

**ICANN Costa Rica Meeting
New gTLDs - TRANSCRIPTION
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Coordinator: Thank you for standing by. At this time I need to remind participants today's conference is being recorded. If you have any objections to this recording, you can disconnect at this time. Thank you. You can begin your conference.

Stephane Van Gelder: Okay. Can I ask Councilors to come back to the table please and we will start in a couple of minutes. Thank you.

Okay. Welcome back everyone. Sorry for the slight delay. We will start the new gTLD session immediately. Just looking back, operator, yeah, we're all good. So we have the ICANN new gTLD team here; Kurt Pritz. We have Karen Valente. We have Karla Valente, sorry. (Lance) is also here. And I see (Dan) over there. So the full team is with us.

And just before we start, just to tell you that obviously there's an ongoing RFP as we all know. So I would ask you to avoid any specific questions on (time) to applications or anything like that. Obviously Kurt will not be in a position to answer any of them. So please don't ask them.

And having said that, I'll hand it over to Kurt.

Kurt Pritz: Yes. Smart. Brief panic there. Thanks everyone.

So just to - it's a pleasure to speak before you again. And I just have to reiterate what Stephane said, you know, before we discuss the applicant guidebook and the new gTLD program in some depth and detail. And there was quite a bit of back and forth and that was in the spirit of that the applicant guidebook was a proposal.

And we were trying to explain we had written something and what we meant behind the writing and we're getting feedback from you how to refine that writing or whether that was the correct implementation of the policy. And so all of those discussions were held in the spirit of making that guidebook final and approved.

And so now that it is or, you know, or as Stephane said, we're quite constrained in what we can say. And so, you know, please don't take it as me being rude although I probably am, I don't know.

If I can't answer a question or rather direct you to the new gTLD mailbox but I'll tell you that the new gTLD mailbox has answered billions of questions or less than that but they answer them fairly quickly and well.

And it's really, you know, collaborative ICANN staff expert effort that gets the best opinions on each question matches what's in the guidebook and describes what's there in a way so everybody sees the responses and so all potential applicants are still on a level playing field.

And so today we've been asked to discuss four issues regarding the implementation going forward. And so we're free to discuss where we stand on these things and any advice you can give us as to how best to accomplish each one of these major tasks is well appreciated.

And so we're going to talk about Trademark Clearinghouse implementation and the work that's done there, the emergency backend registry operator,

where we stand with batching of applications and that is if we received - if ICANN receives applications significantly more than 500, the applications will be batched. And finally, where the - what the status of the applicant support program and the work that's going on there is. So I'll proceed.

So I think Stephane, what do you want to do? We want to manage time carefully. Do you want to do each one and then take questions for so, you know, 15 minutes each? Well look at that. We already went past the slide.

So the project plan - there's a detailed project plan that's managing the implementation of this global Trademark Clearinghouse and - which includes a validation function to enter trademarks into the clearinghouse and then administer a database of trademarks that will perform the sunrise and IP claim services.

So there's two tracks of work going on here. Right. One is we have to, you know, we're looking for operators for the clearinghouse services. And I just said one - those two services are, you know, one is a validator and one is a database administrator.

And then two is the set of processes and procedures for how we're going to run that clearinghouse. So that's what we're working on now. I'll talk about the first one first.

We published a request for information soliciting organizations that were interested in providing clearinghouse services. We received a number of submissions. We went through a process where we had an outside entity review the submissions and suggest to us a short list for consideration.

But you should know that the ICANN staff reviewed all of the submissions and then, you know, found itself in general concurrence with those conclusions. So there was a careful two-step process to get down to a short

list and then we held face-to-face interviews with several potential providers that came to Marina Del Ray from all over.

And in a series of two hour sessions that each candidate answered a, you know, addressed a set of questions that we provided and made a presentation that was very thoughtful and well conducted.

And then - so currently we're getting to the end of that process. We're in negotiation with one entity to get started and that negotiation will be sort of a bridge agreement to help us iron out the remaining processes and get into place a provider for validation services and for the -- it's good to be me -- and to run the database.

It's not determined yet whether one entity will do it. It will depend on the final - the qualifications of the finalists. But - so I just want to point out that we are in negotiations with an entity to provide services.

And it's undecided yet whether that entity will run them both or will try to just run one of those two services with that entity. Because we're in negotiations, I don't want to state the company publicly yet but I'll be - I think it'll be public soon once we conclude negotiations on just creating that bridge agreement to get to the final processes and service providers.

Then the other important thing I want to either repeat or say for the first time is that - so we're not unselecting, there's a - all of the services are uncovered and so work with the - some of the existing candidates may very well continue.

With the regard to process development, many of you have participated in the IAG, which might be the last acronym invented by the new gTLD program. And I just want to take time to thank everybody who's participated in this. We've had a series of calls that with 50 people on a call from all over the

world contributing very constructive advice on how to operate the - how to operate the clearinghouse.

