
TORONTO – Uniform Rapid Suspension (URS)
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ICANN - Toronto, Canada

OLOF NORDLING:

So, ladies and gentlemen, good late morning to you. It's 11:45 the 18th of October and you are in the Metro East. We are about to start the session about Uniform Rapid Suspension system, or URS, which, of course, in Latin has certain connotation to *ursa*, which means bear.

I've got a very distinguished panel here with me. My name is Olof Nordling. I'm with ICANN staff. I'm responsible for the efforts to implement the URS.

To my right, Kristine Dorrain, from the National Arbitration Forum, which will make a presentation later on, and to my left is David Roache-Turner from the World Intellectual Property Organization, WIPO, make also a presentation, and we have got Brad Bertoglio and Paul McGrady to also follow on with a short presentation later in the program.

So without further ado I would like to go on to show the agenda as it is. I'll make a very short introduction, a brief update of where we stand in the proceedings with the URS, and then we got a couple of suggestions for changes from the potential providers of such, followed by comments and discussion. Then we go into a little discussion about process aspects and what we do next and try to conclude on that note.

So, a brief update on where we stand. Once upon a time, the URS was conceived by two consecutive community groups, the IRT and the STI,

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as a complement to their existing UDRP, which will be valid for new gTLDs, but this would be in addition, a complement to resolve very clear-cut cases of trademark infringement through domain suspension in contrast to the remedy and the UDRP.

It is intended to be fast and inexpensive in the bracket of \$350 to \$500 US dollars. But since about a year, doubts were beginning to come whether these objectives actually can be met with a procedure as it's currently drafted and included in the applicant guidebook for new gTLDs.

So a session was held at the ICANN meeting in Prague in June this year where a number of suggestions were brought forward by the community for potential changes and how to better meet the objectives of the URS. We have followed that up with a number of activities. First of all, we compiled the Prague suggestions and grouped them in four categories.

We also, in order to test the market, how big is the problem, is there a problem, we issued a request for information on the 24th of September to gather information and see where we can go. I mean, what does the world map look like among the providers in this regard?

We also contact GNSO and ALAC since they were at the core of the community efforts which I talked about earlier here—that's the IRT and the STI—in order to get process advice. If we want to change something, how do we do that in a balanced manner with taking into account all viewpoints that are, of course, very, very important in this?



We also established a new microsite, you could say, a new webpage for the recent activities regarding URS and you can read that for yourself on the screen. We held a webinar in order to discuss further in depth the proposal for change we received in Prague, and in order to gauge the interest and the preferences in the community for those.

Of course, now we're here on this particular session where the meat of the matter is really to hear from the providers what are the problems, what are the solutions and what can we do to discuss and find a way forward in this matter.

I may add that there's certainly an urgency to this as well since we do need to have providers lined up fairly early next year in order for the really implementation work to be finalized before the first set of gTLDs actually go live. The schedule for the New gTLD process has been advanced, as you know, so the pressure is even more with us here.

Now I would like to proceed and hand over to Kristine Dorrain from National Arbitration Forum. So, please, the floor is yours, Kristine.

KRISTINE DORRAIN:

Thank you. This is Kristine with National Arbitration Forum and I want to apologize in advance. I'm recovering from a cold so I've been coughing a lot. Hopefully I can keep that down during this presentation.

What I'd like to talk about today are—as an experienced UDRP provider who has been providing UDRP services for over 19,000 complaints over twelve years—some of the problems that we see with the current URS as it's proposed.



We have put together a list of some things that we would propose to change to help streamline things and make them a little bit more cost-effective so that we can meet cost targets.

One of the things I want to demonstrate is a portal that we developed in our completely technology-based solution we developed for Triple X's RES process. I'll just share a little bit with you as far as how something like that could look and how it could work because I know sometimes fear of the unknown and wondering how that would look or how that might affect me or my clients is a really big issue.

And then probably where I'd like to focus most of my attention is on other questions that I don't have suggestions for. For instance, in the RFI it's been pointed out that there's been no direct request for a cost target, but we know that the cost really is a driving factor for all of this. So in the URS, if you've read it clearly, you'll see that there are many, many ambiguities, many places where things are left to providers, left to discretion, suggestions made by the team that have really no implementation in them.

There is not an entity on the planet that can actually submit a response to the RFI without answering some of those questions on their own and filling in those gaps. So I just want to point out where those gaps are and where there might still be need for community discussion, even among some of the other things besides the hot button topics that we've been talking about the last few weeks.

Generally speaking, from the FORUM standpoint, the URS has two main administrative touch points. They have pretty much the identical administrative touch points as the UDRP plus some and they're asking



the providers to charge about a third of what they typically charge for a complaint.

When you think about it, that is about the amount of money that the provider keeps for the administrative handling of the case, which doesn't leave any money left over for the examiner. So that leads me to the next suggestion, which is if we send a case to what is called in the URS an expert examiner for a default or prior to receipt of a late response... And this is a typo here. It should say, "Increases inefficiencies." I'm sorry.

So when we have a response case and we have to pay an examiner, the provider is probably going to about break even, even with technological improvements that I'm going to talk about. Maybe not. Maybe it'll be a little bit of profit in there, but not much.

So the way the provider is able to recoup those costs and make the program even worth running as a business, one suggestion is to not pay for an actual written expert determination. One way to do that would be to allow the provider to appoint an in-house lawyer or have one particular person on retainer who reviews all of those cases so what we refer to as the crazy or insane complaints don't get through.

Some of our key suggestions are going to be that communications are all provided electronically, which is in the URS now, but that the URS would be modified to include the use of a portal system. I'm going to demonstrate the way the RES works in just a minute. Of course, we would probably agree with most of the community that the actual moment of service, which is when the respondent's notified, is a pretty



critical point and our particular proposal would suggest that we do include mail and fax service of notice as well.

Currently, the complainant is uploading registration proof of use and the URS says that proof of use can be validated by the Trademark Clearinghouse. The RFI seems to suggest that there might be some interface between the provider and the clearinghouse.

I know that one original version...or I don't know about original. One iteration of the URS had suggested a direct connection between the URS provider and the Trademark Clearinghouse because that's not determined yet. We don't know if the provider is going to have to connect and if the provider is going to have to request data and if the provider is going to have to pay for that data.

