ICANN Singapore Meeting
Registrar Stakeholder Group part 2
TRANSCRIPTION
Tuesday 21 June 2011 at 13:00 local

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Margie Milam: …and ask me questions. I think instead...

Coordinator: Excuse me, the conference is being recorded, if you have any objections you may disconnect at this time. You may begin.

Margie Milam: Thank you. In February the GNSO council asked for an issue report on the current state of the UDRP and it just asked us briefly to cover a couple of issues.

How the UDRP has addressed the problem of Cyber Squatting today and identify any insufficiencies or any qualities? Look at the definition of Cyber Squatting and suggest a possible way for - if there is to be a PDP on the UDRP.

So what I did was as I got assigned to this task it was a pretty large project to try to figure out, you know, how - what the current state of the UDRP was. So fortunately the council put together a drafting team to assist me.

And we conducted a webinar on May 10, to kind of hear from different experts in the field, their views on the current state of the UDRP. We also followed-up with a questionnaire to the UDRP providers to solicit information for the preliminary issue report.

And if you're not familiar with the word preliminary issue report, this is a new concept that's going to be hopefully adopted by the GNSO council for new PDPs.

We've taken the approach of publishing our preliminary thoughts for public comment and hearing from the community and then we'll publish the final issue report after Singapore.

And so this is a way to kind of test out some of the recommendations and to get feedback on whether we've made any mistakes and or, in our assumptions. And so that's the purpose of publishing a preliminary issue report at this time.

If you really want to hear more about UDRP, we have a session tomorrow from 8:30 to 10:30 where we will start soliciting reaction to the recommendations in the issue report.

And then once the issue report is published after Singapore the GNSO council will vote to decide on whether they want to initiate a PDP on the UDRP. So briefly, you know, as we looked and listened to the different viewpoints on the webinar and in publications regarding the UDRP.

We do find - the staff feels that it is a success that the policy is working. That the numbers of complaints that have been filed over the last decade of 30,000 have really provided an alternative for parties that are interested in resolving disputes related to Cyber Squatting.

And we do feel that it is a viable alternative to litigation and that makes this prior to the adoption of the UDRP. The UDRP has served as the model for some ccTLDs and the providers have been very good about investing significant resources in educating the public about the UDRP in publishing decisions.

And so it's very transparent and that sense because as - there's a lot of information out there on how the UDRP is implemented and how it's interpreted. In webinar what had struck me and lot of you may have listened in and we had John Berryhill actually participating in the webinar.

What's surprising to me that a lot of the viewpoints were consistent across the different stakeholders. It wasn't just the IP community that felt that the UDRP was effective.

We did hear from respondent's council, from UDRP providers, from (Bram) council and even though it's not perfect I mean nobody would say that the UDRP is not perf- you know, it's perfect.

It is so that it is effective compared to traditional litigation. And it is - it provides a fair and flexible way for these disputes to be handled. Some of the speakers actually noted that, that some of the theories have evolved over time.

So over the last decade you've seen decisions to deal with things like domain tasting versus domain name hijacking all sorts of things that weren't really anticipated right when the policy was adopted.

And the transparent nature of it that makes it a lot more affordable for complainants and respondents to really deal with these issues. And so the viewpoint at least from the, you know, and write the word consensus and that left challenge over the weekend.

I think what I meant, you know, probably meant to say and will probably clarify is that, you know, among those that participated in the webinar is that, you know, that PDP could undermine the effectiveness of the UDRP.

And so it just seems at least from those various viewpoints that it might be problematic to initiate a PDP at this time. There were some that solved that if

the UDRP was to be reviewed at all, but you should focus on process improvements as opposed to really looking into the policy itself.

So the staff recommendation that's listed in the preliminary issue report is that we recommend against initiating a PDP at this time. We heard, you know, the viewpoint of the community that the UDRP should not be tampered with at this time.

And so that's our recommendation that it's probably best not to initiate one now. However, if the council does feel that there should be some action taken with regards to the UDRP we suggest an alternative approach to convening a team of experts that can really focus on the process issues.