And I just want to show their goal you see at the bottom is to deliver a set of business requirements. These efforts largely completed - I just think, you know, when it comes to these things, this is one of the great successes of ICANN that we get to pull people together on a series of calls at all different times and they volunteer their time to very constructively help and serve very pointed questions about the structure of the clearinghouse.

And so the form these calls took Glen is, you know, we had two tracks for the IAG. We had a process track and a technical track. There were 13 - I think 13 plus conference calls. Each call had an agenda with very specific issues that were going to be discussed and then closed.

All that input is being compiled to create a model and we're expecting to publish the - a set of requirements this month and information can be found at that Web site. (That the one) you say about that slide.

And then finally on the clearinghouse that - so I'll just let us stare at this list of topics and that was discussed by the IAG. And each one of these we think we got to resolution on what the business requirements are. And so with that slide up there, I want to pause and take any questions you might have on the clearinghouse.

Ching Chiao: Thanks Kurt. This is Ching Chiao. I have a quick and forward-looking question actually but just don't want to shoot this question out of surprise. But just curious is there any like batching capacity for the clearinghouse saying that for example, if we have 1000 pipeline to TLDs, would the clearinghouse will be able to handle example in the next year 4000 TLDs for the sunrise? Just in case they are launching concurrently. Thank you.

Kurt Pritz: Well I could let - well I'll let Karen elaborate on my answer. I should have prefaced this by saying Karen's managing this. And that's why the work's so terrific.

Well part of the spec is to be able to handle that. So, you know, within reason we don't say, you know, what if there's 10,000 but we ask the candidates to describe how they would handle volumes of TLD introductions and then we'll pick the best one.

And then we'll work on plans with them. That's part - a big part of the implementation is that sort of planning effort to handle volume. So it's an important issue to be addressed. I'm glad you're bringing it up.

Stephane Van Gelder: We have an online question. Marika.

Marika Konings: Yes. This is Marika. It's a question related to the URS. I don't know if you want to take it now or prefer at the end. Happy to ask it now and you can decide whether you want to answer it now or leave it.

Man: Leave it.

Marika Konings: Yeah. Okay. We'll leave that one until the end.

Stephane Van Gelder: Okay. We have a question from (Kristina). (Unintelligible).

Man: Yeah. About the clearinghouse. So on a Board briefing early January they said there'll be a Trademark Clearinghouse by the end of February. So do you know when we'll have an actual provider and not a bridge? And do you have a deadline for that?

Kurt Pritz: So the bridge agreement is meant to indicate who the clearinghouse provider is. And the reason for entering into a bridge agreement is there are a lot of details to be worked out that need to be included in the final agreement. So

we want to retain the entity, get them - get that entity higher and working on it. But we want a short-term agreement so we can work out the details that will go in the long-term agreement.

I think that'll be made public very shortly. And we're - we haven't changed. The work is progress so we haven't changed the deadline for the final implementation or that's scheduled for the final implementation.

Man: And one more question. Do you know when you will be able to tell us how much it's going to cost and who's going to pay for it?

Kurt Pritz: The clearinghouse. So I think - so I think I can answer it. So I think that's described in the papers that Trademark owners will pay to register their trademarks in the clearinghouse and registries will pay to, you know, pay to conduct sunrise and IP services for their registry.

There's some thought about how registrars might contribute. We asked each of the potential providers to provide pricing as part of their proposal and of course that is a very important consideration in selecting who the provider is.

Man: Thanks.

Stephane Van Gelder: Thanks. I have (Thomas) and (David) with - (Kristina), did you have a question?

(Kristina): Yes. Just two questions about the list of the service requirements. And I guess the first is do you anticipate making those publicly available once those are finalized and communicate? And if not, why not? And second, based on the slide, the expected completion date was March, which is the month we're in now. So is that in the next couple days? Do you anticipate it's more towards the end of the month? Do you have a sense as to where that is?

Man: (Throw me the mic).

Kurt Pritz: So I kind of understood your questions but not quite. So when you say service requirements, do you...

(Kristina): I had understood from the slide that there was a list of kind of service business requirements that were going to be communicated to the clearinghouse. And so that's the list of requirements that I was referring to.

Karen Lentz: So this is Karen Lentz. The - what's envisioned is that, you know, as Kurt mentioned, we're compiling all of the input we received from the IAG and the different models that have been put forward.

So it will be - essentially I set up requirements. That's published. That's kind of a straw man model and it considers all of the topics that were discussed and put forward a this is what's envisioned. And that's - I would - I mean we've said by then end of March, so I estimate it about then.

Stephane Van Gelder: Thanks. I have (Thomas) and (David). We are under extreme time pressure, so can I ask to please keep it short please?

(Thomas): This is a follow up to (Jeff)'s question about cost. Kurt you said that you talk about who's going to pick up the cost. Is there any indication as to how high the cost will be or is that part of your negotiations? For example, for the URS, you also gave \$300 as a figure.