Again, that's a cost ambiguity open to the provider. Is that extra steps that the provider is going to have to do? Are those steps going to be automated or through an actual staffer or is it going to cost the provider money every time it needs to get data from the clearinghouse? So there's a question there and I know that there's some talk in the community about whether or not a direct connection between the URS providers and the clearinghouse is going to happen.

Our suggestion is we actually would prefer to leave it where the complainant submits what they want to submit and don't put it in the provider's hands to try to gather data on behalf of the complainant, but in the event that the community is going to disagree with that, we're concerned that that would be an additional touch point and/or cost point.

Probably the most controversial topic that we've been discussing over the past few weeks or months is the idea of what if a respondent doesn't respond and a case is going to default at least early in the process? If you remember right, the URS currently as written allows a respondent to come back for six months and then still says they can get a six-month extension.

Our proposal is that default cases would proceed to a check for a prima facie case by some sort of attorney, maybe an entry-level attorney-trained or something, but probably not someone that rises to the level of an expert examiner, and that that would not result in any sort of public determination that would be citable against either party, and that we would reduce the response period from...we would leave it to the six months, which is incredibly long, but not include the six-month extension because the provider at some point has to decide that the case is closed. Keeping the case open for a year is not good business as far as how we manage our books and that sort of thing.

So those are some suggestions that we have as far as how there could be some mitigation of the concerns that some people have with the default process that's been proposed, which is to include an actual examination by somebody besides just an administrator person and then not making those determinations public so that they wouldn't actually weigh against a party if in fact the provider had made a mistake or something like that.

And then, of course, the respondent still has that six months to come back. So that would be one of our key components as far as what we



would suggest for keeping the cost down but still meeting the community's concerns.

Then we have other suggestions. For instance, there's a lot of places throughout the URS that refers to 24 hours. That doesn't take into account weekends or holidays. We would suggest that we define a business day. For instance, I went through the URS and came up with about ten terms that should probably be defined. So there are places through the URS that you can see it's clearly not a developed policy at this point. It is a really good list of elements and it's got a really good list of suggestions, but it's not an actual fleshed out fully formed policy yet so there is work still to be done.

Finally, I think this is my last slide on this point. The current URS requires a provider to do a deficiency check for a response and then says the panel is going to consider everything anyway so there's no point in that administrative touch point as well. You might as well just do what we're doing for the UDRP, which is setting the response right to the panel if that's the response it's had.

I want to walk through very quickly and just show you generally how the FORUM's portal system works. Like I said, we've used technology to really streamline the process and this is not true yet for UDRP cases. This is only for the RES cases under .XXX.

What happens is the party logs in. They're given a secure login and they choose whether or not they're the complainant themselves or the representative, and then they agree. In the UDRP and in the RES they have things you have to say, "I promise not to sue you," or whatever, so there are some agreements that you have to click through there.



Then the next statement allows the complainant to enter their information. Once you have created a user ID that information prepopulates so that makes that step really easy. The next time you can go ahead and your information prepopulates. If you want to update it you can. It won't update it at your record level, but it would update it for that particular case, so if you're traveling or something you could easily update the information.

You enter the domain name. In this case I picked something nice and generic and .XXX so it was going to fill in with ICM Registry's information. But our system goes out and pulls the WHOIS record for you, dumps in that information into the record. You have a chance again to update it. If you know that the respondent is somebody else, you could change that if you wanted to.

Then in the RES you have to choose whether it's a trademark case or an impersonation case, so in that case, this is the selection you're going to make there. Then you get to enter your complaint information. Text boxes limit the number of words you can include or limit the number of characters and allow you to upload documents at the appropriate point.

So this is one way in which it reduces an administrative touch point because my case coordinators don't have to go through and check and make sure all the pieces are there. You've had to fill in every single piece. So the benefit it's going to have to the complainants—and actually, it works the same way for respondents—is that you kind of can't screw up. You kind of can't get a deficiency because you've already filled out the form as it's designed to be filled out.



This shows the bottom half of the page. In the RES there are additional factors and you can click on those and you'll get additional text boxes. That's not necessarily applicable under the RES.

Then the system starts sending emails and it sends emails to the parties so you can see that the actual complaint document is attached as a PDF to the parties. Well, you can't see that because the email addresses are stifled on our test system, but you can see that this was sent as a regular email with attachments.

Our system also sends a text email that tells the respondent specifically, "You just got an email. It's not spam. You've been served with a complaint. If you want it sent to you in a different way, let us know. Here's the portal link to it," and it's an encrypted link for the respondent to use so the respondent can't be impersonated unless somebody intercepts the email. I'm sorry, I clicked it on my screen, but not for you. This is the email that the respondent gets.

Then the respondent will walk through the same steps, so I'm not going to walk you through it, but they're presented with the actual textbox screen that the complainant got, but then they can click the hyperlinks at the top of each box to see what the complainant has argued. So when they want to go to respond, the text of the complainant's argument is right there available for them, as is the actual language of the policy.

So they can click right from this page. They don't have to have the PDF. They don't have to have anything that was sent to them. They can go right to here and respond. Then you can see this is what the panel sees. Again, this is our test system so there's a lot of random test cases in here, but you can see what the panel sees. They go in and select a case.



Actually, it's the same thing that the parties see. The panel portal and the party portal look the same and interaction through the form is done through this portal. You can request a stay or you can request a withdrawal or you can pay fees. Whatever it is, it can be done right through the portal.

And then the panel also goes in and makes a decision. In this case for RES there are some options that are different from the URS, but they can build their decision right online. It gives them the elements, they get to fill it in in paragraph format if they want and then the decision is built as a PDF for them.

So that's just a quick walkthrough of how the portal system works, how the notice works, just showing you what a technological solution could look like and how the FORUM believes that if we were allowed to use this portal system, if we were to write it into the URS to make that applicable, we absolutely could lower our costs for URS just based on volume and use and the fact that we could have far fewer case coordinators and administrative people handling these cases if you use a technological solution like this.

Then I think I have two minutes left, don't I?

OLOF NORDLING: Make it three.

KRISTINE DORRAIN: Okay. I just want to quickly highlight for you. These are open-ended questions and things that the community needs to discuss or somebody



needs to discuss because as people are preparing to submit RFI responses, these are open-ended things that are left in the URS that are not dealt with.

For instance, the URS says multiple respondents are okay if they're related, but currently in the UDRP we have this deficiency check process. If there's ten domain names, they're all registered to a privacy service. The privacy service writes back and says, "Hey, not us. There's ten respondents." We can tell the complainant a UDRP case is between one complainant and one respondent.