As you'll see in some of my next slides the process issues are very complex. And we feel that it might make more sense to have, you know, a dedicated team of experts not just IP lawyers.

I'm not, you know, I'm not thinking IRT for example which that was, you know, challenged the composition of that group. I'm talking about experts from all aspects of the community that deal with the UDRP.

So it could be, you know, respondent's council or it could be those that are worried unfair use and free speech. But just those that really have an in-depth understanding of the policy as opposed to those that may not be as familiar with it to come up with processed related recommendations.

And then after that exercise if it turns out that, that there's still a need to do a review of the policy perhaps, you know, PDP can be done then it could be more targeted to specific issues that might require, you know, an actual PDP to be done.

And so the next few slides I'm not going to go into a lot of detail because they're pretty detailed. But I just - I tried to identify the issues that were raised

in the webinar and to break them down into policy issues versus process issues.

(James) you have a question or...

(James):   I have a major question. Are we taking questions as we go or should we...

Man: No, go ahead.

(James):   Okay. So on the previous slide you mentioned that something about just the overall procedural changes that could be made in lieu of a PDP. My question is, what's the mechanism to do that?

                 And if - since so many of these procedural issues are just disparities from the different providers and the way that they were, you know, handled, issues and documentations if not changing the actual policy, how do we get them all to adopt - get on the same page, you know, with regard to the procedures?

Margie Milam: Well, certainly the providers would be involved in that. I mean that's when I think of the expert panel, you know, you'd actually have providers involved. And then we have the supplemental rules that are - that have been, you know, adopted and have been changed over the years.

                 We've done a change for example for e-filing not that long ago and that didn't involve a PDP. So, you know, those things, you know, could be looked at. You know, on one of the recommendations that someone made -- I don't recall who it was -- was that there might, you know, might be useful to explore whether we have a contract with providers and maybe some of this gets implemented through a contract.

                 If that's the way, you know, that the outcome of this panel or this expert discussion. So that's, that's the things we're talking about. We're looking at it

as its implementation of the policy and we're expecting the implementation as opposed to the policy itself.

And when you start reviewing, you know, the actual policies then you probably need to step out and see, you know, whether you need to have a PDP for that if that's the outcome of this effort.

Man: So sorry Margie so is there a way to look at the process issues without initiating a PDP and I think that's where maybe (James) was going.

Margie Milam: I'm sorry.

Man: Sorry yes, is there a way to clarify from the process issues without initiating a PDP?

Margie Milam: We believe so. You know, again it depends on whose the target of the clarification. You know, if you will, it's, you know, say contracted parties and it's something new then you'd probably be more formal and do, you know, a PDP right.

So it's personally, but it's the providers and it's how they're implementing the policy as it's written today I think there's different mechanisms to do that and it think it doesn't have to be a PDP.

Man: Okay, so then what's - what's the mechanism - what's the process by which that would happen? Because right now if the recommendation is not to initiate a PDP and the GNSO council supports that, then what?

Margie Milam: They could recommend to the board that the board, you know, instructs the GAC to put together an expert panel. I mean that's, you know, when you think of how the IRT came together.

It's something like that. I'm not even sure it necessarily have to go up to the board but I mean, you know, I mean I think they might want to do it that way. But that's the idea that- that there would be, you know, I mean perhaps the GNSO resolution that said, "You know, we think that something should be done on the process.

Why doesn't, you know, why doesn't ICANN, you know, consider putting together this team and coming up with the recommendations...

Man: Okay.

Margie Milam: ...on process only." You know.

Man: Thanks Margie.

Margie Milam: So the - as I did mention before we - I tried to break out the issues policies versus process. And there were some issues that were identified that could be policy related issues.

                I'm not sure necessarily that the community feels that these have to be done but there's just ones that were related by some participants in the webinar, one of them being the bad faith requirement whether you want to change the - a requirement that you would have to prove that faith registration and use.