Kurt Pritz: So it's a part - it's a major consideration in evaluating the proposals by the different potential providers. And the cost will certainly be published as part of the implementation of the clearinghouse. I don't think we'll publish the proposals of all the applicants because there's, you know, there's confidential information and the, you know, all the candidates submitted their proposals understanding that information was, you know, confidential.

I think that - so I - yeah, and I can't cite the numbers off the top of my head but there's a pretty big body of public comment around what the expected costs were for a registration in the clearinghouse. I don't think there's been a lot of public comment but there's some about the expected costs of, you know, conducting an IP claims or sunrise process.

But those comments were made available to the, you know, the applicants as part of their - as part of their, you know, to inform their proposal process. So I can just say, you know, we each have comments about what the community expectations were for costs and (unintelligible).

Stephane Van Gelder: Thanks. (David).

(David): Thanks Stephane. I got just quickly on one of the earlier slides you said sort of several one or two providers being selected. Just to clarify, is there going to be only one provider or is it possible there's going to be two providers?

Kurt Pritz: Well just for fun there could be more. So it's - there - it could be one provider that provides both services, validation and database administrator. Three could be one party contracting with ICANN. And then that party joins with another party to provide both services.

ICANN could have two contracts, one with the validator, one with the database administrator. Or in the longer term there could be one database. There might be multiple validators in the future. If you think about it - think about a registry and registrar model or something like that; something we should discuss.

But that might be a better way to provide better service regionally is to have multiple validators if you could solve the, you know, consistency problem across multiple validators.

Stephane Van Gelder: Thanks. So let's move on to the next part.

Kurt Pritz: These actually get shorter as we go along. Yeah, so Karen's managing the Trademark Clearinghouse implementation and Karla's managing the (Ebro) implementation. Last quarter of last year we published a request for proposals and received 14 responses that said - that - those sets of proposals are being evaluated.

We held a teleconference for all respondents so they could ask questions and so those questions were answered in a public sort of style. So all potential respondents were on a even playing field and published the answers to those questions and now we're evaluating those proposals. And the next slide.

Stephane Van Gelder: (This all right).

Kurt Pritz: Then the, you know, the timeline going forward is that we're going to select providers in June. We expect to go live beta in March. I think, you know, from my standpoint we want to, you know, kind of under promise and over deliver. And we're going to - while this is a schedule that we've agreed to with the potential providers and so have a great deal of certainty that this can be met, we're going to try to accelerate it.

And part of that, you know, part of that implementation will be training and then simulations to ensure that that process - the transition process and the triggers and all the procedures are in place work. I think that's all I have to say about that.

Stephane Van Gelder: Thanks Kurt. Any questions? Okay. Next item please.

Kurt Pritz: Batching. So you know that allocations for new gTLDs may be batched, might be necessary if we - might be necessary if we significantly - receive significantly more than five (unintelligible) evaluation process. We thought in our planning - we thought the spans of control needed to be limited somewhat in order to ensure consistency and quality of evaluation.

And taking the number of evaluators to more or less process in parallel 500 applications are in the same batch. We thought that the number of applications needed to be limited to 500 to ensure that quality. I kind of botched that sentence.

The second reason is that we committed as part of the policy and implementation public discussion that we would not delegate more than 1000 gTLDs annually in order to ensure the ongoing stability and security of the root zone system.

And so this batching number of 500 gets us to - gets us essentially we think right on top of that number. Batches will be processed approximately every five months. I think we've published a timeline for the timing of the processing of the different batches. So every applicant should know if they're in Batch 2 when they're application will be processed or even if there are subsequent batches when they will be processed. The next slide.

A number of batching processes were considered. Excuse me. And we - I think we've talked about all of them here. And we've also talked about reasons why many of them were de-selected. Random selection is problematic especially for ICANN operating in California that it might be termed a lottery in California that we cannot operate.

So that was de-selected. Auction seemed to fly in the face of the policy that we've created here and also we didn't want to, you know, could be interpreted as a change of fees. And so we stayed away from that although it's particularly attractive as an objective measure.

But not in. First come, first serve. In other words, whoever submits an application first would be processed first. Was de-selected because it was thought it incited the wrong types of behavior. In other words, to get an application in fast rather than to get an application in good.

So I want to encourage thoroughness in the application process and not speed. And so, you know, and then we considered foot races and chess matches and - and so we're left with the vast alternative is sort of secondary timestamp that's been discussed. And I'm not quite ready for that slide yet.

And so I'm going to describe this - how this secondary time stamp may operate. And I'll tell you that we're - the Board is very interested in this and concerned that it operate in a flawless style. And so we are reviewing this methodology with them.

And, you know, as soon as that conversation is done, more details will be made. But the way it's proposed is that after all the applications are submitted and the application window is closed that each applicant would be contacted and would select a time target.

And so that is you go on the TAS Web site. You pick a target time and then when that target time comes, you hit the submit button however you want to do that. And the closer you come to that target would prioritize the application. So it meets that criteria that it's not random, that it's objective.

