

ICANN San Jose, Costa Rica, Meeting

Registries Stakeholder Group- TRANSCRIPTION

Tuesday 13 March 2012 at 14:15 local ICANN San Jose, Costa Rica

**Registries Stakeholder Group  
Afternoon Session**

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**TRANSCRIPTION**

**Note:** The following is the output of transcribing from an audio. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

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Craig Schwartz: Craig Schwartz is here.

Roy Dykes: Roy Dykes is here, Neustar.

Coordinator: At this time I would like to remind all parties today's conference call is now being recorded, if you have any objections you may disconnect.

Cherie Stubbs: Thank you.

Keith Drazek: Okay so on the phone I heard Barbara Knight, Craig and Roy, is that right, is there anyone else? Great thank you.

Okay let's get back into our agenda. Well first thanks everybody for the involvement and engagement in the board meeting, I thought it went well and great team effort, so thanks.

Thanks, so let's get back to the vote on the thick WHOIS PDP, I think that's the last of the GNSO council motion issues that we need to resolve today and Cherie why don't I kick it over to you to redo or continue with that vote, however you think is best.

Cherie Stubbs: Jeff do you have a preference, if I redo or do you want me to announce who's voted which way?

Keith Drazek: Why don't we redo it from the top Cherie?

Cherie Stubbs: Okay.

Man: I'm just worried about people that may not be here that were here before.

Keith Drazek: If they're not here and they voted before then we'll count that as a vote.

Man: Okay.

Cherie Stubbs: All right, I have Neustar.

Man: Can you repeat the motion please? Sorry had to do that. We're against the motion.

Cherie Stubbs: VeriSign.

Man: We abstain.

Cherie Stubbs: Affilius.

Man: Favor.

Cherie Stubbs: PIR.

Man: In favor.

Cherie Stubbs: (Use Doma) is not present and they are on record to voting with the majority of the stakeholder group members so I'll defer that until the final votes are in.

Dot co-op? No? CTA is not present, Employ Media?

Ray Fassett: I'm going to change our vote to be in favor, I want to give a brief explanation, this is Ray Fassett, there is apparently a perception issue out here that the registry stakeholder group can look in an unfavorable light.

I don't necessarily buy into that logic so much, however everything considered, we're changing our vote to go ahead and favor the PDP at this time. I plan on being actively involved in this PDP to the best of my ability.

Cherie Stubbs: Thank you. (Tinka)? They have not voted. Trail Launch? Byron? You're not in the room currently? (Calnix)? Adrian had to leave the call and he asked if the vote was taken after he was off the call that he is voting no.

Dot Asia?

Man: We will vote - we will go with the majority if allowed.

Cherie Stubbs: ICM? Registry? Cherie here? She's not here. Okay, wow, this is an interesting - we have...

Man: Can I - I wanted to ask a question of Ray with his statement.

Keith Drazek: Okay but let's get through tallying up what we've got here and just see if anybody else either comes into the room or joins us on the phone.

Cherie Stubbs: We don't have a majority so I can't take - okay got Asia, we have one, two, three,

Man: Point of order Keith, do we have a quorum? I hope we do, but do we?

Keith Drazek: So the question's been asked do we have a quorum?

Cherie Stubbs: We do. Yes we do.

Keith Drazek: Okay, so we do have a quorum and Cherie have you tallied the results yet?

Cherie Stubbs: Well kind of.

Keith Drazek: Okay, give us what you've got.

Cherie Stubbs: I show we have three nos, three yeses, one abstain, three who will vote with the majority of which there is none and one, two, three we have two people that have been here but are not currently in the room.

So...

Keith Drazek: Those that didn't vote earlier, yeah. All right, then I'm going to propose that we table this until we hopefully get some more participation back in the room to move the needle one way or the other. Yeah, go ahead Jeff.

Jeff Neuman: Yeah so this is the third time today I've heard the word perception of the registries if we vote no, can someone give just an actual example? That would be great.

Because if someone said something, someone...

Michael Young: I'd be happy to actually - I have Heather Dryden's permission to specifically say that the GAC would see not supporting this PDP as a negative behavior of the RYSG.

And quote unquote, you guys should do the right thing.

Keith Drazek: Thank you Michael.

Man: If that was said then I'll change my vote to a yes.

Cherie Stubbs: Are there any other changes in votes? The two nos now are dot co-op and (Telnic). We have seven...

Keith Drazek: Sorry, go ahead Jonathan.

Jonathan Robinson: I mean Jeff simply changing that vote, that's the whole dominos going doesn't it, I mean...

Keith Drazek: Based on who's in the room, yes.

Cherie Stubbs: Okay so we ended up with the three that would vote with the majority, if you want to look at two nos and four yeses, then we have seven yeses and two nos, one abstain and three members are not in the room.

The not in the rooms did not cast, they're not either on line at the meeting or they're out of the room.

Keith Drazek: Chuck go ahead.

Chuck Gomes: Yeah, I think we still have the second part of the issue for the councilors right, with regard to should it be delayed? I'm not advocating one way or another, I'm just reminding us that we were going to separate the two issues.

Keith Drazek: Okay, so I think with Jeff's vote moved and the three that were willing to vote with the majority, we now have instructions for our councilors to vote yes.

Having said that as Chuck noted, we have now to discuss the question of a proposed delay, and I think it's also important that we allow or instruct our councilors to express their concern about the PDP being as Jeff's concern was earlier, about a PDP being singling out one party.

I think that it's important for those that had concerns about this here in our stakeholder group that that's put on the record as part of our vote. So with that let's go ahead and move on to the discussion about proposing a delay.

Go ahead Jonathan.

Jonathan Robinson: Just a point of clarity - it's Jonathan, just a point of clarification I'm not sure I fully understand the delay. Is it part of the motion or is it....

Keith Drazek: This is Keith, it's not currently part of the motion but it was raised earlier in our discussion about the idea that even with a yes vote, that there are other things going on in the community right now including negotiations and other things that could impact without knowing more could impact whether our PDP makes sense or not.

So Jeff and I think some others suggested or somebody suggested, I apologize.

Michael Young: I agreed with it as well.

Keith Drazek: I know Michael seconded it and basically said that that's a good sort of middle ground solution even though we don't feel comfortable necessarily with a PDP singling out one party, it's sort of in the context of you know the atmosphere here that may be the right thing to do.

But that we would then propose possibly delaying it for a year, based on other workload, based on the other things that are in play. So let's go ahead and kick that off, let's open it up.

Jonathan Robinson: Jonathan Robinson speaking, sorry, just given that that optics have played such a significant part it seems in our decision on the primary component of this we should probably be mindful of optics in weighing up this second part, so that's just a comment.

It doesn't stand in isolation I don't believe.

Keith Drazek: Okay thanks Jonathan, (Paul)?

(Paul Diaz): I guess a question for councilors making a motion for delay, is that a viable option? Would that be seen as a friendly amendment or is that not going to happen?

Keith Drazek: Okay thanks (Paul), Jeff?

Jeff Neuman: So the only motion that's on the table is whether to institute the PDP or not. The decision of how we put that in our priority is not really a motion, it's more of just a work item that the GNSO council can decide at the wrap up session.

It's not something that needs to go off for a vote. So really what we're asking now is whether we should basically instruct our councilors during the meeting to just say that we expect that this is put in the appropriate priority and that we're overworked - not overworked.

But that we have a lot going on and that we don't see a need to begin this PDP, there could be some intervening events as well that may affect the PDP so we recommend not starting this PDP until after the - until next year.

That's the way we put it, it's not part of the motion.

Jonathan Robinson: So it's Jonathan Robinson speaking, so what we're doing is we're - and when we're given the opportunity to discuss the motion we're saying two things, right, we're talking about in this context our concern over the workload.