                The word and could be, you know, changed with or and I know there's different viewpoints on whether that's the right thing to do or not. But that's an example of something that probably we would have to go through the process of amending the policy itself.

                There's also a concern that the policy doesn't include safe harbors or free speech and fair use. You know, in implementation and in actual decision, you know, those issues get dealt with but it's not an express part of the policy.

And also the third thing that really struck me as something that was probably a policy issue that would need to be part of the PDP is to include an appeals process in the policy itself.

Because right now you can appeal, you know, to a court of, you know, incompetence or its fiction, but you don't have a way to appeal it in the policy itself. So those really a few issues that were, you know, it might be clearly policy issues.

Now I'm not going to go through all of these next slides there's probably about six of them but we'll just scroll - if you look at the topics I want you to see that, you know, there's a lot of issues here.

If we were to go through some sort of review of the UDRP, you're talking about a very extensive process with a lot of, you know, legal issues when you're talking about jurisdiction and complaints and timing and language of proceedings.

There's a lot here that, you know, if it does become, you know, part of a PDP or some other process it's going to require a lot of resources and time from staff and the community members that participate.

You can just...

Man: Margie we've got a question here. (Steph).

(Steph):   More of a comment just to remind the stakeholder group. I was a participant with John Berryhill on the UDRP webinar and prior to that you'll recall I solicited input from the membership here about what issues, concerns, problems, challenges and suggestions for improvement that we had around the current UDRP process.

And those were compiled and put in the list and I presented those during the UDRP webinar when I had my few minutes to speak on behalf of the registrar. So I just want to remind that the input from this group was part of these issues list. Thank you.

Margie Milam: Okay. And that you can keep on scrolling through because I'm not going to read them but you can see there's, you know, a lot of things here. Things like latches, and rules related to evidence and, you know, form shopping.

You know, this is a - this would be quite a bit undertaking if we were to, you know, go ahead and initiate this kind of review. And then, you know, it's questionable, you know, who'd really want to spend that much time delving into each of these issues if we do actually start a PDP.

There may need to be some effort in trying to prioritize some of these topics. So we're not just randomly hitting, you know, a lot of them or it could just be, you know, whatever a five-year process, three-year process in trying to tackle each of these.

There's no prioritization in my list. I'm just merely summarizing the issues that I heard on the webinar. And so then finally if you have comments on the preliminary issue report you can, you know, obviously participant in the public comment forum that's open until July 15.

Or participate in the session tomorrow where we'll go into more depth on the staff recommendations and the reaction to the statements that are made in the issue report.

And if you want to hear the webinar I thought the webinar went really well. It was - there's a link there to the archive that you can, you know, listen in or see the transcribed - the transcript.

And that's all I have on the UDRP. Any questions before we move on to Marika?

Man: Anybody? Okay. Thank you, Margie.

Man: Actually, Marika can I ask a question. Actually I wanted to go back to the process issue Margie on staff recommendations. So does - is the staff sort of default handling of any particular issue when it lets a PDP go forward unless there's really a pretty good reason not to?

            Or are you making a judgment, you know, proposal by proposal as to whether or not, you know, you're recommending this to the GNSO about whether or not it goes forward?

Margie Milam: I think we - we don't have a default position on it. We tend to look at it issue by issue to see, you know, how it fits in to what's going on what the resource issue is? You know, whether there's issue raised I mean the only two I've done was vertical integration and this one.

            But that's on - on both of those we...

Man: Well, what are you doing wrong.

Margie Milam: On both of those we recommended against a -- I'm just kidding -- a PDP. And well we'll see what happens. We weren't exactly listened to but, yes, obviously the council has its prerogative to satisfy our recommendation. So we tried to do it in formed opinion and the way to look at it to see whether, you know, this is the right time to do it and, you know, it should be done.

Man: Okay, thank you.

Margie Milam: The other thing is we do clarify in the issue report as part of the bylaws requirements whether it's in scope or not. So let me make it clear that you

ask, you know, and in this case it's obviously within scope to do it if the GNSO council wants to do it. But we just feel that, you know, given all these things we talked about that it's probably best not to do it right now.