It's very simple in practice. It's built so it's as a proposal. So it's very simple in practice. And so we will make what - when the - when those details are all approved we'll make them public. And I'll answer questions the best I can on that.

So there's really three criteria to determine batches then. And this target time variance is one of them. First there'll be an opt out mechanism so if certain entities aren't interested in applying in the first - or being considered in the first batch - evaluated in the first batch, they'll have that opportunity.

And it's been made clear in several public meetings that there will be entities that will want to submit a TLD application but not become operational right

away and so will opt out. So that will reduce the number and the need for batching perhaps.

Then the second step would be this target time variance. And then we want to ensure there's geographic diversity in the selection too. And so the way the batches would be selected is one from each region depending on where they're ranked in the time stamp. So it would cycle through the regions and pick the most accurate time registration for all of those. So I hope I was somewhat clear on that, so.

Stephane Van Gelder: Thanks Kurt. Jonathan Robinson.

Jonathan Robinson: I mean I guess that just best brings two questions to mind is one, geographic diversity is that the corporate entity that registry provided. What would determine an applicant's geography? And actually I wouldn't mind if you'd go back on the topic on (unintelligible) there and just explain that one more time to the best of your ability because it (unintelligible). There's two questions.

Kurt Pritz: So it's - yeah, so I'll - we'll have to provide clarity on the location of the geography how that's determined. And as far as the operation at a time stamp, I'm giving you a proposed model and it's not been approved yet. But the applicant would - and as soon as it's approved, I'll take you through a demonstration and it's probably better for that.

But the applicant would get online and pick a future date and a future time. So May 8 at, you know, 12:05 am. And then when May 8 12:05 am comes in, the applicant would hit the submit button. And that would register a time. And the closer you get to that time, the higher priority you would be.

It's also thought that - it's also thought that...

Jonathan Robinson: Excuse me Kurt. That time is the time in which you then press the button in the future.

Kurt Pritz: Yeah. Correct.

Jonathan Robinson: You say you literally try and...

Kurt Pritz: Correct.

Jonathan Robinson: And so you've said maybe 12:00 pm and if you're within one second or two seconds...

Kurt Pritz: Right.

Jonathan Robinson: ...or five seconds...

Kurt Pritz: Right.

Jonathan Robinson: ...it determines your score as it were.

Kurt Pritz: Right. And then you'd probably also get an opportunity to practice so you get an opportunity to calibrate your lag time as part of this.

Stephane Van Gelder: All right. Have Alan. I've put myself in the queue. Wendy, (Adrian), Yoav, hang on. Well let's go to Alan first. Keep your hands up so I can.

Alan Greenberg: I'm not (unintelligible) question, making a statement. You can choose to answer if you want. But I presume you're familiar with the body of technology associated with network time protocol and the vast amount of software that's being developed to submit eBay bids at the very last moment and be the last one (unintelligible) to really not too late.

Stephane Van Gelder: I just wanted to ask do you have an idea of when this model will be approved?

Kurt Pritz: So we're in the discussion. The Board workshop here. I don't know if it's going to be approved at this meeting or not.

Stephane Van Gelder: I have Wendy next.

Wendy Seltzer: Yes. Just to express my bewilderment that this secondary time stamp game is more acceptable than a straight up randomization when it introduces very unlike network conditions and particular challenges for those who are located farther from the ICANN submission servers and elements of randomness that are less well controlled than a certified random number generator.

Kurt Pritz: So here's where we are. The random selection, which is most attractive to us all because it's objective is just not available. And so this will - yeah, so this cures that problem. And so, you know, while we evaluated a lot of solutions, you know, all the rest were, you know, disqualified themselves.

Wendy Seltzer: So I want to ask then and perhaps it's not a question that we can get an answer to but I wonder what steps were taken to challenge as a legal matter the assertion - this is a lottery when perhaps (lottery) is the fairer way to conduct business among a set of people who are otherwise equally positioned.

Kurt Pritz: I'll say that there was significant legal analysis done over a long period of time and balanced the risks of - not just suit about the lottery but a suit that could potentially cause some delays to the program.

Stephane Van Gelder: Yoav was next.

Yoav Keren: Sorry. So my question (unintelligible) specified batching over (unintelligible) 500 and you said significantly high. So what is significantly high? Is it 600, 700, 750?

Kurt Pritz: Yeah. That's a good question. So yeah, when you - without attaching a number to it, you know, obviously 501 would be okay, 510. We could include in the same batch 550 probably. You know, it depends on the number we get.

Stephane Van Gelder: (Adrian).

(Adrian): Thanks. Excuse me. Kurt, two points. First one, is there room in the ICANN data center to my servers just so I'm right next to you to be able to get in there as quick as possible. But in all seriousness folks, (Kurt), back to geographic diversity. Does that imply that you'll go in a round robin fashion to select an applicant from each geographic region?

Kurt Pritz: That's what's proposed. What do you think of that?

(Adrian): I will go and set up a few interviews in Africa very quickly because clearly the areas that have less applicants therefore have more chance in that respect. That's what sort of blinked out to me initially but I'd have to see the proposal further.