In this case we can't do that because the URS says it's going to go against whoever is in the WHOIS. How does that affect privacy services? What if you have this ten domain name situation and you have responses that filter in over the six months or a year that responses are allowed to be filtered in for?

At what point does the provider call it done? At what point do we send the case to the examiner? How many determinations does the examiner have to issue for its fee of what it's going to make, about \$150, or whatever the panel's going to make for this case? So there are some open-ended issues here as far as what happens in this multiple respondent scenario.

And then, of course, there are some issues of document drafting. URS doesn't appear to limit the complaint, but then does limit the number of words of explanatory text and then limits the amount of words that respondent has so there's some ambiguity going on there.

One version of the URS has said that all the proceedings would be in English. This version does not. It says that the written notice has to be sent to the respondent in the language of the region listed as in the WHOIS. Again, you go back to the privacy service. If the privacy service is in the United States but the respondent's located in France, they're going to get an English notice, not a French notice.

Like I said, with this new version of the URS, we don't really know what language is the complaint. What language is the response allowed to be in? What language does the determination have to be in? What if, in the case of the ten respondents, we get responses in ten languages? These are things that raise the cost to the provider.

A straight what I call telephone pole decision where you get a complaint, you process it through the technology that we have. It's one domain name; panel quickly makes a decision, "Yep, I will tell you that right now I can do that for \$500." It's all of the variables that we see every day through twelve years of practice doing this that raise the cost and that's where the problems are coming in.

Again, we talked a little bit about the Trademark Clearinghouse interaction so I'm not going to talk about that slide. There are some additional administrative hassles in URS-6 as far as restricting changing of the content after the complaint defaulted, which makes no sense and requires policing steps and administrative steps and hand holding.

A response received after default, the domain name has to re-resolve to the original IP address. Who keeps track of that? What if the response comes a year later? Who knows what that original address was? Who is responsible for keeping track of that information?



And then again, with the abuse of complaints or material falsehoods, it's not entirely fleshed out whether those go against the party or a council. What if there's multiple complainants or respondents? Does it attach to all? What happens if there's privacy or proxy services?

And then the URS specifically says the providers need to work together to come up with a solution for how they're going to keep track of this information. So assuming the providers do that and it doesn't additionally raise a lot of extra cost for the providers, does that list of bad actors have to be public?

So those are some of the questions. I'm not necessarily inviting people to the microphone at this moment, but things to discuss.

OLOF NORDLING:

Thank you very much, Kristine. Please keep the questions for a little bit until David has made his presentation.

Just responding on one of the early question marks you brought up on the interaction with the Trademark Clearinghouse, like you suggested, and I think I'm on pretty safe ground in this regard, although Trademark Clearinghouse is also a subject for detect implementation that this would be left to the complainant to interact with the Trademark Clearinghouse in order to get the justification for the rights that he claims and for you just to receive and verify that this actually comes from the Trademark Clearinghouse.

With that, I would like to go straight ahead and hand over the control and the floor to David to tell what WIPO has in mind when it comes to URS 2.0 question mark. You're on, David.



DAVID ROACHE-TURNER: Thanks very much, Olof, and Kristine, also, for that presentation.

Good afternoon, everybody. My name is David. I'm from WIPO. We do UDRP cases. We've done about 24,000 of those since twelve years ago. I should say at the outset I'm not sitting up here because we're necessarily expressing an interest in being a URS provider. There has been some discussion ongoing in the community for some time now about ways to possibly improve the efficiency of the URS and we're here to make a contribution to the community's continuing discussions on that subject. We hope it's a helpful contribution.

We heard from Olof in the introduction, of course. I think everybody's pretty familiar by this point what the URS is intended to be. Obviously it's intended to deal with clear-cut cases of abuse, to be an efficient and low-cost process and to include, importantly, appropriate registrant protections and to operate in natural complement to the UDRP, which provides a transfer mechanism for clear-cut cases of cybersquatting currently.

WIPO's role historically in this process I think has been ongoing, like many in this room, for a number of years. We've been involved in discussions around this subject going back to 2009. I've included in the materials...you can see there are some links to some of our comments, which we've posted on our website, which are available on ICANN's website as well.

I'm not going to go into detail on them at this point because I think Kristine has already covered very comprehensively a number of the



challenges that we're all aware of with respect to the implementation of the URS. I'm very happy to come back to any of them in questions if people would like to.

I should also mention that there's a copy of these slides along with a copy of the discussion paper which is available on the website for the Toronto meeting for this session. If people want further information I would suggest that you have a look at those. There are some copies as well of that discussion paper, which you can see over here at the table next to each of the microphones at the front of the room.

I think there's been some extensive discussion, also, most recently in the Prague session, about some of the main cost drivers of URS-6. Kristine mentioned a number of those. The principal drivers I've distilled here on this slide.

There are others, but the ones that are summarized here are, of course, the cost of appointing an expert to make the determination in UDRP cases. At least at WIPO, the panel that's appointed typically comprises two-thirds of the cost. The requirement under the current URS for a de novo expert review for a period of 30 days after the non-submission of a response for which the expert would need to conduct that de novo review gratis.

The procedural complexity, which Kristine has already done a good job of describing for us the fact that you've got a mechanism currently that has a significant number of more moving parts than the UDRP. Of course, this means that there's more for providers and also for parties, potentially registries as well, to do in the process that naturally comes at a cost.



It's a model that currently includes a number of enforcement layers. It's got a first phase and a second phase and an option for a respondent to come back in default cases, one of which I just mentioned—the 30-day period—and an additional period for six months after that for a supplemental fee. It provides for a remedy that is quite a light remedy and it's reversible.

It effectively means that the domain name registrant, if they're unsuccessful, will have their domain name no longer resolve, but that is a remedy that is reversible and I think it's important to bear that in mind when we're considering the volume of process that we need to wrap around that remedy.

Also, Kristine mentioned the question of language, and I think it is important to stress this. The current requirement in the policy requires notifications by the provider to go to the registrant in the predominant language of that registrant's region, which is potentially not just an uncertain requirement, but also a potentially very onerous one if you can imagine notifying, for example, a URS complaint in India where there's over a dozen official languages and over 100 unofficial ones.

So I think what we've all been doing collectively, certainly, since Prague has been thinking about ways that we can make the URS the success that we all want it to be. There have been a number of suggestions, I think, that have come in from all corners of the community which have been really useful. I think you could probably describe...and Olof, I think ICANN have done a good job in grouping those suggestions into four broad categories.