Man: All right thank you.

Man: Okay, other questions for Margie? Okay, Marika?

Marika Honings: We're moving on to IRTP Part B. And I think I already spoke to you about that as well at the last meeting. And I think that's where we're still talking about a proposed final report.

I don't think I need to talk to you about the background just maybe to mention the second in a series of five PDPs. The purpose of looking at a number of charter questions amongst others dealing with registrar lock status and whether additional provisions need to be developed for a number of incidences that might happen like hijacking or inappropriate transfers.

So TP started some time ago, I think we're almost in our two-year anniversary now. There was an initial report, a proposed final report and we got quite a few comments on both versions of that report and, you know, the working group worked through those.

And adopted the report accordingly and actually submitted its final report to the GNSO council earlier this year and came up with nine recommendations. So just to give you a broad overview of those recommendations, actually four recommendations that I'll talk about concrete changes or clarifications or additions to dig this thing IRTPs.

One dealing with the creation of a transfer emergency action contact, one relating to a change to Section 3 of the IRTP, one change in denial reason number six and one proposing to delete denial reason number seven.

They're are two recommendations that recommends requesting an issue report, one on the topic of (unintelligible) careers and one on the issue of change of control linked together with denial reasons number eight and nine of the IRTP.

One recommendation relates to promotion of an SSAC report. One recommendation actually recommends deferring consideration of an issue to actual the review of the UDRP that should happen.

And one recommendation relates to a request for staff to develop a plan in relation to the standardization and clarification of who is the status messages. I have all the recommendations here but I think all of you are probably already quite familiar with this.

And I don't know if you're actually going to discuss the motion that's on the table. So I don't know if you really want me to go into detail in any of these...

Man: Can you just do a quick overview of it?

Marika Honings: Okay, quickly go through it.

Man: Yes, yes.

Marika Honings: As I said, you know, I think one of the main changes coming out of this is probably the requirements to have a transfer emergency contact and that the registrars need to provide its purposes to have a way to establish contact between registrars in the case of an emergency.

It's very important to know that this is only indicated for emergency, only to be used by contracted parties. So not by registrants and a requirement will be to provide a response within four hours of the initial request.

Again, I want to point out its just responding it doesn't mean that you have to resolve the issue within four hours. It's just a question of picking up the phone within four hours of a request being received.

I said a second here is just a recommendation to actually promote some of the proactive measures that are outlined in a SSAC report that registrants should take into account that will help prevent hijacking.

And then moving on to as mentioned the request for the issue report, I think there's been some discussion on that in the GNSO council on the Saturday in this specific or on Sunday.

And those specific recommendations were some (unintelligible) why don't you just go to the registry operator, registry operator that is effective and tell them to change to think of ways but the recommendations of the working group is actually well - will be useful to do a PDP to actually access whether, you know, changing to takeaways is a good idea or not.

From IRTP perspective I think most of the working group agreed that it would be a really good idea because it would solve a lot of issues. But there might be unintended consequences or other areas that, you know, need to be taken into account before such a decision is taken. So that's why the working group recommended an issue report on that.

Again, working group also discussed a lot on how change of control comes in currently being used. Transfers are being used to demonstrate ownership, change of control of domain names by especially the after market.

So as you currently know, there's no specific definition of the council and the IRTP. And they also agreed that it would be to - to do an issue report on that specific item and link that together with the locking procedures as they're currently described in the denial reason number eight and nine.

And if I remember correctly they relate to, you know, the 60-day lock that may be applied following a transfer and as it goes to date after creation. After the creation of a domain name registration.

Man: Yes right. Michele sorry. Did I see your hand up, Michele? No.

Marika Honings: I think it was just. There's another recommendation to modify Section 3 of the IRTP that provision currently says that the losing registrar may notify the registrant of the transfer out and the proposal is to change that to must or has to.

They still require that notification and the idea behind is if the notification is done prior to the transfer taking place. If there is any conflict between the admin and the registrant, it might come out at that time instead of after the fact.