And I guess this idea we need then to come out of this is whether or not we make that remark because it's not a change to motion, it's not a kind of binding position on the council.

It's simply the remarks we make and I think we've agreed that the one remark we will make is that we have reservations about a PDP applying to only one party, and that the second question is do we express this other component which is the delay of the work.

Keith Drazek: Thanks Jonathan. Ken?

Ken Stubbs: I have some minor concerns. The one thing I do not want to do necessarily is to single us out so as I look down at the other end of the table towards Mr. Nevett, knowing the depth of experience he has in the registrar constituency I'd be very interested in finding out one, how they feel about it.

I would not want to be out of all the constituents the only constituency that's advocating for a one year delay because now let me give you my opinion.

My opinion is that when you say that it sounds like even though VeriSign didn't vote and abstained, there might have been some sort of a subtle pressure within the constituency to push this thing out for a year.

I happen to agree with what Jeff says because I think we have a hell of a lot on our plate. I don't want this thing to just get fast tracked and all the sudden we end up with something that may not be really intended.

At the same point in time, I really don't think this is a time for us to be singled out on that basis.

Now a lot of that will depend on what the support is in the registrar constituency, what the reactions may be from other people, so that's how I...

Keith Drazek: Thanks Ken, you know I think it's well said and I think it remains to be seen whether the registrars will support this motion, whether others in the community will support it, whether you know - I mean there are other groups, I mean the motion may not pass GNSO council even with our vote right?

I mean Jeff I don't know if your councilors have any sense as to how this might go.

Jeff Neuman: It's a really long threshold for PDP so it will pass. If the registries support it, and the commercial stakeholder group supports it, I think it will pass.

Jonathan Robinson: So it's Jonathan Robinson speaking, I think I've got a question that's probably for you Jeff, and really it's a question of if we frame the motion or our response to the motion by saying that we have - that we emphasize that the volume of work, the fact that this needs to be placed in the context of all of the other volume of work but don't specifically or explicitly recommend a 12 month delay or a specific delay.

Simply highlight that it needs to be evaluated properly and not simply - it's just being the latest thing on the plate dealt with. Would that satisfy you or would that be enough?

Jeff Neuman: I think one of the main things you're pushing for the delay was not just to delay because there was too much work, it's that there's a contract negotiation that's going on right now.

And we don't know the status nor are we asking, but until that's done, until we have certainty as to where the com agreement ends up we shouldn't be starting this.

Keith Drazek: This is Keith and further, I mean the WHOIS review team's final report hasn't even really been made final, I mean it's still in draft final form and you know they're making changes.

So I mean there are other things going on in the community around WHOIS that might make kicking off an early PDP on thick WHOIS premature.

But - so I'll finish my comment there, I think Ching was next and then Michael and then Ken.

Ching Chiao: Thank you Keith, this is Ching. Actually Jonathan pretty much covered what I would like to say and also if - and Ken mentioned about if we are - the registry stakeholder group would - if we are - we don't feel like being singled out at this point.

And I happened also to have this motion gets delayed again and if we say that could be a - put us into a difficult or you now interesting situation. As Jonathan mentioned that if we said that this motion gets passed through but there's still a staff capacity, or the - as you mentioned, the PDP I mean the status, I mean WHOIS review, the draft final for this still have this type of capacity issue.

I mean maybe we still let it through but naturally it's in the later part of the pipeline and you'll probably see because of them, the real practice or the real capacity may be just take another year or so to make it happen.

Keith Drazek: I think Michael was next then Ken then John.

Michael Young: So I think the strategy that seems to be evolving works, not specifying the timeline but identifying a few key things that are appropriate to do a wait and see.

Because it may become unnecessary, so you know giving examples of those, asking for a reasonable delay in view of these specific interest points, and not going any further than that would be enough to get the delay without basically fingering the RYSG to look bad.

Keith Drazek: Okay, thanks Michael, Ken?

Ken Stubbs: Yeah, I'm just keeping my own position here, I don't like to use the word delay, but I think we have number one significant a lot of work on our plate. There's a lot of work we have on our plate, number one.

Number two, there is a serious lack of clarity at this point in time to move forward on a PDP. The reason very simply is we have significant contract that still is in the process of being negotiated and we need clarity from that contract.

We also have a situation where the WHOIS working group, whichever, whatever it is called still is in a transitional process and preparing of final report.

So to me it seems like a responsible action on the part of the council to get the clarity before the PDP starts, the reason how can you scope it even without having that clarity?

So it isn't like well we can start it and we'll find the clarity as we move along.

Keith Drazek: Ken I think that's well said, thank you and I think that you know maybe it's a question of not saying the word delay but more crafting it in the context of all the other things that are going on.

So it basically recommending that the council sort of be cognizant of these things as they evaluate prioritization, something like that. So Jeff, Jonathan, Ching, you guys feel like you have what you need at this point?

Ray did you want to say something? Oh John, sorry. John go ahead, you were next in the queue.

Jon Nevett: Jon Nevett, I guess to respond to Ken and a couple other comments, I think it should come if we ask for it we won't use the D word it sounds like, if we ask for continuation or something it should come from the registrars.

Regardless of whether they support the motion or not, I think you know that kind of request coming from this stakeholder group probably wouldn't be viewed in the same light as it would be coming from the registrars.

They've raised the same points about overworked and I guess staff prioritization in the past so it would be very consistent with their message points in the past.

I know, sounds like the vote's taken but the other option could have been vote no for a PDP with a resolution that it be revisited in six months, which is another way instead of voting yes, saying we will have it but you know we can't have it for six months.

Because you don't know if you need it and you know we won't know for you know four, five months whether you need it or not, but either way it's not a big deal.

Keith Drazek: Thanks Jon, and you know based on the comment that Michael communicated to us from Heather Dryden, I think it was you know - it swayed the votes enough that she said you know we ought to do the right thing, that it would be viewed unfavorably to vote no.

I think that was compelling enough to some. But I hear what you're saying about the registrars. Now do you get the sense that the registrars - do you have a sense as to where the registrars might be on this and what their communication might be?

Jonathan Robinson: My best information is that they haven't decided yet.

Keith Drazek: Okay, thanks Jon. Okay Ray?

Ray Fassett: Real quick, it's already been decided by staff that this particular PDP is not singling out incumbents. Is that correct or is this draft final - is this draft report still not decided that question? Whether or not this PDP singles out incumbent registries.

Keith Drazek: It's specific to existing registries that are currently then.

Ray Fassett: They didn't - they said it's within the scope. That's all they said.

Keith Drazek: Chuck go ahead.

Chuck Gomes: I'd like to point out a problem with the logic that this is singling out one registry operator, which in reality it is.

But if we take the position that you can't do it because of that, essentially what we're saying is there can be no consensus policy work on thick WHOIS which I think puts us in a rather awkward position.

Man: I mean we're in a unique position here where you know every other registry and ever - it's - this PDP is going to be a farce in my mind because we've already as a community made a decision to go with thick WHOIS for every single future TLD.

So the argument that you know I mean personally, totally personally speaking, to make any arguments against thick WHOIS at this point in time is not being as secure or not being anything, sorry, am I not close enough?

It would be very tough to make an argument that it's not as secure, it's not as private or privacy is not protected, that there's security risks.

Personally speaking to me, this decision is already made and this whole PDP is going not be just essentially a farce. It's going to be everything's already done and decided.

Because how can we go against that, we've now made 1500 new registries agree to thick WHOIS based on the premise that it's more secure.

Based on the premise that there's no issues with privacy, if that comes into question is not true, then you have to undo every single one of the 1500 agreements.

Keith Drazek: So this is Keith, Ray and then I'd like to respond unless Chuck you want to jump in, but Ray go ahead.