Kurt Pritz: And what do you think about all entities from one region being in the first batch somehow and how that - so the (unintelligible) is, you know, how do we want it to reflect on the program because it, you know, it is a closed balancing issue and I wanted to get, you know, your and anybody else's input on it.

(Adrian): Yeah. I don't - think you're in hard (unintelligible) either way you go. But it just seems - well first we can't - even the selection of the regions, this is all going to come down, you know, people have got the (bank), right. And so just how you select the order of the regions, that could be an issue.

You know, time stamp that or do something, you know, with (unintelligible). Because even missing out on somebody from the Asia Pacific before the North America or something like that could significantly impact my business. So (unintelligible) I'm not sure if there is an easy answer for you. But I just would stress caution going forward just with geographical diversity because that still leaves open for gaming I believe in this late stage.

Maybe (unintelligible) decide after the application window is closed to avoid gaming. But then potentially that doesn't give people advantage or visibility of process. So as I say, hard (unintelligible). Does anybody else on the Council have an opinion on that?

Stephane Van Gelder: I think if we work down the queue you'll probably get opinions. Zahid was next.

Zahid Jamil: Thank you. I think that the answer probably is that - I'm from a developing country and I think that geographic diversity and the way you guys try to work it out Kurt seems like a fair process. It's only one problem as (Adrian) pointed out. Does that mean that, you know, I can go and set up shell companies in various countries and game that process?

So maybe - it's certainly sort of, you know, something you need to consider and say well, what are the rules, if there needs to be strict adherence and checks to see whether this company really is just setting itself up offshore or in that region. I mean maybe you can think about that.

But I have another question, which is I think about last time as well (unintelligible) raise questions in the TAX. Question 28, the abuse prevention and mitigation and the outcome and basically sort of says well these are the sort of things I'm going to do to make sure my registries aren't in the (switch space).

I'm now aware and if you could clarify for me, does (unintelligible) build in the application form by reference get incorporated into the registry agreement and therefore is bound by those terms of not? Because it's one thing to fill out an application form and say those things but then later on in the registry agreement doesn't incorporate that, does (unintelligible) when he's running the registry?

Kurt Pritz: There's a lot - there's been a lot of discussion on that. I think - so the registry agreement is in the guidebook. And I think the guidebook's pretty clear about what goes into their registry agreement when (present).

Zahid Jamil: That follow up. My understanding therefore is that it's not - that that means Question Number 28 would not be incorporated into the registry agreement. And is that not a risk because I'm making representations that are not bound by them? Is there any work that's being done to try and address that at the moment? Would that be a change maybe because of that?

(Dan): Zahid, this is (Dan). I think - I missed the beginning of the question but if the question is about restrictions, basically there is going to be two kinds of registry agreements. One is the community TLD, which - in which because the applicant got some advantage from saying that he was community TLD and was going to represent (in their) community, he is going to be restricted and he's going to be bound to comply with restrictions.

The other kind of TLD application is the standard TLD in which case it would be up to the registry to set and establish and change its own policies. Period. That's the two kinds that have been envisioned the past couple years.

But I know there's discussion about maybe that's not right. Maybe we should, you know, do more to kind of write the whole application somehow where you parse the application into each agreement and that's not what's currently in the guidebook.

Stephane Van Gelder: So got (one or two) left and not much time. So please keep it short. We've got Jonathan, Steve DelBianco, Marilyn, (Thomas). I'll put myself again, (Adrian) and I'd like to (unintelligible) cut it off there on this topic. Jonathan.

Jonathan Robinson: Thanks Stephane. It's Jonathan Robinson. I would say that geographic diversity is immensely challenging to deal with for all sorts of reasons. It will be very hard to determine why someone has established themselves in a particular geographic geography whether that was for tax reasons or to gain this particular process or not.

My constructive might be to try and put two and three together into a single process such that it was non-geographically prejudicial, if you like. And arguably as you have it currently it is prejudicial against certain geographies because by setting a target time variance you prejudice potentially those people who are in the wrong network in the wrong place at the wrong time.

So my immediate thought is perhaps to use something like those systems that work for the lowest bid (near) and something like that would while not being entirely random would offer people the opportunity to bid against a certain lowest point and that would be non-geographically prejudicial.

I'm sure there's others who understand those systems and processes much better than I do but that - certainly the overall theme would be to try and bring together two and three.

Stephane Van Gelder: Thanks. Steve DelBianco.

Steve DelBianco: (Unintelligible).

Stephane Van Gelder: Okay. Marilyn.

Marilyn Cade: In relation - thank you for the level of detail we're getting. Is the approach that ICANN is taking ADA compliant? And are we making sure that we are paying attention to the accessibility issue for persons with disabilities?

Kurt Pritz: Thanks for that question. Let me get - let me get you a good answer.

Marilyn Cade: Follow up Kurt. I think it may be a new thought to ICANN but these are serious challenges for people particularly in developing countries. So my question probably is a broad question.