When it would be much more complicated and you will get into the undo of a transfer scenario. And the last one is the clarification of IRTP's reason for denial six and making it clear that the registrant has to give an informed often expressed consent and also knowing that registrant must be able to have the lock removed on the reasonable notice and authentication.

As mentioned there is one issue defer to the UDRP review should that happen that relates to the locking of domain names that are subject to a UDRP proceedings.

A request to have staff prepare a proposal that would deal with standardizing and clarifying who is status messages regarding registrar lock status. And there is another recommendation that recommends the meeting of IRTP reason denial seven in it's current states cannot actually be invoked.

And instead replace it by a new provision that would basically outline how and when domains may be locked or unlocked. And again in relation to this

second part that will be a staff proposal for a new language that we'd come back to the GNSO council than for consideration.

So a motion is on the GNSO council's agenda for Wednesday. I don't know if you'll be reviewing or discussing that later today. The motion was made by Tim so he can give you further information about that as well. It basically recommends adopting the different recommendations that are outlined here. I said the four items that would go directly to changing the existing consensus policy if it was adopted by the board.

The two items were staff has requested to come up with further plans and proposals on those items, which would be considered by the council for adoption. So I think that's it. Some things here on the (private fund) report and how we address the comments. So I don't know if there are any questions on the IRTP.

Man: Elliott.

Elliot Noss: Yes. There is one significant change in policy contained here that really has roots in the early days of registrar, which is losing registrar my notify. While there was always a may, the history around that was to stop the incumbent at the time and some other registrars from obstructing through confusing messages to the registrant.

I'm hoping that one of the staff take aways is to be very proscribed around what the losing registrar may say to the registrant because to include anything other than a very bare information that this is happening significantly runs the risk of both confusing registrants and having this be a back door way to market back to losing customers.

So I really urge you to take that point in particular.

Marika Konings: Okay. Yes. It's actually not something I think that the working group provided
                   any detail on in it's report. But I've heard you and I think as well staff goes
                   away and writes an implementation plan.

                   So if it's not clear make sure to make that comment also before the board
                   considers it.

Elliot Noss: Make a comment. You just said make a comment. Make a comment where,
                   in the GNSO meeting or to the working group or where?

Marika Konings: No. I think the first opportunity is to make the comment is before the board
                   considers these proposals provided that the GNSO council adopts them,
                   there will a public comment period.

                   So there is a first opportunity there to specifically make that comment. Once
                   the board adopts it, staff develops an implementation plan, which normally as
                   well has that public comments discussion. So I think there are several steps if
                   indeed it hasn't been taken into account by the time we get there, there are
                   different opportunities to again make that point. But I've heard you and
                   maybe I'll take it back.

Tim Ruiz: Marika, let me just interrupt for a moment. It's already dealt with. I mean my
                   understanding is what the recommendation is is that the losing registrar must
                   send the FOI. Is that right? FOA. That didn't sound right.

                   And then the FOA has already been defined and policy and you can't mark it
                   and blah, blah, blah and all that. So it's not creating anything new. The FOA
                   is what it is. It's just saying that instead of optionally sending it you must send
                   it. But even now if you optionally send an FOA you can't mark it. It's very
                   proscribed.

                   It's actually defined in the transfer policy itself. So this is just saying you must
                   send it. You can't change it (unintelligible).

Elliot Noss: But all that is doing if I understand that correctly Tim is saying to the registrant here is the FOA, we have received it.

Tim Ruiz: Correct. Thank you.

Man: Just to - Elliot, just speaking to that, it changes may to must and yes, that's all it does.

Man: Anyone else? All right.

Marika Konings: All right. Well, I'm glad we clarified the issue without having to do comments. So moving along to the next step, policy development process that is in its final phase at least from GNSO council perspective.

                As far as expiration domain name recovery, I think again I've spoken to you about this one several times. So I won't dwell on this one too much. Again this working group followed a relatively similar path as the IRTP working group, produced an initial report, produced a proposed final report and based on the input received finalized its report and the report has 18 recommendations.

