from what I said earlier, so thank you, John for that.

Second point, resellers, it would be interesting to know or to have a candied conversation perhaps this is not the time or place to do it, but it would be interesting to know about your issues with dealings with resellers and that they are a part of obliviously the market that doesn't appear to be particularly well contractually bound or paid attention to, and I think that can have detrimental effects, for both you, but, you know, but primarily for consumers.

Alan Greenberg: Excuse me Beau, if I can interrupt, we do have a hard stop in four minutes because another group is coming into this room.

Beau Brendler: Then the last thing I wanted to mention was, we are considering, the At-Large is just considering RAA provision 3.7.7.3. Our interpretation of that is that it puts a pretty significant liability burden on Registrars, and I would be interested to hear, because we are supposed to come up with a comment about during this session, as to what your views on it are, as to whether it has been very conversational in your community. Thanks.

Alan Greenberg: And the final word goes to Mikaley.

Mikaley Naylem: Alright, for once, I'm going to be brief. Just picking up on a couple of things, Sebastian was, as ever, eloquent and I think it would be very interesting to see about doing something along the lines of he was suggesting. Of maybe having, even just having informal national or regional meetings, if people were interested in doing something like that. Obliviously it would have to be something voluntary, and maybe if it was organized in conjunction with some other event that might be on, that would be likely to attract people within our industry, then that might work.

Unfortunately I'm in the unfortunate, or fortunate, depending on how you look at the circumstance, of not having anybody to go to a few hedges in my own country. Coming back to the entire thing about what to do in regards to these Registrars who are not here, and all that. I throw the ball back over to you guys in some respect, if you are able to communicate and

help educate users that are able to make better choices about which Registrars they should be using.

Obliviously if they have already made the choice, then, you know, there is not much anybody can do about that, but, if we can work together to help educate on who actually to choose for a service provider, be it for the domain registration, and I'm not talking just about GTLD's, let's be honest, GTLD's are only just a one part of a very large eco system. And there is as many bad and evil players in the CCTLG space as there are in the GTLD space, and friend you better, I mean, I was talking to some French Registrars the other evening and it was about, you know, another French Registrar who has a charming habit of spamming other people left, right, and center in order to get customers.

Whereas, I know that people like Stephan would never do such a thing and invest heavily in advertising and you see him going around the place in his rally car. Unfortunately I have to run because I have to chair a meeting about transfers, thanks.

Alan Greenberg: I thank you all, we are completely out of time right now and we need to vacate this room now in minus about twelve seconds.

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