Ray Fassett: Gentlemen, I don't think that's correct. There's never been a policy on WHOIS to make those conclusions. It was part of a concession for the new gTLDs to be implemented, but those issues that you're talking about were never decided through a bottom up policy development process.

We did personally speaking I guess we disagree on that because that's - that question was raised a number of times, a number of people said we don't think should happen and they came out with report after report as to why they justified thick WHOIS.

And by the way if this comes out and says that VeriSign doesn't have to do thick WHOIS and dot jobs doesn't have to do thick WHOIS, then maybe I'll just convert to a thin and maybe you know Ken will too and maybe we'll all negotiate that into our agreements.

I mean we're going to go off topic, I think there's no policy on having a WHOIS at all.

Keith Drazek: Okay, so to wrap this up, Chuck, John?

Chuck Gomes: Okay I think that Ray's right, that because the thick WHOIS was added after GNSO recommendations, so it was not part of the recommendations. It was staff's response to the request for rights protection mechanism.

Now I'm not arguing one way or another, I'm just pointing out I think he's right in terms of his statement that it was not part of the policy process.

Keith Drazek: Okay, Jon?

Jon Nevett: Thanks, I just want to agree with Chuck's earlier comment that perhaps the conduct of one contracted party could result in a policy development process, for example if tasting was being conducted by one registry or one registrar rather, does that mean the community can't get together and say that's not really how we intended this process and create a policy development process based on that conduct?

I'm not sure if we want to have that policy statement out there. It might be in most cases correct but I'm not sure if we can be that definitive.

Man: It is already out there, and it's not only out there, it's actually built in to the notion of a PDP, it's already in there. It's got to stay where staff has to evaluate, it has to be there.

It has to be multiple - affect multiple parties, it's got the language in there. So it's pretty - so I just said don't be a lawyer on me, thanks, I'm not word to word the question.

Everyone else here knows got to - I may not have said the right word affect, but there's certainly clear language and (Louie Tuton)'s statement of how to initiate a PDP and what staff has to evaluate.

Keith Drazek: Okay everybody, thank you for the lively discussion. Our councilors I think now have their marching orders to go and support the motion.

And we probably ought to move on, on the agenda unless there's any other thoughts.

Okay, let's move on. So let's go back to the full agenda that we had going into the day and I don't want to just eliminate something out of hand because we crunched our time.

So let's just go through it and if there's no particular sort of importance or urgency to discuss something we can all agree to take it off the agenda.

But I want to give everybody the opportunity to at least touch on the issues that we had. So...

Chuck Gomes: Have we covered all the motions?

Keith Drazek: We did, thanks Chuck. Okay so back to under GNSO and ICANN updates, we've completed number one, GNSO council motions. Number two on the list was affirmation of commitment review teams and obviously accountability and transparency WHOIS and the SSR, are there any issues that anybody would like to discuss or report on, or you know any question on any of those three items at this point?

Okay, hearing none, let's move on to the inter registrar's transfers working group, the IRTP update.

And Barbara Knight are you still on the line?

(Barbara Knight): I am still here, thank you Keith, this is Barbara Knight. I'll be very brief in the interest of time so just to give everyone an update, the last meeting that we had really focused on one a survey that they're putting together to get feedback from all interested parties on charter question B which is the time limiting of FOAs.

And charter question C relating to these INIDs versus the proprietary ID. So we expect that that will be finalized here very shortly.

And we hope to be releasing that for people to be able to provide input into it, with regard to the INIDs, we obviously would be looking for feedback specifically from Affilius and Neustar on that just for some additional background and allowing them to weigh in.

So that's the update from that particular piece, also in last week's meeting we discussed in great detail the registrar or the change of control item which is the change of registrant basically of a domain name.

And one of the questions that came up that we would be looking for feedback on from the registry stakeholder group is specifically for the sponsor TLDs where there are registration eligibility criteria involved.

What is the process by which registries enforce the eligibility criteria to the extent that there is a change of control in a domain name and if there are any tests that those registries currently put in place in order to validate you know the eligibility requirements are being met.

So those are two items that we really will be looking for some feedback for the group on. I'm not expecting you know us to have a lengthy conversation about that right now but I did want to make everyone aware that tomorrow morning at 8:30 in Le Pas room B there will be the working group meeting of the IRTP stakeholders group or working group I should say.

And if you know any of the sponsor dot TLD folks are available and be able to attend that I think that it would be really helpful because they would be able

provide some direct input into whether or not there are any validation methods.

And if there are ways that the registry operator are even aware that a change in registrant details have occurred for those sponsored TLDs.

So those are the big items that we had, also wanted to make people aware that directly after the meeting tomorrow there will be a follow up meeting with the CCNSO to get feedback on the - let's see, on how the ccTLDs are actually handling change of registrant details and if they have some best practices that may be applicable to gTLDs as well.

So that's going to be occurring from 10:15 to 11:15 and again I believe that that meeting is taking place in La Pas B as well.

Keith Drazek: Okay great, thank you very much Barbara Knight, was there anything else?

Barbara Knight: No, that will do it and like I said if people are available tomorrow and can participate in that working group meeting, it's an hour and a half meeting, the first hour really will be focused, I have the agenda up here, basically there will be a recap of the work plan and the approach.

And then we'll get the update from the sub teams and those are the teams that are putting together these surveys for data gathering and then again we'll be continuing the deliberations on the charter question A which again is the change of control items.

And that pretty much sums up what the agenda looks like, so there you have it.

Keith Drazek: Thank you very much Barbara Knight and just to make clear what was the timing of the first meeting?

Barbara Knight: The first meeting is from 8:30 until 10:00 am.

Keith Drazek: And that's tomorrow.

Barbara Knight: Correct.

Keith Drazek: Great, thank you. Is there anybody here planning on attending that stage? Or anyone on the phone planning to dial in?

Barbara Knight: I believe both Roy and I are planning to attend remotely, that session.

Keith Drazek: Okay, well thank you for bringing that up Barbara Knight, appreciate you joining us. Is there anything else that you have for us on the agenda today?

Barbara Knight: I don't believe so, I think that pretty much sums it up. I know that Roy is planning to provide an update on where we are with the registrar's streamlining process.

Keith Drazek: All right, thanks (Barb). Anything else, you're free to drop or free to stay on.

Barbara Knight: Okay great, thanks.

Keith Drazek: Okay, let's move on to the next issue which would be under GNSO improvements, now we've decided actually - strike that, we were going to have an update from Karla and Rob on the website update but we've decided to not do that here at this session.

Rob had a conflict with the timing because of our earlier schedule so we'll reschedule that for one of the teleconferences.

Chuck go ahead.

Chuck Gomes: I'm not even sure we need to reschedule it because we've been given really good updates on what's happening with the web and if we weren't so rushed with Xavier I would have expressed appreciation for the quick response we got on several items from our teleconference call.

And one of them was the progress on the web and they've assured us that it is in progress, in fact for this fiscal year but also funds are budgeted for ongoing work on that in the framework and ultimately is supposed to be in the draft budget May 1.

So are there really any other questions? I mean our concern was we'd seen nothing for a long time after it had started to take off and they have responded to us.

So do we need a meeting with them? I don't know. I don't think so.

Keith Drazek: Okay thanks Chuck, anybody have other thoughts? Okay thanks, so no action item on that Cherie. Okay next item would be under the GNSO and ICANN updates would be WHOIS updates.

We have two items, WHOIS studies, Michael Young and thick WHOIS Jeff Neuman, I think we may be able to - not sure why the second one's on there at this stage.

I think we've covered it. You don't want to go back again? So Michael do you want to give us an update on WHOIS studies generally?

Michael Young: Yeah, it's actually WHOIS survey that we're building on WHOIS requirements so anyway we were very close coming up to March to a draft that we could circulate for comments.