                As mentioned before that it wasn't an easy working group, a lot of different views. We did work very hard and in the end they did come to consensus on all the recommendations and I think with the belief that all the recommendations will provide additional guarantees to registrants or aim to improve registrant education and comprehension.

                And I think the working group also believes that they are in line with current registrar practices and therefore will have minimal impact on most registrars and other affected stakeholders. So the recommendation group together basically in category although they also relate back to the different charter questions that were asked from the working group.

The working group struggled as well and have been trying to get the right definitions around the different concepts and making sure that it's understood who is the person or the registrant that is entitled to renew the domain name after expiration? So they spent a lot of time getting the right definition there and have come up with a registered name holder out of expiration.

And there is a quite lengthy explanation as well what that exactly means. There are a couple of recommendations that relate to post expiration behavior and ability to renew. So there is a minimum of eight days after expiration for renewal by the registrant that needs to be provided. That eight day period can take place at any point in the 45 day grace period provided that the names are not deleted.

There is always the option for the registrar to delete at any point in time after expiration. Also recommended is that the Web site must explicitly say that the registration has expired and provide instructions on how the registration can be redeemed and also a recommendation noting that the RHE cannot be prevented from renewing as a result of WhoIs changes basically addressing some of what currently happens in that provision in agreements that allow the registrar or a third party to renew on behalf of the registrant.

That shouldn't prevent the original registrant from actually renewing it at the end of eight days. There are quite a few recommendations that relate to registrar disclosure and expiration warnings following on I think from provisions that already exist in the EDDP in relation to RGPCs. There is now a recommendation to create a (dislocated) fees charge for renewal.

Peer information you see provided on how notifications are going to be delivered pre and post expiration to the registrant. There are now clearer requirements that at least two notices need to be sent prior to expiration at set timeframes and one after expiration. Also notice notification shouldn't be

done by methods whereby the registrant has to do something proactively like you know, going into the registrar's system or something like that.

And then there are a couple of best practices recommendations that I think mainly deal with ways in which registrants can provide additional information to make sure that they receive notices by providing a second point of contact as well as for why missing the email addresses from rich notifications that are going to come and providing secondary email addresses.

Then there are a couple of recommendations related to redemption grace period. The most important one there is basically making the redemption grace period a consensus policy so it applies to all GTLDs apart from sponsored GTLDs. And there is a recommendation not to allow a transfer of a domain name during RGP.

That was one of the charter questions of that working group whether that should be allowed and the working group said no, it's probably a bad idea because there are a lot of difficulties with that and it's probably better not to go down that path.

And I said there are a couple of recommendations that relate to registrant education and awareness. There is a recommendation that ICANN should develop education materials on how to properly steward a domain name and prevent unintended loss together with other parties that are interested in this topic, so with registrars, ALAC and others in the community.

And then as well the requirement if such content is developed and agreed by the different parties and registrars are required to link and distribute that information. And then as well there is a recommendation that once all these recommendations are adopted and implemented that ICANN compliance should provide regular updates to the GNSO council on the implementation and effectiveness of those recommendations.

So the GNSO council can also make an assessment on how these recommendations are working in practice and why at any point in time there is need to do follow up work or review the policy. So what are the next steps? There is a draft motion that has been developed and I think has been shared via council to the different representatives.

So I think the hope is that some groups might have already discussed this here and in Singapore and then it can be possibly considered at the next meeting of the GNSO council in July. And again the recommendations will then need to go to the board for its consideration. So here are the links to the final report. Are there any questions on this issue? No.

Then moving on to the next item, I mean it's very brief. Well, the title is not very brief but a discussion paper on the creation of a non-binding - I don't have on yet. I'm waiting for a suggestion.

Man: That needs an acronym.

Marika Konings: Yes. Definitely. So this is basically an effort that stems from the final report of the registration abuse policies working group and one of their recommendations I think was relating to the malicious abuse.