Stephane Van Gelder: (Thomas).

(Thomas): In terms of geographic diversity I think it would at least make sense to use the same proportion of applicants for the various reasons and not to pick up after the other. And it might help reduce the risk of gaming.

And on top of that I have a question. Will it be using ICANN technical infrastructure as it exists for this because then I could easily try to set up something in the same data centers or something like that to be as close as possible.

Kurt Pritz: I'm really reticent to say something about that - the TAS application system and the systems and hardware and platforms and protection (product) are fairly sophisticated because I'll jinx myself. But, you know, it's going well so far. And, you know, there's quite a bit of thought put into how to set up these - the actual mechanical gear to run the process.

And, you know, whereas it, you know, I don't know either - I don't know where it is. Well it isn't yet but I don't know where a lot of our hardware is. And I don't know. That's enough of an answer.

Man: In the cloud Kurt.

Kurt Pritz: In the cloud.

Stephane Van Gelder: Thanks. My question was more of a comment really. But I think after the discussion that we've had so far clearly points to the fact that people see little difference between this and the first come first serve system. And if we're going to be pushing buttons, this reminds me of certain TLD launches that I'd rather forget.

I understand that you much have been (unintelligible) over this to try and find a system and I know it's not easy so I don't want to criticize easily and say you should have done things differently.

But I would - my personal view is that it's going to be very difficult to explain this to the outside world and say that from the start we've always said we wouldn't do a first come first serve system and then introduce what you call the target time variance and the geographic diversity into that system I think is just clearly something that is first come first serve.

Kurt Pritz: And so for the purpose - for the purposes of this briefing for the GNSO, I wanted to be as open as possible. You know, I've created slide decks on this stuff to explain it and I found the best way is to - a demonstration. And that when already providing a demonstration it, you know, it's really quite simple even though like you said the process by which we got to this solution was really difficult.

Stephane Van Gelder: Thanks Kurt. I've got (Adrian) and Ching and we'll close it there.

(Adrian): Thanks. Kurt, I think that geographic diversity is probably a (unintelligible) of (unintelligible) variance because only - I think you only mean geographical diversity if you're going to do something that disadvantages people because of their location.

I would just stress that you should be trying to create a level playing field. And whilst there are certainly applicants in disadvantaged areas, that should be on the same level as what everybody else is and not given any advantage because of that.

So I think that you (only need) geographical diversity should you want to do your target time periods because that's sort of where the issue is. Outside of that I see no reason to create a geographical separation.

Stephane Van Gelder: Thank you. Ching, the last word to you.

Ching Chiao: Sure. I'll be quick and because most of my question actually got covered. But actually I'm in support of the best possible - this reasonable commercially implementation. I mean I'm pretty sure that I mean the GNSO Council or the community - I mean the members will appreciate we have only 30 days left. We need - I mean the capability and the commercially reasonable way for that.

But just one final comment on the button pushing methodology you've proposed. If you try to maybe try to visit example from China and try to push the button, when you submit - I mean the information in the (unintelligible) test system, you'll find that it takes time.

I mean even now to hit the (conference) button and you get a response. So I won't - actually we comment maybe just think twice on that methodology.

Kurt Pritz: So we're going to talk about - thank you - anyway those are really constructive inputs. Thank you. We're going to talk about the applicant support program and then Marika, I remember we have a question about - you asked. We'll take that.

Oh gosh. So there's three elements to the applicant support program that was developed with the Joint Applicant Support Working Group. One was

third party pro bono services seeking to hook up or establish relationships between entities offering support either financial or in kind support and (others) seeking it.

The second program element is fee reductions or other assistance for selected qualified applicants. And then finally the establishment of a support fund. Among the publications are a fact sheet, dedicated work page. We published a financial support handbook so those who were seeking financial assistance have directions.

And then finally we established an awareness campaign. We responded to an email from the JAS team that outlined the communications efforts that for those of you that have questions about what was undertaken, that could be distributed more broadly.

As far as the first leg of the program, pro bono third party services, we established a directory on the ICANN Web page like I said, seeking to connect those entities, seeking an offer in pro bono services and that's the link. Go ahead.

And so far there's 14 organizations that have registered seeking support in 15 organizations offering support. And there's pretty wide geographic diversity among those organizations. So I think that's pretty good.

You're all familiar with this, the financial assistance program. We'll afford to give a number - limited number of qualified applicants a fee reduction to \$47,000. Or if the fee reduction is not available due to the limited fund, then a staggered payment option. And there's some other kinds of support for qualified applicants described to.

The applicant will provide a support application along with their gTLD applications. So while the first batch of gTLD applications will be processed,

the support applicant will be evaluated in parallel with that first batch. And then the support application will be evaluated in a subsequent batch.

It's important to note I think - so we didn't go into a lot of detail on these slides but it's important to note that being a financial assistance applicant has very, very serious implications that there's a refund if you're not - if you don't qualify as a financial assistance applicant.