One, I think, has been to consider options for involving ICANN and ICANN ombudsmen in the process. Another has been to think about ways to build filing efficiencies into the process. I think to a very significant extent those filing efficiencies would, of course, already need to be presumed.

Certainly at WIPO when thinking about this model, we've been thinking about a system that would need to be efficient. It would need to be online. It would need to be form-based. It would need to feed directly into case administration databases and hopefully it would need to plug directly into the clearinghouse as well, although, of course, there's still a question mark over the cost of that interaction if it would go ahead.

There's a question about whether it would be appropriate for ICANN to become involved in subsidizing the model and there have been proposals, including from WIPO, for the introduction of a default-based system and that's what I'd like to speak about a bit today in a little bit of detail.

There are some principles, I suppose, that have underlined our questions that have underlined our consideration of the best approach and I've displayed those there on the screen. I won't read them. I think you can see them, but the model that we have proposed to achieve the effect of simplifying and making the URS more efficient while also preserving important registrant safeguards is displayed up here on the slide. It was sketched out also in discussions in Prague but we've visualized it. You can see it up there on the screen.

The way it would work, in essence, would be that you would have a complaint that would come in. It would be obviously an e-filing. It would



come in via a form-based complaint online. It would be direct to the provider.

There would then be a compliance validation process that would be performed by the provider including ensuring that the complainant had provided the necessary demonstration of registered rights and that that made the appropriate declaration as to the truth of the contents of their complaint, the claims made in them.

If there would be shortcomings with the complaint procedurally that were significant, the proceedings would simply be discontinued with no need to bother the respondent further. That discontinuation would be without prejudice to the filing of a future complaint.

If the complaint would be procedurally compliant, and this would be an objective compliance process, it wouldn't be a substantive determination, although of course it would serve the purpose of filtering out abusive complaints or complaints which had no merit—merit in a procedural sense—or that were clearly abusive or were not otherwise paid for.

In any event, the registry would then be requested to lock the domain name and the domain name would remain locked for the remainder of the proceeding. The proceeding would then be notified by the provider using a UDRP standard—that is to say notification by email with written notice sent by hard copy and facsimile to the registrant to maximize chances of effective notice.

There would need to be, as I mentioned, some need to clarify the way that the language provisions operated, but that notice, in any event,



would be on the basis of a concise and slightly more certain language policy, languages to be determined. There would then be a period of time for the respondent to submit a response and there would be a hardwired response reminder that would be sent to the respondent prior to the due date for the submission of their response.

Both the notification and the response reminder would remind the respondent that the consequence of not submitting a response would be that the domain name would be suspended. It would not result in a substantive determination against the registrant, but it would result in an objective consequence, which is suspension, and that suspension would be reversible by the respondent on the submission of a response.

If the respondent would submit a response by the due date, and it would be a form-based response and it would be important that the form-based response be relatively simple for the respondent to complete and to submit, but would also require sufficient information and a certification so as to control for the risk of respondent's submitting responses solely for the purpose of discontinuing the remedy.

So if, for example, the response that would contain no information or a response that would be populated by one full stop or a word but would not constitute a procedurally valid reply to the complaint would not have that effect, but any other response that was duly certified would cause the URS proceeding to be discontinued from that point and the mechanism would include a 15-day lock period.

That's the period currently provided under the UDRP, which would enable the complainant, if they wished to, to initiate a URS process in



which an expert would be appointed or could be appointed to make a substantive determination on the criteria or to commence a UDRP proceeding if they wished to do that.

If the respondent would default, as I said, the domain name would be suspended. That is to say it would not resolve and it would, as is contemplated under the current policy, resolve to a website provided by the provider which would simply indicate that the respondent had failed to submit a response and that the domain name had been suspended pending any submission of a response for the remainder of the registration of the domain name.

Importantly, if at any time after the granting of that temporary remedy the respondent would wish to submit a response, it would have an opportunity to do that and it would have an opportunity to do that at no cost for the remainder of the registration of the domain name.

This is important because it empowers the respondent with the tools that it needs to lift the suspension and this is important, obviously, for a number of reasons. There are cases in which a respondent may be unable to submit a timely response. There may be cases in which, of course, the use may be, from the respondent's perspective, entirely legitimate.

There are questions of free speech that, of course, need to be considered, other legitimate uses, and the reason for proposing an option for the respondent in this way is because it means that the respondent is never in danger of not being able to address the remedy at no cost in terms of the filing fee that they would need to pay, so that's why we've built that in.



The advantages we think that a model like this offer I've summarized there on the slides on the screen. It's simple, scalable. You can modify the time periods that would apply at the various phases. It's straightforward and it's efficient. It's got fewer moving parts than the UDRP and it will be commensurately cheaper to administer the procedure for it.

It does include enhanced registrant safeguards that we believe ensure that should give registrants sufficient confidence to feel that if a mechanism like this was operational there would be scope in each and every case for registrants who feel that they have a good case to submit a response and to have the reversible effect of the process turned around.

It would then be incumbent on the complainant, if they wished to proceed further, either to proceed to request the appointment of a URS expert for a supplemental fee, and that expert would then be in a position to render a determination under the criteria. That would be a known reasoned decision to keep the price manageable and effective, and of course, it would be without prejudice to the complainant's option to use the UDRP if it wished to do that.

We think that this is a logical complement to the UDRP for a number of reasons, including because it means that the URS in effect becomes a mechanism to deal with defaults and in the UDRP the majority of cases are defaults. It would leave the UDRP to deal with the remaining so to speak contested disputes and for reasoned decisions to be issued in those cases.



This is useful because it also introduces a clean division between the two mechanisms. There is no replication of function, there's no risk or reduced risk of forum shopping and there's obviously a greatly reduced risk of inconsistent jurisprudence in decisions being issued across the two mechanisms because it's only under the UDRP that you would get a reasoned result.

We think that a really important concept in this whole discussion that we're having as a community here is the notion of sustainability. When I use that term, I mean not just in terms of the feasibility of making an initial bid to provide the services under the mechanism, but the ability to responsibly continue to offer those services in the longer term at the price point that is promised.

There is a real risk that if we are too ambitious about the price point that we set, particularly if we're coming at that question with less experience as a provider, with less familiarity about some of the complexities that can result, we can be too keen about offering a price that is too competitive and only in years to come find that we can't continue to offer that price. That's something that we believe is important to try and avoid.