And then all my volunteer as I'm chairing the group, all my volunteer work dried up, wonder why. So we're reconvening the next meeting in mid-April, April 15.

Go figure, again you can guess why when we hope to have our volunteers back and work and finishing up the draft that we can then get out for comments with the survey.

Keith Drazek: Great, thanks Michael, is there a target date for getting that sort of wrapped up and the final version out for comment?

Michael Young: Yeah, actually completing the whole process, getting the survey out and responded to and analyzed, I think the final date was either September or October this year, if I recall off the top of my head.

And I think we're tracking fine to that delivery.

Keith Drazek: Great, thank you. Any questions? Great. So next item is the IOC Red Cross names, I think we've already covered that as well.

Jeff is there anything else you want to add? I guess we ought to talk about the registrar, what do you think? Go ahead.

Jeff Neuman: Yeah, so the - for some unexplained reason what's gotten back to me is that the registrars will oppose this motion.

I think it's extremely short sighted given how the GAC is attacking the registrars for the registrar accreditation agreement, but maybe this is retaliation, I don't know.

But their rationale happens to be that unless and until the GAC can promise that they will never ask the GNSO to protect any other strings, that they will vote this motion down.

Now of course that's a ridiculous ask because we know that that could never ever be promised, even if they meant it, that can never be promised.

So the councilors and the registrar side, at least what was conveyed to me are instructed to vote no on this.

Again I'm a little disappointed obviously because there was no registrar on the drafting team at all, I asked them if they would put a volunteer on so they obviously - they're really just looking at this completely from the outside without any interaction with the GAC or the draft with the IOC or the Red Cross, just you know without any of the information and the assurances that these organizations truly were different than the others.

Or the assurances from the GAC members that we were not - that these two were different than the IGOs that they already refused the IGOs in the past. But that's the registrar position.

The - I think we were going to ask them to tell us their position at the registrar meeting and if they confirm it obviously we'll have a discussion there at the registrar meeting.

I think it's extremely short sighted, I mean if I were under GAC, based on my agreements and they were trying to get me to do a WHOIS verification and everything else, I think the last thing I would do would be to start another battle.

I mean I heard Michael Young say that it would have been a bad mistake to - for us to vote down the WHOIS motion, I think this is...

Jon Nevett: Why don't we not speculating on their position till they come in the room and tell us their position and then you know to get them at least - sorry this is Jon, to give them at least the chance to articulate it.

Jeff Neuman: That's what I said, I said we're going to go, we're going to ask them the direct question, do you support it. If they come back and say support it, great.

Then the information that was given to me by the councilors has changed, that's great. I hope they change. That would be a good thing.

But I think the motion still will probably - the motion still will pass. But it would be a shame not to get the support. Chuck.

Keith Drazek: Chuck go ahead.

Chuck Gomes: Yeah I would just say that I don't think - I have reservations about as an argument for them to support it that they're using the relationship with the GAC and I agree with you, it's short sighted in that regard.

I think we ought to focus on the facts with regard to the motion rather than on that.

Keith Drazek: Okay thanks Jeff and Chuck any other comments? Going once, okay let's move on. Next item, number seven, European union privacy issues.

Anybody recall who has the lead on this or how it got onto the agenda? I'm sure there's a reason, I just - I don't remember.

Chuck Gomes: It was all Cherie's fault.

Keith Drazek: Could be - Karla just mentioned it might have been an issue raised by our colleagues from (Punkat) but they're not here to continue the discussion if that's it.

Well let's table that one for now, if we need to come back we can. Okay, next item was the framework for the budget and we've already covered that, thanks to Javier's participation earlier.

Number nine, update on other current developments, are there any other issues, any other topics? Chuck?

Chuck Gomes: Did you happen to capture the additions to the agenda that we talked about at the beginning? Because certainly one of them is that we need to deal with our...

Man: I was going to say one of them was Jon's proposal.

Chuck Gomes: And then a really critical one, because of the state of the application process right now, is to finalize our statement or come as close as we can regarding confusingly similar names.

And once we get to that I'll make some suggestions there.

Keith Drazek: Well I think we can go ahead with that now Chuck and I think it's appropriate time and everything else on the list unless there is any other business to bring up in this section.

I know we've got other business later in the agenda but we've got a few things later on in terms of our stakeholder group business we can get back to.

Chuck Gomes: Okay, I think hopefully everybody has seen the statement, it's relatively short, there were a few changes made to Edmun's original statement.

It basically goes back and relates to the ccNSO, the board motion making an exception with regard to ccTLDs you heard me bring that up with the board in my comments earlier.

The - and then it you know suggests that this be reconsidered. I think probably we need to specifically state that we are requesting a change to the guide book.

That question was asked of me by Rod, hope my answer wasn't too short. But that's really what's required. The - but I think it would be very helpful and this kind of goes back to our conversation with Kurt and Jon this morning, if we provide a possible way forward to make this happen in as easy a way as possible, there's probably a variety of ways of doing that.

I think the statement, I don't have it in front of me, I think the statement actually suggests in the evaluation that's really an easy thing to do, to allow an applicant who's denied - whose string is denied because of string similarly to request string evaluation.

And then the applicant is responsible for providing a document to the string evaluation team, whatever that is. There is one though, it's already there, we're not creating something new.

That explains why they do not believe that the string would cause confusion and then the panel will have to make a decision on that. We're not really adding anything new other than the change in the guidebook to allow extended evaluation.

There's already a procedure, there's already a panel in place for string confusion evaluation and it seems pretty straight forward.

Does that make sense? I can try and I can pull that up and what I'll try to do is draft some language and send it to the list so people can make it better.

Keith Drazek: Thanks Chuck, I think that makes a lot of sense and appreciate the offer. Any other questions or comments on this particular topic, suggestions? Go ahead Ching? I'm sorry, proceed.

Ching Chiao: We look too much alike I guess. So yes, I think that it's good to add that in and to be clear that it's - you know we are suggesting a small change in the applicant guidebook.

And I think you know we can probably add a line that you know we think it should be added like immediately or that kind of wording might be useful.

Keith Drazek: Okay, thanks very much. So Chuck you'll take the lead on coming up with those comments and send it around to the list. Okay thank you. We've got - we had scheduled at 3:15 a visit from the noncom, from Vanda and Rob.

I've asked Karla to ask them to move that to 3:30 to give us some more time here. I'd like to go to Roy on the phone now so he doesn't have to stick around any longer than necessary to give his update on the onboarding sub team, registrar onboarding sub team so Roy are you there?

Roy Dykes: I am, can everyone hear me?

Keith Drazek: Yep, we can hear you, the floor is yours.

Roy Dykes: Okay good, thank you. So as promised our last registry stakeholder group meeting I've compiled and I'm sending out in fact just hitting send now, the spreadsheet that combines the input of the onboarding fields that Barbara Knight and I have collected from several registries.

Those registries you can see in the email what those registries were. The other thing that we're waiting on hearing back from Karla, is Karla in the room? Because there were a couple items from our last meeting with ICANN IT that we're waiting to hear back on a follow up from ICANN on.

First was the level of effort and funding from ICANN for the project of the streamlining and then the second one was response relative to legal that if a system like this was put in place would it require all registrars to use it.

And we were going to try and meet this week, I think that kind of fell off the schedule but I don't know of a status on those two items from ICANN.

Keith Drazek: Okay thanks Roy, Karla was just here and I asked her to go - I actually asked her to step - because I called on you so I apologize. She should be here momentarily.

Roy Dykes: Okay well that's the update I had, other than those two things that I was hoping to get feedback from her on.

Keith Drazek: Okay.

Roy Dykes: Okay, one other quick housekeeping note, do we think we're going to start the joint meeting on time? Because I had a small request, if we could just cover - this is item two on the joint meeting.

If it's okay for us to try and cover that first, and swap the first two times on the joint meeting I'd appreciate it.