The title was for that ICANN should consider or the GNSO council should consider the creation of non-binding best practices to help registrars and registries address the elicit use of domain names. So the council decided to act on that by actually requesting ICANN staff to prepare a discussion paper on this topic, which you could then use to consider further steps to address this specific issue.

So we have been working on the discussion paper but with all the other reports that we had to finish for this meeting we weren't able to finalize it. But in order to take advantage of the opportunity and having everyone here, we thought it might be helpful to provide our initial thinking on this and provide

you with a broad outline of the issues that should be included in such a discussion paper.

So we'll be presenting that actually tomorrow - no, Thursday from 11:00 to 12:30 if I'm not mistaken. And you'll have the link there so you can get all the details there. So basically they will just provide an overview of what we think should be in there. We have a preliminary inventory on the...

((Crosstalk))

Man: I just wanted to point out that I'll be - I've been volunteered to participate on that and provide a registrar perspective on some of these best practices. I've got a few things put together but after today's meeting with law enforcement I think that's going to attract a lot more attention than it might have otherwise.

So I really appreciate any thoughts or suggestions or bullet points from this group. You can send those to the lists today or tomorrow. What are your generic recommendations or advice for registrars about best practices for abuse. I think it'll be really helpful. Thanks.

Marika Konings: So as he said, we'll start off with a presentation from staff going through the different issues that we think we should cover. There is also we have a preliminary inventory of some of the practices we have been able to identify from ALAC reports, APWG documents as a starting point.

And then they will have different community representatives giving their perspectives. The idea is to have a very open and informal discussion so you are all invited to come and contribute any ideas or to give up additional ideas and thoughts on what we should consider as part of this discussion paper so we can make sure as well that you know, different views are represented.

And we can come with some concrete ideas back to the GNSO council on how to take this effort further. And if you really want to know more about we

did give a more detailed presentation already to the GNSO council on Saturday. So I'm sure those slides are already up so you can have a look already.

I think it already outlines basically the different issues that we're considering as part of that. So have a look at that and if you can't go feel free as well to catch me in the hallway or send me an email afterwards if you have any further thoughts on this item and I'm happy to consider those. Then just very briefly last item, there is a new proposal for a revised GNSO policy development process.

This is an effort that stems from the GNSO improvements that I think we've all been involved in at some stage or form. So this working group looked at how to revise the PDP to make it more effective, more efficient following the working group model and developed concrete proposals for that accompanied with an implementation and transition plan.

So again the main point here is there is a final report now out that includes 48 recommendations but also includes a proposal for a new Annex A of the ICANN bylaws, which outlines the PDP process and also has a PDP manual, which would be incorporated as part of the GNSO operating rules. What I really wanted to highlight here, this report is actually out for public comment at the moment before the GNSO council will consider it for adoption.

Comments may be submitted until the 9th of July so if you have any views on this please share them. Again, there is - we gave a more detailed presentation on the report and actual recommendations to make changes in I think the Sunday session of the GNSO. So if you're interested in getting an overview and just listening to that, you can go to the schedule and find that recording and the slides and have a look at that.

I want to (cut) the GNSO council looks at all the comments only to decide whether any further change will need to be made to the report or whether it's

ready to be considered and once it's adopted again it will need to go to the board for its approval as it relates to bylaw changes. And on the next slide you can find the link to the public comment forum and the final report and some of the background information. I think that's it from me.

Man: All right. Questions for Marika? We're all in the post lunch coma? Okay. Liz.

Liz Gasster: So the good news is I really don't have much of a WhoIs update today and I don't have any slides, which is probably a refreshing change. Anyone have any questions?

No. What I did want to just briefly mention to you all and I'll be sending something more official out within the next month or so is that one of the studies that the council has agreed to go forward with, it's actually more of a survey at this point to solicit interest but to look at privacy and proxy relay and reveal requests.

And the firm that is going to be looking at this (Interaisle) is searching (us) to participate in the study once the study actually gets going. So I have approached a couple of you offline about your willingness to participate, those of you that do offer a privacy service. I asked Mason to send out you know, a formal request once we're ready.