For WIPO we're not looking at this equation because we're a for-profit provider. We're not. We don't make money in net terms on our UDRP operations and we certainly wouldn't be in the event that we would be interested in providing under the URS, but we do believe that it's important that it's a model that's able to continue to offer for complainants and also for respondents who under the current URS



model are also obliged to provide a response fee, in some cases a realistic prospect that those fees will remain reasonable through time.

That's why we think that it's important to get the design right now because the risk, of course, in having ICANN get into discussions about subsidizing for a limited period of time is that it only provides a solution for the duration of the subsidy and that we think is a problem. So that's why we've proposed this option.

Obviously it's something that the community needs to think about and if there are any questions on it I'd be happy to address those now.

OLOF NORDLING:

Thank you very much, David, and thank you, Kristine. I think we both received questions, very poignant questions, and needs addressing. Also two ways of approaching alternatively, you could say...not really alternative, but modifications of URS.

Quite a lot of information to digest, so at this point I would like to open for five minutes of clarifying questions, but just clarifying questions, please. We keep the discussion until a little bit later.

Here comes a clarifying question from Jeff. Please go ahead.

JEFF NEUMAN:

Jeff Neuman. I'll make mine a clarifying question. I apologize—I missed the beginning through a GNSO Council meeting. I also apologize for my voice.



Did you say exactly what the price was? I saw that one-third of it was for administrative costs, but at the beginning of this presentation. Can you just clarify what the exact price you said was?

[background conversation]

JEFF NEUMAN: Both, actually.

OLOF NORDLING: I take it it's directed to both. David, have a go at it first.

DAVID ROACHE-TURNER: I mentioned a price in reference to the UDRP and in the context of the UDRP the price that we offer for a single panel single domain name dispute is \$1,500 US dollars. That comprises \$1,000 that's payable to the panel and \$500 that's retained by the provider to administer the dispute. I didn't proffer a price estimate for the URS.

KRISTINE DORRAIN: We have a similar fee arrangement with the majority of our panelists with a few outliers, but most panelists would follow the same structure that David just described. We also have not proffered a price for the URS.

JEFF NEUMAN: When are the RFI results going to be published for everyone to see?



OLOF NORDLING: If I remember right, we're into late November. The deadline for it slips my mind. Something like the 20th. Following that, I think now I have to check this, but of course, to be able to provide the information that can be disclosed should be possible fairly soon after that.

JEFF NEUMAN: Okay. That's my last question. I certainly have a lot of comments, so if you could let me know when we're going to do the comments I'll step back up.

OLOF NORDLING: Comments will be following Paul's and Brad's presentation.

PHILIP CORWIN: Philip Corwin, Council of the Internet Commerce Association. I'd like to get some clarification, and it's particularly important because the board last year under some pressure from the GAC cut the response time from the registrant down to 14 days. In the event of default between the NAF and WIPO proposals is there at a minimum a determination that the complainant actually possesses the claimed rights in the trademark or name at issue?

And Kristine, you referred to someone making at least a prima facie determination. What does that consist of? And in the WIPO model is there an attorney looking to determine that it appears to be a black and white incontrovertible case of infringement or is it just an automatic loss without that review by an attorney when there's a default?



KRISTINE DORRAIN: Thanks, Phil. Yeah, NAF’s proposal is that somebody with trademark credentials would look over every complaint that defaulted and make sure that the complainant had provided their registration, had provided the proper proof of use and had made colorable arguments, very similar to the way Neustar’s Nexus policy works for .us.

It’s a situation where the provider does a prima facie determination to make sure the complainants brought their complaint, and if the respondent defaults, an additional letter is sent. If the respondent still doesn’t respond, then the decision just goes for the respondent in its cancellation, so that would be very similar to how we work that process.

DAVID ROACHE-TURNER: Yes, thanks for the question, Phil. Indeed, under the WIPO proposal we would contemplate that there would be a validation of the trademark rights that would be claimed by the complainant that could occur in one of two ways. Obviously via the clearinghouse—it would be up and operational—and otherwise by validation of a provided trademark registration. That validation would be done by the case manager.

At WIPO we employ attorneys to manage cases so we would envisage that that analysis would be done by one of those with a second check by a trademark expert in house if need be in cases of uncertainty.

OLOF NORDLING: Next question, please.



RUBENS KUHL: Rubens Kuhl for the record. Kristine, I wonder if you have looked at the community consensus model for the Trademark Clearinghouse, which is a PKI-based model, and which you could see is in the Trademark Clearinghouse with little or no connected because it's a signed file or a titling less coupled structure? So, you could verify that the mark is in the clearinghouse, but that would be easily and probably be cheaper for free.

KRISTINE DORRAIN: Just to restate your question, you're asking if it would be cheaper and more economical if we interface directly with the clearinghouse to verify the registration and proof of use.

RUBENS KUHL: Yes, considering that the Trademark Clearinghouse operates on a PKI-based model that signs the data so you just need to verify the signature, which is something very easy to do.

KRISTINE DORRAIN: It's entirely possible that that could actually streamline things. There are two questions that I have about that. How much would it cost us to do that and what sort of liability would be on us as a provider for having to actually go and ourselves get or verify data? The current UDRP model requires the party to -

RUBENS KUHL: The user would provide the data.



KRISTINE DORRAIN: Oh, okay. Yeah, so then in that case -

RUBENS KUHL: The user just provides the data that is signed. You just verify the signature.

KRISTINE DORRAIN: So then yeah, I think the URS actually contemplates that as an option. It says that the proof of use can be something that was provided by the Trademark Clearinghouse to the complainant.

RUBENS KUHL: Okay.

OLOF NORDLING: I think we already addressed that following your presentation, Kristine, that the preferred scenario would be that the complainant provide this information from the Trademark Clearinghouse in those cases, so that would be an attachment to the complaint, and just to verify that it's actually originated from Trademark Clearinghouse, so particular extra cost in that regard. Kathy, please.

KATHY KLEIMAN: Kathy Kleiman, Noncommercial Users Constituency and STI. I apologize for coming in late. I look forward to looking at the NAF proposal. So my questions are addressed to the WIPO proposal.



Three quick clarifying questions. One, on the initial review of the complaint you said that you're looking to validate trademark rights. The question is what are you looking for? Are you looking to validate that the string is somehow trademarked? Are you looking to validate that there's some kind of right in an underlying category of goods and services or a particularly conflicting category of goods and services?