But you're not - your application won't go farther in the new gTLD program if you don't meet the financial assistance qualifications requirements. Those are really clear in the applicant handbook. And we're going to describe the Karla, right, more thoroughly in the Monday presentation.

And ICANN's currently seeking to retain analysts for an independent support applicant review panel to evaluate the applications and how we're going about that. We published a solicitation for panelists on the 3rd of February. That's going through the 31st of March.

And so we're seeking volunteers from the ICANN community and we're also seeking out independent experts. So we've hired a firm actually to go out and find different areas of expertise and solicit people to participate on the panel.

The actual number of panelists will be based on the number of applications. And we're - I think we're going to have our first member meeting here with the JAS Sub-working Group. They are going to - the panel selection and the training is going to be in collaboration with that JAS Working Group. And we're going to attempt to work out the details of that collaboration here. Let's just - do you want to ask your question now?

Alan Greenberg: Very quick question. Are you satisfied with the number of applicants you've gotten so far?

Kurt Pritz: What's the number? Not quite. I think there's like 14 so far. Oh. Going on to the next - oh no. That's not that question. The number of applicants to be a (SARC) panelist. Is that 14 also? Okay.

Man: Amazing coincidence.

Kurt Pritz: So we have 14. So if you would - if you would - so I'd take your advice but we want to use the opportunity of all being here to perhaps prosthetize more. What? Go ahead (Carl).

(Carl): (Unintelligible).

Kurt Pritz: Oh that's okay. Well...

Woman: No, we have about ten people that submitted applications. The deadline is by the end of the month. The 14 is how much the initial fund will support.

Man: Yeah. But on top (of that) we also have the (unintelligible) is the right number is - we're reaching out through a consultant to find other people. And they say there's a number of people interested but they haven't applied yet. So I think the number is greater.

Kurt Pritz: But we should use this meeting if we can to get more. Huh? So can I - I have like two more slides so let's get to the end of the slides. And then is it okay to take questions? I know Alan had a really pointed question.

So as we know, the ICANN Board has authorized \$2 million for this fund. Work at ICANN is going on in a couple ways to increase that fund. But again, your advice would be greatly appreciated.

And that strategy for increasing funding now to use the third party pro bono vehicle and we're developing a mechanism for ICANN which is very difficult

for ICANN to accept funds directly into a place where they can be kept and provided to applicants.

In the near - and that's sort of a near term goal to develop this program to accept contributions. And then in the longer term make a sustainable funding model that's funded by a variety of sources other than contributions. It might be auction income. It might be - it might be other sources.

And that long-term fund might be used to fund other initiatives other than applicant support, DNS security efforts and the like. That'll be a community discussion how that all falls out.

So that's the end of my talk on.

Stephane Van Gelder: Great. Thanks Kurt. Let's open it up for a very short set of questions. We're over time already. Rafik, (Lori) and Joy.

Rafik Dammak: It's Rafik speaking. Thanks (unintelligible). Just I want to go to the last slide about the three phased product strategies. About the long-term. I think in the JAS Working Group we proposed kind of funding model - it's mostly about the foundations.

And we don't know why it cannot let's say maybe to study the feasibility of this idea that can correspond to that funding model for a more sustainable way.

And just about let's say the (SARC) - let's say having the (SARC) panelists. So you think it's enough for end of March to get enough applications to have enough diversity and the background and the experience that we can form this review panel?

And my - the third question is - oh I forget. I will go back later.

Kurt Pritz: Well (unintelligible). I think I heard about (unintelligible).

((Crosstalk))

Kurt Pritz: (Unintelligible) applications in (unintelligible). So that work (unintelligible).

((Crosstalk))

Man: (Unintelligible).

Man: (Unintelligible) within the time remaining for the application window.

Kurt Pritz: So again, do you have a suggestion how we could improve awareness given the timing?

Man: Like asking anyone for (unintelligible) because a lot of people who are connected to it. Can't think of anything.

Stephane Van Gelder: Joy.

Joy Liddicoat: Thank you. Joy Liddicoat for the transcribers. Thank you Kurt for that presentation and to your team and all the staff who are working so hard on this.

I just think it would be helpful to have some outline perhaps if not now then you may do it during the ICANN meeting this week about how you've responded to the various submissions that were made earlier this year in the financial assistance handbook.

There's a call for public comment and a number of people made suggestions and just a reflection that looking at this presentation it's been a little hard for me to gauge precisely how they've been incorporated and that feedback's been taken account of.

And then particularly in relation to - so that's the first point. And the second point in relation to the chart and I think it is important given the sensitivities around this topic to ensure that the panelists do represent the diversity of communities over which they are making important advisory decisions.

And some outline of perhaps the criteria or the grounds on which you might be - (you effect) you're taking into account and assisting that diversity would be helpful also. Thank you.

Kurt Pritz: So thanks very much on the second comment and on the - about the importance of diversity. We agree. And as to your first comment, I know there's a careful analysis of comments. I'll make sure you have that. We'll see if we can - how we published it the first time and see if that's not clear and point people to it.