Keith Drazek: Okay, I think we can request that, no problem. And I'll let you know when Karla rejoins us here.

Roy Dykes: Thanks so much.

Keith Drazek: Thanks Roy, appreciate it. Okay back to our agenda, the volume has been turned up. Let's see, give me a second here folks, thanks.

Let's move to the discussion of the dues, and as soon as wrap up with that we'll go to the nom com group and then come back and finish up any other business.

Ken Stubbs: Okay, let me go through the process one more time and make sure that everybody has clarity because clearly there was not as effective communications.

Approximately, I can't remember, three or four meetings ago we discussed preparing budget for this year. We also discussed the fact that there was going to be a dues increase.

There was a table sent out showing the dues increase and the budget that I prepared that I submitted to the constituency approximately two meetings ago reflect the dues increase.

There was a discussion also at the time, we discussed the dues increase about whether or not we were going to increase the observer fees from correct me if I'm wrong Jon from \$500 to \$750.

And whether or not observers were going to be billed and what was the cut off of need for their observers being billed for this upcoming year.

We agreed at that time not to raise the dues on the observers from \$500 to \$750 but to keep them at \$500.

At that point in time also we discussed and in the preparation of the budget I believe I also mentioned the fact that there were only going to be three observers that were going to be billed for the upcoming fiscal year.

Those observers were correct me if I'm wrong Cherie dot gay, dot Paris and dot Berlin. Okay, now somewhere down the road there was a need for clarification, I think Chuck bought it out.

But I wanted to make sure that what I just said to everyone was everyone's understanding. I'd be more than happy for those of you who need additional documentation or clarification to have Cherie send out you guys' dues schedule.

And the reason I'm pretty certain that went out the right way to begin with, because we also discussed the break offs and I asked each one of the registries to submit to Cherie and myself at which level you would be billed at, you know 10,000, 51,000 whatever it may be.

So I wanted to make sure if anyone has any questions first of all on the dues schedule I can get that answered real quickly. Number two, I want to make sure that everyone is quite clear on the fact that when you approved the budget you approved the budget with the new dues schedule in there.

I suppose that's about as far as I can go, are there any questions or is there anything that I'm...

Keith Drazek: Thanks Ken, appreciate it, anyone want to comment at this point?

Chuck Gomes: This is Chuck, I probably should have understood that but I had forgot that there had been some ongoing discussion, especially with the lowest tier of dues. I think we had said all along we had no problem with the increase as far as it affects us.

But I have had some dialogue with our lowest tier dues people and got the impression, I can't speak for you now but I got the impression that that might be difficult for some of them.

And I'm not trying to put them on the spot and one of the suggestions we talked about, if it is maybe if we keep it at I think \$750 is what it was increased to from \$500, we should listen to them if it is.

Secondly, we can either if it is we can either grant exceptions on a need basis or allow some terms because I think they're due in - they probably have budgeted for it, okay in the current year.

So we could allow some terms that maybe make it more realistic for them, even if it had to extend in their next budget year as far as I'm concerned.

But that's - we have never really dealt with their concerns and that was - that's why I raised the issue.

Keith Drazek: Okay thanks Chuck, Carolyn?

Carolyn Hoover: Well you know as being one of the lower tier TLDs, certainly you know having it introduced after the start of the year was a budgeting issue.

I firmly support the work and we can find the money in our budget, but you know knowing this type of thing ahead of time during a normal budgeting cycle in the fall of the year would make it easier.

It may be an insignificant number for some but not for all. And the only thing that was being discussed initially was requiring people to pay within 30 days of receiving the invoice.

And that if we could - I think that was changed a little bit later, I think the latest thing was that there was a longer period of time and that was...

Ken Stubbs: What we agreed to do Carolyn was number one, we agreed to defer even the billing until after we get back so the bill would not even come until April.

That final payment, the payment would be due by June 30, we're trying to stretch it out number one. Number two, I'm more than happy to be direct to the best of my knowledge we've never operated on a 12/31 year end.

If you go back to last year you'll find that people were billed in the spring of last year. The reason that I guess it got held over a little bit this time is we have tried as hard as we can to work within the resources that we've had available.

And if you look at the number of times we actually billed over the years, we've not billed on an annual basis, we've billed only when we needed it, but we were in a point in time where we really needed to move forward.

And I tried to make the assumption even now our operating budget is based on the assumption that there will be no new full memberships until basically (unintelligible).

I'm sorry if there was a communicate problem there but you know I think it's...

Carolyn Hoover: Yeah Carolyn again, and I don't think there's a huge communication issue, I think the thing I would - you know having gone through this I would suggest that we consider these during a normal budgeting cycle for most businesses, which is to consider this in the fall, looking forward to the next year.

And you know it's just lessons learned and the reason this is an issue this year is you know simply because there was an increase, I already had the other budgeted but I didn't have the increase.

And so that was the issue, so you know just lessons learned.

Keith Drazek: Okay, thanks very much Carolyn and Ken. So I guess my question is, and I support the comment or the recommendation that we look in terms of getting into a regular billing cycle and you know in the context of a fiscal year.

Because obviously as we grow and as we have you know hundreds of members or more it will impact, so I think that's logical. So thank you. Are there any further action items or questions or comments on this, anything that we need to do to follow up? Jeff?

Jeff Neuman: I just had a very general question, I'll throw it out there, it's something we need to consider. If we do have 1500 registries, is the existing secretary support enough Cherie?

Are you going to be able to handle it? I know you're strong, I know you could do it but something we need to consider is whether we need to start taking ICANN up a little bit more on some additional resources, especially if we get the amount that people are talking about.

Keith Drazek: Go ahead Ken.

Ken Stubbs: Having lived with their operational budgets over the last ten years now I would say it's causes the additional resources, what I was going to propose to the membership after we got through this billing cycle was that starting sometime in June, we develop some sort of an operational plan.

Or the constituency, I'm glad you serviced it Jeff, with the - and we can do - try to do it on some sort of a variable ramp up. My guess is that as we said before there will be a significantly higher level of active participation as well as guys who are just going to pay their dues to be able to have a vote and maybe even never may see them.

So I think we have to try to get the crystal ball out and see where we go, at the same point in time I think we have a resource sitting over there in Karla who we will be working through very - now wait a minute.

We're not asking you to do the work, we're asking you to take the message up to the staff that we will need additional resources, that's there's no way we can run.

There are 13 members right now, if we end up with 200 members we end up with a problem. Where the hell are you going to put them on an ICANN meeting start with you know.

Keith Drazek: Thanks Ken and yeah, one of the things I was going to say in the board meeting that I forgot to say is that yea, we're going to need a bigger room.

So - okay so I see Rob, Vanda stepped out, okay we're - sorry. Yes, so Roy, Karla is back in the room, so please go ahead and ask your question. And then Vanda and Rob will join us from the nom com.

Roy Dykes: Okay, I was just on mute for a second. Karla this is Roy Dykes just following up on the call we had several weeks ago with ICANN IT.

And there were a couple items to look - to follow up on, one was the level of effort for the onboarding portal and the second was talking with legal about if there's such a system in place will we require registrars to use it?

Karla Valente: Hi Roy, this is Karla Valente for the record, I have the meeting with IT and with legal and with management. And what came out of this meeting was that the high level requirements that you provided were good to start the conversation.

But we would need workflow or a process flow that is a little bit more detailed to understand a little bit more about the liabilities and other legal issues. And our legal department felt that this would be beneficial not only for ICANN but also for the registries and registrars respective legal counsels to understand the different liability points for the different parties involved, particularly considering that many will be you know just in different jurisdictions.

So we think that this is a reasonable approach, it's reasonable for you and ICANN to help the best that I can to produce more detailed process flow on what is being asked.