Two, regarding the language of the registrant, am I misremembering? As I understand it, the URS can be responded to in English or the language of the registration agreement, not the registrant, per se, so we have to assume that registration agreements are in a more limited number of languages. Does that help? Does that solve your problem?

Number three, as part of the STI we debated default many, many, many times. I want to double check that you knew that this was a very active... Question mark—did you know that default and not having automatic default was a part of the substantive negotiation of this community here and that we talked about it—we spent many, many, many hours on it—and that we don't view default as a procedural option, but as a substantive right? Did you take that into consideration?

Thanks for the three questions.

OLOF NORDLING:

Was that directed to Kristine or to David?

DAVID ROACHE-TURNER:

Thanks, Kathy, for the questions. In terms of the initial review that the provider would do, it would be a review along the lines of the review



that is currently conducted for the UDRP, so the provider would check that the complainant had made a claim, a relevant trademark rights. Those rights would need to specify the goods and services to which they applied. There would need to be evidence of those rights that would be provided and that evidence would be validated by the provider. They would check to see that the complainant had the rights that they claimed that they have.

There would not be, if I'm reading this into your question, an analysis by the provider as to whether or not there would be confusing similarity. There would be a procedural analysis only of whether the rights claimed were possessed.

We recognize this and we recognize that there's an absence of confusing similarity that feature in our model, but we believe that given the remedy which is prescribed, which is a temporary reversible suspension, and the fact that the respondent is under our model given a right to submit a response model, form response, prescribing a fairly low threshold that the ability to manage the risks of determinations against the respondent is sufficiently controlled by the fact that the respondent can come back at any time with a response at no cost and reverse the effect of that suspension remedy.

As to the second question concerning language of the proceedings, it's an excellent suggestion, but in our view we think it probably wouldn't work to use the UDRP model because the UDRP model presumes that the provider -



[background conversation]

DAVID ROACHE-TURNER: Maybe I've misunderstood the question, but I thought that the suggestion was to look at the registration agreement to determine the language, but the problem procedurally is that the URS doesn't include a mechanism for the provider asking the registrar anything about the disputed domain name, including for purposes of ascertaining the language of the registration agreement.

One possible option could be to ask the filing complainant to obtain a copy of the registration agreement themselves if the actual registration agreement that the registrant used was available for that purpose, but typically, it's not always easy to ascertain that because registrars can make registration agreements available in multiple languages. It's only when you ask the registrar, "What language is it in?" do you know. So that's why that suggestion might not work so well, in the context of this model, at least.

As to the third question, yes, of course I'm aware of and very respectful of the very extensive deliberations that have gone into the model that we're all currently discussing, URS-6, and I'm very sensitive to those. It's certainly not our suggestion in making the proposal that we are to cause any discomfort in the invested parties in that process.

We're naturally aware that that can be a consequence, but we're trying to make a constructive contribution to getting the cost to a manageable point while also preserving important sufficient registrant safeguards in

a way that enables the model to be rolled out responsibly at the target cost point for the longer term. This, in our view, is one way to do that.

It may be that the community decides that it's not the way they want to go. It may be that there's been too much invested in the deliberations that have already come before and I think we fully recognize it. We're putting it out there and if it doesn't fly, then it doesn't.

OLOF NORDLING:

Jeff, is that a quick clarifying question? Because we need to proceed with the presentation.

JEFF NEUMAN:

It is. It's just to clarify. Since Kristine mentioned Neustar's procedures, the thing that we do in a Nexus dispute is at that stage where if there's a default we actually don't suspend the name right away. We actually send...it's like a breach notice where we give another 30 days to cure.

If we're talking about doing something like that as opposed to turning it off, that's actually intriguing. I'm not sure that IP owners here would like the name resolving for another 30 days, but there are tradeoffs. I think it's a good comparison that you made.

I will also say it's not attorneys at all that look at it, it's really customer support and much cheaper, so just to clarify.

KRISTINE DORRAIN:

It's me. For the Nexus, it's me. I'm the one who does the presentation review.



OLOF NORDLING: You have the Nexus in front of you.

KRISTINE DORRAIN: Yeah. When we do the Nexus cases I do the prima facie review.

JEFF NEUMAN: We actually do... Let's take it offline, but we do it internally first.

OLOF NORDLING: Thanks for all those questions and for the answers you've provided. Now I would like to proceed to Paul and Brad. You'll come up and you're planning to present something rather different from these proposals, aren't you?

PAUL MCGRADY: Thank you. You stole my line. I always, in situations like this, think of Monty Python and how they say, "And now for something completely different."

We're just going to jump in here. I'm Paul McGrady. I'm a partner at Winston and Strawn. I was also a member of the STI with Kathy and so we're very familiar with these issues.

At the outset, let me say that I have nothing but respect for the NAF and WIPO and all the work that they've done in presenting this today. However, while we think being a UDRP provider might be helpful, in this particular case it's not advanced the bulk of implementation quickly



enough. As a community, especially with these dates coming back at us rather than away from us...which is unusual in ICANN Land, right? We're simply out of time.

So again, we're going to just talk a little bit about what our plans are, but the bottom line is we don't believe that material changes to the URS are necessary in order to reach the community price point, nor is it necessary to move away from actual trademark experts serving as panelists in making determinations on whether or not a domain name is confusingly similar to the mark being asserted. These are material changes to the URS and if we're going to start over, essentially, then we've missed the ball.

To my right is Brad Bertoglio. Brad is an intellectual property lawyer who left private practice and actually started a business, which he'll describe, and is now interested in putting forth a response to the RFI.

So, Brad, if you could take it from here and we're going to be available for questions.

BRAD BERTOGLIO:

Thanks, Paul. Hello, everybody. Again, my name is Brad Bertoglio. My background, as Paul mentioned, originally was as an intellectual property lawyer. Once I left the practice I started a legal staffing and legal process outsourcing company.

What we really focused on was building a team that could take high volume repeatable legal processes and radically reduce the cost and increase the quality. There's a couple ways that we did this. The three levers that we really pull on are technology, people and process



improvement techniques. We think the same approach actually could be applied to the URS procedure as it currently exists without significant substantive changes to provide the service at the price point that's contemplated.