Stephane Van Gelder: Thanks. So let's have one, maybe two questions. Marika from the online forum.

Marika Konings: This is Marika. I actually have six queued up but I'll start in order. URS.

Kurt Pritz: Just like these other aspects URS is marching along to a project plan that we'll have it in place in time to provide dispute resolution services for new gTLDs. We're about to publish an RFP or request for proposals for potential service providers.

We think that - one is we think there's qualified service providers out there. So we're - time is important but we think that there's time to do the implementation. And I think there will be a community discussion as (Phil) discusses about the cost of various aspects of the model the way it is currently configured. And we want to get to the cost targets that we specify. Do you have another question Marika?

Marika Konings: Yeah. I have a couple. Next question in the queue was if there is more than one Trademark Clearinghouse, will they cover different non-overlapping regions?

Kurt Pritz: So there's - the way it's currently envisioned, there's - as we described, there's two services. One is a validation service that's worldwide and one is a database administrator that's worldwide. Our requirements for the proposals required any successful proposer to be able to address worldwide or global requirements.

I'm looking at Marika while I'm saying this. And she asked that question I don't know why. And so, excuse me. But what we did talk about briefly is in the longer term there might be a model to have multiple validators in order to address the needs of different regions. But that's something we haven't discussed yet. So it'd be in the longer term.

Marika Konings: Another question from (unintelligible) and I think it relates to the batching discussion. What happens if one applicant from a contention set opts out but not all applicants from that contention set do?

Kurt Pritz: That question again?

Marika Konings: I think it relates to the batching question and the time stamping. So basically the question is what happens if one applicant from a contention set opts out but not all applicants from that contention set do the same thing?

Kurt Pritz: I think - was that in the guidebook? Yeah, I think that's really clear in Module 4 of the guidebook and it's one of those questions that at this stage of the game I don't want to give an interpretation to the guidebook. But that prioritization is pretty clear I think.

Marika Konings: I have another question from Chris Chaplow. And I think he's referring to something you said before. But when you say the Q&A for the RFP for

evaluators in a sort of public manner, do you mean on the ICANN Wiki like the gTLD communications plan or icann.org?

Kurt Pritz: No. What I mean is that it's, you know, in the United States we call it a bidders conference. I don't know what we call it elsewhere. But those that are interested in bidding on a contract to provide services ask their questions all in one forum.

So all the potential bidders can hear each others questions so that when they reply to the RFP they're all operating from the same set of information. So it's a fairly standard tool for conducting these sorts of solicitations.

Can I just clarify what I thought the last question on the batching was because it wasn't in the guidebook? In reading just the online chat, it seemed to me the question was when you do the secondary time stamp, do you - and there's a bunch in the same contention set. Do you go with the person who was first in the secondary time stamp? Does everyone get the benefit of the first or does everyone get the detriment of the last?

Yeah, so I think the guidebook describes absent the method for determining the batches. The guidebook describes what happens if there's contending application in different batches. So the guidebook says that. But it doesn't say the method for (unintelligible) the batches.

Stephane Van Gelder: Okay. Thanks.

Kurt Pritz: We got one last question.

Stephane Van Gelder: Sure.

Marika Konings: Relatively short because I think the other question was already answered. The question is from David Cohen. How would a Japanese transit duration of

a existing gTLD be treated? Requests from Japan or from the U.S. where the registry - existing registry may be.

In addition, I would like to ask if transit durations of existing gTLDs would receive priority as they are existing with an ASCII TLD at the end for many years?

Stephane Van Gelder: Compound question.

Kurt Pritz: Stephane said wasn't short. So it became clear from this discussion that a great deal of thought has to be put to the use of geographical location in this and how that would be determined. Secondly - that second question is pretty clear in the guidebook too I think.

Stephane Van Gelder: Okay. Thanks. And all the team, thanks to you all. We'll cut it off there. I've got a few housekeeping issues. The next session is one that we're reintroduced on the agenda for those of you who have got the old agenda, which is a follow on session from our talks yesterday on the IOC; IOC protection mechanisms and that will be chaired by Jeff Neuman.

We will then go into our session with the Board. I've been given several directives on this. Only Councilors are to be seated at the table. The Board and Councilors only at the table. Space is very limited. So that also excludes staff unfortunately.

The first row behind me should be kept clear for staff please. There is lunch that has already been served but that you are not allowed to touch I'm afraid until the Board gets here. And I think that's about it for the policing issues that I've been given to tell you.

And apart from that, good luck to everyone. So the next session will start in a couple of minutes. Thanks one again.

Man: Stephane, Stephane. (Unintelligible). Just to remind you too. We have an open item is the discussion with the ccNSO item. So how should we manage that. If we could manage to do it after that session with - on the IOC. Perhaps so if there's time enough that would be helpful. A quarter of an hour would be enough.

Stephane Van Gelder: Yes, okay.

Man: I'll (deal) with Jeff.

END