Roy Dykes: Is that a question you're asking?

Karla Valente: Yes.

Roy Dykes: I think what's needed is a follow up to the sub team meeting that we had in November then. Because that meeting included all these various groups.

Karla Valente: Okay, one of the things we could do is maybe to have a meeting in the next week or the week after so we can include other group members and discuss that.

Roy Dykes: Sure. I still have and I'm certain Michele has it as well the distro from the November meeting.

Karla Valente: Thank you.

Roy Dykes: And what about the requiring the registrars to use? The follow up from the meeting with legal?

Karla Valente: Yeah so legal we didn't see anything that we could make it a mandate for the registrars to use the tool. Existing, there's no existing legal provisions that says that they must use the tool.

It doesn't mean that we cannot come up with some thing for the future but as we stand now we don't have anything legally to oblige people to use the tools.

Either developed ourselves or by a third party, you know there's different models, different things that we can consider and then once we decide what is the best model we can then look at how legally this model can be implemented.

Roy Dykes: Okay.

Keith Drazek: Okay this is Keith, thanks Roy and Karla and at this point I'd like to take the opportunity to welcome our colleagues from the nom com, Vanda Scartezini, chair, and Rob Hall the chair elect for probably a 20 or so minute conversation on the nom com activities.

So welcome, thank you all for joining us.

Vanda Scartezini: Thank you for having us here, our task here is when the community asked ATRTS (unintelligible) to do so this year we come and listen. You and other members of the community you know AC and SOs, and their committees and all the others and some other views around the community.

So we've resumed that information that we got from multi members and groups so we put a resume on that. Our task here is just come back to you and the - show what we got, what was our understanding of this.

And ask to you if it's - you know it's refreshed, what do you have observed for file for those members, if you want to add something, if you want to withdraw something.

It's not important, it's not relevant, or we forgot something, that's the general idea because in the end of the day, the year, we need to show to the public that we're going to have those candidates that we have chosen, it's in some way match this profile, probably not all the profiles, but we need to show up that we consider and we make this matching.

That's our task here, so that's the fact, just remember you that we have three board members to select us and one, because we have this bylaw, that you know not allowed us to have less than one member for the Latin America (unintelligible) region.

So in the end of this year we have the end terms of one member that represents this region, so we need candidates for you know the vast flow of candidates for this region because it's mandatory to choose one from this region.

This is one problem we're going to face. So the other two, it's not really the big problem, it is from elsewhere. So the two members of ALAC in North America and Europe, one member for GNSO, one member for the ccNSO.

So this is our timeline, so we start last December and our window will close on April 2. So we have this time slice to finish and we help, we count on all the help we can have from all of you to send candidates, talk about candidates and so on.

To have the best who we could - to select that board member, to face this really challenging year that we're going to face.

So it's quite important to have a very good candidate. So other issues, after that we have - we're going to post almost everything as we agreed that - and Rob can make some quick statement about his position.

We are working on opening up more the nom com so we're going to have a post with all this information and also we're going to post a methodology that we're going to follow to select the people.

So after that we have two ways to follow, one we have a contracted part that is coming to a small group of pre-selected people that we're going to send to that to come back to us with information about human behavior, management skills.

All those they are expected to and we are not. So they can add information to our information related to needs from the community, from the ICANN itself that we know better than that.

So after that we're going to have this shorter group of people that we will select to face to face meeting in Prague. So we're going to spend the whole week, interview those people for the full commentary over there.

So to make sure that we have opportunities to check all the information we have from those people and talk and see how they can manage the public, blah, blah, blah.

So after that the group will retreat after the meeting in Prague, in the same weekend, we're going to go someplace and retreat and work for a consensus to finally the candidates that we will select for our position and that is done.

So that is what we collected for all the community, so that's our expectation to share with you guys for experience. Technical experience, the community thinks that we need to have people with at least a general idea about what's going on here, but that's not a major technical issue that we are looking for.

Maybe we don't need to - much of those. But people need to be aware about many policy we are discussing here, but they also need to know that policies made by the community, not by the board.

So governance, not only manager skill but board experience, communities are considered (unintelligible) and board experience in similar or large organizations, there is a lot of people saying that there's not important or they're saying that is very important.

So it's open to debate. Ability to easily communicate in this but more and more other language to face community is becoming more important.

So general skill sets for you know human behavior, it's ability to listen, good to building relationships, diplomatic attitudes.

We don't want people that cannot handle to talk with the governments. And executive mind, capacity to make decisions, assimilate diverse information to make decisions. You know it's a lot of - if you consider someone out of this community, it's a lot of information that is jumping in his lap in this first moment.

So they need to assimilate quickly and make decisions. So integrity, honesty and we need to ask independence of mind. So confident but not arrogant. So we don't need people that consider the community an enemy and look from this space like an arrogant behavior. So that is another important issue.

So accepts (unintelligible) criticism with elegance. So community is allowing to criticize (us) in the Board. So - but you need to accept and respect that. And so we come elegant.

So ability to delegate. Board is not there to make things - you know, execute things. Is there to make decisions, to analyze, and have this capability to understand things and decide. So ability to delegate. So when you talk about the management issue, sometimes (unintelligible) brings people that really are eager to, you know, face the burden. It's mine. I want to do that. I want to make you do that, or something like that.

And some understand and believe also the ICANN (unintelligible) stakeholder (models) because we believe that if you don't believe in the mission of the organization, it's something that (unintelligible) making you impossible to defend that position because you have no belief in that.

So understand that clear communication with the community is an important part of the consensus building process. So it's all about respect. It's all about capacity to talk with the community, to listen to the community, and that - have the consensus building process to happen. And time availability (unintelligible) because there's a lot of work to do. And definitely we need to ask any kind of (unintelligible) about that.

So what we need for you - from you is it's enough. Refresh your thoughts. Know we need to act. We don't. That's it. Thank you.

Keith Drazek: Thank you very much Vanda. It was an excellent presentation. I'd like to open it to the group right now.

Vanda Scartezini: Yes.

Keith Drazek: Yes, go ahead Rob.

Rob Hall: Sorry, I just need to make a brief comment. My position is a little different than Vanda's, so I am the Chair Elect, and I'm the first Chair Elect ever, so this is a new position.

In the past, we had a Chair and then they stayed around for year as past-Chair to help the new Chair that just got dumped into it learn on the fly. The ATRT recommendations suggests that now we have a Chair Elect that learns the job for the year before becoming the Chair, which makes perfect sense. And I'm the guinea pig.

So what it does mean though is I've been able to concentrate on next year's NonCom, which will sit for the first time in Toronto. So what I will be asking, it's a little different, is I'll be coming to you shortly after this meeting asking

for your representative to be appointed to that NonCom. So I'd like it done around Prague or shortly after Prague. So typically a few months ahead of time so that we could start getting a jump on what we need to do and start organizing as a committee.

We're so compact here. We've got so much work to do that we'd like to start acting as a committee on where we can on information sharing and bringing the new people up to speed. So you'll see that coming very shortly as a request to your Chair, which is a little different than previous years.

The other thing you'll see as Vanda mentioned is I'm working very hard on documenting the procedures, because every year it seems we're learning new procedures. This is the third NonCom I've sat on, and there's always the big debate of, "Well, how did (unintelligible) do that?" So I've been asked by the Board to kind of document a procedure manual, and we're going to publish as much of that as we can.

And so I think one of the problems with NonCom is, you know, we have to keep secrets, and confidential if you will, the identities of the candidates that apply, their personal information, and our discussion around them, because we want that to be as free-flowing as possible.

That seems to have extended always to all information about the NonCom must be secret, and that seemed lubricious to me.

Our procedures, our policies, when we meet our agendas should all be public. I don't know why they're not, and I think we're doing the NonCom a disservice by not publishing more of that. So Vanda and I are undertaking to try and publish as much as we can to be as transparent as possible.