We only have a few minutes so I'll just briefly touch on some of the ideas behind the approach that we're taking on this. With regard to technology, this is really an important piece, obviously. I think there's been a lot of discussion about that today. What we've seen in the legal process outsourcing space is that that is really a crutch that we rely on to operate in environments that really I think the price pressure is even greater than here.

So the key points that we look at are, number one, we automate completely or as much as possible anything that involves the objective evaluation of information and objective handling of information.

Then we really focus on, two, optimizing the way that attorneys interface with the technology to allow them to make quick subjective decisions. When you break up the tasks this way and try and handle them as thoroughly as possible there's pretty marked improvements that you can get.

We've seen in other contexts where we had to perform legal analysis of documents and information and draw legal conclusions, not just having a technology platform, but having an optimized technology platform and really optimizing the way it's used has made a big difference.

We had one matter where we moved from one online process to another online process that was better and got a 2X improvement in



productivity and a 20% improvement in quality, so it's more than just having a portal and being online, but it's actually implementing it in a really effective way.

The second lever that we think about is people. UDRP experience and expertise is critical, obviously, but URS is a different process. It's got different legal criteria and we think there are opportunities to think fresh about how this process can be staffed while still taking advantage of the globally diverse trademark expertise that the community offers.

The third lever I mentioned was process management. I think it's important to remember that the URS procedure as it exists right now is in many ways a high-level procedure. There's a lot of implementation details that go into how the high-level procedure is implemented and we think there's a ton of opportunity there to drive out costs.

Whether you think of it or call it Six Sigma process improvement or Lean process improvement or just common sense, there's a lot of business techniques that could be used to improve this process and achieve things at cost points that you might initially think were not possible.

In conclusion, while we think that there probably is some tweaking that still needs to be done, and Kristine brought up some great points on what some of those details are, we also think that and recognize that a lot of work has gone into this process as it exists today.

I think the most important conclusion is we think it can be done, actually, as it exists today. I know there are time constraints rapidly imposing and there's no reason not to move forward. Thanks.



PAUL MCGRADY: The RFI response we filed under the name of Intersponsive, so we encourage you to look for that. If you are in the room and would like to see a confidential copy of the response before it goes, you can give us your feedback. We highly encourage you to send me an email and we'll connect people who have an interest in doing that.

We do recognize that there are some small implementation details that remain and we still believe that there is time to work within the community to get the small implementation details worked out. We don't think that there's time to flip it on its head and start taking out elements and things of that nature.

We're here for any questions that you may have.

OLOF NORDLING: Thank you very much, both of you, and apologies to Brad for calling him Bart. Oh, it happens. How difficult it is with names, yes. So, thanks.

Before I open the queue for questions and discussions, I've noticed with interest that you mentioned there may be some tweaks that need to be addressed. Could I poke you a little about that? What tweaks do you see? Could you name two or three that you see necessary to be able to address?

BRAD BERTOGLIO: Sure. I think some of the points Kristina brought up with regard to timeframes and 24 hours or one business day, that's obviously very important once we get the actual implementation of the process.



Clarifying the language requirement really is going to be important, not so much that we can or cannot do it one way or the other, but more a matter of just knowing what we need to do and what the commitment is there.

OLOF NORDLING: What about the numbers game, the number of domain names that are being covered by one complaint? Is that okay with you?

BRAD BERTOGLIO: I think that comes to probably a pricey issue and we're still looking at that, but if the pricing is low enough then I think it scales and still becomes pretty reasonable.

OLOF NORDLING: With that, thank you very much. Any questions to Brad and Paul from the other panelists? Well, it's open for comments and discussions.

Jeff, please go ahead.

JEFF NEUMAN: I want to say a huge thank you. Thank you. This is the benefit of competition. This should have been done months and months ago. It's what a number of us in the community asked for.

Honestly, I haven't seen your proposal. This is why we do it. This is not why we let vendors determine our policy but we come out with policy. Intermixed with that, we should talk implementation, but we do not let



our vendors determine our policy. I think this has been fantastic. Thank you, Paul and Brad, for the presentation. This is exactly what we need.

We should not worry about the policy aspects at this point. If it turns out after we read the response that there are some deficiencies, that it's not exactly the response we thought we were going to get, that's great, but I would strongly urge... And as I did at the GNSO Council level, we should not be focusing on developing any new policies or changing any policies until we get to evaluate the RFI responses.

To do otherwise is, again, being held captive by our vendors, which have been very good, but maybe this proposal will help you fine tune...WIPO and National Arbitration Forum may fine tune you guys to go back to the drawing board and help you fine tune your prices and stuff. That's the beauty of competition, so big thank you.

OLOF NORDLING:

Thank you, Jeff, and I think, Kristina, you would like to respond to that.

KRISTINE DORRAIN:

Hi, Jeff. I just wanted to comment and say I know you missed my first part of the proposal, but I started out by saying that in a straightforward, straight up, what I call the telephone pole case, NAF can do it for the price you want, but if you look at my slides you will see all of the ambiguities outlined in the URS.

The URS is not a finished document. It is not a complete policy. There are suggestions and parentheticals in there that still need to be fleshed out by the providers or whoever and so it's very hard to come down and



pinpoint an accurate cost estimate. Even if I say I can do it for a lot cheaper, then I'm doing UDRP with all of these ambiguous questions still out there.

So my question to you is you said there shouldn't be any more development. Have you read the URS and seen all the parentheses and all of the ambiguities still lingering in the actual document itself?

JEFF NEUMAN:

Sure, and I think that's a good question. We have to answer those, but that doesn't involve changing the process, which, unfortunately, I missed your presentation due to the previous meeting, but WIPO has proposed changing the process. So that's a different discussion.

Yes, we have to fill it in just like we have to do with the claims process. There's been a bunch of discussions this week about, "Okay, now we actually have to implement the claims," and there were parts that were left out. Totally understand, but changing the process and developing new policy before we saw the figures is what I was commenting on, but I appreciate that.

OLOF NORDLING:

Don't go away, Jeff. I have a question for you. We're back to what can happen next. Would you be interested in helping out with the little tweaks here? We were talking about drafting teams and such at the GNSO Council, but apparently they all have some concerns about...well, let's call it the details, then. Apparently, work needs to be done.



The questions that Kristine raised would need to be addressed, but I'll get back to the GNSO Council about that, of course.

JEFF NEUMAN:

If you recall, my offer was to help evaluate the RFI responses since we don't really have any skin in the game as a registry. To us the procedures are pretty clear as to what we have to do. I'd be happy to sit on an evaluation team with ICANN staff to evaluate the responses. I'm also pretty good at procurement so I'm pretty good at cutting costs and things.