But I do want to just take this moment to encourage you if you do offer a privacy service to consider participating. I know some of you have reservations about the study and may be concerned about some of the conclusions. But I think the study can only be improved by your participation. So I would really look forward to your involvement.

And if you have any questions offline or any reservations please feel free to contact me and there will be more information forthcoming. I'll just briefly touch on the fact separately we have the drafting team that has just been

formed to take some next steps on the WhoIs service requirements report that was produced last year.

Susan, I think you're on that group. I'm not sure if any other registrars signed up to participate but it's just getting started and it's really just going to solicit community views on those potential technical requirements for basically a replacement protocol to WhoIs. So more to follow on that probably in the next (meeting). I'm happy to answer any questions.

Man: All right. Questions for Liz? Boy, we are rocking in this meeting. Okay. All right. We're right on time.

((Crosstalk))

Man: Liz, do you have a reference definition of reasonable evidence of actionable harm that you've developed for this?

Liz Gasster: No. We're just using that language understanding that people have different views about what's required there.

Man: Okay. That's it.

Man: Tom.

Tim Ruiz: Do you have a definition of a proxy service?

Liz Gasster: We do actually and it's the RAA definition. I think it's the definition that says they're the registered name holder of record. And it's in the RFP. I can get it for you but it's distinguished, the proxy from the privacy servicer.

Tim Ruiz: So if I'm a law firm listing myself as a registrar, I'm a proxy server?

Liz Gasster: If there is a beneficial user other than yourself, yes.

Man: Anyone else? All right. Marika, Margie, Liz, thank you all very much as always. Appreciate it. Okay. So schedule wise we're going to meet with the board in about 15 minutes.

Before we do that we have a housekeeping item that we didn't get to this morning because he wasn't here. But our friend JC is finally in the room after I harangued him to come in here. And I know I mentioned this morning that we talked a bit about the ex com and terms and that kind of thing. JC just completed his third term as vice chair of this stakeholder group.

And he rotated off, Scott has capably taken his place. But I wanted to take a minute and on behalf of everybody here say a thank you to JC for three years of very good service and contributing his expertise. So JC, thank you for all your good work. We have a gift for you. Yes. So this is an engraved pen with your name and your office on it. So you enjoy that.

((Crosstalk))

JC Vignes: Well, the first thing I'm going to say is it's a good thing I finally showed up. So thanks for that all of you. The three years have been extremely rich. I had a blast (sitting in those chairs) and being with you guys at every ICANN meeting.

I'm sorry I couldn't be here this morning. Unfortunately my new company sits on the other side of the aisle so as much as I will continue contributing to the registrar stakeholder group it might be a sign of things to come. Our industry will be experiencing some changes. I hope the registrars will be stronger for it.

And I know that (Scott) will help you and the rest of you will help you in that regard. Thank you all. It was great to serve you for these years and I'll be seeing you wherever and in whatever capacity.

Man: All right. Thank you JC. Okay. We're meeting with the board at 2:15 in the Canning - is that right, Tim, Canning?

Tim Ruiz: I think it's the middle of the three ballroom rooms I believe.

Man: Okay.

Tim Ruiz: It's either the middle or the one on the left either next to the GAC or the other side.

Man: All right. I understand there is a protocol that we have to follow. Peter is chairing the meeting and...

Tim Ruiz: I think they want the ex com up at the table and everyone else around. That's my understanding.

Man: At the table. Okay. So we have been asked to give some GN items. We're going to talk as we discussed this morning, we're going to talk about the RAA, we're going to talk a bit about the dot net agreement and then we'll talk about the same risk issue that we discussed with your team today Tim.

                And that's pretty much it. I mean we had to submit that in advance so our agenda is pretty limited to those items. And we have an hour with them so we'll go 2:15-3:15. We'll have a 15 minute break until 3:30 and then we'll reconvene here at 3:30, okay?

                All right. So we'll see everybody over in that meeting room in 15 minutes from now. All right. Thank you.

                                    END