The only thing we won't be publishing obviously is the info about the candidates specifically. But everything else should be an open book so that there's no fear of the unknown, because I think that's what's happening in the community a little bit right now is people don't understand what we do and how we work, and that's a shame. So we're going to work hard on improving that.

Thank you.

Keith Drazek: Great. Thank you Rob and Vanda. So it looks like we have a question from Ken, and we'll go ahead and open it up to any other questions or comments.

Ken Stubbs: It's more of a comment than a question. First of all, my name - I am the representative to the Nominating Committee - the NomCom from the registry constituency. And if can be of any service to any of you, if there's any elaboration on any comments that Vanda has made or so forth, I'd be more than happy to do that.

Secondly, I want to speak to Vanda and to Rob. Speaking for myself, and at the same point in time, I'm reflecting comments that were made by this constituency to the Board in our meeting expressing disappointment in the comments that were made yesterday and ratifying the fact that we - feel that the Nominating Committee has done an excellent job, is - consists of a group of people who are dedicated to getting the job done the right way.

And there was a lot of serious concern expressed about the comments that were made, and we want to reinforce - I'm doing this myself. And that said, comments were made yesterday by certain parties will have no impact at all on the way that I would deliberate, and I'm certain will not impact that way. I just needed to say that.

Vanda Scartezini: (Unintelligible).

Keith Drazek: Yes, please. And that...

Vanda Scartezini: (Unintelligible).

Keith Drazek: Of course. Thanks Ken. Well said Ken. And Vanda?

Vanda Scartezini: Yes. Okay, just first of all, we talk with the Board. Just because we believe that this Board asked to comment on that, we respond to the Board. So it's - so I talk with them, and they assure me that it's just individual position, not the Board at all. So for us, for NonCom, it's very clear that for the place of the Board we are following the by-laws and we are perfectly clear that we are following (unintelligible).

So it's now in the hands of the Board to decide what to do. Thank you.

Rob Hall: And if I can Ken, just thank you for that. So you know, it's shined a spotlight on us, which is a good and a bad thing I think, but mostly good.

I have served on - this is my third NonCom. I have never seen a more diverse group of people come together with a common cause. Everybody checks their affiliation at the door and works towards getting the best Board possible for ICANN and the other positions.

I point out that last year's slate of candidates we put forward was a unanimous vote by the entire Committee. You know, there's no dissention. There was no - you know, people saying that's not the right thing to do. I am confident that this year's committee is the same, and I'm hopeful next year it will (lack) in

the same manner. I have nothing to indicate otherwise. It's been professional. People's views are respected and conflicts are declared and understood, and we move past them.

But thank you for your support.

Keith Drazek: That's great. Thank you.

Okay, Jonathan. Jeff, anyone else? We have just a few more minutes left because we do have one more item of business to take care of in our stakeholder group before our hard stop at 4:00.

Jonathan Robinson: All right, I'll be as brief as possible, and thanks Keith. And thank you to you -- for the both of you -- for the presentation and the good work you're doing. It looks comprehensive.

I suppose at the risk of repeating some of what Ken said, it's important that we spoke directly to the Board in our interaction with them and laid out a couple of specific points really in that - you know, experience and expertise are at the heart of a good Board, and I don't think we should be afraid of those experience and expertise being necessarily related to the industry.

In fact on the contrary, I think there was a strong feeling within the stakeholder group that at least a portion of the Board must have good and in-depth qualifications from within the industry in order to make competent decisions.

Clearly, those need to be balanced by a generally independent Board, a sound conflict of interest understanding, and a balance of independence from outside the industry. But going one way or the other in - well clearly, we're not going

to go all of the industry, but reacting to - strongly to perceived issues is problematic and may lead to a flawed or less effective Board than we require.

Thanks.

Keith Drazek: Okay, thanks Jonathan.

Jeff?

Jeff Neuman: Yes, I was going to say much of what Jonathan said. But I also wanted to take the opportunity, because although he's been sitting in the back of the room most of the time, we haven't introduced our Nominating Committee rep on the contracted party's house. Thomas has been sitting here, and I don't know if everyone knows him.

So if you (unintelligible) the registries, please get to know him. I think he was an excellent selection and he's been doing a great job. And is probably the first Nominating Committee appointee to actually sit in our meetings to get to know the issues. So I'm thoroughly appreciative of that.

Keith Drazek: Excellent input Jeff, and welcome Thomas.

So okay, any other questions? I think we probably need to wrap up the - I would just add one - I put myself in the queue briefly.

One of the slides I saw had two references to requiring previous Board experience.

Woman: Yes.

Keith Drazek: And I note that there's been some discussion, as you mentioned Vanda, on that issue. And I think certainly for some percentage or composition of the Board, I think previous Board experience is important. You wouldn't want an all rookie Board. But at the same time, I would hate to think that somebody who didn't have Board experience but was exceedingly qualified in other areas would be disqualified or disadvantaged in the consideration.

So knowing that there were two bullets there made me worry a little bit that a little too much emphasis...

Vanda Scartezini: The main question is about - you know, suggestions about the large organization. And you know, people have questioned not the Board experience but the large organization. That comes from the community and you need put that (unintelligible) because this - but I'm (unintelligible), and we can (unintelligible) the (four place we) - we went through.

So probably we're going to take out but consider that they need to have Board experience wherever the Board experience is (unintelligible).

Ken Stubbs: Sometime the term (Board) experience, it to me implies a knowledge of fiduciary responsibility. That you're on the Board and your decisions need to be made in the best interest of the entity that you're on the Board on.

You may be from the community, but your perspective may be from the community - or your experience, but your actions must always be in the best interest. So to me, that's one of the core, Board experience.

Rob Hall: If I can just quickly say we've got a lot of criteria. I don't think we can find anyone that meets them all. It's important to remember we're appointing three positions. So I'm - I don't think we should be appointing three of same of

anything. So I don't think if we use one criteria of Board experience we should be appointing three people only with that. I think it's a balance between the three that we have to look at.

I should also point out that Vanda and I actually don't have a vote on this committee. Our job is to marshal those like Ken that do, but try and get them together to that unanimity where they can go forward and say this is what we planned and this is what we want to do as a group.

So you know, you hear a lot of our opinions now, but it really is Ken's and the other voting members that really matter in that room. So I'd encourage you to talk to him about what you think you need, and he's your person to bring that forward.

Keith Drazek: That's excellent.

So let's thank Vanda and Rob for not just participating here with us today, but for their hard work on the NonCom.

Vanda Scartezini: Thank you for your time.

Keith Drazek: Okay, thank you all very much.

Vanda Scartezini: Anytime we're going to be around, so any questions please...

Keith Drazek: Thank you.

Man: I would also point out Krista Papac is a member of the NonCom as well from the registrar group. So I know she sits in on your meetings, but would also be another person to speak to.

Keith Drazek: Yes, great. Thank you all.

Okay, we're running very short on time and I know we have one issue at least left, and that is the topic of the observer interest group. Or, what did we end up calling it?

Sorry, observer interest group.

Man: Yes.

Keith Drazek: So why don't we go - just to tee that up, Jon Nevett contacted both (David) and me, I don't know, a week or ten days ago, something like that, and asked about the - you know, the procedures - the process for submitting a proposal to have an observer interest group within the stakeholder group. And I think at that time, I don't think (David) noted any issue with it, and I didn't note any issue with it. But it's something that we ought to talk about.

I think Jeff mentioned that there may be some concern about some of the language in our bylaws specifically about the definition of a member. So anyway, this is something that we'd want to talk about today.

And so Jon, do you want to just tee up your proposal for those that may not have read it, and then we'll talk around (unintelligible)...