But yes, ultimately, if there are parentheses and things to fill in, I'm happy to work on that. Changing policy, though, is something totally different that should be left not to me but to everyone.

DAVID ROACHE-TURNER:

Jeff, I also recall you mentioning during the webinar that you would be prepared to offer to decide URS cases for a T-shirt, so perhaps you should also be offering your services to Brad and Paul over here.

PAUL MCGRADY:

That's actually how we're going to handle the multiple domain names with the privacy service. Jeff's going to just get clothes.

JEFF NEUMAN:

T-shirts?



PAUL MCGRADY: Yeah.

JEFF NEUMAN: It's got to be a nice one. Maybe a rugby shirt.

OLOF NORDLING: Thanks. Now it's Phil, please. You're next in line.

PHILIP CORWIN: Phil Corwin again. I'm delighted to hear that there's going to be at least one bid which takes an innovative approach and believes that it can provide the service with the present model without changes at the target price.

Let me say what disturbs me about the WIPO proposal, which is default with no panel, which means no examination, the URS requires a determination at a higher standard of proof than the UDRP that there's been bad faith registration and use, particularly when the right is in a trademark which can be a generic name. You cannot know if there is infringement without both seeing if it looks obvious from the domain name and looking at what's going on at the domain to see if there's bad faith use.

This notion that it's okay to suspend domains because there's a chance to come back and it's no big deal, it's a very big deal. There was very controversial legislation that Congress deep sixed this year because, called SOPA, based on claims that both copyright and trademark rights that became so controversial that the Internet went dark for a day. Millions of people were bombarding Congress with emails. The White



House took a position that killed the bill and it was just about suspensions, it wasn't about transfers.

So suspending domains that are a platform for commerce and speech is a very big deal and a proposal that lets a suspension happen without any review of the use of the domain is just not acceptable to the folks I represent, so that's my comment.

OLOF NORDLING:

Thanks. Any comment to that or could we go straight to the next in line? Please introduce yourself.

ZAK MUSCOVITCH:

Sure. My name is Zak Muscovitch. I'm from here in Toronto. I'm new to the URS discussion, but I'm not new to domain name disputes. I've handled several hundred in front of WIPO and NAF.

It seems to me, if I recall correctly, back in the 1999 ICANN staff report on the formation of the UDRP, the UDRP was envisioned as a procedure to deal with the clear-cut cases of abuse of domain registrations. So this, I assume, is for the clearest of clear-cut cases, but yet when I look at the models that are being presented, of the questions that the complainants must fill out and the answers the response must give, this is really a substantive assessment of the case. It's a mini UDRP and there may very well be good reason to have such a thing in place.

I'm not disputing that, but after doing this for 13 years, and you guys are experts on this having done it for that long as well, I don't see how

you can lessen the human involvement and the minimal pay that the panelists are already getting for this.

So if there is a revolutionary new approach I would love to hear about it, but is it going to be kept a secret or is this something that we can discuss?

PAUL MCGRADY:

It's not a revolutionary new approach, it is a panelist applying the URS. They look at it, they look at the marks, they look at the domain name, they make a decision about whether or not the mark and the domain name are confusingly similar to each other. That happens about like that. They look at the website, how it's being used and they say, "That's a problem, that's not a problem." Again, that happens pretty quickly.

The URS is a different policy than the UDRP. For whatever reason, we now have a UDRP that requires ten, 15 pages. We have panelists writing about whether or not latches apply in jurisdictions where there are no equitable defenses. So the UDRP is what it is and it's a fine alternative to the URS in the event that you don't believe that you have that sort of very clear cut case.

So yeah, I just think it's a different policy and it will be applied a different way. You've said that we're all experts up here. I never referred that way to myself whenever John Berryhill's in the room because he always beats me.



OLOF NORDLING: Well, I'm half reluctant to give John the floor. I don't think we can go any further because we are a hard stop at 1:00 PM and that's what it is right now, so could you be very, very quick in your comment, John? Or is it a lengthy one, then please don't.

JOHN BERRYHILL: It's a lengthy one. I mean it's a quick one. It's a quick one. It's the one that I always like to do at every URS presentation.

David, I want to encourage you to really rethink about this automatic suspension on default because the fact of the matter is that the substantive evaluation component of this should be very simple, as Zak said and as Phil said.

What I like to do at every URS presentation is read some cases—just the domain names and this will take ten seconds—from the currently pending list of cases at WIPO: nestlehealthsciences.com; porscheracing.com; deutschebankindia.com; waldorfastianewyork.com; guccioutletsalesstore.com.

It's not going to take anybody more than 15 seconds to know what's going to happen with those cases unless there's something really interesting going on. Maybe somebody named Porsche is racing, but you can figure that out pretty quickly.

Then there's beehive.com and arab-health.org. Those are obviously things that, when they come across the desk, whatever the claim is, that might need some other thought. It is not a process that requires a tremendous amount of deliberation to sort these into questions requiring thought and questions that can be decided quickly. That's all.



OLOF NORDLING: Thanks, John, and I'm sorry, but we do have to stop right now and conclude because we're running over time. Yes?

CAROLINE PERRIARD: It's just me. I won't be long. I'm Caroline Perriard from Nestle so I'm glad you brought up the examples. We have a few others.

Just one or two comments. First, I don't see why we cannot review the process if we see that today the process is not going to work. This is going to be used for long term so it's really the time to review it so it has to be efficient and it has to be sustainable.

I go back on David's point. It's really very important that it's sustainable. There is UDRP if you really need and we have really hard cases and we need to go into the depth of the cases. The URS could be a very good tool for the brand owners. Thank you.

OLOF NORDLING: Thank you, and on a concluding note, we have here three different approaches and a number of comments and a number of things that need to be done. Of course, we have the RFI going and we will look very closely and with great interest in the results from that.

In the meantime, having talked with GNSO Council and the ALAC, they are willing to set up a drafting team in standby given certain conditions, notably that the providers provide some input on cost elements and things like that for further discussions.



Of course, we have got a lot of material from today so I will incite the GNSO Council to put that drafting team into effect, and to which I also would incite the providers to join forces. First of all, weed out the things that need weeding out and then grapple with whatever questions that need addressing.

So thank you very much for attending today and there is more to follow. This is just the beginning of the end.

[End of Transcript]