Jon Nevett: Sure. I wouldn't characterize it as a proposal, but under the registry constituency - or registry stakeholder group now, charter - that group of folks - a group of members, and we'll talk about that in a little bit, can join together and form an interest group under I think it's 3d of the charter.

So the current observers - we've been in discussions about creating that kind of interest group under the auspices of the registry stakeholder group in order to have a voice in policy development process or anything else that might come up.

You know, the ultimate goal would be an early transition and integration into the new world that we'll talk about soon I think with the registrars. I think it'll attract new observers earlier and give us a better glimpse of how things will go. It also gives observers a voice.

Right now we don't have a voice. We have observer rights here, but we don't - we can't be members of any other stakeholder group or constituency. And the ideal would be that we never use it. The ideal would be that this group is such that you know if there's a policy issue, we have discussions, consensus building, and you would take the observer viewpoint into account in formulating your positions so that we would never have to have a separate viewpoint or position paper, or something like that.

So I sent - we sent around the draft charter for input. If anyone has any comments, that would be great. We'd love to hear from you.

And then the question has come up whether - you know Jeff raised it, whether we are qualified to form an interest group because we're not voting members.

So I...

Jeff Neuman: I heard.

Jon Nevett: Jeff, can I finish?

Jeff Neuman: Yes.

Jon Nevett: Thanks.

Jeff Neuman: Just to clarify, it's not the voting. Voting is not (unintelligible)...

Jon Nevett: I understand your position, but - and you could talk about it after.

We're not voting members. There's - to me, there's an ambiguity whether we are members of the registry stakeholder group or not. If you look at the charter in Section B, Observer Status, the registry stakeholder group provides observer status for entities that may not be eligible for full membership, which implies to me that it's something short of full membership, but there's some kind of membership.

If you look at the agenda, and it's not up there anymore, we talked about observer members. If you look at the - two spaces in the agenda talked about observer members. There's - the roster of members includes us. We pay dues for something. We are members. We're just not voting members.

And if there's some ambiguity in the charter, and I agree with Jeff and others that there may be, I'm happy to work together to fix that.

But what I don't want to risk is some procedure - is some view or you know, some reputation - we talked about reputation of this group before. What we don't want is people thinking that this group is throwing up some roadblock and some procedural roadblock because the observers want a voice.

And you know, let's work together to change what needs to be changed, and that's fine, and the group will move forward.

Keith Drazek: Thank you, Jon. Absolutely. I think Jeff was first in queue, then Chuck, and then I'll put myself in the queue.

Jeff Neuman: So first let me say I don't have any objection to interest groups or people forming interest groups. And this is not - my comment was not meant in any state - in any way to oppose the development of an interest group.

But just pointing out that if you read through the entire charter, it's very clear that interest groups can only be formed by members, and members are (unintelligible) voting or non-voting members, but that's - or active or inactive members, but observers are not members according to the charter. And there's plenty of places I could point you to in here.

We can fix it, right? That's something we can fix and I'm not trying to be a roadblock, but I just don't want to set a precedent for future interest groups if - you know, then you're basically saying is that every time we admit an observer, you've got to be cognizant of the fact of, "Well, okay, are they going to get together and form an interest group? And is that going to..."

I don't want to take that completely out of it - out of the equation. So we need to decide as a stakeholder group whether we want to support non-members or - sorry, support observers who technically right now are not defined as members under the charter to form interest groups. And I think that's a bigger question, and I think we need to think more about this.

I will note that nothing prevents you from joining an interest group outside of the structure, and you know, putting through a statement anyway, right. So there's nothing that stands in the way of that. It's just stating that you are an

official registry stakeholder group interest group. And I - so I think we just need to read through it.

My read through it clearly is that observers are not members in the sense of using the charter, whether we use it in everyday common speak, that's different. Like we'll use it up on a chart or something, but we just need to do a full review. And if this is something we want to do as a stakeholder group, then let's go through the charter and fix it.

Keith Drazek: Great, thanks Jeff.

Chuck?

Chuck Gomes: Thanks, Keith.

In my first view at the request - I'm looking at the proposed -- your purposed charter stuff -- I was relatively positive in terms of the concept. Because interest - we added interest groups in anticipation of our numbers increasing significantly. And it was a means of providing a possible means of making it more efficient for homogenous groups of registries to participate in the group. And I think what you're trying to accomplish is exactly that.

So you know, I tend to be supportive, and even if we needed to you know make the - our own charter less ambiguous, right now I'm inclined - there's some issues you've brought up. We can talk about those and make sure that we deal with this.

I think we might have - observers may be a permanent concept in our charter because, you know, going - and it is obviously now, but I don't think we'd ever take it out because there will be other rounds presumably and so forth.

So - but let's deal with it and let's work it.

One question I have for you thought Jon. I hope that the - and this isn't just to Jon. It's to any of the observers, okay. That you have found that you can participate in the dialog, and - because that's certainly what we've intended.

And also, just one last (unintelligible) comment. In some sense an interest group, whether it be observers or branded TLD's or whatever, it actually helps us that are already part of it if we don't have 100 people, but instead a few that do that. But that - we can deal with that later. Thanks.

Jon Nevett: Just to respond, absolutely. I think - speaking for myself, and I don't know about the other observers here - in little observer row over here, but...

Man: I'll second that.

Jon Nevett: Yes. I think that participation has been very welcome and we very much appreciate the open arms that we've received.

Krista Papac: It's Krista. I would agree with that as well.

Keith Drazek: Okay, thanks everybody.

So this is Keith. I'll just add - so again, I would like to apologize that I didn't catch this ambiguity earlier, and (David) obviously didn't either because we were like, "We don't see any problem with this. Go ahead and submit it to the list."

So I think Jeff raised an important point, though, that there is - after I went back and read it, there is some ambiguity that we need to deal with. And I - we will. I mean, I think this is the right thing to do.

As far as the voice is concerned, know you all have a voice here and you have the opportunity to speak. You may not have an opportunity to vote yet, but you will soon. And I think that it's just important to note that an interest group under our charter by my reading doesn't actually have a vote either.

So, I don't know that it - you know, it gives you any more of a voice or whatever than you currently have, but I understand the desire to want to, you know, sort of organize and come up with a joint statement or something like that, and I think that that's a healthy thing.

So, Ken?

Ken Stubbs: Yes. Jon, did you want to respond?

Okay.

I would also like to say that I hope that there is nothing that (unintelligible) in your memories of the interest group has seen in the way that this constituency operates that troubles you in any way whatsoever. Because if so, we would want to do whatever we could to ensure that there is a strong (unintelligible).

We need to build a constituency. We want to build it on good will. We do not want to create an adversarial relationship with new members or anything like this. It is strictly a desire to do the right thing I think there to.

Keith Drazek: Okay, thanks Ken.

Tim, and then (Michael), and then we got to go to the registrar's meeting.

Okay, Tim.

Tim Switzer: Tim Switzer, DotGreen. I would just - in response to what you just said, I mean I feel like today that - not that I've added a whole lot, and - but I mean I think a few folks have that are observers, and I feel a very equal voice. You know not a vote, and that's not what it's intended for, but I feel like in discussion today, everybody sitting around this table had an equal voice.

Keith Drazek: Okay. (Michael)?

Michael Young: I just wanted to say I was here as a - representing and working with Afiliac back when we created that observer status methodology and that charter. And then I got to experience it.

And so, it seems to work exactly how it was intended to, and I think it's working great, and you guys are doing a great job on your side.

Keith Drazek: Great. Thank you very much (Michael), and I think with that we'll go ahead and adjourn our meeting here in this room and move over to the registrar stakeholder group room.

Cherie, do you know what room that is?

Cherie Stubbs: (Unintelligible).

Keith Drazek: All right. So not far to go. Thanks to everybody. Make sure you grab your valuables.

END